

13.09A

Definition Of Theft From The Person - Enhancing Factors Based Upon Governmental Property Or Location

A person commits the offense of theft from the person when he knowingly [(obtains) (exerts)] unauthorized control over [governmental] property by taking said property from the person of another [while in a (school) (place of worship)] and

[1] intends to deprive the owner permanently of the use or benefit of the [governmental] property.

[or]

[2] knowingly [(uses) (conceals) (abandons)] the [governmental] property in such manner as to deprive the owner permanently of its use or benefit.

[or]

[3] [(uses) (conceals) (abandons)] the [governmental] property knowing that such [(use) (concealment) (abandonment)] probably will deprive the owner permanently of such use or benefit.

Committee Note

Instruction and Committee Note Approved October 27, 2017

720 ILCS 5/16-1(a)(1)(A), (B), and (C), and 16-1(b)(4.1) (West 2016), as amended by P.A. 91-0360, effective July 29, 1999, and P.A. 94-0134, effective January 1, 2006.

Give Instruction 13.10A.

If the charge is theft of governmental property, give Instruction 13.33H, defining the term “governmental property”.

Other definitions may be appropriate. See Instructions 13.33 through 13.33H.

Use applicable paragraphs and bracketed material.

The brackets and numbers are present solely for the guidance of court and counsel and should not be included in the instruction submitted to the jury.