

proof beyond reasonable doubt-closing

**INSTRUCTION NO. \_\_\_\_\_**

Proof beyond a reasonable doubt is proof that leaves you firmly convinced of the defendant's guilt. 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 the evidence leaves you firmly convinced that the defendant is guilty of the crime charged, you must find the defendant “guilty.” On the other hand, if there is a real possibility that he/she is not guilty, you must give the defendant the benefit of the doubt and return a verdict of “not guilty.”

Committee Note: This is an abbreviated version of the reasonable doubt instruction approved in Reyes . The only difference is that it lacks the reference to the standard used in civil trials. This instruction may be used as a closing instruction if the full Reyes instruction was given as part of the preliminary instructions (as the Committee recommends). If that instruction was not given earlier, then the full Reyes instruction should be given at closing.

Note: Reference to the Utah Supreme Court case approving Judge Mower’s reasonable doubt instruction.