

**16.06**  
**Issues In Criminal Damage To Property--Fire Fighting Equipment, Apparatus, And Hydrants**

To sustain the charge of criminal damage to property, the State must prove the following propositions:

*First Proposition:* That the defendant knowingly [(cut) (injured) (damaged) (tampered with) (destroyed) (defaced)] [(any fire hydrant) (any public or private firefighting equipment) (any apparatus appertaining to any firefighting equipment)]; and

*Second Proposition:* That the defendant did so without proper authority.

[or]

*First Proposition:* That the defendant intentionally opened a fire hydrant; and

*Second Proposition:* That the defendant did so without proper authority.

If you find from your consideration of all the evidence that each one of these propositions has been proved beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that any one of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

**Committee Note**

*Instruction and Committee Note Approved December 1, 2017*

720 ILCS 5/21-1(a)(8) and (9) (West 2017), amended by P.A.86-496, effective January 1, 1990, and P.A. 86-1254, effective January 1, 1991; P.A. 88-406, effective August 20, 1993; P.A. 88-558, effective January 1, 1995; P.A. 89-8, effective March 21, 1995;P.A. 91-360, effective July 29, 1999; P.A. 92-454, effective January1, 2002; P.A. 94-509, effective August 9, 2005; P.A. 95-553, effective June 1, 2008; P.A. 96-529, effective August 14, 2009; P.A. 97-1108, effective January 1, 2013; and, P.A. 98-315, effective January 1, 2014.

Give Instruction 16.05.

Use applicable bracketed material.

When accountability is an issue, ordinarily insert the phrase “or one for whose conduct he is legally responsible” after the word “defendant” in each proposition. See Instruction 5.03