

**UTAH JUDICIAL COUNCIL
STANDING COMMITTEE ON MODEL UTAH CRIMINAL JURY INSTRUCTIONS
MEETING MINUTES**

Via Webex
March 5, 2025 – 12:00 p.m. to 1:30 p.m.

DRAFT

COMMITTEE MEMBER:	ROLE:	PRESENT	EXCUSED	GUESTS:
Hon. Teresa Welch	District Court Judge [Chair]	•		STAFF: Bryson King
Hon. Christopher Bown	Justice Court Judge	•		
Dr. Jay Jordan	Linguist/Communications Professor	•		
Hon. Linda Jones	Emeritus District Court Judge		•	
Hon. Matthew Bates	District Court Judge	•		
[VACANT]	Defense Attorney	N/A	N/A	
Janet Lawrence	Defense Attorney		•	
Jeffrey Mann	Prosecutor	•		
Breanne Miller	Prosecutor	•		
[VACANT]	Defense Attorney	N/A	N/A	
Freyja Johnson	Defense Attorney	•		
McKay Lewis	Prosecutor		•	
Nic Mills	Prosecutor	•		

(1) WELCOME AND APPROVAL OF FEBRUARY 2025 MINUTES

Judge Bown, as acting chair of the Committee, welcomed the Committee and reviewed the minutes from the last meeting. Judge Bates moved to approve the minutes, and Breanne Miller seconded the motion. Without opposition, the motion passed and the minutes were approved. Judge Welch joined the meeting and welcomed the newest member, Judge Bown, to the Committee.

(2) AGENDA ITEM 2: CR1002

The Committee then discussed public comment feedback regarding CR1002. All comments recommended that the Committee draft an instruction that provides what *does* constitute actual physical control rather than what *doesn't*. After some discussion, the Committee determined either to withdraw and remove the instruction or amend the instruction to provide guidance on what does constitute actual physical control. Some Committee members raised concerns about drawing too much attention to elements that do constitute actual physical control, rather than encouraging jurors to perform their fact-finding responsibilities. After some discussion, the Committee proposed listing factors from case law that may include actual physical control, with language that reads less determinative. The Committee also determined to put factors that would not constitute actual physical control in parenthesis for discretionary use. After some formatting and language modifications, the Committee voted to approve the amended CR1002

(3) ADJOURN

The Committee adjourned around 1:30p.m. The Committee's next meeting will be April 2nd, 2025, from 12:00p.m. to 1:30p.m.