

8.34A
Defenses To Failure To Report The Death Or
Disappearance Of A Child Under 13 Years Of Age

A [(parent) (legal guardian) (caretaker)] does not commit the offense of failure to report the death or disappearance of a child under 13 years of age when:

[1] the failure to report is due to an [(act of God) (act of war) (inability of a law enforcement agency to receive a report of the disappearance of a child)].

[or]

[2] he calls 911 to report the disappearance of the child.

[or]

[3] he knows that the child is under the care of another [(parent) (family member) (relative) (friend) (babysitter)].

[or]

[4] he is [(hospitalized) (in a coma) (otherwise seriously physically or mentally impaired)] as to prevent the him from reporting the [(death) (disappearance)].

Committee Note

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

Give Instruction 8.33 and 8.34.

Use applicable bracketed material.

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