

# Table of Contents

## CHAPTER 1 GENERAL OPENING INSTRUCTIONS

T.P.I.—Crim. 0.00	Criminal jury charge checklist
T.P.I.—Crim. 1.00	Preliminary jury instructions (To be given to the jury only after the jury is sworn)
T.P.I.—Crim. 1.01	Crime charged and plea
T.P.I.—Crim. 1.02	Duties of court and jury
T.P.I.—Crim. 1.03	Singular and plural words
T.P.I.—Crim. 1.04	Gender
T.P.I.—Crim. 1.05	Formal charge: Not evidence
T.P.I.—Crim. 1.06	Statements and rulings of the court
T.P.I.—Crim. 1.07	Statements and arguments of counsel
T.P.I.—Crim. 1.08	Jury: Judges of facts and law
T.P.I.—Crim. 1.09	No independent research or discussion

## CHAPTER 2 PRESUMPTION OF INNOCENCE, BURDEN OF PROOF, REASONABLE DOUBT, RESTATEMENT OF CRIME CHARGED, AND ALTERNATIVE DEFINITIONS

T.P.I.—Crim. 2.01	Presumption of innocence
T.P.I.—Crim. 2.02	Burden of proof: General
T.P.I.—Crim. 2.03	Reasonable doubt
T.P.I.—Crim. 2.04	Burden of proof: Elements and date of offense
T.P.I.—Crim. 2.05	Burden of proof: Venue (general)
T.P.I.—Crim. 2.06(a)	Burden of proof: Venue (computer offenses)
T.P.I.—Crim. 2.06(b)	Burden of proof: Venue (continuous sexual abuse of a child)
T.P.I.—Crim. 2.07	Restatement of crime charged
T.P.I.—Crim. 2.08	Alternative instruction: Definition of “intentionally”
T.P.I.—Crim. 2.09	Alternative instruction: Definition of “knowingly”
T.P.I.—Crim. 2.10	Alternative instruction: Definition of “recklessly”

T.P.I.—CRIM.

**CHAPTER 3  
CRIMINAL RESPONSIBILITY**

- T.P.I.—Crim. 3.01 Criminal responsibility for conduct of another  
[not to be charged as a separate offense or be  
put on a verdict form]
- T.P.I.—Crim. 3.02 Facilitation of a felony
- T.P.I.—Crim. 3.03 Accessory after the fact
- T.P.I.—Crim. 3.04 Corporate liability
- T.P.I.—Crim. 3.05 Individual liability for corporate conduct

**CHAPTER 4  
PREPARATORY OFFENSES**

- T.P.I.—Crim. 4.01 Criminal attempt (other than attempted  
first degree murder with serious bodily  
injury)
- T.P.I.—Crim. 4.01(a) Criminal Attempt, to wit: First Degree  
Murder Where the Victim [*Suffers Serious  
Bodily Injury*] [*Was a \_\_\_\_\_ Who Was  
Engaged in the Performance of Official  
Duties*]
- T.P.I.—Crim. 4.02 Solicitation
- T.P.I.—Crim. 4.03 Criminal conspiracy

**CHAPTER 5  
ORGANIZED CRIME**

- T.P.I.—Crim. 5.01 Violation of RICO Act

**CHAPTER 6  
ASSAULT**

- T.P.I.—Crim. 6.01 Assault
- T.P.I.—Crim. 6.02 Aggravated Assault (For Offenses  
Committed On Or After 1/1/07 But Prior  
To 7/1/13)
- T.P.I.—Crim. 6.02(a) Aggravated Assault (For Offenses  
Committed On Or After 7/1/13)
- T.P.I.—Crim. 6.02(b) [Aggravated] Assault Against a [*First  
Responder*] [*Nurse*]
- T.P.I.—Crim. 6.03 Reckless endangerment
- T.P.I.—Crim. 6.04 Vehicular assault
- T.P.I.—Crim. 6.04(a) Vehicular [*assault*] [*homicide*]:  
Supplemental instruction number one

## TABLE OF CONTENTS

T.P.I.—Crim. 6.05	Aggravated vehicular assault
T.P.I.—Crim. 6.06	Criminal exposure to <i>[HIV]</i> <i>[HBV]</i> <i>[HCV]</i>
T.P.I.—Crim. 6.07	[Reserved]
T.P.I.—Crim. 6.08	Domestic assault (for offenses committed on or after 4/10/08)
T.P.I.—Crim. 6.08(a)	Domestic assault (causing bodily injury to the victim): Supplemental instruction number one
T.P.I.—Crim. 6.09	Violation of a protective order
T.P.I.—Crim. 6.10	[Influencing] [Attempting to Influence] a Domestic assault witness

## CHAPTER 7 CRIMINAL HOMICIDE

T.P.I.—Crim. 7.01	First degree murder (premeditated killing) (for offenses committed on or after July 1, 1995)
T.P.I.—Crim. 7.02	First degree murder (destructive device or bomb) (for offenses committed on or after July 1, 1995)
T.P.I.—Crim. 7.03	First degree murder (killing in perpetration of other crimes) (for offenses committed on or after July 1, 1995)
T.P.I.—Crim. 7.03(a)	First degree murder (killing in perpetration or attempted perpetration of an act of terrorism)
T.P.I.—Crim. 7.04(a)	First degree murder (fixing punishment of death or life imprisonment or life imprisonment without possibility of parole) (for offenses committed on or after July 1, 1995)
T.P.I.—Crim. 7.04(b)	First degree murder (fixing punishment of life imprisonment or life imprisonment without possibility of parole) (for offenses committed on or after July 1, 1995)
T.P.I.—Crim. 7.04(c)	First Degree Murder In The Perpetration Or Attempt To Perpetrate An Act Of Terrorism (Fixing Punishment Of Death Or Life Imprisonment Without Possibility Of Parole)
T.P.I.—Crim. 7.04(d)	First degree murder (supplemental instruction when it has been determined the jury is divided on the sentence of death, only for offenses committed on or after July 1, 1993)
T.P.I.—Crim. 7.04(e)	Evidence of other [crimes] [bad acts]
T.P.I.—Crim. 7.05(a)	Second degree murder (knowing killing of another)

