

STATE OF SOUTH CAROLINA )  
COUNTY OF COLLETON )  
STATE OF SOUTH CAROLINA )  
VS. )  
RICHARD ALEXANDER )  
MURDAUGH, )  
DEFENDANT. )

IN THE COURT OF GENERAL SESSIONS

Indictment Numbers: 2022GS1500952  
2022GS1500953  
2022GS1500954  
2022GS1500955

**JURY CHARGE**

MADAM FORELADY AND MEMBERS OF THE JURY, YOU HAVE HEARD THE TESTIMONY, RECEIVED THE EVIDENCE, AND HEARD THE ARGUMENTS OF THE STATE AND THE DEFENDANT. I WILL NOW EXPLAIN TO YOU THE LAW THAT APPLIES TO THIS CASE.

UNDER THE CONSTITUTION AND LAWS OF SOUTH CAROLINA, YOU ARE THE FINDERS OF THE FACTS IN THIS CASE. I DO NOT HAVE THE RIGHT TO PASS UPON THE FACTS OR EVEN TO EXPRESS ANY OPINION I MIGHT HAVE AS TO THEM. THIS IS A MATTER SOLELY FOR YOU, THE JURY, TO DETERMINE. AS JURORS, THEN, IT IS YOUR DUTY TO DETERMINE THE EFFECT, THE VALUE, AND THE WEIGHT OF THE EVIDENCE PRESENTED DURING THIS TRIAL.

## FUNCTION OF TRIAL JUDGE

AS THE TRIAL JUDGE, IT IS MY RESPONSIBILITY TO PRESIDE OVER THE TRIAL OF THIS CASE, AND I ALSO HAVE THE DUTY TO RULE UPON OR PASS UPON THE ADMISSIBILITY OF THE EVIDENCE OFFERED DURING THIS TRIAL. YOU ARE TO CONSIDER ONLY THE TESTIMONY WHICH HAS BEEN PRESENTED FROM THIS WITNESS STAND TOGETHER WITH ANY OTHER EVIDENCE OR EXHIBITS WHICH HAVE BEEN MADE A PART OF THE RECORD AND ANY STIPULATIONS OF COUNSEL MADE.

I HAVE THE ADDITIONAL DUTY TO CHARGE YOU THE LAW APPLICABLE TO THIS CASE, AND AS THE PRESIDING JUDGE, I AM THE SOLE JUDGE OF THE LAW. IT IS YOUR DUTY AS JURORS TO ACCEPT AND APPLY THE LAW AS I NOW STATE IT TO YOU, THEN DELIBERATE IN AN EFFORT TO REACH YOUR VERDICT. AND FINALLY, I CHARGE YOU IN THIS REGARD THAT YOU SHOULD NOT BE CONCERNED WITH WHAT YOU THINK THE LAW OUGHT TO BE, BUT WHAT I CHARGE YOU THAT THE LAW IS.

## CREDIBILITY

YOU ARE ALSO THE JUDGES, THE SOLE JUDGES, OF THE CREDIBILITY, THAT IS THE BELIEVABILITY OF THE WITNESSES WHO HAVE TESTIFIED AND OF THE EVIDENCE OFFERED. IN CONSIDERING CREDIBILITY YOU MAY TAKE INTO CONSIDERATION MANY THINGS, SUCH AS:

- (1) THE Demeanor, OR MANNER OF TESTIFYING;
- (2) WHETHER THE WITNESS HAD REASON TO BE BIASED OR PREJUDICED;
- (3) WHETHER A TESTIMONY WAS CONTRADICTED, ON THE ONE HAND, OR SUPPORTED AND CORROBORATED, ON THE OTHER HAND.

YOU MAY BELIEVE A SMALL PORTION OF A WITNESS' TESTIMONY AND DISREGARD THE LARGER- OR VICE VERSA. ALL THESE THINGS YOU WILL CONSIDER, BEARING IN MIND THAT YOU SHOULD GIVE THE DEFENDANT THE BENEFIT OF ANY REASONABLE DOUBT. IT BECOMES YOUR DUTY AS JURORS TO ANALYZE AND TO EVALUATE THE EVIDENCE AND DETERMINE THAT EVIDENCE WHICH CONVINCES YOU OF ITS TRUTH.

