

14-7040. Sentencing proceeding; credibility of witnesses.

You alone are the judges of the credibility of the witnesses and the weight to be given to the testimony of each of them. In determining the credit to be given any witness, you should take into account the witness's truthfulness or untruthfulness, the witness's ability and opportunity to observe, the witness's memory, the witness's manner while testifying, any interest, bias or prejudice the witness may have and the reasonableness of the witness's testimony considered in the light of all the evidence in the case.

USE NOTES

This is a basic instruction and may be given in all habitual criminal and death penalty sentencing proceedings.

[As amended, effective August 1, 2001.]