#### **T.P.I.—CRIM.**

T.P.I.—Crim. 7.05(b)	Second degree murder (drugs as proximate cause)
T.P.I.—Crim. 7.06	Voluntary manslaughter
T.P.I.—Crim. 7.07	Criminally negligent homicide
T.P.I.—Crim. 7.08(a)	Vehicular homicide (reckless conduct)
T.P.I.—Crim. 7.08(b)	Vehicular homicide (intoxication)
T.P.I.—Crim. 7.08(c)	Vehicular homicide (.08% alcohol concentration)
T.P.I.—Crim. 7.08(d)	Vehicular Homicide (Drag Racing)
T.P.I.—Crim. 7.08(e)	Vehicular Homicide (Construction Zone)
T.P.I.—Crim. 7.09	Reckless homicide
T.P.I.—Crim. 7.10	Assisted suicide
T.P.I.—Crim. 7.11	Aggravated vehicular homicide

### **CHAPTER 8 KIDNAPPING, FALSE IMPRISONMENT AND CUSTODIAL INTERFERENCE**

T.P.I.—Crim. 8.01	Kidnapping
T.P.I.—Crim. 8.02	Aggravated kidnapping
T.P.I.—Crim. 8.03	Especially aggravated kidnapping
T.P.I.—Crim. 8.04	Custodial interference (for offenses committed on or after July 1, 2004)
T.P.I.—Crim. 8.05	False imprisonment
T.P.I.—Crim. 8.06	Involuntary labor servitude [resulting in serious bodily injury or death] [exceeding one year] [involving 10 or more victims]
T.P.I.—Crim. 8.07	Trafficking for forced labor or services
T.P.I.—Crim. 8.08(a)	Trafficking for sexual servitude (Only for offenses committed prior to 7/1/12)
T.P.I.—Crim. 8.08(b)	Trafficking For Commercial Sex Act

### **CHAPTER 9 ROBBERY**

T.P.I.—Crim. 9.01	Robbery
T.P.I.—Crim. 9.02	Aggravated robbery
T.P.I.—Crim. 9.03	Especially aggravated robbery
T.P.I.—Crim. 9.04	Carjacking

### **CHAPTER 10 SEXUAL OFFENSES**

T.P.I.—Crim. 10.01	Aggravated rape
T.P.I.—Crim. 10.02	Rape

## TABLE OF CONTENTS

T.P.I.—Crim. 10.03	Aggravated sexual battery
T.P.I.—Crim. 10.04	Sexual battery
T.P.I.—Crim. 10.04(a)	Sexual battery by an authority figure (for offenses committed on or after 7/1/06)
T.P.I.—Crim. 10.05(a)	Mitigated statutory rape (for offenses committed on or after July 1, 2006)
T.P.I.—Crim. 10.05(b)	Statutory rape (for offenses committed on or after July 1, 2006)
T.P.I.—Crim. 10.05(c)	Aggravated statutory rape (for offenses committed on or after July 1, 2006)
T.P.I.—Crim. 10.05(d)	Statutory rape by an authority figure
T.P.I.—Crim. 10.06	[Reserved]
T.P.I.—Crim. 10.07	[Reserved]
T.P.I.—Crim. 10.08	Promoting prostitution
T.P.I.—Crim. 10.08(a)	Promoting prostitution of a [minor] [person with an intellectual disability]
T.P.I.—Crim. 10.08(b)	Promoting Travel For Prostitution
T.P.I.—Crim. 10.09	Prostitution
T.P.I.—Crim. 10.10	Patronizing prostitution
T.P.I.—Crim. 10.11	[Reserved]
T.P.I.—Crim. 10.12	[Aggravated] rape of a child [Aggravated rape of a child effective for offenses committed on or after July 1, 2006]
T.P.I.—Crim. 10.13	Aggravated prostitution
T.P.I.—Crim. 10.14	[Reserved]
T.P.I.—Crim. 10.15	Public indecency (only for offenses committed prior to 7/1/12)
T.P.I.—Crim. 10.15(a)	Public indecency: Supplemental instruction number one (only for offenses committed prior to 7/1/12)
T.P.I.—Crim. 10.15(b)	Public indecency (for offenses committed on or after 7/1/12)
T.P.I.—Crim. 10.16	Violation of sex offender registration act (for offenses committed on or after July 1, 2008)
T.P.I.—Crim. 10.17	Violation of sex offender residential or work restrictions (for offenses committed on or after August 17, 2009)
T.P.I.—Crim. 10.18	Sexual contact with probationer or parolee
T.P.I.—Crim. 10.19	Sexual contact with inmates
T.P.I.—Crim. 10.20	Violation of community supervision
T.P.I.—Crim. 10.21	Sexual contact by an authority figure
T.P.I.—Crim. 10.22	Soliciting minors to engage in [certain conduct]
T.P.I.—Crim. 10.23	Soliciting sexual exploitation of a minor
T.P.I.—Crim. 10.24	Continuous sexual abuse of a child

