

Tennessee Criminal Pattern Jury Instructions

T.P.I. -- CRIM. 2.01

PRESUMPTION OF INNOCENCE

The law presumes that the defendant is innocent of the charge[s] against [him] [her]. This presumption remains with the defendant throughout every stage of the trial, and it is not overcome unless from all the evidence in the case you are convinced beyond a reasonable doubt that the defendant is guilty.¹

FOOTNOTES

1. Arterburn v. State, 216 Tenn. 240, 391 S.W.2d 648 (1965); Caldwell v. State, 164 Tenn. 325, 48 S.W.2d 1087 (1932); Gray v. State, 63 Tenn. (4 Baxt) 331 (1874); 1 WHARTON'S CRIMINAL EVIDENCE § 96, at 162 (C. Torcia 13th Ed. 1972); see also Tenn. Code Ann. § 39-11-201.

T. P.I. -- CRIM. 2.02

BURDEN OF PROOF: GENERAL

The state has the burden of proving the guilt of the defendant beyond a reasonable doubt, and this burden never shifts but remains on the state throughout the trial of the case. The defendant is not required to prove [his] [her] innocence.

T.P.I. -- CRIM. 2.03

REASONABLE DOUBT

Reasonable doubt is that doubt engendered by an investigation of all the proof in the case and an inability, after such investigation, to let the mind rest easily as to the certainty of guilt. Reasonable doubt does not mean a doubt that may arise from possibility. Absolute certainty of guilt is not demanded by the law to convict of any criminal charge, but moral certainty is required, and this certainty is required as to every proposition of proof requisite to constitute the offense.

T.P.I. -- CRIM. 2.04

BURDEN OF PROOF: ELEMENTS AND DATE OF THE OFFENSE

The state must have proven beyond a reasonable doubt all of the elements of the crime charged, and that it was committed before the finding and returning of the indictment in this case.