

8.11A
Inference Of Unlawful Purpose In Child Abduction

If you find that the defendant lured or attempted to lure a child under [(16) (17)] years of age into a [(motor vehicle) (building) (house trailer) (dwelling place)] and that he did so [(without the express consent of a parent or lawful custodian of the child) (with the intent to avoid the express consent of the child’s parent or lawful custodian)], you may infer it was for other than a lawful purpose.

You are never required to make this inference. It is for the jury to determine whether the inference should be made. You should consider all of the evidence in determining whether to make this inference.

Committee Note

Instruction and Committee Note Approved October 17, 2014

720 ILCS 5/10-5(b)(10) (West 2013), amended by P.A. 92-434, effective January 1, 2002, substituting “a” for “an institutionalized”; amended by P.A. 97-227, effective January 1, 2012, substituting “intellectually disabled” for “mentally retarded”; amended by P.A. 97-998, effective January 1, 2013.

The legislature amended Section 10-5(b)(10), effective January 1, 2013, by raising the age of the child from 16 to 17.

This instruction should be used *only* when the defendant is charged with child abduction under Section 10-5(b)(10).

Use applicable bracketed material.

The bracketed material is present solely for the guidance of court and counsel and should not be included in the instruction submitted to the jury.