**T.P.I.—CRIM.**

**CHAPTER 11  
PROPERTY OFFENSES**

T.P.I.—Crim. 11.01	Theft of property
T.P.I.—Crim. 11.02	Theft of services
T.P.I.—Crim. 11.03(a)	Fixing value
T.P.I.—Crim. 11.03(b)	Fixing apparent value
T.P.I.—Crim. 11.03(c)	Fixing Aggregate Value
T.P.I.—Crim. 11.03(d)	Fixing Apparent Aggregate Value
T.P.I.—Crim. 11.04	Extortion
T.P.I.—Crim. 11.05	Forgery
T.P.I.—Crim. 11.06	Criminal simulation
T.P.I.—Crim. 11.07	Hindering secured creditors
T.P.I.—Crim. 11.08	Organized Retail Crime
T.P.I.—Crim. 11.09	Worthless checks
T.P.I.—Crim. 11.10	False or fraudulent insurance claim
T.P.I.—Crim. 11.11	Theft of mail
T.P.I.—Crim. 11.12	[Reserved]
T.P.I.—Crim. 11.13	[Reserved]
T.P.I.—Crim. 11.14	Unauthorized use of automobile and other vehicles—Joyriding
T.P.I.—Crim. 11.15	Misrepresentation of mileage on used motor vehicle odometer/fraudulent alteration or removal of motor vehicle mileage notice plate
T.P.I.—Crim. 11.16	[Reserved]
T.P.I.—Crim. 11.17	Theft of merchandise
T.P.I.—Crim. 11.18	Illegal possession of/fraudulent use of credit or debit card
T.P.I.—Crim. 11.19	[Reserved]
T.P.I.—Crim. 11.20	[Reserved]
T.P.I.—Crim. 11.21	[Reserved]
T.P.I.—Crim. 11.22	[Reserved]
T.P.I.—Crim. 11.23	Issuing false financial statement
T.P.I.—Crim. 11.24	[Reserved]
T.P.I.—Crim. 11.25	Creating false impression of death
T.P.I.—Crim. 11.26	[Reserved]
T.P.I.—Crim. 11.27	Alteration of item’s permanent distinguishing numbers or sale or possession of such item
T.P.I.—Crim. 11.28	[Reserved]
T.P.I.—Crim. 11.29	Falsifying educational and academic records
T.P.I.—Crim. 11.30	Unauthorized solicitation for police, judicial or safety association
T.P.I.—Crim. 11.31	[Reserved]
T.P.I.—Crim. 11.32	[Reserved]

## TABLE OF CONTENTS

T.P.I.—Crim. 11.33	Communication theft
T.P.I.—Crim. 11.34	[Reserved]
T.P.I.—Crim. 11.35	Identity theft
T.P.I.—Crim. 11.36	Money laundering
T.P.I.—Crim. 11.37	Violation of motor vehicle chop shop act
T.P.I.—Crim. 11.38	Identity theft trafficking
T.P.I.—Crim. 11.39	False academic degrees
T.P.I.—Crim. 11.40	Criminal reproduction, issuance or sale of driver license
T.P.I.—Crim. 11.41	Violation of recording laws [only for offenses committed on or after 7/1/09]
T.P.I.—Crim. 11.42	TennCare fraud

## CHAPTER 12 ANIMALS

T.P.I.—Crim. 12.01	[Reserved]
T.P.I.—Crim. 12.02	Intentional killing of animal
T.P.I.—Crim. 12.03	[Reserved]
T.P.I.—Crim. 12.04	Cruelty to animals
T.P.I.—Crim. 12.04(a)	Aggravated cruelty to Animals (for offenses committed on or after 7/1/21)
T.P.I.—Crim. 12.04(b)	Aggravated cruelty to animals (for offenses committed prior to 7/1/2021)
T.P.I.—Crim. 12.05	[Reserved]
T.P.I.—Crim. 12.06	[Reserved]
T.P.I.—Crim. 12.07	Horse shows
T.P.I.—Crim. 12.08	[Reserved]
T.P.I.—Crim. 12.09	[Reserved]
T.P.I.—Crim. 12.10	Sexual activity with an animal
T.P.I.—Crim. 12.11	Allowing a dog to run at large
T.P.I.—Crim. 12.12	Allowing a <i>[fighting]</i> <i>[dangerous]</i> dog to run at large

## CHAPTER 13 ARSON AND RELATED OFFENSES

T.P.I.—Crim. 13.01	Arson
T.P.I.—Crim. 13.02	Aggravated arson
T.P.I.—Crim. 13.03	Setting fire to personal property or land
T.P.I.—Crim. 13.04	Reckless burning
T.P.I.—Crim. 13.05	[Reserved]
T.P.I.—Crim. 13.06	[Reserved]

T.P.I.—CRIM.

**CHAPTER 14  
BURGLARY, VANDALISM, CRIMINAL  
TRESPASS, AND RELATED OFFENSES**

T.P.I.—Crim. 14.01	Burglary
T.P.I.—Crim. 14.02	Aggravated burglary
T.P.I.—Crim. 14.03	Especially aggravated burglary
T.P.I.—Crim. 14.04	Vandalism
T.P.I.—Crim. 14.05	Criminal trespass
T.P.I.—Crim. 14.06	Aggravated criminal trespass
T.P.I.—Crim. 14.07(a)	Aggravated criminal trespass of a habitation, hospital or school campus
T.P.I.—Crim. 14.07(b)	Aggravated criminal trespass on railroad property
T.P.I.—Crim. 14.07(c)	Aggravated criminal trespass on [construction site] [utility property] [electric or telephone cooperative property]
T.P.I.—Crim. 14.08	[Reserved]
T.P.I.—Crim. 14.09	Critical infrastructure vandalism [of a farm]
T.P.I.—Crim. 14.10	Destruction or interference with utility lines, fixtures or appliances (for offenses committed prior to July 1, 2019)
T.P.I.—Crim. 14.11	Destruction or interference with property utilized by railroads (for offenses committed prior to July 1, 2019)
T.P.I.—Crim. 14.12	Mailbox tampering
T.P.I.—Crim. 14.13	[Reserved]
T.P.I.—Crim. 14.14	[Reserved]
T.P.I.—Crim. 14.15	Vandalism of highway structures
T.P.I.—Crim. 14.16	Tampering with, removal of, or vandalism to an offender monitoring device

