

11.53
Definition Of Home Invasion

A person commits the offense of home invasion when he, not being a police officer acting in the line of duty, without authority, knowingly enters the dwelling place of another [(when) (and remains in such dwelling place until)] he knows or has reason to know that one or more persons is present, and

[1] while armed with a dangerous weapon he uses force or threatens the imminent use of force upon any person within the dwelling place, whether or not injury occurs.

[or]

[2] intentionally causes any injury to any person within the dwelling place.

Committee Note

720 ILCS 5/12-11 (West 1992) (formerly Ill.Rev.Stat. ch. 38, §12-11 (1991)), amended by P.A. 85-1387, effective September 2, 1988; P.A. 85-1433, effective January 11, 1989; and P.A. 86-820, effective September 7, 1989.

Give Instruction 11.54.

Give Instruction 11.53A when an issue arises regarding the defendant's criminal intent when he entered the dwelling and whether this intent, or lack thereof, makes his entry into the dwelling “with authority” or “without authority”. See the Committee Note to Instruction 11.53A.

Use applicable paragraphs and bracketed material.

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