

Jury Instructions

Members of the jury, I will now instruct you on the law that applies to this case. Each of you has a copy of these instructions to use in the jury room¹. You must decide what the facts are. It is up to all of you², and you alone, to decide what happened, based only on the evidence³ that has been presented⁴ to you in trial. Do not let bias⁵, sympathy, prejudice or public opinion⁶ influence your decision. Bias includes, but, is not limited to bias for or against the witnesses⁷, attorneys, defendants, or alleged⁸ victim based on disability⁹, gender, nationality, national origin, race or ethnicity¹⁰, religion, gender identification, sexual orientation¹¹, age or socioeconomic status.

You must follow the law¹² as I explain it to you, even if you disagree¹³ with it. If you believe that the attorney's comment on the law conflicts¹⁴ with my instructions you must follow my instructions to the letter¹⁵.

Pay close¹⁶ attention to all of these instructions and consider them together. If I repeat any instruction or idea do not conclude¹⁷ that it is more important than any other instruction or idea just because I repeat it. Some words or phrases used during this trial¹⁸ have legal meaning that may differ¹⁹ from their meaning in

everyday life²⁰. These words and phrases will be specifically defined in these instructions. Please be sure²¹ to listen carefully and follow the instructions that I give you. Words and phrases not specifically defined in these instructions are to be applied²² using your ordinary everyday meaning. Some of these instructions may not apply depending on

your findings about the facts of the case. Do not assume²³ just because I give a particular instruction that I suggest to you²⁴ anything about the facts. After you have discussed what the facts are — after you've decided what the facts are, follow the instructions that do apply to the facts as you find them. Do not do any kind of research²⁵ on your own or as a group. Do not use a dictionary, the internet or other reference materials²⁶. Do not investigate the facts or the law. Do not conduct any experiment or visit the scene²⁷ of any event involved in this case. If you happen to pass by the scene, do not stop or investigate in any way²⁸.

You have been given notebooks²⁹ and may have taken notes during the trial. You may use your notes during deliberation³⁰. The notes are for your own individual use to help you remember what happened during the trial. Please keep in mind³¹ that your notes may be inaccurate or incomplete. If there is a disagreement about the testimony or stipulations³² at trial, you may ask that the court reporter's³³ record be read to you. It is the record³⁴ that must guide your deliberation, not your notes. Please do not remove your notes from the jury room. At the end of the trial your notes will be collected³⁵ and destroyed³⁶.

Both defendants³⁷ in this case are charged³⁸ with the same crimes³⁹. You must separately consider the evidence as it applies to each defendant. You must decide each charge for each defendant separately. If you cannot reach a verdict⁴⁰ on both of the defendants or on any of the charges against any defendant, you must report⁴¹ your disagreement⁴² to the Court⁴³ and you

must return your verdict on any defendant or charge on which you have unanimously⁴⁴ agreed. Unless I tell you otherwise⁴⁵, all instructions apply to each⁴⁶ defendant. The fact that a criminal charge has been filed⁴⁷ against the defendants is not evidence that the charge is true. You must not be biased against the defendants just because they have been arrested⁴⁸, charged with a crime or brought to trial. A defendant in a criminal case is presumed to be⁴⁹ innocent. This presumption requires⁵⁰ that the People prove a defendant's guilt beyond a reasonable doubt. Whenever I tell you the People⁵¹ must prove something, I mean⁵² they must prove it beyond a reasonable doubt⁵³ unless I specifically tell you otherwise. Proof beyond a reasonable doubt is proof that leaves you with an abiding⁵⁴ conviction that the charge is true. The evidence need not eliminate all possible⁵⁵ doubt because everything in life is open to some possible or imaginary⁵⁶ doubt. In deciding whether the⁵⁷ People have proved their case beyond a reasonable doubt you must impartially compare and consider all the evidence that was received throughout the entire trial. Unless the evidence proves the defendants guilty beyond a reasonable doubt — sorry⁵⁸, let me start again.

Unless the evidence proves the defendants guilty beyond a reasonable doubt, they're entitled⁵⁹ to acquittals⁶⁰ and you must, I repeat, must find them not guilty. You must decide what the facts are in this case. You must⁶¹ use only the evidence that was presented in this courtroom⁶². Evidence is the sworn testimony⁶³ of witnesses, the exhibits⁶⁴ admitted into evidence and anything else I told you to consider as evidence. Nothing that the attorneys⁶⁵ say is evidence. In their opening statements⁶⁶ and closing arguments⁶⁷ the

attorneys discuss the case, but, their remarks⁶⁸ are not evidence. Their questions⁶⁹ are not evidence, only the witness's answers are evidence. The attorneys' questions are significant only if they help you to understand the witness's answer. Do not assume that something is true just because one of the attorneys asked a question that suggests it is true⁷⁰. Remember the magnitude⁷¹ of the responsibility you have been granted⁷². You hold the freedom and future of these two individuals in your hands. It will be up to you⁷³, **and only you, to make sure that our country's justice system**⁷⁴ functions as it should and returns the correct verdict. Listen carefully, and make the right choice⁷⁵.