**CHAPTER 15  
LITTER**

T.P.I.—Crim. 15.01(a)	Mitigated criminal littering
T.P.I.—Crim. 15.01(b)	Criminal littering
T.P.I.—Crim. 15.01(c)	Aggravated criminal littering
T.P.I.—Crim. 15.02	Transporting unsecured litter

**CHAPTER 16  
COMPUTER OFFENSES**

T.P.I.—Crim. 16.01	Computer Fraud
--------------------	----------------



## TABLE OF CONTENTS

T.P.I.—Crim. 16.02	Computer Tampering
T.P.I.—Crim. 16.03	Receiving, Concealing Or Using Proceeds Resulting From Computer [ <i>Fraud</i> ] [ <i>Tampering</i> ]

## CHAPTER 17 CRIMINAL INSTRUMENTS

T.P.I.—Crim. 17.01	Possession of burglary tools
T.P.I.—Crim. 17.02	Possession of explosive components

## CHAPTER 18 ABANDONMENT AND NONSUPPORT

T.P.I.—Crim. 18.01	Nonsupport
T.P.I.—Crim. 18.02	Flagrant nonsupport (leaving state)

## CHAPTER 19 RESERVED

## CHAPTER 20 INCEST AND BIGAMY

T.P.I.—Crim. 20.01	Incest
T.P.I.—Crim. 20.02	Bigamy

## CHAPTER 21 OFFENSES INVOLVING MINORS

T.P.I.—Crim. 21.01	Aggravated child [ <i>abuse</i> ] [ <i>neglect</i> ] ( <i>for offenses committed on or after 7/1/09</i> )
T.P.I.—Crim. 21.02	Child [ <i>abuse</i> ] [ <i>neglect</i> ] ( <i>for offenses committed on or after July 1, 2005</i> )
T.P.I.—Crim. 21.03(a)	Parental or custodial child endangerment
T.P.I.—Crim. 21.03(b)	Aggravated parental or custodial child endangerment
T.P.I.—Crim. 21.04	[Reserved]
T.P.I.—Crim. 21.05	[Reserved]
T.P.I.—Crim. 21.06	[Reserved]
T.P.I.—Crim. 21.07	[Reserved]
T.P.I.—Crim. 21.08	Contributing to delinquency
T.P.I.—Crim. 21.09	Enticing a child to purchase alcoholic beverages—Purchasing alcoholic beverages for a child

**T.P.I.—CRIM.**

**CHAPTER 22  
BRIBERY AND RELATED OFFENSES**

T.P.I.—Crim. 22.01	Bribery of a public servant
T.P.I.—Crim. 22.02	Buying and selling in regard to public offices
T.P.I.—Crim. 22.03	Bribery of witness
T.P.I.—Crim. 22.04	Bribery of juror
T.P.I.—Crim. 22.05	Soliciting unlawful compensation

**CHAPTER 23  
CONTRABAND IN PENAL INSTITUTIONS**

T.P.I.—Crim. 23.01	Contraband in penal institutions
--------------------	----------------------------------

**CHAPTER 24  
FALSE PERSONATION**

T.P.I.—Crim. 24.01	Criminal impersonation
T.P.I.—Crim. 24.02	Using false identification
T.P.I.—Crim. 24.03	Impersonation of licensed professional

**CHAPTER 25  
MISCONDUCT INVOLVING PUBLIC  
OFFICIALS**

T.P.I.—Crim. 25.01	Official misconduct
T.P.I.—Crim. 25.02	Official oppression
T.P.I.—Crim. 25.03	[Reserved]
T.P.I.—Crim. 25.04	[Reserved]

**CHAPTER 26  
INTERFERENCE WITH GOVERNMENT  
OPERATIONS**

T.P.I.—Crim. 26.01(a)	Initiating false report to law enforcement officer
T.P.I.—Crim. 26.01(b)	Making a false report to law enforcement officer
T.P.I.—Crim. 26.02	False report of a bombing, fire or emergency
T.P.I.—Crim. 26.03	Tampering with or fabricating evidence
T.P.I.—Crim. 26.04	Coercion of a witness
T.P.I.—Crim. 26.05	Coercion of a juror
T.P.I.—Crim. 26.06	Retaliation for past action

## TABLE OF CONTENTS

T.P.I.—Crim. 26.07	Improper influence of juror
T.P.I.—Crim. 26.08	Compensation for past action
T.P.I.—Crim. 26.09	Receipt of compensation for past action
T.P.I.—Crim. 26.10	Destruction of and tampering with governmental records
T.P.I.—Crim. 26.11	Dismissal of employee because of jury service
T.P.I.—Crim. 26.12	Activating and pointing a laser device at any [law enforcement officer] [firefighter] [emergency medical technician] [emergency service personnel]
T.P.I.—Crim. 26.13	False accusation of child [ <i>sex abuse</i> ] [ <i>brutality</i> ] [ <i>abuse</i> ] [ <i>neglect</i> ]
T.P.I.—Crim. 26.14	Illegal [ <i>registration</i> ] [ <i>voting</i> ]

## CHAPTER 27 OBSTRUCTION OF JUSTICE

T.P.I.—Crim. 27.01	Escape
T.P.I.—Crim. 27.02	Failure to appear (for offenses committed on or after May 19, 2004)
T.P.I.—Crim. 27.03	Introduction of implements for escape into penal institution
T.P.I.—Crim. 27.04	Resisting stop, frisk, halt, arrest or search—Prevention or obstruction of service of legal writ or process
T.P.I.—Crim. 27.05(a)	Evading arrest
T.P.I.—Crim. 27.05(b)	Evading arrest while operating motor vehicle
T.P.I.—Crim. 27.06	Compounding offense
T.P.I.—Crim. 27.07	Permitting or facilitating an escape

