

**OKLAHOMA UNIFORM JURY INSTRUCTIONS -- CRIMINAL  
CROSS REFERENCE TABLE  
Between First and Second Editions**

<b>1st Ed.</b>	<b>2d Ed.</b>	<b>1st Ed.</b>	<b>2d Ed.</b>	<b>1st Ed.</b>	<b>2d Ed.</b>
100	1-1	220	2-21	418	4-26
101	1-2	221	2-22	419	4-27
102	1-3			420	4-28
103	1-4	300	3-1	421	4-34
104	1-5	301	3-2	422	4-35
105	1-6	302	3-3	423	4-37
106	1-7	303	3-4	424	4-39
107	1-8	304	3-5	425	4-59
108	1-8	305	3-6	426	4-60
109	1-8	306	3-7	427	4-61
109	1-8	307	3-8	428	4-62
110	1-8	308	3-10	429	4-63
111	1-8	309	3-11	430	4-64
112	1-8	310	3-12	431	4-65
113	1-8	311	3-13	432	4-68
114	1-8	312	3-14	433	4-69
115	1-8	313	3-16	434	4-70
116	1-8	314	3-17	435	4-72
117	1-8	315	3-18	436	4-73
118	1-8	316	3-19	437	4-76
		317	3-20	438	4-78
200	2-1	318	3-21	439	4-79
201	2-2	319	3-22	440	4-80
202	2-3			441	4-81
203	2-4	400	4-1	442	4-82
204	2-5	401	4-2	443	4-84
205	2-6	402	4-3	444	4-85
206	2-7	403	4-4	445	4-87
207	2-8	404	4-6	446	4-88
208	2-9	405	4-7	447	4-89
209	2-10	406	4-8	448	4-90
210	2-11	407	4-9	449	4-91
211	2-12	408	4-10	450	4-91
212	2-13	409	4-12	451	4-91
213	2-14	410	4-13	452	4-92
214	2-15	411	4-14	453	4-93
215	2-16	412	4-15	454	4-94
216	2-17	413	4-16	455	4-95
217	2-18	415	4-23	456	4-97
218	2-19	416	4-24	457	4-98
219	2-20	417	4-25	458	4-99

<b>1st Ed.</b>	<b>2d Ed.</b>	<b>1st Ed.</b>	<b>2d Ed.</b>	<b>1st Ed.</b>	<b>2d Ed.</b>
459	4-100	511	5-12	556	5-64
460	4-101	512	5-13	557	5-65
461	4-102	513	5-14	558	5-66
462	4-103	514	5-15	559	5-67
463	4-104	515	5-16	560	5-68
464	4-105	516	5-18	561	5-69
465	4-106	517	5-19	562	5-70
466	4-107	518	5-20	563	5-71
467	4-108	519	5-21	564	5-72
468	4-109	520	5-22	565	5-73
469	4-110	521	5-23	566	5-74
470	4-111	522	5-24	567	5-75
471	4-112	523	5-25	568	5-76
472	4-113	524	5-26	569	5-77
473	4-114	525	5-27	570	5-78
474	4-115	526	5-28	571	5-79
475	4-116	527	5-30	572	5-80
476	4-117	528	5-31	573	5-81
477	4-118	529	5-32	574	5-82
478	4-119	530	5-33	575	5-83
479	4-120	531	5-34	576	5-84
480	4-122	532	5-36	577	5-85
481	4-123	533	5-37	578	5-86
482	4-124	534	5-38	579	5-87
483	4-125	535	5-39	580	5-88
484	4-127	536	5-38	581	5-89
485	4-140	537	5-39	582	5-90
486	4-141	538	5-40	583	5-91
487	4-142	539	5-41	584	5-92
488	4-143	540	5-42	585	5-93
489	4-144	541	5-43	586	5-94
490	4-145	542	5-44	587	5-95
491	4-146	543	5-45	588	5-96
		544	5-46	589	5-97
500	5-1	545	5-47	590	5-98
501	5-2	546	5-48	591	5-99
502	5-3	547	5-49	592	5-100
503	5-4	548	5-56	593	5-101
504	5-5	549	5-57	594	5-102
505	5-6	550	5-58	595	5-103
506	5-7	551	5-59	596	5-104
507	5-8	552	5-60	597	5-105
508	5-9	553	5-61	598	5-106
509	5-10	554	5-62	599	5-107
510	5-11	555	5-63	599.1	5-108

