

**AGGRAVATED ARSON, ARSON, FIRST DEGREE ARSON OF CHURCH,  
SYNAGOGUE, TEMPLE OR OTHER PLACE OF PUBLIC WORSHIP  
(N.J.S.A. 2C:17-1g)**

Count \_\_\_ of the indictment charges the defendant with [aggravated arson] [arson] of a [church] [synagogue] [temple] [place of public worship].

**[Charge Aggravated Arson, Arson or First Degree Arson]**

This count of the indictment also alleges that the structure which was the target of the offense was a [church] [synagogue] [temple] [place of public worship], specifically: [describe the charged premise]<sup>1</sup> If you find that the State has proven each of the elements I have previously described, then you must determine whether it has also proven, beyond a reasonable doubt, that the target of the offense was a [church] [synagogue] [temple] [place of public worship].

In order for you to determine that the [church] [synagogue] [temple] [place of public worship] was the "target"<sup>2</sup> of the charged arson, the State must prove beyond a reasonable doubt that it was the defendant's purpose to [destroy]<sup>3</sup> [destroy or damage]<sup>4</sup> a [church] [synagogue] [temple] [place of public worship]. I have already defined "purposely" for you.

If you find that the State has failed to prove this additional element beyond a reasonable doubt, but has proven beyond a reasonable doubt that defendant has committed [arson for hire] [aggravated arson] [arson], then you must find the defendant not guilty of [arson for hire] [aggravated arson] [arson] of a [church] [synagogue] [temple] [place of public worship], but guilty of [arson for hire] [aggravated arson] [arson]. On the other hand, if you find that the State

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<sup>1</sup> If the defendant is convicted of aggravated arson, arson or first-degree arson, and the target of his crime was a church, synagogue, temple or other place of public worship, he is guilty of a crime of the first degree, and the sentence imposed shall include a term of imprisonment. The term of imprisonment shall include a fifteen year term of parole ineligibility. N.J.S.A. 2C:17-1g.

<sup>2</sup> "Target" is not defined in the statute. "Target" is defined in the American Heritage Dictionary of the English Language (3rd ed.) as, inter alia, "[s]omething aimed or fired at."

<sup>3</sup> Use "destroy" if an aggravated arson is charged under N.J.S.A. 2C:17-1a(2).

<sup>4</sup> Use "destroy or damage" if an aggravated arson is charged under N.J.S.A. 2C:17-1a(3) or N.J.S.A. 2C:17-1a(4), or if arson is charged under N.J.S.A. 2C:17-1b(2), N.J.S.A. 2C:17-1b(3) or N.J.S.A. 2C:17-1b(4).

**Aggravated Arson, Arson, First Degree  
Arson of Church, Synagogue, Temple or  
Other Place of Public Worship  
N.J.S.A. 2C:17-1g**

has proven beyond a reasonable doubt all of the elements of [arson for hire] [aggravated arson] [arson] and this additional element, then you must find the defendant guilty of [arson for hire] [aggravated arson] [arson] of a [church] [synagogue] [temple] [place of public worship]. Finally, if you find that the State has failed to prove any of the elements of [arson for hire] [aggravated arson] [arson] beyond a reasonable doubt, then you must find the defendant not guilty.