ICJI 103 REASONABLE DOUBT

PRESUMPTION OF INNOCENCE-REASONABLE DOUBT

INSTRUCTION NO.

Under our law and system of justice, the defendant is presumed to be innocent. The presumption of innocence means two things.

First, the State has the burden of proving the defendant guilty. The State has that burden throughout the trial. The defendant is never required to prove [his] [her] innocence, nor does the defendant ever have to produce any evidence at all.

Second, the State must prove the alleged crime beyond a reasonable doubt. Proof beyond a reasonable doubt is proof that leaves you firmly convinced the defendant is guilty. It is not required that the State prove the defendant's guilt beyond all possible doubt.

A reasonable doubt is a doubt based upon reason and common sense and is not based purely on speculation. It may arise from a careful and impartial consideration of all the evidence, or from lack of evidence.

If after a careful and impartial consideration of all the evidence, you are not convinced beyond a reasonable doubt that the defendant is guilty, it is your duty to find the defendant not guilty. On the other hand, if after a careful and impartial consideration of all the evidence, you are convinced beyond a reasonable doubt that the defendant is guilty, it is your duty to find the defendant guilty.