

# Differences Between the Two Jury Instruction Lists

*Comparison of Defendant's Requested Jury Instructions and People's Proposed Jury Instructions*

**Scope note:** This comparison identifies differences visible from the two submitted lists. It separates substantive differences from minor labeling or formatting variations and does not opine on whether differently titled instructions are legally equivalent.

## 1. Instructions Requested Only by the Defendant

No.	Instruction listed only by Defendant
3.03	Defendant Not Testifying
3.15	Exhibits
4.1	Defendant's Statement's as Evidence Against the Defendant
12.7	Meaning of Possession

## 2. Instructions Requested Only by the People

No.	Instruction listed only by People
4.5	Impeachment By Prior Inconsistent Statements
4.7	Stipulation
4.9	Motive
4.16	Intent
5.3	Witness Who Had Been Interviewed by a Lawyer
11.34a	Definition of Possession

## 3. Shared Instruction Numbers with Different Wording or Different Requested Variants

No.	Defendant wording	People wording	Difference
3.01 / 3.1	Duties of Judge and Judge	Duty of Judge and Jury	Different wording; the Defendant list appears to say "Judge and Judge," while the People list says "Judge and Jury."
3.06 / 3.6	Witness Credibility	Witnesses/Credibility	Same subject matter, but titled differently.
3.14	Communications with the Court	Communications With Court	Minor wording difference ("the" appears only in the Defendant list).
3.16	Written or Electronically Recorded	Written Or Electronically	Minor wording difference

No.	Defendant wording	People wording	Difference
	Instructions in the Jury Room	Recorded Instructions In Jury Room	("the" appears only in the Defendant list).
3.20	Single Defendant, Multiple Counts, More Than One Wrongful Act	Verdicts Possible	Materially different instruction titles under the same number.
5.02 / 5.2	Weighing Conflicting Evidence - Number of Witnesses	Weighing Conflicting Evidence, Number of Witnesses	Same core subject, but punctuation differs (dash vs. comma).
11.34	Possession of Firearm at Time of Commission or Attempted Commission of Felony	Felony Firearm	Same number, but the Defendant list uses a full descriptive title and the People list uses a short-form title.
13.1	Assaulting, Resisting, or Obstructing a Police Officer or Person Performing Duties	Assaulting, Resisting, or Obstructing a Police Officer	The Defendant list includes the added phrase "or Person Performing Duties."

#### 4. Additional List-Formatting Differences

- The People's list places the prefix "CJI -" before each instruction number; the Defendant's list does not.
- The Defendant's list often uses leading zeros in the numbering format (for example, 3.01, 4.03, and 5.02), while the People's list typically uses 3.1, 4.3, and 5.2.
- Capitalization style differs throughout the lists, even where the listed instruction appears to be the same.
- Both lists request many of the same core instructions, but the main differences are the extra instructions each side includes and the differently titled variants noted above.