

14.14B
Issues in Residential Burglary –False Representation To Gain Entry

To sustain the charge of residential burglary by false representation to gain entry, the State must prove the following propositions:

First Proposition: That the defendant falsely represented himself [to be a representative of any ((unit of government) (construction company) (telecommunications company) (utility company) (_____))] for the purpose of gaining entry to the dwelling place of another; and

Second Proposition: That the defendant did so with the intent to [(commit therein the offense of _____) (facilitate the commission therein the offense of _____)].

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 5/19-3(a-5) (West 2022).

Give Instruction 14.13B.

If the false status of the defendant is other than those listed, insert the defendant’s false status in the first blank.

Insert in the second blank the intended offense (theft or the specified felony) alleged as the objective of the burglary. Give the definition instruction for that offense.

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.