

22.14 Issues In Resisting Or Obstructing A Peace Officer Or Correctional Institution Employee

To sustain the charge of resisting or obstructing a [(peace officer) (correctional institution employee)], the State must prove the following propositions:

First Proposition: That ____ was a [(peace officer) (correctional institution employee)]; and

Second Proposition: That the defendant knew ____ was a [(peace officer) (correctional institution employee)]; and

Third Proposition: That the defendant knowingly resisted or obstructed the performance by ____ of an authorized act within his official capacity.

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 5/31-1(a) (West 1992) (formerly Ill.Rev.Stat. ch. 38, §31-1(a) (1991)), amended by P.A. 87-1198, effective September 25, 1992.

Give Instruction 22.13.

Insert in the blanks the name of the peace officer or correctional institution employee.

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.