



IN THE DISTRICT COURT OF OKLAHOMA COUNTY

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

STATE OF OKLAHOMA

DEC 11 2015
TIM RHODES
COURT CLERK
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STATE OF OKLAHOMA,
Plaintiff,

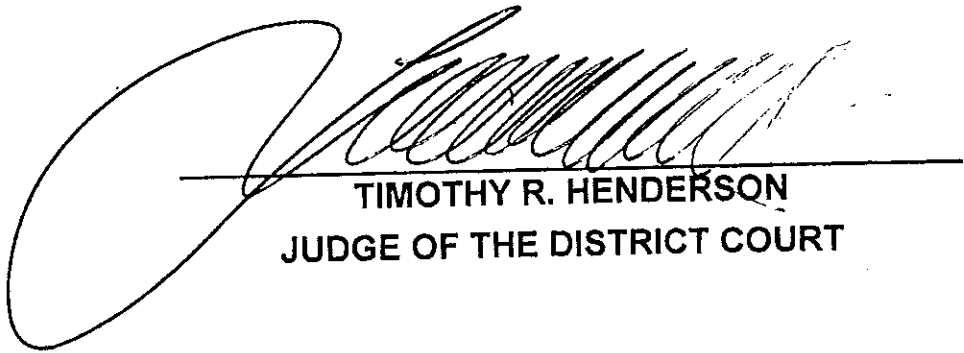
vs.

Case No. CF-2014-5869

DANIEL K HOLTZCLAW,
Defendant.

INSTRUCTIONS TO THE JURY

GIVEN THIS 7TH DAY OF DECEMBER, 2015.


TIMOTHY R. HENDERSON
JUDGE OF THE DISTRICT COURT

INSTRUCTION NUMBER 6

The defendant is presumed innocent of the crimes charged, and the presumption continues unless, after consideration of all the evidence, you are convinced of his guilt beyond a reasonable doubt. The State has the burden of presenting the evidence that establishes guilt beyond a reasonable doubt.

The defendant must be found not guilty unless the State produces evidence which convinces you beyond a reasonable doubt of each element of the crimes.

OUJI-CR 10-4

INSTRUCTION NUMBER 8

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

First, the defendant intentionally;

Second, touched, felt, or mauled;

Third, in a lewd and lascivious manner;

Fourth, the body or private parts;

Fifth, of a person sixteen years of age or older;

Sixth, without her consent.

OR

First, a municipal employee of a municipality;

Second, intentionally;

Third, touched, felt or mauled;

Fourth, in a lewd and lascivious manner;

Fifth, the body or private parts;

Sixth, of a person sixteen years of age or older;

**Seventh, who was under the legal custody,
supervision or authority of the municipality of
Oklahoma.**

The words “lewd” and “lascivious” have the same meaning and signify conduct which is lustful and which evinces an eagerness for sexual indulgence.

OUJI-CR 4-130

INSTRUCTION NUMBER 9

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

First, willfully;

Second, procuring any person;

Third, to expose herself to public view or the view of any number of persons;

Fourth, for the purpose of sexual stimulation of the viewer.

OUJI-CR 4-132

INSTRUCTION NUMBER 14

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

First, penetration;

Second, of the mouth of the victim;

Third, by the penis of the defendant;

Fourth, which is accomplished by means of force or violence, or threats of force or violence that are accompanied by the apparent power of execution.

or

Fourth, committed by a municipal employee upon a person who was under the legal custody, supervision or authority of a municipality of Oklahoma.

You are further instructed that any sexual penetration, however slight, is sufficient to complete the crime. OUJI-CR 4-128