

18.24X
Issues In Possession Of A Defaced Firearm

To sustain the charge of possession of a defaced firearm, the State must prove the following propositions:

First Proposition: That the defendant knowingly possessed a firearm; and

Second Proposition: That the [(importer's) (manufacturer's)] serial number on the firearm was [(changed) (altered) (removed) (obliterated)]; and

Third Proposition: That the defendant knew the [(importer's) (manufacturer's)] serial number on the firearm was [(changed) (altered) (removed) (obliterated)].

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 of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

720 ILCS 5/24-5(b) (West 2024)

Give Instruction 18.23X.

People v. Ramirez, 2023 IL 128123 (holding that an implied *mens rea* of knowledge applies to both elements of the offense: possession and defacement); overruling *People v. Stanley*, 397 Ill. App. 3d 598, 921 N.E.2d 445 (1st Dist. 2009) (holding that knowledge only applied to the possessory component of the offense).

Use applicable bracketed material.