

1.16 Publicity During Trial

If there is any news media account or commentary about the case or anything to do with it, you must ignore it. You must not read, watch, or listen to any news media account or commentary about the case or anything to do with it. The case must be decided by you solely and exclusively on the evidence that will be received in the case and on my instructions as to the law that applies. If any juror is exposed to any outside information, please notify me immediately.

Comment

This instruction may be useful in cases involving significant media coverage and may be given more than once at appropriate times during the trial. *See United States v. Waters*, 627 F.3d 345, 364 (9th Cir. 2010) (reversing a criminal conviction due to the court's insufficient questioning of the jury regarding negative publicity during jury deliberations); *see also* Ninth Circuit Judges' Trial Manual Chapter 8: High Profile Cases (2025).