## CHAPTER 28 PERJURY

T.P.I.—Crim. 28.01	Perjury
T.P.I.—Crim. 28.02	Aggravated perjury
T.P.I.—Crim. 28.03	Subornation of perjury
T.P.I.—Crim. 28.04	Perjury: Handgun permit

## CHAPTER 29 MISCELLANEOUS OFFENSES AGAINST PUBLIC HEALTH, SAFETY AND WELFARE

T.P.I.—Crim. 29.01	Gifts of adulterated candy or food
--------------------	------------------------------------

**T.P.I.—CRIM.**

T.P.I.—Crim. 29.02	Adulteration of food, liquids or pharmaceuticals
T.P.I.—Crim. 29.03	Violation of airport or aircraft security (for offenses committed on or after 7/1/07)
T.P.I.—Crim. 29.04	Snake or reptile handling
T.P.I.—Crim. 29.05	Unlawful disposal of raw sewage
T.P.I.—Crim. 29.06	Abandonment of airtight containers
T.P.I.—Crim. 29.07	Sale of refrigerator without safety device
T.P.I.—Crim. 29.08	Charge for use of public toilet facility
T.P.I.—Crim. 29.09	Tampering with construction signs and barricades/travel on closed roads
T.P.I.—Crim. 29.10	Transfer of hazardous materials to metals recycling facility without prior written acknowledgment
T.P.I.—Crim. 29.11	Failure of metals recycling facility to post notice
T.P.I.—Crim. 29.12	Removal/alteration of safety device
T.P.I.—Crim. 29.13	[Physical abuse] [only for offenses committed prior to 1/1/19: gross neglect] of impaired adult resulting in serious harm (for offenses committed on or after 7/1/07, but prior to 1/1/2020)
T.P.I.—Crim. 29.14(a)	[Abuse] [only for offenses committed prior to 1/1/19: neglect] [exploitation] of adult (for offenses committed on or after 6/11/07, but prior to 1/1/2020)
T.P.I. — Crim. 29.14(b)	Financial exploitation of [ <i>an elderly</i> ] [ <i>a vulnerable</i> ] adult (for offenses committed on or after 7/1/17)
T.P.I.—Crim. 29.14(c)	Financial exploitation of an adult (for offenses committed on or after 7/1/15 but prior to 7/1/17)
T.P.I.—Crim. 29.15	Aggravated neglect of [an elderly] [a vulnerable] adult
T.P.I.—Crim. 29.16	Neglect of [an elderly] [a vulnerable] adult [other than due to abandonment or confinement alone without injury]
T.P.I.—Crim. 29.17	Neglect of [an elderly] [a vulnerable] adult [due to abandonment or confinement alone without injury]
T.P.I.—Crim. 29.18	[Aggravated] Abuse of [an elderly] [a vulnerable] adult (for offenses committed on or after 1/1/20)
T.P.I.—Crim. 29.19	Sexual exploitation of [an elderly] [a vulnerable] adult

TABLE OF CONTENTS

**CHAPTER 30**  
**DISORDERLY CONDUCT, RIOTS, CIVIL**  
**RIGHTS INTIMIDATION AND RELATED**  
**OFFENSES**

T.P.I.—Crim. 30.01	Aggravated riot
T.P.I.—Crim. 30.02	Civil rights intimidation
T.P.I.—Crim. 30.03	Abuse of corpse
T.P.I.—Crim. 30.04	[Reserved]
T.P.I.—Crim. 30.05	Riot
T.P.I.—Crim. 30.06	Inciting to riot
T.P.I.—Crim. 30.07(a)	Harassment (for offenses committed prior to 7/1/16)
T.P.I.—Crim. 30.07(b)	Harassment (for offenses committed on or after 7/1/16)
T.P.I.—Crim. 30.08	Public intoxication
T.P.I.—Crim. 30.09	Desecration of venerated object
T.P.I.—Crim. 30.10	Disrupting meeting or procession
T.P.I.—Crim. 30.11	Obstructing highway or passageway
T.P.I.—Crim. 30.12(a)	Stalking
T.P.I.—Crim. 30.12(b)	Aggravated stalking
T.P.I.—Crim. 30.12(c)	Especially aggravated stalking
T.P.I.—Crim. 30.12(d)	Supplemental instruction: stalking
T.P.I.—Crim. 30.13	Disorderly conduct
T.P.I.—Crim. 30.14	Unlawful communication with victim of crime
T.P.I.—Crim. 30.15	Terrorism
T.P.I.—Crim. 30.16	Violation of weapons of mass destruction law
T.P.I.—Crim. 30.17	Providing support or resources for terrorism (for offenses committed on or after 7/1/11)
T.P.I.—Crim. 30.18	Distribution or delivery of substance as act of terrorism or hoax

**CHAPTER 31**  
**DRUGS**

T.P.I.—Crim. 31.01	Controlled substances: Manufacture, delivery or sale
T.P.I.—Crim. 31.02	Counterfeit controlled substances
T.P.I.—Crim. 31.03	Unlawful drug paraphernalia uses and activities
T.P.I.—Crim. 31.04	Controlled substances: Possession with intent to sell or deliver
T.P.I.—Crim. 31.05	Simple possession or casual exchange

