

17.02
Issues In Possession Of Cannabis

To sustain the charge of possession of 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 possessed a substance containing cannabis.

[or]

First Proposition: That the defendant knowingly possessed a substance containing cannabis; and

Second Proposition: That the weight of the substance possessed 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 of these)] proposition[s] has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

720 ILCS 550/4 (West, 1999).

Give Instruction 17.01; for discussion and examples, see the Committee Note to that instruction.

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.