

INTRODUCTION TO THE 2025–2026 EDITION

This 2025–2026 Edition of the Criminal Jury Instruction Guides (CRIMJIGS) continues over 40 years of judicial review of laws and appellate cases by the Minnesota District Judges Association Committee on Criminal Jury Instructions to aid judges and attorneys in the preparation of jury instructions.

For those who use this publication, it is essential to remember that the jury instruction guides do not make law. They are not a safe harbor, ensuring that a jury verdict will be upheld on appeal. We are not an advisory committee of the Minnesota Supreme Court, and that court does not vet or ratify the JIGS. Rather, the CRIMJIGS represent an attempt by a committee of the Minnesota District Judges Association to faithfully capture the legislation under which a criminal charge is filed, as interpreted by the Minnesota appellate courts. The Committee works year-round for the benefit of this state’s trial judges and criminal lawyers to keep the CRIMJIGS up to date with legislative and case law developments. This volume reflects current legislation and current case law of the Minnesota Supreme Court and the Minnesota Court of Appeals through July 2025.

In the recent transition to an annual, softcover publication, the Committee made special efforts on a number of different fronts. Members reviewed the entirety of the CRIMJIGS for accuracy of the elements and of the definitions of terms as provided by statute. Throughout, the sources of legal definitions, and of any elements not deriving from the charging statute itself, have been footnoted. The trial judge should always compare the model jury instruction to the charging statute effective on the date of offense to ensure the CRIMJIG accurately reflects the trial judge’s interpretation of the statute.

Another goal of the Committee was to make the CRIMJIGS easier to use. The “Defined” and “Elements” for each crime have been combined into a single instruction, and JIGS that previously were cross-referenced for insertion have been fully incorporated. Jury instructions that required users to select among multiple choices for each element have been broken into discrete JIGS in an effort to simplify drafting for the trial judge. The visual format has been adapted to assist jurors in discerning

the elements and relevant definitions. Additionally, the CRIMJIGS volumes as a whole have been reorganized largely in keeping with the organization of the Minnesota Statutes, such that the user often will be able to pick up the appropriate volume and flip to the desired JIG.

The user may notice that much of the legal discussion previously found in the Comments of various CRIMJIGS has been removed. With limited resources, the Committee is unable to regularly review and update this material, with the danger that it may fall out of date. What remains are only points of law that may be necessary for the judge to properly instruct the jury. For comprehensive analysis of criminal legal issues, the Committee recommends the Minnesota Judges Criminal Benchbook.

In Minnesota, “[a]lthough district courts may favor pattern jury instructions, their use is not required.” *State v. Thao*, 875 N.W.2d 834, 842 (Minn. 2016). Nonetheless, we hope this publication is of great assistance to the judges and attorneys of the state in providing accurate guidance to jurors so that the truth may be ascertained and criminal proceedings justly determined.

Hon. Hilary Lindell Caligiuri
Chair
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