## DIRECT AND CIRCUMSTANTIAL EVIDENCE

THERE ARE TWO TYPES OF EVIDENCE WHICH ARE GENERALLY PRESENTED DURING A TRIAL—DIRECT EVIDENCE AND CIRCUMSTANTIAL EVIDENCE. DIRECT EVIDENCE DIRECTLY PROVES THE EXISTENCE OF A FACT AND DOES NOT REQUIRE DEDUCTION. CIRCUMSTANTIAL EVIDENCE IS PROOF OF A CHAIN OF FACTS AND CIRCUMSTANCES INDICATING THE EXISTENCE OF A FACT.

CRIMES MAY BE PROVEN BY DIRECT EVIDENCE OR CIRCUMSTANTIAL EVIDENCE. THE LAW MAKES NO DISTINCTION BETWEEN THE WEIGHT OR VALUE TO BE GIVEN TO EITHER DIRECT EVIDENCE OR CIRCUMSTANTIAL EVIDENCE. HOWEVER, TO THE EXTENT THE STATE RELIES ON CIRCUMSTANTIAL EVIDENCE, THE CIRCUMSTANCES MUST BE CONSISTENT WITH EACH OTHER, AND WHEN TAKEN TOGETHER, POINT CONCLUSIVELY TO THE GUILT OF THE ACCUSED BEYOND A REASONABLE DOUBT. IF THESE CIRCUMSTANCES MERELY PORTRAY THE DEFENDANT'S BEHAVIOR AS SUSPICIOUS, THE PROOF HAS FAILED.

THE STATE HAS THE BURDEN OF PROVING THE DEFENDANT GUILTY BEYOND A REASONABLE DOUBT. THIS BURDEN RESTS WITH THE STATE REGARDLESS OF WHETHER THE STATE RELIES ON DIRECT EVIDENCE, CIRCUMSTANTIAL EVIDENCE, OR SOME COMBINATION OF THE TWO.

## EXPERT WITNESS

THE RULES OF EVIDENCE ORDINARILY DO NOT PERMIT WITNESSES TO TESTIFY TO OPINIONS OR CONCLUSIONS. AN EXCEPTION TO THIS RULE EXISTS FOR WITNESSES WE CALL “EXPERT WITNESSES”. AN EXPERT WITNESS IS A WITNESS WHO, BY EDUCATION AND EXPERIENCE, HAS BECOME EXPERT IN SOME ART, SCIENCE, PROFESSION, OR CALLING, AND MAY STATE AN OPINION AS TO THE RELEVANT AND MATERIAL MATTER, IN WHICH THE WITNESS CLAIMS TO BE AN EXPERT, AND MAY ALSO STATE THE REASONS FOR THE OPINION.

YOU SHOULD CONSIDER ANY EXPERT OPINION RECEIVED IN EVIDENCE IN THIS CASE AND, LIKE ANY OTHER EVIDENCE, GIVE IT THE WEIGHT YOU THINK IT DESERVES. IF YOU DECIDE THAT THE OPINION OF AN EXPERT WITNESS IS NOT BASED ON SUFFICIENT EDUCATION AND EXPERIENCE, OR IF YOU CONCLUDE THAT THE REASONS GIVEN IN SUPPORT OF THE OPINION ARE NOT SOUND, OR THAT THE OPINION IS OUTWEIGHED BY OTHER EVIDENCE, YOU MAY DISREGARD THE OPINION ENTIRELY.

AN EXPERT WITNESS’ TESTIMONY IS TO BE GIVEN NO GREATER WEIGHT THAN THAT OF OTHER WITNESSES SIMPLY BECAUSE THE WITNESS IS AN EXPERT. FURTHER, YOU ARE NOT REQUIRED TO ACCEPT AN EXPERT’S OPINION, EVEN THOUGH IT IS NOT CONTRADICTED.

