

**11.50**  
**Issues In Threatening Public Officials; Human Service Providers**

To sustain the charge of threatening a [(public official) (human service provider)] the State must prove the following propositions:

*First Proposition:* That the defendant knowingly delivered or conveyed, directly or indirectly, to a [(public official) (human service provider)] by any means a communication containing a threat

[1] that would place the [(public official) (human service provider)] [or a member of his immediate family] in reasonable apprehension of immediate or future [(bodily harm) (sexual assault) (confinement) (restraint)];

[or]

[2] that would place the [(public official) (human service provider)] [or a member of his immediate family] in reasonable apprehension that damage will occur to property in the custody, care, or control of the [(public official) (human service provider)] [or his immediate family];

and

*Second Proposition:* That \_\_\_\_ was a [(public official) (human service provider)] at the time of the threat;

and

[1] *Third Proposition:* That the threat was conveyed because of the performance or nonperformance of some [(public duty) (duty as a human service provider)].

[or]

[2] *Third Proposition:* That the threat was conveyed because of the hostility of the person making the threat toward the status or position of the [(public official) (human service provider)].

[or]

[3] *Third Proposition:* That the threat was conveyed because of any other factor relating to the official's public existence.

and

*Fourth Proposition:* That when the defendant conveyed the threat, he knew \_\_\_\_ was then [(a public official) (human service provider)].

[and]

*Fifth Proposition:* That the threat to a [(sworn law enforcement officer) (social worker) (caseworker) (investigator) (human service provider)] contained specific facts indicative of a unique threat to the [(sworn law enforcement officer) (social worker) (caseworker) (investigator) (human service provider) [(family) (property) of the (sworn law enforcement officer) (social worker) (caseworker) (investigator) (human service provider)]] and not a generalized threat of harm.]

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**

*Instruction and Committee Note Approved May 2, 2014.*

720 ILCS 5/12-9 (West 2013).

Give Instructions 11.49.

When applicable give 11.49A.

When applicable give 11.49B.

Insert in the blanks the name of the public official or human service provider.

Use the Fifth Proposition when the public official is a sworn law enforcement officer, social worker, caseworker, investigator or a human service provider.

Use applicable bracketed material.

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

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. Give Instruction 5.03.