

NOTICE TO THE BAR

UPDATES TO MODEL CRIMINAL JURY CHARGES

The Supreme Court Committee on Model Criminal Jury Charges has issued the following Model Criminal Jury Charges. All Model Criminal Jury Charges, including these new or revised charges, are available for downloading from the Judiciary's Internet website at <https://www.njcourts.gov/attorneys/criminalcharges.html>. These updates to the model charges are also included on the Judiciary's "Automated Model Criminal Jury Charges System," at <https://www.judiciary.state.nj.us/criminal/apps/jurycharges/DefaultExternal.aspx>.

Non 2C Identification – In-Court and Out-of-Court Identifications (5/18/20)

This charge was revised pursuant to the Supreme Court's request in State v. Anthony, 237 N.J. 213 (2019) and State v. Green, 239 N.J. 88 (2019).

Non 2C Credibility-Defendant's Statement at or Near Time of Arrest (6/21/20)

This is a new model charge.

Non 2C Credibility-Defendant's Silence Before Arrest (6/21/20)

This is a new model charge.

N.J.S.A. 2C:11-5 Reckless Vehicular Homicide (Reckless With Driving While Intoxicated or Refusal to Submit to a Breathalyzer Test) and Reckless Vehicular Homicide (Reckless Without Driving While Intoxicated or Refusal to Submit to a Breathalyzer Test) (4/20/20)

These two charges were revised pursuant to a statutory amendment, effective 1/16/18, that proof that the defendant failed to maintain a lane in violation of N.J.S.A. 39:4–88 may give rise to an inference that the defendant was driving recklessly. Reckless Vehicular Homicide is a crime of the third degree if the defendant proves by a preponderance of the evidence that the defendant did not commit any conduct constituting driving a vehicle or vessel recklessly other than failing to

maintain a lane in violation of N.J.S.A. 39:4–88.

N.J.S.A. 2C:14-9(a)

Invasion of Privacy (Observing) (10/21/19)

This is a new model charge.

N.J.S.A. 2C:33-3(e)

False Public Alarms – Misuse of 9-1-1 (10/21/19)

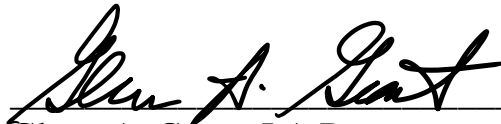
This is a new model charge.

N.J.S.A. 2C:33-31(a)(7)

Dog Fighting (Fighting Paraphernalia) (5/18/20)

This is a new model charge.

Questions regarding these new and revised model criminal jury charges may be directed to Erin Grady, Staff Attorney, Criminal Practice Division, Administrative Office of the Courts, Hughes Justice Complex, P.O. Box 982, Trenton, New Jersey 08625; telephone 609-815-2900 ext. 55318.



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Acting Administrative Director of the Courts

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