

**8.34**  
**Issues In Failure To Report The Death Or Disappearance Of A Child**  
**Under 13 Years Of Age**

To sustain the charge of failure to report the death or disappearance of a child under 13 years of age, the State must prove the following propositions:

*First Proposition:* That the defendant was the [(parent) (legal guardian) (caretaker)] of \_\_\_\_\_ who was a child under 13 years of age; and

*Second Proposition:* That the defendant [(knew) (should have known)] \_\_\_\_\_ was [(missing) (deceased)] and failed to report the [(death) (disappearance)] to a law enforcement agency within 24 hours.

[or]

*First Proposition:* That the defendant was the [(parent) (legal guardian) (caretaker)] of \_\_\_\_\_ who was a child under 2 years of age; and

*Second Proposition:* That the defendant [(knew) (should have known)] \_\_\_\_\_ was [(missing) (deceased)] and failed to report the [(death) (disappearance)] to a law enforcement agency within 1 hour.

[or]

*First Proposition:* That the defendant was the [(parent) (legal guardian) (caretaker)] of \_\_\_\_\_ who was a child under 13 years of age; and

*Second Proposition:* That the defendant reasonably believed \_\_\_\_\_'s death was caused by [(homicide) (accident) (suspicious circumstances)] and failed to report this information to the law enforcement agency for the county where \_\_\_\_\_'s corpse was found.

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**

720 ILCS 5/10-10 (West 2020).

Give Instruction 8.33.

Use applicable propositions and bracketed material.

Insert in the blanks the name of the child or the person with a severe or profound intellectual disability.