

CREDIBILITY - PRIOR CONVICTION OF A DEFENDANT

You have heard evidence that (name of defendant) has previously been convicted of [a] crime[s]. This evidence may only be used in determining the credibility or believability of the defendant's testimony. You may not conclude that the defendant committed the crime charged in this case or is more likely to have committed the crime charged simply because he/she committed a crime on another occasion.

A jury has a right to consider whether a person who has previously failed to comply with society's rules as demonstrated through a criminal conviction would be more likely to ignore the oath requiring truthfulness on the witness stand than a person who has never been convicted of any crime. You may consider in determining this issue the nature and degree¹ of the prior conviction[s] and when it [they] occurred.

Our law permits a conviction to be received in evidence only for the purpose of affecting the credibility of the defendant and for no other purpose. You are not, however, obligated to change your opinion as to the credibility of the defendant simply because of [a] prior conviction[s]. You may consider such evidence along with all the other factors we previously discussed in determining the credibility of the defendant.

¹ State v. Brunson, 132 N.J. 377 (1993)