



(Docket No. 130919)

THE PEOPLE OF THE STATE OF ILLINOIS, Appellee, v.
COURTNEY B. VESEY, Appellant.
Opinion filed January 23, 2026.

Justice Holder White delivered the judgment of the court, with opinion.

This case concerns what showing a defendant, accused of aggravated battery of a police officer, must make to be entitled to a jury instruction on self-defense where there is evidence of excessive force by a police officer. During defendant's arrest, an arresting officer tackled him over a retaining wall. The trial court declined to give the jury an instruction on self-defense, viewing defendant as the aggressor. The appellate court affirmed, finding the record did not provide evidence that defendant actually believed a danger existed that would require the use of force he applied.

The supreme court granted leave to appeal to resolve a conflict in the appellate court as to what showing is required for a jury to receive the instruction on self-defense involving use of force against a police officer. Another district had found that a self-defense instruction was required whenever the defendant was unaware of the police officer's identity or where there was evidence the officer used excessive force. Here, the appellate court applied a six-element test from *People v. Jeffries*, 164 Ill. 2d 104 (1995). The supreme court found that was the correct test to apply but concluded the appellate court erroneously required the defendant to present "sufficient evidence of excessive force," which necessarily placed the court in the position of weighing the evidence and deciding a question of fact for the jury. Instead, the court was required to give the self-defense instruction if some evidence of each of the six *Jeffries* factors is present. Because the circuit court abused its discretion in failing to give the instruction, defendant's conviction was reversed and remanded for a new trial.