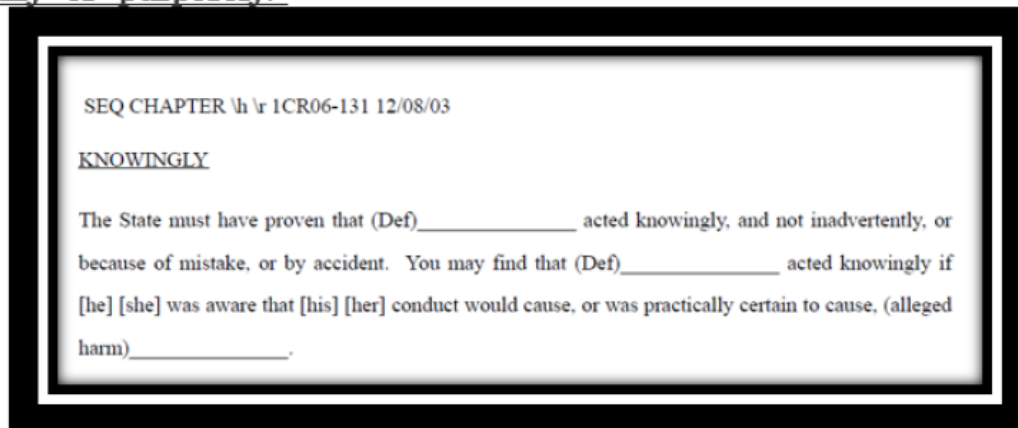
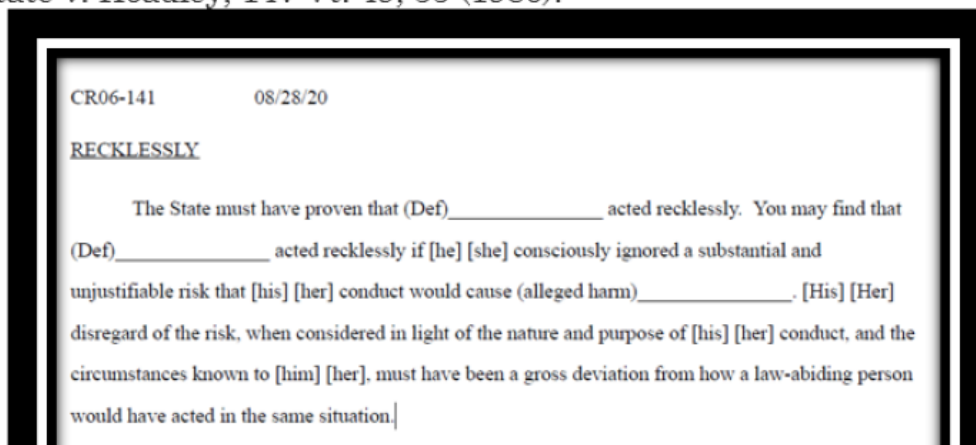


“Knowingly.” To act “knowingly” means to engage in conduct that will cause, or that will be practically certain to cause, a specific harmful result. As the Supreme Court explained in *State v. Jackowski*, 2006 VT 119, 181 Vt. 73, **this is somewhat different from acting “intentionally” or “purposely.”**



“Recklessly.” The instruction on recklessness derives from the Model Penal Code, § 2.02(c), as recognized by the Supreme Court in *State v. Amsden*, 2013 VT 51, ¶ 23, 194 Vt. 128. *See also* *State v. Brooks*, 163 Vt. 245, 251 (1995); *State v. O’Connell*, 149 Vt. 114, 115 n. 1 (1987); *State v. Hoadley*, 147 Vt. 49, 55 (1986).



§ 1026. Disorderly conduct

Currentness

(a) A person is guilty of disorderly conduct if he or she, with intent to cause public inconvenience or annoyance, or recklessly creates a risk thereof:

- (1) engages in fighting or in violent, tumultuous, or threatening behavior;
- (2) makes unreasonable noise;
- (3) in a public place, uses abusive or obscene language;
- (4) without lawful authority, disturbs any lawful assembly or meeting of persons; or
- (5) obstructs vehicular or pedestrian traffic.

(b) A person who is convicted of disorderly conduct shall be imprisoned for not more than 60 days or fined not more than \$500.00, or both.

A person who is convicted of a second or subsequent offense under this section shall be

§ 1023. Simple assault

Currentness

(a) A person is guilty of simple assault if he or she:

(1) attempts to cause or purposely, knowingly, or recklessly causes bodily injury to another;
or

(2) negligently causes bodily injury to another with a deadly weapon; or

(3) attempts by physical menace to put another in fear of imminent serious bodily injury.

(b) A person who is convicted of simple assault shall be imprisoned for not more than one year or fined not more than \$1,000.00, or both, unless the offense is committed in a fight or scuffle entered into by mutual consent, in which case a person convicted of simple assault shall be