

720 ILCS 5/ 18-1(a)

ROBBERY

In violation of SECTION 18-1(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ took property, being one Bulova wristwatch and \$15 United States currency, from the person² of Don Smith, by threatening the imminent use of force.³

¹or intentionally or recklessly; ²or presence; ³or by the use of force

NOTE: Excluded from this offense is the taking of a motor vehicle in violation of Section 18-3 or 18-4 of this Act.

CHARGING NOTE: If the victim is 60 years of age or over or is a person with a physical disability or if the robbery is committed in a school, day care center, day care home, group day care home, or part day child care facility or place of worship, robbery is a Class 1 Felony. See **Sentencing Guide**. For a definition of "physically handicapped person", see **Appendix C**. "Place of worship" is defined in Section 2-15(b) of the Criminal Code. "School" is defined in Section 2-19.5 of the **Criminal Code**.

SENTENCING NOTE: Regarding penalties prescribed in subsection (b) for violations committed in a day care center, day care home, group day care home, or part day child care facility, the time of day, time of year, and whether children under 18 years of age were present in the day care center, day care home, group day care home, or part day child care facility are irrelevant.

IMPORTANT: For a discussion concerning the necessity of alleging a defendant's mental state in this type of cause, see **Appendix B**.

IMPORTANT: For sentencing and alternative charging information see the **Sentencing Guide**.

Legislative History: Codified - Laws 1961, p. 1983 (January 1, 1962); Amended - P.A.s 77-2638, 85-691, 88-35, 91-360 and 96-0556.

This subsection was amended by Public Act 99-0143. Effective: 1-1-16.

CHARGE: Felony (Class 2)

BOND: Must be Set by Judge

720 ILCS 5/ 18-1(b)(1)

AGGRAVATED ROBBERY

In violation of SECTION 18-1(b)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while indicating verbally¹ to Don Smith that he had a firearm,² knowingly³ took property, being one Bulova wristwatch and \$15 United States currency, from the person⁴ of Don Smith, by threatening the imminent use of force.⁵

¹or by his or her actions; ²or other dangerous weapon, including a knife, club, ax or bludgeon; ³or intentionally or recklessly; ⁴or from the presence; ⁵or by the use of force

NOTE: This offense is applicable even though it is later determined that the defendant had no firearm in his or her possession when he or she committed the robbery.

IMPORTANT: For a discussion concerning the necessity of alleging a defendant's mental state in this type of cause, see Appendix B.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

ADDITIONAL CASE AUTHORITY - - This subsection withstands a constitutional due process attack. People v. Williams, 329 Ill. App. 3d 846, 769 N. E. 2d 518, 264 Ill. Dec. 16 (1st Dist., 2002)

Legislative History: Created - P.A. 88-144 (January 1, 1994); Amended - P.A. 88-670, 90-593, 90-735 and 91-357.

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 18-1(b)(2)

AGGRAVATED ROBBERY

In violation of SECTION 18-1(b)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), took property, a gold watch, from the person¹ of Don Smith after delivering heroin, a controlled substance, by injection² to Don Smith without his consent³ and for other than medical purposes.

¹or presence; ²or by inhalation, ingestion, transfer of possession, or any other means; ³or by threat or deception

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This complaint was re-numbered by P. A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 18-2(a)(1)

ARMED ROBBERY

In violation of SECTION 18-2(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while armed with a dangerous weapon, a knife,¹ knowingly² took property, being one Bulova wristwatch and \$15 United States currency, from the person³ of Don Smith, by threatening the imminent use of force.⁴

¹any dangerous weapon other than a firearm; ²or intentionally or recklessly; ³or presence; ⁴or by the use of force

NOTE: 720 ILCS 5/33A-1 defines dangerous weapon. See Appendix C.

IMPORTANT: For a discussion concerning the necessity of alleging a defendant's mental state in this type of cause, see Appendix B.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1962); Amended - Laws 1967, p.2595; P.A.s 77-1233, 77-2638, 78-255, 80-1099 and 91-404.

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 18-2(a)(2)

ARMED ROBBERY

In violation of SECTION 18-2(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while carrying a firearm on his person,¹ knowingly² took property, being one Bulova wristwatch and \$15 United States currency, from the person³ of Don Smith, by threatening the imminent use of force.⁴

¹or about his person or while otherwise armed with a firearm; ²or intentionally or recklessly; ³or presence; ⁴or by the use of force

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

WARNING: The enhanced sentence created by this subsection based upon the use of a firearm was struck down as unconstitutionally disproportionate by the following cases: People v. Walden, 199 Ill. 2d 392, 769 N. E. 2d 928, 264 Ill. Dec. 2d 91 (Ill. 2002) & People v. Moss, 206 Ill. 2d 503, 795 N. E. 2d 208, 276 Ill. Dec. 2d 855 (Ill. 2003)

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 18-2(a)(3)

ARMED ROBBERY

In violation of SECTION 18-2(a)(3) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ took property, being one Bulova wristwatch and \$15 United States currency, from the person² of Don Smith, by threatening the imminent use of force³ and during the commission of this offense said defendant personally discharged a firearm.

