



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

=====

The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by November 1, 2026. Comments may be sent in writing to Christopher M. 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.

=====

PROPOSED

The Committee proposes two new jury instructions addressing crimes within the Prohibited Conduct at Institutions of Higher Education Act, MCL 752.581 *et seq.* The first, M Crim JI 25.10 (Failure to Depart from the Property of a Public Institution of Higher Education After Violating Rules), covers the offense set forth in MCL 752.581. The second, M Crim JI 40.14 (Entering on the Property of a Public Institution of Higher Education to Disrupt or to Damage Persons or Property), covers the offense set forth in MCL 752.582. These instructions are entirely new.

**[NEW] M Crim JI 25.10 Failure to Depart from the Property of a
Public Institution of Higher Education
After Violating Rules**

(1) The defendant is charged with the crime of failing to depart from the property of a public institution of higher education after violating rules. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant was on the campus or property of a publicly owned and operated institution of higher education or in a building or structure of that institution.

(3) Second, that while present at the institution, the defendant violated the institution's rule prohibiting [*identify the rule and describe alleged rule violation*].

(4) Third, that the institution's chief administrator or [his / her] designee notified the defendant that [he / she] held the position of [*describe position held*].

(5) Fourth, that the institution's chief administrator or [his / her] designee also notified the defendant that [he / she] was in violation of the institution's rule prohibiting [*identify rule*] and directed the defendant to leave the campus, property, building, or structure of the institution.

(6) Fifth, that after being directed to leave, the defendant deliberately remained on the campus, property, building, or structure of the institution.

(7) Sixth, that by remaining, the defendant either created a clear and substantial risk of physical harm or injury to persons or damage to property of the institution or unreasonably disrupted or prevented the normal functions of the institution by occupying the space reserved for those functions or by using or threatening to use force to disrupt or prevent those functions.

**[NEW] M Crim JI 40.14 Entering on the Property of a Public
Institution of Higher Education to
Disrupt or to Damage Persons or
Property**

(1) The defendant is charged with the crime of entering on the property of a public institution of higher education to disrupt or to damage persons or property. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant entered onto the property of a publicly owned and operated institution of higher education or in a building or structure of that institution.

(3) Second, that when the defendant entered onto the institution's property, [he / she] intended to create

[Select from the following:]

(a) a clear and substantial risk of physical harm or injury to persons or damage to the institution's property by *[describe alleged conduct that would create risk of injury or damage]*.

(b) an unreasonable disruption or prevention of the institution's normal functions [by occupying the space reserved for those functions / through the use or threat of force].

(4) Third, that by *[describe alleged conduct that would create risk of injury or damage or cause disruption]*, the defendant did create

[Select from the following:]

(a) a clear and substantial risk of physical harm or injury to persons or damage to the institution's property.

(b) an unreasonable disruption or prevention of the institution's normal functions [by occupying the space reserved for those functions / through the use or threat of force].