#### **T.P.I.—CRIM.**

T.P.I.—Crim. 31.05(a)	Simple possession or casual exchange supplemental instruction number one [Only for heroin if committed on or after 7/1/16]
T.P.I.—Crim. 31.06	Unlawful [ <i>distribution</i> ] [ <i>dispensing</i> ] of a controlled substance
T.P.I.—Crim. 31.07	Inhaling glue, paint, gasoline, aerosol, gases, etc.
T.P.I.—Crim. 31.08	Use or possession of glue for unlawful purposes
T.P.I.—Crim. 31.09	Selling, offering to sell, delivering or giving glue, paint, gasoline, aerosol, gases, etc.
T.P.I.—Crim. 31.10	[ <i>Keeping</i> ] [ <i>Maintaining</i> ] a [ <i>Location</i> ] for Drug Use
T.P.I.—Crim. 31.11	Obtaining controlled substance by fraud
T.P.I.—Crim. 31.11(a)	Prescription Drug Fraud
T.P.I.—Crim. 31.12	[Reserved]
T.P.I.—Crim. 31.12(a)	Supplemental Instruction: Drug-free zone
T.P.I.—Crim. 31.12(b)	Supplemental instruction: Intended recipient under eighteen (18) years of age
T.P.I.—Crim. 31.13	Fixing weight
T.P.I.—Crim. 31.14	Promoting methamphetamine manufacture
T.P.I.—Crim. 31.15	Initiating the manufacture of methamphetamine
T.P.I.—Crim. 31.16	Use or possession of false drug test device
T.P.I.—Crim. 31.17	Controlled substance analogues: manufacture, delivery, dispensing or sale
T.P.I.—Crim. 31.18	Controlled substance analogues: possession with intent to manufacture, deliver, dispense or sell
T.P.I.—Crim. 31.19	Simple possession or casual exchange of a controlled substance analogue
T.P.I.—Crim. 31.20	Controlled substance analogue
T.P.I.—Crim. 31.21	Controlled Substance Analogues: Unlawful Representation, Advertisement Or Inference
T.P.I.—Crim. 31.22	Imitation controlled substances

## **CHAPTER 32 GAMBLING**

T.P.I.—Crim. 32.01	Aggravated gambling promotion
T.P.I.—Crim. 32.02	Lotteries, chain letters and pyramid clubs
T.P.I.—Crim. 32.03	Gambling

## TABLE OF CONTENTS

T.P.I.—Crim. 32.04	Gambling promotion
T.P.I.—Crim. 32.05	Possession of gambling device or record
T.P.I.—Crim. 32.06	Unlawful customer referral rebates
T.P.I.—Crim. 32.07	Sale, purchase, playing or redeeming of lottery ticket or share to or by person under age 18
T.P.I.—Crim. 32.08	Illegal lottery sales
T.P.I.—Crim. 32.09	Lottery fraud
T.P.I.—Crim. 32.10	Making false statement or entry in lottery application, book or records

## CHAPTER 33 INTOXICATING LIQUORS

T.P.I.—Crim. 33.01	Unlawful sale of alcoholic beverages
T.P.I.—Crim. 33.02	Receiving, possessing or transporting alcoholic beverages
T.P.I.—Crim. 33.03	Transportation of alcoholic beverages by common carrier
T.P.I.—Crim. 33.04	Manufacture of alcoholic beverages
T.P.I.—Crim. 33.05	Storage of liquor for sale
T.P.I.—Crim. 33.06	Possession of still
T.P.I.—Crim. 33.07	Consuming or possessing alcoholic beverages on school property

## CHAPTER 34 OBSCENITY AND PORNOGRAPHY

T.P.I.—Crim. 34.01	Producing, importing, preparing, distributing, processing or appearing in obscene material or exhibition
T.P.I.—Crim. 34.02	Using minors to import, prepare, distribute, process or appear in obscene material or exhibition
T.P.I.—Crim. 34.03	Sexual exploitation of a minor (for offenses committed on or after 7/1/05)
T.P.I.—Crim. 34.04	Aggravated sexual exploitation of a minor
T.P.I.—Crim. 34.05	Especially aggravated sexual exploitation of a minor
T.P.I.—Crim. 34.06	Sale/loan/exhibition of material harmful to minors
T.P.I.—Crim. 34.07	Display for sale/rent of material harmful to minor
T.P.I.—Crim. 34.08	Massage or exposure of erogenous areas
T.P.I.—Crim. 34.09	Exploitation of a minor [by electronic means]

T.P.I.—CRIM.

**CHAPTER 35  
PUBLIC EVENTS**

- T.P.I.—Crim. 35.01 Prize fighting, sparring and other brutal sports  
T.P.I.—Crim. 35.02 Sports bribery

**CHAPTER 36  
WEAPONS**

- T.P.I.—Crim. 36.01 Weapons: Possessing, manufacturing, transporting, repairing or selling prohibited  
T.P.I.—Crim. 36.02 Carrying weapons during judicial proceedings  
T.P.I.—Crim. 36.03(a) Possessing or carrying weapons with intent to go armed on school property  
T.P.I.—Crim. 36.03(b) Possessing or carrying firearms on school property  
T.P.I.—Crim. 36.04 Possessing or carrying weapons on public parks, civic centers, recreational buildings and grounds  
T.P.I.—Crim. 36.05 Unlawful possession of a handgun by a convicted felon (for offenses committed on or after 7/1/08)  
T.P.I.—Crim. 36.05(a) Unlawful possession of a firearm by a convicted felon (for offenses committed on or after 7/1/08)  
T.P.I.—Crim. 36.06(a) Unlawful possession of a deadly weapon with intent to employ it during the *[commission of]* *[attempt to commit]* *[escape from]* an offense [for “non-dangerous offenses” committed on or after 1/1/08]  
T.P.I.—Crim. 36.06(b) Unlawful possession of a deadly weapon other than a firearm with intent to employ it during the *[commission of]* *[attempt to commit]* *[escape from]* a dangerous offense [for offenses committed on or after 1/1/08]  
T.P.I.—Crim. 36.06(c) Unlawful [possession] [employment] of a *[firearm]* *[antique firearm]* [with intent to go armed] during the [commission of or attempt to commit] [flight or escape from the commission of or attempt to commit] a dangerous offense  
T.P.I.—Crim. 36.06(d) Supplemental instruction number one  
T.P.I.—Crim. 36.07 Unlawful sale, loan or gift of firearm