### OTHER CRIMES AND BAD ACTS

IN REGARD TO EVIDENCE OF OTHER CRIMES, AND EVIDENCE OF ALLEGED BAD ACTS ON OTHER OCCASIONS, THIS EVIDENCE IS LIMITED TO CONSIDERATION BY YOU AS IT RELATES TO THE MOTIVE OF THE DEFENDANT FOR THE OFFENSES CHARGED IN THIS CASE. THIS EVIDENCE CAN NOT BE USED FOR ANY OTHER PURPOSE. THIS TYPE OF EVIDENCE MUST NOT BE CONSIDERED IN ANY OTHER FASHION.

IN PARTICULAR, THE SOUTH CAROLINA RULES OF EVIDENCE PROVIDE THAT EVIDENCE OF OTHER CRIMES, WRONGS, OR ACTS IS NOT ADMISSIBLE TO PROVE THE CHARACTER OF A PERSON IN ORDER TO SHOW ACTION IN CONFORMITY THEREWITH. PUT ANOTHER WAY, EVIDENCE OF OTHER CRIMES OR BAD ACTS CANNOT BE USED TO SHOW THAT THE DEFENDANT IS A BAD PERSON AND THEREFORE IS MORE LIKELY TO HAVE COMMITTED THE CRIME FOR WHICH HE IS ACCUSED. YOU MAY NOT CONSIDER EVIDENCE OF OTHER CRIMES AND BAD ACTS FOR THIS PURPOSE, OR FOR ANY PURPOSE OTHER THAN AS IT RELATES TO THE MOTIVE OF THE DEFENDANT.

IN ADDITION, WHILE YOU MAY HAVE HEARD THAT OTHER CRIMES AND BAD ACTS OF THE DEFENDANT HAVE RESULTED IN OTHER CHARGES OR INDICTMENTS NOT BEFORE YOU, THE FACT THAT DEFENDANT WAS ARRESTED, CHARGED, AND INDICTED IN THESE MATTERS IS NOT EVIDENCE AND CAN NOT BE CONSIDERED BY YOU AS EVIDENCE OF GUILT IN THIS CASE, NOR DO THESE INDICTMENTS CREATE ANY PRESUMPTION OF GUILT. AS TO ANY OTHER PENDING CHARGES, AS IS THE CASE HERE, DEFENDANT IS PRESUMED INNOCENT UNTIL

PROVEN GUILTY BEYOND A REASONABLE DOUBT BY THE STATE IN A COURT OF LAW.

THE FUNCTION OF THE JURY IS TO DETERMINE WHETHER A DEFENDANT IS GUILTY OR NOT GUILTY, AND THE CONSEQUENCES OF A CONVICTION IN THIS OR OTHER PENDING MATTERS IS OF NO AID IN DETERMINING WHETHER THE DEFENDANT COMMITTED THE OFFENSE. YOU SHOULD NOT CONSIDER NOR SPECULATE ABOUT SENTENCING CONSEQUENCES FOR THIS OR ANY OTHER CRIMES AS THOSE ISSUES ARE NOT BEFORE YOU.

CHARGE, ARREST, INDICTMENTS NOT EVIDENCE

THE FACT THE DEFENDANT WAS ARRESTED, CHARGED AND INDICTED IN THIS CASE, IS NOT EVIDENCE AND CANNOT BE CONSIDERED BY YOU AS EVIDENCE OF GUILT, NOR DOES IT CREATE ANY PRESUMPTION OR INFERENCE OF GUILT. THE INDICTMENTS ARE SIMPLY THE FORMAL WRITTEN INSTRUMENTS WHICH CONTAIN THE CHARGES MADE AGAINST THE DEFENDANT. THE INDICTMENTS ARE THE FORMAL DOCUMENTS BY WHICH THIS CASE IS BROUGHT INTO THIS COURT.



## PRESUMPTION OF INNOCENCE

THE DEFENDANT, RICHARD ALEXANDER MURDAUGH, HAS PLED NOT GUILTY TO THE INDICTMENTS, AND THAT PLEA PUTS THE BURDEN ON THE STATE TO PROVE THE DEFENDANT GUILTY. A PERSON CHARGED WITH COMMITTING A CRIMINAL OFFENSE IN SOUTH CAROLINA IS NEVER REQUIRED TO PROVE HIMSELF INNOCENT.

