14-5003. Consciousness of guilt; falsehood.

If you find that before this trial the defendant made a false or deliberately misleading statement concerning the charge upon which [~~he~~] the defendant is now being tried, you may consider such statement as a circumstance tending to prove a consciousness of guilt, but it is not sufficient of itself to prove guilt. The weight to be given to such a circumstance and its significance, if any, are matters for your determination.

USE NOTES

No instruction on this subject shall be given.

[As amended by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending or filed on or after December 31, 2025.]

Committee commentary. — The language of this instruction was derived from California Jury Instructions Criminal, 2.03. The committee believed that no instruction should be given on this subject because it singles out one item of evidence. The subject is more properly left to the final argument of counsel. *See also* commentary to UJI 14-5002 [withdrawn].