## TABLE OF CONTENTS

T.P.I.—Crim. 36.08	Carrying weapon with intent to go armed
T.P.I.—Crim. 36.09	Unlawful possession of firearm where alcoholic beverages are served
T.P.I.—Crim. 36.10	Possession or use of restricted firearm ammunition
T.P.I.—Crim. 36.11	Failure to prevent or report minor's possession of firearm
T.P.I.—Crim. 36.12	Unlawful possession of a handgun while under the influence

## CHAPTER 37 RESERVED

## CHAPTER 38 MOTOR VEHICLE OFFENSES

T.P.I.—Crim. 38.01	Driving under the influence [accompanied by a child] [resulting in serious bodily injury to a child] [resulting in the killing of a child] (for offenses committed on or after 7/1/13)
T.P.I.—Crim. 38.01(a)	Driving under the influence [Accompanied by a child] [Resulting in serious bodily injury to a child] [Resulting in the killing of a child] (for offenses committed on or after 1/1/11 but prior to 7/1/13)
T.P.I.—Crim. 38.02	Driving Under The Influence: Lawful Use Not A Defense
T.P.I.—Crim. 38.03	Driving under influence: Additional blood sample
T.P.I.—Crim. 38.04	Driving under influence: Refusal of test
T.P.I.—Crim. 38.05	Driving under influence: Blood alcohol test
T.P.I.—Crim. 38.06	Driving under the influence: Physical control
T.P.I.—Crim. 38.07	[Reserved]
T.P.I.—Crim. 38.08	Driving under the influence: Supplemental instruction number one
T.P.I.—Crim. 38.09(a)	Underage driving while impaired (for offenses committed on or after 9/19/16)
T.P.I.—Crim. 38.09(b)	Underage driving while impaired— Under 21 [For offenses committed prior to 7/1/16]
T.P.I.—Crim. 38.10	Consuming/possessing open container of alcoholic beverage or beer while operating motor vehicle

## T.P.I.—CRIM.

T.P.I.—Crim. 38.11	[Reserved]
T.P.I.—Crim. 38.12	Reckless driving
T.P.I.—Crim. 38.13	[Reserved]
T.P.I.—Crim. 38.14(a)	Knowingly leaving the scene of an accident resulting in death
T.P.I.—Crim. 38.14(b)	Leaving the scene of an accident resulting in injury or death
T.P.I.—Crim. 38.14(c)	Leaving the scene of an accident resulting in damage to a vehicle [exceeding four hundred dollars (\$400)] [Only for offenses committed prior to 7/1/15]
T.P.I.—Crim. 38.14(d)	Leaving the scene of an accident resulting in damage to a vehicle
T.P.I.—Crim. 38.15	Driving while license [cancelled] [suspended] [revoked]
T.P.I.—Crim. 38.15(a)	Driving while license [cancelled] [suspended] [revoked] supplemental instruction number one
T.P.I.—Crim. 38.15(b)	Driving while license [cancelled] [suspended] [revoked] supplemental instruction number two
T.P.I.—Crim. 38.16	[Reserved]
T.P.I. — Crim. 38.17(a)	<i>[Refusing] [preventing] [obstructing]</i> the administration of a required <i>[breath] [blood]</i> test (for offenses committed on or after 7/1/17 but prior to 7/1/19)
T.P.I.—Crim. 38.17(b)	Refusal to submit to <i>[alcohol] [drug] [alcohol and drug]</i> test while driving on <i>[cancelled] [suspended] [revoked]</i> license (for offenses committed prior to 7/1/17)
T.P.I.—Crim. 38.18	Driving without license [in possession]
T.P.I.—Crim. 38.19	Violation of financial responsibility law
T.P.I.—Crim. 38.20	Violation of vehicle registration law
T.P.I.—Crim. 38.21	Drag racing [resulting in serious bodily injury]
T.P.I.—Crim. 38.22	Boating under the influence

## CHAPTER 39 MISCELLANEOUS

T.P.I.—Crim. 39.01	Misapplication of contract payments
T.P.I.—Crim. 39.02	Interception of cellular or cordless telephone transmissions
T.P.I.—Crim. 39.03(a)	Unlawful photographing
T.P.I.—Crim. 39.03(b)	Unlawful photographing in violation of privacy (for offenses committed prior to 7/1/21)

## TABLE OF CONTENTS

T.P.I.—Crim. 39.04	Illegal wiretapping or electronic surveillance
T.P.I.—Crim. 39.05(a)	Criminal Gang Offense Supplemental Instruction (Criminal Gang Member) (Only for offenses committed on or after 4/28/16)
T.P.I.—Crim. 39.05(b)	Criminal Gang Offense Supplemental Instruction (Criminal Gang Initiation) (Only for offenses committed on or after 4/28/16)
T.P.I.—Crim. 39.06	Persons improperly on school premises
T.P.I.—Crim. 39.07	Observation without consent
T.P.I.—Crim. 39.08	Unlawful recording of theatrical motion picture
T.P.I.—Crim. 39.09	Unlawful Exposure

