

22.19 Definition Of Obstructing Justice

A person commits the offense of obstructing justice when, with intent to [(prevent the apprehension) (obstruct (the prosecution) (the defense)))] of any person, he knowingly

[1] [(destroys) (alters) (conceals) (disguises)] physical evidence and doing so materially interferes with the administration of justice.

[or]

[2] [(plants false evidence) (furnishes false information)] that materially interferes with the administration of justice.

[or]

[3] induces a witness having knowledge of the subject at issue to [(leave the State) (conceal himself)].

[or]

[4] [(leaves the State) (conceals himself) possessing knowledge material to the subject at issue.

[or]

[5] reports materially false information to a [(law enforcement agency) (medical examiner) (coroner) (State's Attorney) (other governmental agency)] during the investigation of the disappearance or death of a child under 13 years of age and is a [(parent) (legal guardian) (caretaker)] of that child.

Committee Note

720 ILCS 5/31-4(a) (West 2025).

When applicable, give Instruction 22.19A, defining the term “material” for this offense.

Give Instruction 22.20.

In *People v. Cassler*, 2020 IL 125117, the Illinois Supreme Court construed section 31-4(a)(1) (720 ILCS 5/31-4(a)(1)) to include a material impediment requirement. *Cassler*, 2020 IL 125117, ¶ 69. The court reasoned that the legislature intended to criminalize behavior that actually interferes with the administration of justice. *Cassler*, 2020 IL 125117, ¶ 35.

Use applicable paragraphs and bracketed material.

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