I CHARGE YOU THAT IT IS AN IMPORTANT RULE OF THE LAW THAT THE DEFENDANT IN A CRIMINAL TRIAL, NO MATTER WHAT THE SERIOUSNESS OF THE CHARGE MAY BE, WILL ALWAYS BE PRESUMED TO BE INNOCENT OF THE CRIME FOR WHICH THE INDICTMENT WAS ISSUED UNLESS GUILT HAS BEEN PROVEN BY EVIDENCE SATISFYING YOU OF THAT GUILT BEYOND A REASONABLE DOUBT. THIS PRESUMPTION OF INNOCENCE DOES NOT END WHEN YOU BEGIN YOUR DELIBERATIONS, BUT IT ACCOMPANIES THE DEFENDANT THROUGHOUT THE TRIAL UNTIL YOU REACH A VERDICT OF GUILT BASED ON EVIDENCE SATISFYING YOU OF THAT GUILT BEYOND A REASONABLE DOUBT.

THE PRESUMPTION OF INNOCENCE IS LIKE A ROBE OF RIGHTEOUSNESS PLACED ABOUT THE SHOULDERS OF THE DEFENDANT WHICH REMAINS WITH THE DEFENDANT UNTIL IT HAS BEEN STRIPPED FROM THE DEFENDANT BY EVIDENCE SATISFYING YOU OF THE GUILT OF THE DEFENDANT BEYOND A REASONABLE DOUBT.

THE PRESUMPTION OF INNOCENCE IS NOT A MERE LEGAL THEORY. IT IS NOT JUST A LEGAL PHRASE. IT IS A SUBSTANTIAL RIGHT TO WHICH EVERY DEFENDANT IS ENTITLED UNLESS YOU, THE JURY, ARE SATISFIED FROM THE EVIDENCE OF THE GUILT OF THE DEFENDANT BEYOND A REASONABLE DOUBT.

## REASONABLE DOUBT

THE STATE MUST PROVE THE DEFENDANT GUILTY BEYOND A REASONABLE DOUBT. SO, WHAT IS A REASONABLE DOUBT IN THE LAW? A REASONABLE DOUBT IS A DOUBT WHICH MAKES A REASONABLE, HONEST, SINCERE, AND CONSCIENTIOUS JUROR HESITATE TO ACT. PROOF BEYOND A REASONABLE DOUBT MUST THEREFORE BE PROOF OF SUCH A CONVINCING CHARACTER THAT A REASONABLE PERSON WOULD NOT HESITATE TO RELY AND ACT UPON IT IN THE MOST IMPORTANT OF HIS OR HER OWN AFFAIRS.

PROOF BEYOND A REASONABLE DOUBT CAN ALSO BE DESCRIBED AS PROOF THAT LEAVES YOU FIRMLY CONVINCED OF THE GUILT OF THE DEFENDANT. NOW, THERE ARE VERY FEW THINGS IN THIS WORLD THAT WE KNOW WITH ABSOLUTE CERTAINTY, AND IN CRIMINAL CASES THE LAW DOES NOT REQUIRE PROOF THAT OVERCOMES EVERY POSSIBLE DOUBT. IF, BASED ON YOUR CONSIDERATION OF THE EVIDENCE YOU ARE FIRMLY CONVINCED THAT THE DEFENDANT IS GUILTY OF A CRIME CHARGED, YOU MUST FIND HIM GUILTY. IF ON THE OTHER HAND, YOU THINK THERE IS A REAL POSSIBILITY THAT HE IS NOT GUILTY, YOU MUST GIVE HIM THE BENEFIT OF THE DOUBT AND FIND HIM NOT GUILTY.