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599.2	5-109	700	8-1	745	8-49
599.3	5-110	701	8-2	746	8-50
599.4	5-111	702	8-4	747	8-51
599.5	5-113	703	8-5	748	8-52
599.6	5-114	704	8-6	749	8-53
599.7	5-115	705	8-7	750	8-54
599.8	5-116	706	8-8	751	8-55
599.9	5-121	707	8-9	752	8-56
		708	8-10		
600	6-1	709	8-11	800	9-1
601	6-2	710	8-12	801	9-2
602	6-4	711	8-13	802	9-3
603	6-6	712	8-14	803	9-4
604	6-8	713	8-16	804	9-5
606	6-9	714	8-17	805	9-6
607	6-10	715	8-18	806	9-8
608	6-16	716	8-19	807	9-9
609	6-17	717	8-20	808	9-10
610	6-18	718	8-21	809	9-11
611	6-19	719	8-22	810	9-12
612	6-20	720	8-23	811	9-12
613	6-23	721	8-24	812	9-12
614	6-24	722	8-25	813	9-12
615	6-28	723	8-26	814	9-13
616	6-29	724	8-27	815	9-14
617	6-29	725	8-28	816	9-15
618	6-31	726	8-29	817	9-16
619	6-32	727	8-30	818	9-17
620	6-33	728	8-31	819	9-18
621	6-34	729	8-32	820	9-19
622	6-35	730	8-33	821	9-20
623	6-36	731	8-34	822	9-21
624	6-37	732	8-35	823	9-22
625	6-39	733	8-36	824	9-23
626	6-40	734	8-37	825	9-24
627	6-41	735	8-38	826	9-25
628	6-42	736	8-39	827	9-26
629	6-43	737	8-40	828	9-27
630	6-45	738	8-41	829	9-28
631	6-46	739	8-42	830	9-29
632	6-47	740	8-43	831	9-30
633	6-49	741	8-44	832	9-31
634	6-50	742	8-45	833	9-32
635	6-51	743	8-46	834	9-33
636	6-52	744	8-48	835	9-34

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836 . . . . .	9-35	845 . . . . .	9-44	907 . . . . .	10-8
837 . . . . .	9-36			908 . . . . .	10-9
838 . . . . .	9-37	900 . . . . .	10-1	909 . . . . .	10-10
839 . . . . .	9-38	901 . . . . .	10-2	910 . . . . .	10-11
840 . . . . .	9-39	902 . . . . .	10-3	911 . . . . .	10-23
841 . . . . .	9-40	903 . . . . .	10-4	912 . . . . .	10-24
842 . . . . .	9-41	904 . . . . .	10-5	913 . . . . .	10-26
843 . . . . .	9-42	905 . . . . .	10-6	914 . . . . .	10-27
844 . . . . .	9-43	906 . . . . .	10-7		

## **INFORMATION CONCERNING THE USE OF THIS PUBLICATION**

The instructions for specific crimes included in this publication are intended to inform the jury in direct and simple language of the crime(s) with which the defendant is charged. They list the relevant facts and circumstances which should be covered by an appropriate information or indictment.

Although instructions have not been prepared for all crimes and issues which may arise, the instructions in OUJI-CR consist of those which are most frequently needed in Oklahoma criminal cases.

As indicated in the Per Curiam Order of the Oklahoma Court of Criminal Appeals, if a needed instruction is not included in OUJI-CR, the instruction drafted should be simple, brief, impartial and free from argument. For clarity, it is suggested that the drafter use the same style as that used in OUJI-CR.

