

17.06
Issues In Manufacture Or Delivery Of Cannabis

To sustain the charge of [(manufacture of) (delivery of) (possession with intent to deliver) (possession with intent to manufacture)] cannabis [when the substance containing the cannabis weighed [(more than ____ grams) (more than ____ grams but not more than ____ grams)]], the State must prove the following proposition[s]:

That the defendant knowingly [(manufactured) (delivered) (possessed with intent to manufacture) (possessed with intent to deliver)] a substance containing cannabis.

[or]

First Proposition: That the defendant knowingly [(manufactured) (delivered) (possessed with intent to manufacture) (possessed with intent to deliver)] a substance containing cannabis; and

Second Proposition: That the weight of the substance [(manufactured) (possessed) (delivered)] was [(more than ____ grams) (more than ____ grams but not more than ____ grams)].

If you find from your consideration of all the evidence that [(this) (each one of these)] proposition[s] has been proved beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that [(this) (any one of these)] proposition[s] has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

720 ILCS 550/5 (West, 1999) (formerly Ill.Rev.Stat. ch. 561/2, §705).

Give Instruction 17.05.

See Committee Note to Instruction 17.01, concerning verdict forms and for directions on how the jury should be instructed when the weight of the substance containing cannabis is an issue.

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.