

13.10
Issues In Theft From The Person

To sustain the charge of theft from the person, the State must prove the following propositions:

First Proposition: That ____ was the owner of the property in question; and

Second Proposition: That the defendant knowingly [(obtained) (exerted)] unauthorized control over the property in question; and

Third Proposition: That the defendant intended to deprive the owner permanently of the use or benefit of the property in question;

[or]

Third Proposition: That the defendant knowingly [(used) (concealed) (abandoned)] the property in question in such manner as to deprive the owner thereof permanently of such use or benefit;

and

Fourth Proposition: That the defendant took the property in question from the person of ____.

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

720 ILCS 5/16-1(a)(1)(A), (B), and (C), and 16-1(b)(4) (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §16-1(a)(1)(A), (B), and (C), and 16-1(b)(4) (1991)).

Give Instruction 13.09.

Insert in the blanks the name of the owner.

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.