## MULTIPLE CHARGES

THE INDICTMENTS IN THIS CASE ALLEGE FOUR SEPARATE OFFENSES AGAINST THE DEFENDANT. THE INDICTMENTS ARE:

INDICTMENT NO. 1: MURDER OF MARGARET “MAGGIE” MURDAUGH

INDICTMENT NO. 2: MURDER OF PAUL MURDAUGH

INDICTMENT NO. 3: POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME (MURDER OF MARGARET “MAGGIE” MURDAUGH)

INDICTMENT NO. 4: POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME (MURDER OF PAUL MURDAUGH)

EACH INDICTMENT CHARGES A SEPARATE AND DISTINCT OFFENSE. YOU MUST DECIDE EACH INDICTMENT SEPARATELY ON THE EVIDENCE AND THE LAW APPLICABLE TO IT UNINFLUENCED BY YOUR DECISION AS TO ANY OTHER INDICTMENT. THE DEFENDANT MAY BE CONVICTED OR ACQUITTED ON ANY OR ALL OF THE OFFENSES CHARGED. YOU WILL BE ASKED TO WRITE A SEPARATE VERDICT OF GUILTY OR NOT GUILTY FOR EACH INDICTMENT.

## MURDER

THE DEFENDANT, RICHARD ALEXANDER MURDAUGH, IS CHARGED WITH THE MURDER OF MARGARET MURDAUGH AND PAUL MURDAUGH. THE STATE MUST PROVE BEYOND A REASONABLE DOUBT THAT THE DEFENDANT KILLED MARGARET MURDAUGH AND PAUL MURDAUGH WITH MALICE AFORETHOUGHT.

MALICE IS HATRED, ILL WILL, OR HOSTILITY TOWARDS ANOTHER PERSON. IT IS THE INTENTIONAL DOING OF A WRONGFUL ACT WITHOUT JUST CAUSE OR EXCUSE AND WITH AN INTENT TO INFLICT AN INJURY OR UNDER CIRCUMSTANCES THAT THE LAW WILL INFER AN EVIL INTENT.

MALICE AFORETHOUGHT DOES NOT REQUIRE THAT MALICE EXISTS FOR ANY PARTICULAR TIME BEFORE THE ACT IS COMMITTED, BUT MALICE MUST EXIST IN THE MIND OF THE DEFENDANT JUST BEFORE AND AT THE TIME THE ACT IS COMMITTED. THEREFORE, THERE MUST BE A COMBINATION OF THE PREVIOUS EVIL INTENT AND THE ACT.

MALICE AFORETHOUGHT MAY BE EXPRESSED OR INFERRED. THESE TERMS, "EXPRESSED" AND "INFERRED" DO NOT MEAN DIFFERENT KINDS OF MALICE BUT MERELY THE MANNER IN WHICH MALICE MAY BE SHOWN TO EXIST, THAT IS EITHER BY DIRECT EVIDENCE OR BY INFERENCE FROM THE FACTS AND CIRCUMSTANCES WHICH ARE PROVEN. EXPRESS MALICE IS SHOWN WHEN A PERSON SPEAKS WORDS WHICH EXPRESS HATRED OR ILL WILL FOR ANOTHER OR WHEN THE PERSON PREPARED BEFOREHAND TO DO THE ACT WHICH WAS LATER ACCOMPLISHED; FOR EXAMPLE, LYING IN WAIT FOR A PERSON OR ANY OTHER

ACTS OF PREPARATION GOING TO SHOW THAT THE DEED WAS WITHIN THE MIND OF THE DEFENDANT WOULD BE EXPRESSED MALICE.

MALICE MAY BE INFERRED FROM CONDUCT SHOWING A TOTAL DISREGARD FOR HUMAN LIFE.

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

THE DEFENDANT IS ALSO CHARGED WITH TWO COUNTS OF POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME. THE STATE MUST PROVE BEYOND A REASONABLE DOUBT THAT THE DEFENDANT WAS IN POSSESSION OF A FIREARM ARM DURING THE COMMISSION OF A VIOLENT CRIME.

A FIREARM MEANS ANY WEAPON WHICH WILL, IS DESIGNED TO, OR MAY BE READILY CONVERTED TO EXPEL A PROJECTILE.

IN ORDER TO FIND THE DEFENDANT GUILTY OF POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME, YOU MUST FIRST FIND THE DEFENDANT GUILTY OF COMMITTING A VIOLENT CRIME. MURDER IS A VIOLENT CRIME.

THE STATE MUST PROVE BEYOND A REASONABLE DOUBT THAT THE WEAPON FURTHERED, ADVANCED, OR HELPED IN THE COMMISSION OF THE CRIME.

