

8.10
Issues In Forcible Detention

To sustain the charge of forcible detention, the State must prove the following propositions:

First Proposition: That the defendant held ____ hostage without lawful authority; and

Second Proposition: That ____ was held hostage for the purpose of obtaining performance by a third person upon the demand of the defendant; and

Third Proposition: That the defendant was armed with a dangerous weapon.

[or]

Third Proposition: That the hostage ____ was known to the defendant to be [(a peace officer) (a correctional employee)] engaged in the performance of his official duties.

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 5/10-4 (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §10-4 (1991)).

Give Instruction 8.09.

When the question of legal authority is involved, see Committee Note to Instruction 8.09.

Insert in the blanks the name of the person held hostage if the person is named in the charge.

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.