

9.04
Issues In Public Indecency

To sustain the charge of public indecency, the State must prove the following propositions:

First Proposition: That the defendant performed [(an act of sexual penetration) (an act of sexual conduct) (a lewd exposure of the body done with the intent to arouse or satisfy the sexual desire of the person)]; and

Second Proposition: That the defendant performed the [(act) (lewd exposure)] in a place where his conduct might reasonably be expected to be viewed by others; and

Third Proposition: That the defendant was then 17 years of age or older.

If you find from your consideration of all the evidence that each 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

720 ILCS 5/11-9 (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §11-9 (1991)).

Give Instruction 9.03.

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 each proposition. See Instruction 5.03.