## CHAPTER 40 DEFENSES

T.P.I.—Crim. 40.01	Defense: Ignorance or mistake of fact
T.P.I.—Crim. 40.02	Defense: Intoxication
T.P.I.—Crim. 40.03	Defense: Duress
T.P.I.—Crim. 40.04	Defense: Entrapment
T.P.I.—Crim. 40.05	Defense: Necessity
T.P.I.—Crim. 40.06	Defense: Self-defense
T.P.I.—Crim. 40.07	Defense: Defense of third person
T.P.I.—Crim. 40.08	Defense: Protection of property
T.P.I.—Crim. 40.09	Defense: Protection of a third person's property
T.P.I.—Crim. 40.10	Affirmative defense: Renunciation
T.P.I.—Crim. 40.11	Defense: voluntary return of victim (Applicable to Custodial Interference Committed On or After July 1, 2004)
T.P.I.—Crim. 40.12	[Reserved]
T.P.I.—Crim. 40.13	Affirmative defense: Claim of right (applicable to theft of property or services or unauthorized use of automobile and other vehicles)
T.P.I.—Crim. 40.14	Affirmative defense: Claim of restitution, indemnification or compensation (applicable to extortion)
T.P.I.—Crim. 40.15	[Reserved]
T.P.I.—Crim. 40.16	Affirmative defense: Insanity (for offenses committed on or after July 1, 1995)
T.P.I.—Crim. 40.17	Defense: Effective consent

**T.P.I.—CRIM.**

**CHAPTER 41  
DELIBERATION PROCESS**

T.P.I.—Crim. 41.01	Deliberation: Order of consideration
T.P.I.—Crim. 41.02	Multiple counts: Guilt finding limited to one— Order of consideration
T.P.I.—Crim. 41.03	Multiple counts: Finding on each required
T.P.I.—Crim. 41.04	Considering multiple defendants

**CHAPTER 42  
GENERAL INSTRUCTIONS—EVIDENCE  
AND GUIDES FOR ITS CONSIDERATION**

T.P.I.—Crim. 42.01	Preponderance of evidence
T.P.I.—Crim. 42.02	Expert witness
T.P.I.—Crim. 42.03	Evidence: Direct and circumstantial
T.P.I.—Crim. 42.03(a)	Alternative instruction: Direct and circumstantial evidence
T.P.I.—Crim. 42.04	Credibility of witness: In general and when defendant testifying
T.P.I.—Crim. 42.04(a)	Alternative instruction: Credibility of witness
T.P.I.—Crim. 42.04(b)	Alternative instruction: Witness
T.P.I.—Crim. 42.05	Identity
T.P.I.—Crim. 42.05(a)	Alternative instruction: When identification not material
T.P.I.—Crim. 42.06	Impeachment of witness
T.P.I.—Crim. 42.07	Evidence of prior conviction
T.P.I.—Crim. 42.08	Evidence of good character
T.P.I.—Crim. 42.08(a)	Alternative instruction: Character of defendant
T.P.I.—Crim. 42.09	Accomplice
T.P.I.—Crim. 42.09(a)	Alternative instruction: Accomplice
T.P.I.—Crim. 42.10	Evidence of other crimes
T.P.I.—Crim. 42.11	Confession [admission against interest]
T.P.I.—Crim. 42.11(a)	Prior Statement Of The Defendant
T.P.I.—Crim. 42.12	Confessions
T.P.I.—Crim. 42.13	Alibi
T.P.I.—Crim. 42.13(a)	[Reserved]
T.P.I.—Crim. 42.14	Cause of death
T.P.I.—Crim. 42.15	Dying declarations
T.P.I.—Crim. 42.16	Absent material witness
T.P.I.—Crim. 42.16(a)	Alternative instruction: Absent material witness
T.P.I.—Crim. 42.16(b)	Alternative instruction: Absent material witness

## TABLE OF CONTENTS

T.P.I.—Crim. 42.17	Fingerprint evidence
T.P.I.—Crim. 42.17(a)	Alternative instruction: Fingerprint evidence
T.P.I.—Crim. 42.18	Flight
T.P.I.—Crim. 42.19	Inferences
T.P.I.—Crim. 42.20	Inference from possession of recently stolen property
T.P.I.—Crim. 42.21	Inference: Theft of rental property
T.P.I.—Crim. 42.22	Evidence of mental state
T.P.I.—Crim. 42.23	Duty to preserve evidence
T.P.I.—Crim. 42.24	Computer animated visualization
T.P.I.—Crim. 42.25	Election of offenses
T.P.I.—Crim. 42.25(a)	Election of Offenses (only use in generic evidence cases)
T.P.I.—Crim. 42.26	Testimony of non-English speaking witness
T.P.I.—Crim. 42.27	Inference of concealment or destruction of evidence
T.P.I.—Crim. 42.28	Use of a facility dog
T.P.I.—Crim. 42.29	Considering <i>[Redacted]</i> <i>[Edited]</i> Evidence

## CHAPTER 43 CONCLUDING INSTRUCTIONS

T.P.I.—Crim. 43.01	When Rule 29 Motion For Judgment Of Acquittal Is Granted In Part
T.P.I.—Crim. 43.02	Jury: Deliberation—Deadlocked jury charge
T.P.I.—Crim. 43.03	Defendant: Not testifying
T.P.I.—Crim. 43.04	No Sympathy or prejudice by jury
T.P.I.—Crim. 43.05	Selecting foreperson
T.P.I.—Crim. 43.06	Verdict: Jury finding and reporting orally
T.P.I.—Crim. 43.07	Verdict: Jury finding and reporting by use of forms
T.P.I.—Crim. 43.08	Verdict form: Guilty
T.P.I.—Crim. 43.09	Verdict form: Not guilty—General
T.P.I.—Crim. 43.10	Verdict form: Not guilty by reason of insanity
T.P.I.—Crim. 43.11	[Reserved]
T.P.I.—Crim. 43.12	Fines
T.P.I.—Crim. 43.13	Supplemental instruction No. <i>[_____]</i>
T.P.I.—Crim. 43.14	No outside communication during deliberation

**Table of Laws and Rules**

**Table of Cases**

**Index**