

9.10
Issue In Prostitution

To sustain the charge of prostitution, the State must prove the following proposition:

That the defendant knowingly[(performed) (offered to perform) (agreed to perform)] [(any act of sexual penetration) (any touching or fondling of the sex organs of one person by another person for the purpose of sexual arousal or gratification)] for anything of value.

If you find from your consideration of all the evidence that this proposition 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 proposition has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

720 ILCS 5/11-14 (West 2023).

Give Instruction 9.09.

When sexual penetration is an issue, give Instruction 11.65E.

This instruction has been revised to conform to the interpretation placed upon the prostitution statute by *People v. Pettigrew*, 215 Ill.App.3d 393, 574 N.E.2d 1282 (4th Dist.1991). See Committee Note to Instruction 9.09.

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 the proposition. See Instruction 5.03.