

**Criminal Jury Instructions Committee**

**Minutes – March 5, 2021**

**Present via Zoom (17):**

Hon. Patricia Starr (Chair)  
Elizabeth Bingert  
Hon. Maria Brewer  
Carlos Carrion  
Ellen Dahl  
Paul Hawkins  
Hon. Jason Holmberg  
Karen Komrada  
Todd Lawson  
Jennifer Linn  
Hon. Danelle Liwski  
Sarah Mayhew  
Steve McCarthy  
Shawn Steinberg  
Mikel Steinfeld  
Greta Vietor  
William Wallace

**Absent (8):**

Jamiel Allen  
Hon. James P. Beene  
Michael Breeze  
Bruce Chalk  
David Euchner (proxy Mikel Steinfeld)  
Kush Govani  
Robb Holmes  
Hon. Stephen Hopkins

## **1. Call to Order by Judge Starr: 1:30PM**

- a. Minutes – Committee as a whole cannot recall if at the last meeting on December 18, 2020 agenda item Proposed Revision to Instruction 14.01.04 was tabled to today’s meeting or the fall meeting.
- b. Due to the confusion, the committee will discuss agenda item Proposed Revision to Instruction 14.01.04 during the fall meeting.
- c. Note: Michael Minicozzi Bureau Chief Sex Crimes MCAO was present for this meeting and prepared to discuss 14.01.04. Mr. Minicozzi will return for the first fall meeting of the RAJI committee.
- d. Motion to approve minutes from December 18, 2020 meeting – Steinfeld moves to approve with the correction noted above. Motion passes unanimously as amended.

## **2. Agenda Items:**

- a. Proposed Revision to Preliminary 8 Instruction – Judge Hopkins
  - i. Tabled until the fall due to the absence of Judge Hopkins. Judge Starr will reach out to Judge Hopkins.
- b. Proposed RAJI Modifications to Address Implicit Bias – Mikel Steinfeld
  - i. The intent of this agenda item is to put this matter on our docket for the fall. The committee is encouraged to look at all the materials provided.
  - ii. Dahl – Wants to bring up in the fall whether or not the committee should address this issue.
  - iii. Linn – Believes this issue will be highly contested.
  - iv. Steinfeld – notes that proposed implicit bias instructions not related to Batson challenge or Batson proposal.
  - v. Lawson – Relates the implicit bias topic discussion to a prior RAJI committee discussion regarding an identification instruction.
  - vi. Judge Starr – wants to know if the civil RAJI committee has

addressed this issue.

vii. Resolution – We will set a meeting in the summer to discuss whether or not we should address this implicit bias issue. We will also address Proposed Revision to Instruction 14.01.04, as well as Judge Hopkins’ Proposed Revision to Preliminary 8 Instruction.

c. 2021 Bar Convention – Carrion

i. Carrion provides update on State Bar Convention presentation.

ii. The RAJI presentation is in consideration for the State Bar President’s Award.

d. Any Other Business? – Judge Starr

i. Next meeting is scheduled for May 21, 2021 at 1:30pm.

e. Call to Public Completed 1:51 pm.

**3. Adjourn 1:54 pm**