

11.20

Issues In Aggravated Battery--Food Containing Foreign Substance Or Object-As Of July 1, 2011

To sustain the charge of aggravated battery, the State must prove the following propositions:

First Proposition: That the defendant knowingly gave food to another person; and

Second Proposition: That the food contained any [(substance) (object)] that was intended to cause physical injury if eaten; and

Third Proposition: That the defendant knew the food contained such [(a substance) (an object)].

If you find from your consideration of all the evidence that the State has proved each one of these propositions beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that the State has not proved any one of these propositions beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

Instruction and Committee Note Approved April 26, 2016

The Aggravated Battery statute was amended effective July 1, 2001. Instructions that reflect this amendment are found at 11.107 through 11.120. For the charge of "Aggravated Battery" which was committed on or after July 1, 2011, use the appropriate Illinois Pattern Jury Instruction in that series. Do not use this Instruction for the charge of "Aggravated Battery" which was committed on or after July 1, 2011.

720 ILCS 5/12-4(d) (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §12-4(d) (1991)).

Give Instruction 11.19.

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.