

7.10A
Issues In Aggravated Reckless Homicide

To sustain the charge of aggravated reckless homicide, the State must prove the following propositions:

First Proposition: That the defendant caused the death of ____ by driving a motor vehicle; and

Second Proposition: That the defendant drove the motor vehicle recklessly; and

Third Proposition: That the defendant drove the motor vehicle in a manner likely to cause death or great bodily harm; and

Fourth Proposition: That the defendant was then under the influence of alcohol or any other drug or drugs.

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 5/9-3(a), (e) (West 1992) (formerly Ill.Rev.Stat. ch. 38, §§9-3(a), (e) (1991)).

Give Instruction 7.09A.

Insert in the blank the name of the victim.

Use this instruction in cases in which the State alleges the defendant was under the influence of alcohol or other drugs. See Section 9-3(e). If the State does not allege the defendant was under the influence of alcohol or other drugs, use Instruction 7.10.

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.