

1.11 PRELIMINARY CHARGE (Approved 11/98, Revised 5/10)

[To be given after the jury is sworn in but before the openings.]

C. Jurors Not to Visit Accident Scene or Do Investigations
(Added reference to Use of the Internet and other electronic media)

Where case involves an accident:

While this case is pending, you must not visit [*the scene of the accident*] [*the place where the incident occurred*]. That area may have changed from the time of the [*accident*] [*incident*] until now.

In all cases:

While this case is pending, you are not to conduct any research or make any investigations on your own about the case. That is not your job. Your job is to decide the case based solely upon the evidence presented to all of you here in the court room.

You should not review or seek out information about the issues in the case, the parties, the attorneys or the witnesses, either in traditional formats such as newspapers, books, advertisements, television or radio broadcasts or magazines or through the internet or other computer research. You also should not attempt to communicate with others about the case, either personally or through computers, cell phones, text messaging, instant messaging, blogs, Twitter, Facebook, Myspace, personal electronic and media devices or other forms of wireless communication. You should not go on

the Internet or participate in or review any websites, Internet “chat rooms” or “blogs” nor should you seek out photographs or documents of any kind that in any way relate to this case.

Why is this restriction imposed? You are here to decide this case based solely on the evidence — or lack of evidence — presented in this courtroom. Many of you regularly use the Internet to do research or to examine matters of interest to you. The information you are accessing is not evidence. One of the problems is that what you are examining may be wrong, incomplete, or inaccurate. That material may be outdated. Indeed, there often is no way to determine whether the information that we see on the Internet is correct. We must insist that, as a juror, you must not be influenced by any information outside of this courtroom. Otherwise, your decision may be based on material which only you, and none of your fellow jurors, know. This would unfairly and adversely impact the judicial process. We must make certain that all of you hear the same evidence. We must also make certain that each party has a fair opportunity to refute or explain evidence offered against it or that may be unfavorable to its case.