**3.18 Flight/Concealment of Identity**

**Comment**

The Committee generally recommends against giving specific inference instructions in areas such as flight or concealment of identity because the general instruction on direct and circumstantial evidence is sufficient (*see* Introductory Comment to this chapter). Also, caution is warranted because evidence of flight can be consistent with innocence. *United States v. Dixon*, 201 F.3d 1223, 1232 (9th Cir. 2000). Where sufficient facts support such an inference, the Ninth Circuit has not foreclosed the use of such an instruction. *See United States v. Blanco*, 392 F.3d 382, 395-97 (9th Cir. 2004) (flight); *United States v. Silverman*, 861 F.2d 571, 580-82 (9th Cir. 1988) (concealment of identity).

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