



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1782

H.P. 1145

House of Representatives, April 25, 2023

**An Act to Empower Jurors by Allowing Instructions That They
May Find a Defendant Not Guilty if a Guilty Verdict Would Yield
an Unjust Result**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BOYER of Poland.
Cosponsored by Senator GROHOSKI of Hancock and
Representatives: FAULKINGHAM of Winter Harbor, MILLIKEN of Blue Hill, RISEMAN of
Harrison, ROEDER of Bangor, THERIAULT of Fort Kent, WARREN of Scarborough,
WHITE of Guilford, Senator: HICKMAN of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 15 MRSA §1261** is enacted to read:

3 **§1261. Jury instructions**

4 In all criminal trials in which a jury is impaneled, at the close of evidence, the court
5 shall instruct the jury of the jury's responsibility to determine the facts in controversy in the
6 case and apply the law as the court instructs to those facts. Upon request of the defendant
7 or the defendant's attorney, the court shall instruct the jury as follows:

8 "If you have a reasonable doubt as to whether the State has proved any one or
9 more of the elements of the crime charged, you must find the defendant not
10 guilty. However, if you find that the State has proved all the elements of the
11 crime charged beyond a reasonable doubt, you must find the defendant guilty
12 unless you find based upon the facts of the case that a guilty verdict will yield
13 an unjust result, in which case you may find the defendant not guilty."

14 **SUMMARY**

15 This bill allows an instruction to a jury impaneled in a criminal case that the jury may
16 find a defendant not guilty even if the jury finds the State has proved all the elements of
17 the crime charged beyond a reasonable doubt if the jury finds based upon the facts of the
18 case a guilty verdict would yield an unjust result.