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

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

Committee Members	Role	Present	Excused	Guests
Hon. Teresa Welch	District Court Judge [Chair]	•		
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		•	
Lacey Singleton	Defense Attorney	•		
Janet Lawrence	Defense Attorney		•	
Jeffrey Mann	Prosecutor	•		
Breanne Miller	Prosecutor	•		
Shannon Woulfe	Defense Attorney	•		
Freyja Johnson	Defense Attorney	•		
McKay Lewis	Prosecutor	•		
Nic Mills	Prosecutor	•		
Bryson King	Staff	•		

(1) WELCOME AND APPROVAL OF SEPTEMBER 2025 MINUTES

Judge Welch welcomed the Committee and invited a motion to approve the September meeting minutes. Breanne Miller moved to approve the minutes and Freyja Johnson seconded the motion. Without objection the motion carried and the minutes were approved.

(2) AGENDA ITEM 8: PROPOSED AMENDMENT TO SVF1450 – IMPERFECT SELF-DEFENSE

Judge Welch then turned the Committee's attention to SVF1450 and invited Jeff Mann to present proposed amendments. Jeff explained that the proposal corresponds with recent

emphasis by the appellate courts on the need for juror unanimity. He notes the current SVF1450 invites the jury to check alternative boxes stating either "We unanimously find . . ." or "We do not unanimously find . . ." "that the State has proved beyond a reasonable doubt that the defense of imperfect self-defense DOES NOT apply." The language of the second alternative can be confusing because it sounds like the jury is not unanimous in the finding. He proposes to replace the above language with the following: "We unanimously find that the State," with alternative "has" or "has not" boxes, "proven beyond a reasonable doubt that the defense of imperfect self-defense DOES NOT apply." McKay Lewis queried whether the defendant still has some burden to show that the defense applies. Jeff noted that, once a defendant makes a prima facie case for the defense, the defendant bears no burden and the State must prove the defense does not apply, as reflected in CR1452. McKay agreed and pointed out that special mitigation is different. Judge Bown asked whether the SVF should include a statement regarding perfect self-defense. Jeff referenced CR1453 regarding the interplay between perfect and imperfect self-defense and says that only imperfect self-defense needs to be addressed in the SVF. Judge Bown said he was persuaded. Jeff then moved to amend SVF1450 as outlined. Freyja seconded. No objection having been raised, the motion carried. Revised SVF1450 will be published and sent out for comment.

(3) AGENDA ITEM 3: PROPOSED CR1012 – IGNITION INTERLOCK DRIVER

Judge Welch moved on to draft instruction CR1012, which the Committee has been working on. Judge Bown suggested that language should be added to indicate that the driver was interlock restricted "on the date of the alleged offense." Lacey Singleton agreed. Others disagreed, including Breanne, McKay, and Jeff, who took the view that the language is already implied in the instruction by the fact that both an interlock restriction and operation of a vehicle must be shown for an interlock violation to be proven. Judge Welch called for a vote, which resulted in 3 supporting omitting the language and 2 voting to include it. Others abstained. Judge Welch said that the language at issue would be omitted based on the majority of the votes. McKay then moved to approve CR1012 for publication. Jeff seconded. There being no objections, the motion carried.

(4) AGENDA ITEM 4: PROPOSED CR541 & CR542 – IGNORANCE OR MISTAKE OF FACT / LAW

Judge Welch asked Freyja to review her proposed instructions for Ignorance or Mistake of Fact/Law. Freyja noted that Breanne had some feedback on certain aspects of the instruction, but that Breanne had to leave the meeting early, so her concerns will need to be addressed at another time. Freyja has completed her term of service on the Committee, so this will be her last meeting. She suggests that Nic Mills may be able to take over on these instructions. Judge Welch thanked Freyja for all of her work on the Committee.

(5) AGENDA ITEMS 5 - 7: PROPOSED CR1010, CR1010A & CR1011 – REFUSING A CHEMICAL TEST, DEFINITION OF DUI ADMONITION, REFUSAL AS EVIDENCE OF CONSCIOUSNESS OF GUILT

Judge Welch advised that the proposed instructions McKay has put together as to refusing a chemical test, the definition of a DUI admonition, and refusal as evidence of consciousness of guilt will be prioritized on the agenda for the next meeting, along with items Janet has been working on as shown on the DUI roadmap (Agenda Item 2). McKay suggested that Committee members review the referenced Code provisions for his instructions. He also expressed the view that refusing a chemical test is a strict liability offense, but noted that at a recent trial, the judge suggested that the defendant must at least be aware of the admonition. McKay does not think that's really an issue as no admonition would be issued, for example, if a defendant were not conscious and able to hear it.

(6) ADJOURN

The meeting adjourned at approximately 1:30 p.m.