

8.04

Definition Of Aggravated Kidnapping

A person who kidnaps another commits the offense of aggravated kidnapping when he

[1] kidnaps with the intent to obtain ransom from the person kidnapped or from any other person.

[or]

[2] takes as his victim [(a child under the age of 13 years) (a person with a severe or profound intellectual disability)].

[or]

[3] [(inflicts great bodily harm, other than by the discharge of a firearm) (commits _____)] upon the victim.

[or]

[4] [(wears a hood, robe, or mask) (conceals his identity)].

[or]

[5] does so while armed with a dangerous weapon other than a firearm.

[or]

[6] does so while armed with a firearm.

[or]

[7] during the commission of the offense of kidnapping, he personally discharges a firearm.

[or]

[8] during the commission of the offense of kidnapping, he personally discharges a firearm that proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.

Committee Note

720 ILCS 5/10-2 (West 2020).

Give Instruction 8.01 and either Instruction 8.05, 8.05A, or 8.05B. The underlying offense of kidnapping can be committed in one of three ways: (1) secret confinement (720 ILCS 5/10(a)(1)); (2) carrying another by force or threat of imminent force (720 ILCS 5/10-1(a)(2)); or (3) inducing travel by deceit or enticement (720 ILCS 5/10-1(a)(3)). When the defendant is

charged under Section 10-1(a)(1), give this instruction and Instruction 8.05. When the defendant is charged under Section 10-1(a)(2), give this instruction and Instruction 8.05A. When the defendant is charged under Section 10-1(a)(3), give this instruction and Instruction 8.05B.

Give Instruction 8.01A when the defendant is charged with confining a child under the age of 13 years.

Give Instruction 8.01B when the defendant is charged with confining a person with a severe or profound intellectual disability.

Give Instruction 11.65G when the victim is alleged to be a person with a severe or profound intellectual disability.

Give Instruction 8.04A, defining the word “ransom” when paragraph [1] is used.

In paragraph [3], insert in the blank the name of the applicable felony and give the instruction defining that felony immediately following this instruction.

When paragraph [5] is used, give the definition of the term “dangerous weapon” which is found in 720 ILCS 5/33A-1. See Committee Note to Instruction 4.17.

Use applicable bracketed material.

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