

## **CR1452 Special Verdict Form – Imperfect Self-Defense.**

If you determine beyond a reasonable doubt that (DEFENDANT'S NAME) committed [Aggravated Murder][Attempted Aggravated Murder][Murder][Attempted Murder], you must complete the special verdict form titled “Special Verdict Imperfect Self-Defense.”

- Check ONLY ONE box on the form.
- The foreperson MUST sign the special verdict form.

### **References**

State v. Lee, 2014 UT App 4

State v. Ramos, 2018 UT App 161

State v. Navarro, 2019 UT App 2

### **Committee Notes**

Whenever imperfect self-defense is submitted to the jury:

- In addition to other applicable imperfect self-defense instructions, use CR1451, amended as appropriate;
- Use the special verdict form for imperfect self-defense;
- Do not include imperfect self-defense in element #3 above;
- Do not use an imperfect self-defense manslaughter instruction;
- Always distinguish between “perfect self-defense” and “imperfect self-defense” throughout the instructions; and
- Add the following paragraph at the bottom of this elements instruction:

“If you find Defendant GUILTY beyond a reasonable doubt of murder, you must decide whether the defense of imperfect self-defense applies and complete the special verdict form concerning that defense. Imperfect self-defense is addressed in Instructions \_\_\_\_\_.”