

### 3.21 Weighing Informant Testimony

#### Committee Note

The Committee recommends that no instruction be given on this subject.

While the credibility of a government informant is a question for the jury, courts have held that Instruction 1.02 properly informs the jury of its responsibility to judge the credibility of each witness, and that a special jury instruction about informants is contrary to Illinois law. *People v. Trice*, 2017 IL App (4th) 150429, ¶¶ 44-45, 87 N.E.3d 1087, 1096-97; *People v. Evans*, 209 Ill. 2d 194, 808 N.E.2d 939 (2004). In *Trice*, the court additionally noted that the Committee generally “disapproves of instructions which comment on particular types of evidence.” *Trice*, 2017 IL App (4th) 150429, ¶ 46, 87 N.E.3d at 1097 (quoting the Instruction to Chapter 3).