



**FROM THE COMMITTEE  
ON MODEL CRIMINAL  
JURY INSTRUCTIONS**

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The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by December 1, 2020. Comments may be sent in writing to Samuel R. Smith, Reporter, Committee on Model Criminal Jury Instructions, Michigan Hall of Justice, P.O. Box 30052, Lansing, MI 48909-7604, or electronically to [MCrimJI@courts.mi.gov](mailto:MCrimJI@courts.mi.gov) .

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**PROPOSED**

The Committee proposes amending the Animal Fighting instruction, M Crim JI 33.1a, by adding language to comport with an amendment to the applicable statute, MCL 750.49(2)(e).

**[AMENDED] M Crim JI 33.1a      Use of an Animal for Fighting,  
Baiting, or Shooting**

(1) The defendant is charged with a crime involving the use of an animal for fighting, baiting, or shooting. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

*[Select (2), (3), (4), or (5) according to what has been charged:]*

(2) First, that the defendant knowingly [was a party to / caused] the use of [a / an] *[identify kind of animal]* [for fighting / for baiting / as a target to be shot at as a test of skill in marksmanship].

(3) First, that the defendant [rented / obtained the use of] [a building / a shed / a room / a yard / grounds / premises] for the purpose of using [a / an] *[identify kind of animal]* [for fighting / for baiting / as a target to be shot at as a test of skill in marksmanship].

(4) First, that the defendant permitted the use of [a building / a shed / a room / a yard / grounds / premises] that belonged to [him / her] or that

was under [his / her] control for the purpose of using [a / an] [*identify kind of animal*] [for fighting / for baiting / as a target to be shot at as a test of skill in marksmanship].

(5) First, that the defendant [organized / promoted / collected money, property, or any other thing of value for] the use of [a / an] [*identify kind of animal*] [for fighting / for baiting / as a target to be shot at as a test of skill in marksmanship].

(6) Second, that the defendant knew that the [*identify kind of animal*] was to be used [for fighting / for baiting / as a target to be shot at as a test of skill in marksmanship].