

The Committee on Model Criminal Jury Instructions has adopted amendments to M Crim JI 11.1, and a new instruction, M Crim JI 11.1a, in order to eliminate juror confusion created when the “concealed” language in M Crim JI 11.1 is read where the offense involves carrying a pistol in an automobile. The adopted instructions separate the distinct offenses found in MCL 750.227(2): carrying a concealed pistol, and carrying a pistol in a vehicle. The instructions are effective March 1, 2019.

**[AMENDED] M Crim JI 11.1
Carrying a Concealed Weapon—Pistol**

(1) The defendant is charged with the crime of carrying a concealed pistol.¹ To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant knowingly carried a pistol. It does not matter why the defendant was carrying the pistol, but to be

guilty of this crime the defendant must have known that [he/she] was carrying a pistol.²

(3) Second, that this pistol was concealed on or about the person of the defendant. Complete invisibility is not required. A pistol is concealed if it cannot easily be seen by those who come into ordinary contact with the defendant.

Use Notes

1. Use this instruction only when the defendant has been charged under MCL 750.227(2) with carrying a pistol concealed on his or her person. Where the charge is that defendant carried a pistol in a vehicle, use M Crim JI 11.1a.

2. The definition of pistol, M Crim JI 11.3, should be included in the instructions only where there is some question whether or not the article is a pistol.

See M Crim JI 11.10–11.14 for exemptions.

**[NEW] M Crim JI 11.1a
Carrying a Pistol in a Vehicle**

(1) The defendant is charged with the crime of carrying a pistol in a vehicle.¹ To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that a pistol was in a vehicle that the defendant was in.²

(3) Second, that the defendant knew the pistol was there.

(4) Third, that the defendant took part in carrying or keeping the pistol in the vehicle.

Use Notes

1. Use this instruction only when the defendant has been charged under MCL 750.227(2) with carrying a pistol in a vehicle. Where the charge is that defendant carried a concealed pistol on his or her person, use M Crim JI 11.1.

2. The definition of pistol, M Crim JI 11.3, should be included in the instructions only where there is some question whether or not the article is a pistol.

See M Crim JI 11.10–11.14 for exemptions.

FOCUS ON YOUR PET'S CARE NOT THE COST

Pets' medical emergencies never happen when you expect them. Pet insurance reimburses you for covered vet bills, so you can give your pet the best care possible.

**SAVE 10% WITH YOUR
MEMBER DISCOUNT***

1-877-343-5314
aspcapetinsurance.com/sbm
Priority Code: SBMPET



PREFERRED PARTNER

ASPCA PET HEALTH
INSURANCE

* Discounts apply to base plan premium.
Plans are underwritten by the United States Fire Insurance Company and administered by Fairmont Specialty Insurance Agency (FSIA Insurance Agency in CA), companies of Crum & Forster. The ASPCA® does not offer insurance. Through a strategic licensing agreement, in exchange for the use of ASPCA trademarks, the ASPCA is paid a royalty fee of up to 10% of the purchase price, with a minimum of \$335,000 per year.

U0816-SBM04

