

14.13B
Definition Of Residential Burglary –
False Representation To Gain Entry

A person commits the offense of residential burglary when he falsely represents 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, with the intent to [(commit therein the offense of _____) (facilitate the commission therein the offense of _____)].

Committee Note

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

Give Instruction 14.14B.

Give Instruction 4.03, defining the term “dwelling place”. In *People v. Donoho*, 245 Ill.App.3d 938, 942, 615 N.E.2d 805, 807 (2nd Dist.1993), the court held that the trial court must give an instruction defining “dwelling” in residential burglary cases.

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 the applicable bracketed material.