## ARGUMENTS OF COUNSEL

WHILE THE ARGUMENTS OF COUNSEL ARE A BENEFICIAL PART OF EVERY TRIAL, YOU SHOULD REMEMBER THAT THE STATEMENTS MADE BY COUNSEL ARE NOT EVIDENCE. IN PRESENTING THEIR ARGUMENTS, COUNSEL OFTEN REFER TO THE EVIDENCE. HOWEVER, YOU SHOULD BASE YOUR VERDICT ON THE EVIDENCE AS YOU REMEMBER IT. IF THERE ARE ANY CONFLICTS BETWEEN THE RECOLLECTION OF COUNSEL ABOUT THE EVIDENCE AND YOUR OWN RECOLLECTION, YOU SHOULD RELY ON YOUR OWN UNDERSTANDING OF THE EVIDENCE.

## OUTSIDE INFORMATION PROHIBITED

YOU MUST DECIDE WHETHER THE STATE HAS MET ITS BURDEN BEYOND A REASONABLE DOUBT BASED SOLELY ON THE EVIDENCE PRESENTED IN THIS COURTROOM. AS YOU WERE INSTRUCTED AT THE START OF THE TRIAL, YOU ARE NOT PERMITTED TO CONDUCT ANY INDEPENDENT RESEARCH ABOUT THIS CASE, THE FACTS OF THE CASE, THE EVIDENCE PRESENTED IN THE CASE, OR THE PEOPLE OR ORGANIZATIONS INVOLVED IN ANY WAY IN THE CASE. DO NOT TRY TO FIND ANY INFORMATION FROM ANY SOURCE OUTSIDE THIS COURTROOM, HOWEVER RELIABLE THAT SOURCE MAY SEEM TO BE. DO NOT LOOK AT DICTIONARIES OR OTHER REFERENCE MATERIALS, SEARCH THE INTERNET, WEBSITES, OR BLOGS, OR USE ANY OTHER ELECTRONIC TOOLS TO GET INFORMATION ABOUT THIS CASE OR HELP YOU MAKE A DECISION. YOU MAY NOT USE COMPUTERS, TELEPHONES, CELL PHONES, SMARTPHONES, TABLETS, THE INTERNET, OR OTHER TOOLS OF TECHNOLOGY WITH COMMUNICATION CAPABILITIES AT ANY TIME DURING YOUR DELIBERATIONS, EXCEPT ONLY AS PROVIDED BY THE COURT TO REVIEW THE DIGITAL EVIDENCE IN THIS CASE. IF YOUR DELIBERATIONS NECESSITATE AN OVERNIGHT BREAK, YOU MAY USE THESE DEVICES AS NECESSARY, BUT YOU MAY NOT USE THEM TO COMMUNICATE WITH ANYONE ABOUT THE CASE UNTIL THE CASE IS OVER. THIS MEANS YOU MUST NOT USE PHONE CALLS, VIDEO CALLS, E-MAILS, TEXT MESSAGES, INSTANT MESSAGES, BLOGS, CHAT ROOMS, WEBSITES, OR ANY SOCIAL MEDIA—SUCH AS FACEBOOK, TWITTER, LINKEDIN, YOUTUBE, REDDIT, AND DISCORD—TO SEND OR RECEIVE ANY INFORMATION ABOUT THIS CASE. THIS INCLUDES INFORMATION ABOUT A PARTY, A WITNESS, AN ATTORNEY,



A COURT OFFICER, OR YOUR FELLOW JURORS; NEWS ACCOUNTS ABOUT THE CASE; RESEARCH ON ANY TOPICS RAISED, OR EVEN ANY TOPICS YOU MAY THINK WOULD BE HELPFUL IN DECIDING THE CASE, OR ANY TESTIMONY PRESENTED BY ANY WITNESS.

