



**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 February 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.

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PROPOSED

The Committee proposes a new instruction, M Crim JI 38.7 (Obtaining Blueprint or Security Plan to Commit a Terrorist Offense) to address the crime set forth in MCL 750.543r. This instruction is entirely new.

**[NEW] M Crim JI 38.7 Obtaining Blueprint or Security Plan to
Commit a Terrorist Offense**

(1) The defendant is charged with the crime of obtaining [a blueprint / an architectural or engineering diagram / a security plan / (*identify type of plan or diagram*)] to commit a terrorist offense. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant obtained or possessed [a blueprint / an architectural or engineering diagram / a security plan / (*identify type of plan or diagram*)] of [*identify vulnerable target*].¹

(3) Second, that when the defendant obtained or possessed the [blueprint / architectural or engineering diagram / security plan / (*identify type of plan or diagram*)] of [*identify vulnerable target*], [he / she] intended to

[*Select from the following according to the charges and evidence:*]²

(a) commit the crime of [*identify violent felony*]³ [which I have previously described to you / knowing that it would be dangerous to human life and trying to use intimidation or coercion on civilians or to influence or affect the conduct of the government].⁴

(b) commit the crime of hindering prosecution of terrorism [which I have previously described to you / by intentionally assisting a person to commit an act of terrorism or aiding someone who is wanted as a material witness in connection with an act of terrorism].⁵

(c) commit the crime of soliciting or providing material support for an act of terrorism [which I have previously described to you / by providing, raising, soliciting, or collecting resources, documents, equipment, facilities, substances, property, assets, or materials to commit an act of terrorism].⁶

(d) commit the crime of making a threat to commit an act of terrorism [which I have previously described to you / by communicating a threat to commit an act of terrorism to another person].⁷

(e) commit the crime of making a false threat to carry out an act of terrorism [which I have previously described to you / by making a false statement that an act of terrorism had occurred, was occurring, or would occur].⁸

(f) commit the crime of using the Internet to disrupt government or public institutions [which I have previously described to you / by using the Internet or a telecommunications device or system or other electronic device or system to disrupt the functions of the public safety, educational, commercial, or governmental operations within this state].⁹

Use Notes

1. Whether a specific building or location is a vulnerable target appears to be a matter of law. The court may use the name of the vulnerable target instead of its generic description when instructing the jury, e.g., “City Hall” instead of “a building . . . operated by . . . a local unit of government” or “The First Presbyterian Church” instead of “a church . . . or other place of religious worship.” MCL 750.212a(2) describes *vulnerable target*:

(2) As used in this section, “vulnerable target” means any of the following:

(a) A child care center or day care center as defined in section 1 of 1973 PA 116, MCL 722.111.

(b) A health care facility or agency as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.

(c) A building or structure open to the general public.

(d) A church, synagogue, mosque, or other place of religious worship.

(e) A public, private, denominational, or parochial school offering developmental kindergarten, kindergarten, or any grade 1 through 12.

(f) An institution of higher education.

(g) A stadium.

(h) A transportation structure or facility open to the public, including, but not limited to, a bridge, a tunnel, a public highway, or a railroad.

(i) An airport. As used in this subdivision, “airport” means that term as defined in section 2 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.2.

(j) Port facilities. As used in this subdivision, “port facilities” means that term as defined in section 2 of the Hertel-Law-T. Stopczynski port authority act, 1978 PA 639, MCL 120.102.

(k) A public services facility. As used in this subdivision, “public services facility” means any of the following facilities whether publicly or privately owned:

(i) A natural gas refinery, natural gas storage facility, or natural gas pipeline.

(ii) An electric, steam, gas, telephone, power, water, or pipeline facility.

(iii) A nuclear power plant, nuclear reactor facility, or nuclear waste storage facility.

(l) A petroleum refinery, petroleum storage facility, or petroleum pipeline.

(m) A vehicle, locomotive or railroad car, aircraft, or watercraft used to provide transportation services to the public or to provide for the movement of goods in commerce.

(n) A building, structure, or other facility owned or operated by the federal government, by this state, or by a political subdivision or any other instrumentality of this state or of a local unit of government.

2. Generally, this offense will be paired with another crime found in the Anti-Terrorism Act, and the court will provide the elements of that other offense. If not, use the second option found in each of the following paragraphs.

3. MCL 750.543b(h) provides that a violent felony is one that has an element of the use, attempted use, or threatened use of physical force against an individual, or of the use, attempted use, or threatened use of a harmful biological substance, a harmful biological device, a harmful chemical substance, a harmful chemical device, a harmful radioactive substance, a harmful radioactive device, an explosive device, or an incendiary device. Whether alleged felonious conduct amounts a “violent felony” appears to be a matter for the court to determine.

4. MCL 750.543b(a), .543f; M Crim JI 38.1.
5. MCL 750.543h; M Crim JI 38.2.
6. MCL 750.543k; M Crim JI 38.3, 38.3a.
7. MCL 750.543m; M Crim JI 38.4.
8. MCL 750.543m; M Crim JI 38.4a.
9. MCL 750.543p; M Crim JI 38.5.