The instructions have been divided into twelve chapters. Chapter 1 includes most necessary **Introductory Instructions**. These include such matters as the functions of the judge, attorneys and jury; the credibility of witnesses; the presumption of innocence; and, the conduct of the trial. Chapter 2 includes instructions concerning **Imputability** -- Accessories, Aiding and Abetting, Attempts, Conspiracy, and Solicitation. Chapters 3 through 6 include most of the basic crimes in the Oklahoma statutes. These crimes are classified: Chapter 3, **Crimes Against Public Justice**; Chapter 4, **Crimes Against the Person**; Chapter 5, **Crimes Against Habitation and Property**; Chapter 6, **Drug and Public Safety Offenses**; and Chapter 7, **Other Crimes**. Chapter 8 covers instructions on **Defenses**; Chapter 9 includes **Evidentiary Instructions**; Chapter 10 contains **Closing Instructions and Lesser Included Offenses**; Chapter 11 contains **Competency Instructions**; Chapter 12 contains **Instructions for Grand Juries**; and Chapter 13 contains **Instructions for Juvenile Delinquency**.

The instructions are prepared in a style so the trial judge is required to fill in certain blanks such as the name of the defendant(s), the name of the victim(s), the appropriate county and date. Slashes are used in an instruction to indicate that the judge should select all alternatives that are supported by the evidence. Parentheses are used to make choices between singular and plural subject matter and when a choice must be made between or among alternatives separated by slashes. Boldface type is used whenever the judge is required to select among alternatives or fill in names.

**Statutory authority** is included below each instruction where appropriate. **Notes on Use** have been included with a number of instructions to indicate when particular instructions or parts of instructions should be given. In addition, **Committee Comments** are included after most instructions. These outline the law and the reasoning behind the structure of the particular instruction.

In preparing the Second Edition the Oklahoma Court of Criminal Appeals Committee made revisions to the First Edition prepared by the Commission on Uniform Jury Instructions (Criminal) only where changes were needed because

of statutory amendments and case law developments. Where the text or Comments were revised, the references to the Commission in the Committee Comments were changed to references to the Committee, but references to the Commission remain where the Committee left the text and commentary to the instructions unchanged.

The Committee has defined words and phrases under specific OUJI-CR numbers. In addition, at the end of most crimes or subjects there is a specific instruction containing applicable definitions. The judge should use these definitions as he/she deems necessary.

The instruction for felony extortion is included below as an example for the style used in these instructions.

No person may be convicted of extortion unless the State has proved beyond a reasonable doubt each element of the crime. These elements are:

First, obtaining;

Second, **property/ (a signature to a writing transferring property)/ (a signature to a writing creating a debt/demand/charge/ [right of action]);**

Third, of another;

Fourth, with the consent of the other person;

Fifth, induced by use of **force/threat**

You will notice that the second and fifth elements of this crime indicate alternatives from which the trial judge must make choices. In the second element, the slashes indicate that a person must have obtained -- **first choice**, property -- **second choice**, a signature to a writing transferring property -- **third choice**, a signature to a writing creating a debt, demand, charge, or right of action. Depending on the facts as presented by the evidence, only one of these choices may be included in the instruction given for a particular case. If the third choice is appropriate, then the judge must determine which of the alternatives is correct. It is either a signature to a writing creating a -- **first choice**, debt -- **second choice**, demand -- **third choice**, charge -- **fourth choice**, right of action. In the fifth element the judge must choose between either force or threat, the material included in brackets. In some cases, there may have been evidence offered for more than one alternative, and if so, the trial judge should include them in the disjunctive. For example, if there is evidence offered of both force and threat, the fifth element should be: induced by use of force or threat.

It is our desire that these instructions save the judiciary and the bar countless hours in research and drafting and that they significantly reduce the number of appeals based on claimed improper instructions.

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Editor, First Edition

CHARLES W. ADAMS  
Reporter, Second Edition