DURING YOUR DELIBERATIONS, DO NOT READ, LISTEN TO, OR WATCH ANY NEWS REPORTS ABOUT THIS CASE. THIS INCLUDES ANYTHING THAT MAY BE IN THE NEWSPAPERS OR ON THE INTERNET, RADIO, OR TELEVISION. YOU MUST NOT CONSIDER ANYTHING YOU MAY HAVE READ OR HEARD ABOUT THE CASE OUTSIDE OF THE COURTROOM, WHETHER BEFORE OR DURING THE TRIAL. INFORMATION ON TELEVISION, RADIO, THE INTERNET, OR FROM OTHER SOURCES MAY BE WRONG OR INCOMPLETE. IN OUR JUDICIAL SYSTEM, IT IS IMPORTANT THAT YOU ARE NOT INFLUENCED BY ANYTHING OR ANYONE OUTSIDE OF THIS COURTROOM.

IF YOUR DELIBERATIONS NECESSITATE AN OVERNIGHT BREAK, EVEN THOUGH YOU MAY USE ELECTRONIC DEVICES AS NECESSARY FOR PURPOSES UNRELATED TO THIS TRIAL, I MUST URGE YOU TO MINIMIZE YOUR USE OF SUCH DEVICES. MANY INTERNET BROWSERS, SMARTPHONE APPS, AND SOCIAL MEDIA SERVICES, AS WELL AS TRADITIONAL MEDIA LIKE TELEVISION AND RADIO, WILL PROVIDE INFORMATION AND NEWS THAT YOU DID NOT SEEK WITH LITTLE OR NO PROMPTING. IT IS A STRONG POSSIBILITY THAT INFORMATION ABOUT THIS CASE MAY BE THRUST UPON YOU EVERY TIME YOU USE AN ELECTRONIC DEVICE. YOU MUST THEREFORE USE THESE DEVICES ONLY AS ABSOLUTELY NECESSARY. YOU MUST AVOID AND IGNORE UNINVITED INFORMATION ABOUT THIS CASE.

CAUTIONARY INSTRUCTION

MADAM FORELADY AND MEMBERS OF THE JURY, I AM REQUIRED TO CHARGE YOU THE LAW AS I HAVE DONE THROUGH THESE INSTRUCTIONS NOW BEING GIVEN TO HELP GUIDE YOU TO A JUST AND LAWFUL VERDICT. WHETHER SOME OF THESE INSTRUCTIONS APPLY WILL DEPEND UPON WHAT YOU FIND TO BE THE FACTS. THE FACT THAT I HAVE INSTRUCTED YOU ON VARIOUS SUBJECTS MUST NOT BE CONSIDERED AS INDICATING AN OPINION OF THIS COURT AS TO WHAT YOU SHOULD FIND TO BE THE FACTS OR WHAT YOUR VERDICT SHOULD BE.

## CONCLUSION

NOW, YOU HAVE BEEN CHOSEN AND SWORN TO GIVE THE PARTIES A FAIR AND IMPARTIAL TRIAL. WHEN YOU HAVE DONE SO, YOU WILL HAVE COMPLIED WITH YOUR OATH AND NO ONE WILL HAVE A RIGHT TO CRITICIZE YOUR VERDICT. YOU MUST NOT BE INFLUENCED BY OPINIONS OR EXPRESSIONS OF OPINIONS YOU MAY HAVE HEARD OUTSIDE OF THE COURTROOM, BUT RATHER SHOULD BASE YOUR VERDICT SOLELY ON THE TESTIMONY OF THE SWORN WITNESSES WHO TOOK THE STAND, THE EXHIBITS RECEIVED INTO EVIDENCE, AND THE LAW WHICH I HAVE STATED. YOU SHOULD NOT BE SWAYED BY CAPRICE, PASSION, PREJUDICE, OR IMPROPER SYMPATHY FOR OR AGAINST ANYONE. REMEMBER, YOU HAVE NO FRIENDS TO REWARD OR ENEMIES TO PUNISH AND ALL PARTIES ARE ENTITLED TO A FAIR AND IMPARTIAL TRIAL.

IT IS YOUR DUTY AS JURORS TO CONSULT WITH ONE ANOTHER AND TO DELIBERATE IN AN EFFORT TO REACH AN AGREEMENT. EACH OF YOU MUST DECIDE THIS CASE FOR YOURSELF BUT ONLY AFTER IMPARTIAL CONSIDERATION OF ALL OF THE EVIDENCE WITH YOUR FELLOW JURORS.

