

Criminal Jury Instructions Committee

Minutes – November 20, 2020

Present via Zoom (20):

Hon. Patricia Starr
Jamiel Allen
Elizabeth Bingert
Hon. Maria Brewer
Carlos Carrion
Bruce Chalk
Ellen Dahl
David Euchner
Kush Govani
Paul Hawkins
Hon. Jason Holmberg
Karen Komrada
Todd Lawson
Jennifer Linn
Sarah Mayhew
Steve McCarthy
Shawn Steinberg
Mikel Steinfeld
Greta Vietor
William Wallace

Absent (5):

Hon. James P. Beene
Michael Breeze
Robb Holmes
Hon. Stephen Hopkins
Hon. Danelle Liwski

1. Call to Order by Judge Starr: 1:30PM

- a. Motion to approve minutes from October 16, 2020 meeting
- b. Second
- c. Motion passes unanimously – meeting minutes approved

2. Agenda Items:

- a. 14.03.A.1 – Public Sexual Indecency – Carrion
 - i. Steinfeld moves to approve changes above the line
 - ii. Second
 - iii. Motion passes unanimously to change above the line
 - iv. Discussion re below the line changes
 - v. Carrion moves
 - vi. Euchner second
 - vii. Motion passes unanimously
- b. 32.14.A – Prostitution
 - i. Steinfeld moves to remove quotation marks
 - ii. Vote taken – Motion passes unanimously
- c. Discussion DUI Title 28 Instructions
 - i. Typo fixed on prohibited operation- (s) added to circumstance
 - ii. Mayhew discussion re 28.8282(A)(2)
 - iii. 28.8282(A)(2)(c)(1) – fixed typo on percent
 - iv. 28.8282(A)(2)(c)(2) – add word “occurred”
 - 1. Chalk moves
 - 2. Steinfeld second
 - 3. Motion Passes Unanimously
- d. 36.13 – Contributing to Delinquency of a Minor – Dan Carrion
 - i. Discussion Dahl and Bingert re mirroring the statute
 - ii. Motion to leave as Carrion wrote it
 - iii. Bingert moves
 - iv. Dahl second
 - v. No vote
- e. Public Defender Definition in 12.04 – Aggravated Assault – Komrada

- i. Euchner suggests taking out proposed memo decision below the line
 - ii. Discussion re definition of public defender instruction above the line
 - iii. Euchner proposes change below the line – definition of Pub. Def.
 - iv. Carrion moves
 - v. Komrada/Linn second
 - vi. Motion passes unanimously as amended
- f. Addition to Preliminary 8 Instruction Exclusion of Witnesses
 - i. Judge Hopkins proposal but he is absent
 - ii. Discussion – Euchner suggests bullet points for exceptions
 - iii. Tabled for now
- g. Wrap-up
 - i. Discussion re next meeting – scheduled for December 18th 1:30pm
- h. Call to Public Completed 2:02pm
- i. Adjourn 2:04pm