

DEFENDANT’S REQUESTED INSTRUCTION #1

The defense has introduced evidence that (name client) turned himself into the police when he learned the police were seeking him in connection with the shooting of (name deceased).

Evidence of the conduct or whereabouts of a person after that person has been accused of a crime, including the act of turning himself into the police, is evidence which you may consider along with all the other evidence in determining the guilt or innocence. It is for you, the jury, to determine how much weight, if any, to give this conduct.

AUTHORITY

There are no standard jury instructions on point. However, this jury instruction is based substantially on Wis. JI-Criminal 172 . The defendant would respectfully assert that he is entitled to these instructions based upon equal protection and due process grounds under the Federal and State Constitutions.

Accepted _____

Rejected _____

Modified _____

Withdrawn _____