IN THE COURSE OF YOUR DELIBERATIONS, DO NOT HESITATE TO RE-EXAMINE YOUR OWN VIEWS AND CHANGE YOUR OPINION IF YOU BECOME CONVINCED IT IS ERRONEOUS. HOWEVER, DO NOT SURRENDER YOUR HONEST CONVICTION AS TO THE WEIGHT OR EFFECT OF THE EVIDENCE SOLELY BECAUSE OF THE OPINION OF YOUR FELLOW JURORS OR FOR THE MERE PURPOSE OF RETURNING A VERDICT. AS I STATED EARLIER, YOU ARE JUDGES—JUDGES OF THE FACTS. YOUR VERDICT MUST REPRESENT THE CONSIDERED JUDGMENT OF

EACH JUROR. IN OTHER WORDS, YOUR VERDICT MUST BE UNANIMOUS.

NOW YOU MAY HAVE NOTICED THAT I HAVE READ THESE INSTRUCTIONS. I DO SO TO GIVE YOU THE LAW AS ACCURATELY AS POSSIBLE. I WILL GIVE YOU A COPY OF THESE INSTRUCTIONS TO HAVE IN THE JURY ROOM. YOU MAY REFER TO THESE INSTRUCTIONS TO ASSIST YOU IN YOUR DELIBERATIONS. YOU MUST CONSIDER THE INSTRUCTIONS AS A WHOLE AND MAY NOT FOLLOW SOME AND IGNORE OTHERS.

MADAM FORELADY, IT WILL BE YOUR DUTY TO PRESIDE OVER THE DELIBERATIONS OF THE JURY. IF, DURING YOUR DELIBERATIONS, YOU SHOULD DESIRE TO COMMUNICATE WITH THE COURT, PLEASE REDUCE YOUR MESSAGE OR QUESTION TO WRITING SIGNED BY YOUR FOREPERSON, AND THE FOREPERSON ONLY, AND PASS THE NOTE TO THE BAILIFF WHO WILL BRING IT TO MY ATTENTION. I WILL THEN RESPOND AS PROMPTLY AS POSSIBLE, EITHER IN WRITING OR BY HAVING YOU RETURN TO THE COURTROOM. I CAUTION YOU, HOWEVER, WITH REGARD TO ANY MESSAGE OR QUESTION YOU MIGHT SEND, THAT YOU SHOULD NEVER STATE OR SPECIFY YOUR NUMERICAL DIVISION AT THE TIME.

NOW, YOU HAVE HEARD THE EVIDENCE AND YOU HAVE HEARD THE LAW. WHATEVER YOUR VERDICT, MADAM FORELADY, YOU WILL INDICATE THE VERDICT ON THE BACK OF EACH INDICTMENT AND THEN SIGN AND DATE YOUR VERDICT.

REMEMBER THAT ALTHOUGH THE FOREPERSON IS THE ONLY JUROR WHO WRITES THE VERDICT, IT IS NOT HERS ALONE. THE VERDICT HAS TO BE

UNANIMOUS. MADAM FORELADY, YOU ARE NOT AUTHORIZED TO WRITE THE VERDICT UNTIL ALL OF YOU HAVE AGREED ON THE VERDICT.

NOW, LADIES AND GENTLEMEN, I WILL SEND YOU TO YOUR JURY ROOM, BUT DO NOT BEGIN YOUR DELIBERATIONS UNTIL YOU RECEIVE A COPY OF THIS JURY CHARGE, THE INDICTMENTS, AND THE EXHIBITS. ONCE YOU RECEIVE THESE THINGS THAT WILL BE YOUR SIGNAL TO BEGIN YOUR DELIBERATIONS.

ONCE YOU BEGIN DELIBERATIONS, YOU WILL DELIBERATE UNTIL YOU HAVE REACHED A VERDICT, AT WHICH TIME YOU WILL KNOCK ON THE DOOR, ADVISE THE BAILIFF, AND WE WILL BRING YOU OUT TO RECEIVE YOUR VERDICT.