¹or intentionally or recklessly; ²or presence; ³or by the use of force

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

WARNING: The enhanced sentence created by this subsection based upon the use of a firearm was struck down as unconstitutionally disproportionate by the following case: People v. Moss, 206 Ill. 2d 503, 795 N. E. 2d 208, 276 Ill. Dec. 2d 855 (Ill. 2003)

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 18-2(a)(4)

ARMED ROBBERY

In violation of SECTION 18-2(a)(4) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ took property, being one Bulova wristwatch and \$15 United States currency, from the person² of Don Smith, by threatening the imminent use of force³ and during the commission of this offense said defendant personally discharged a firearm that proximately caused great bodily harm⁴ to Don Smith in that said defendant shot Don Smith in the chest.

¹or intentionally or recklessly; ²or presence; ³or by the use of force; ⁴or permanent disability, permanent disfigurement, or death

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

ADDED AUTHORITY: The enhanced sentence created by this subsection based upon the use of a firearm was affirmed as constitutional by the following case: People v. Moss, 206 Ill. 2d 503, 795 N. E. 2d 208, 276 Ill. Dec. 2d 855 (Ill. 2003)

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 18-3

VEHICULAR HIJACKING

In violation of SECTION 18-3 of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly took a motor vehicle, a 2008 Ford Falcon with a vehicle identification number of BB777-4321, from the person¹ of Sam Smith by the use of force.²

¹or from the immediate presence; ²or by threatening the imminent use of force

VERY IMPORTANT: For a discussion concerning the necessity of alleging a defendant's mental state in this type of cause, see Appendix B.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 88-351 (August 13, 1993). Amended: 88-0670 and by P. A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 18-4(a)(1)

AGGRAVATED VEHICULAR HIJACKING

In violation of SECTION 18-4(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ took a motor vehicle, a 2008 Ford Falcon with a vehicle identification number of BB777-4321, from the person² of Sam Smith, a person 60 years of age or over,³ by the use of force.⁴

¹or intentionally or recklessly; ²or from the immediate presence; ³or a person with a physical disability; ⁴or by threatening the imminent use of force

NOTE: This offense may also be committed when: 1). a person under 16 years of age is a passenger in the motor vehicle at the time of the offense (18-4(a) (2)) or 2). a defendant carries, on or about his or her person or is otherwise armed with, a dangerous weapon other than a firearm. (18-4(a)(3))

CHARGING NOTE: A violation of subsections (a)(1) or (a)(2) is a Class X felony. A violation of subsection (a)(3) is a Class X felony for which a term of imprisonment of not less than 7 years shall be imposed. See the Sentencing Guide.

IMPORTANT: For a discussion concerning the necessity of alleging a defendant's mental state in this type of cause, see Appendix B.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 88-351 (Eff: 8-13-93). Amended: P.A. 91-404

This subsection was amended by Public Act 99-0143. Effective: 1-1-16.

CHARGE: Felony (Class X) **BOND:** Must be Set by Judge

720 ILCS 5/ 18-4(a)(4)

AGGRAVATED VEHICULAR HIJACKING

in violation of SECTION 18-4(a)(4) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while carrying a firearm on his person,¹ knowingly² took a motor vehicle, a 2008 Ford Falcon with a vehicle identification number of XX777-8888, from the person³ of Sam Smith by the use of force.⁴

¹or about his person or while otherwise armed with a firearm; ²or intentionally or recklessly; ³or from the immediate presence; ⁴or by threatening the imminent use of force

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

WARNING: The enhanced sentence created by this subsection based upon the use of a firearm was struck down as unconstitutionally disproportionate by the following case: People v. Moss, 206 Ill. 2d 503, 795 N. E. 2d 208, 276 Ill. Dec. 2d 855 (Ill. 2003)

CHARGE: Felony (Class X) **BOND:** Must be Set by Judge

720 ILCS 5/ 18-4(a)(5)

AGGRAVATED VEHICULAR HIJACKING

In violation of SECTION 18-4(a)(5) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ took a motor vehicle, a 2008 Ford Falcon with a vehicle identification number of XX777-4321, from the person² of Sam Smith by the use of force³ and during the commission of this offense, said defendant personally discharged a firearm.

¹or intentionally or recklessly; ²or from the immediate presence; ³or by threatening the imminent use of force

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

WARNING: The enhanced sentence created by this subsection based upon the use of a firearm was struck down as unconstitutionally disproportionate by the following case: People v. Moss, 206 Ill. 2d 503, 795 N. E. 2d 208, 276 Ill. Dec. 2d 855 (Ill. 2003)

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 18-4(a)(6)

AGGRAVATED VEHICULAR HIJACKING

In violation of SECTION 18-4(a)(6) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ took a motor vehicle, a 2008 Ford Falcon with a vehicle identification number of XX777-4321, from the person² of Sam Smith by the use of force³ and during the commission of this offense, said defendant personally discharged a firearm that proximately caused great bodily harm⁴ to Sam Smith in that said defendant shot Sam Smith in the chest.

¹or intentionally or recklessly; ²or from the immediate presence; ³or by threatening the imminent use of force; ⁴or permanent disability, permanent disfigurement, or death

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 18-6(a)

VEHICULAR INVASION

In violation of SECTION 18-6(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly, by force, entered¹ into the interior of a 2012 Ford Falcon² owned by Don Smith while such Ford Falcon was occupied by Don Smith³ with the intent to commit therein a theft.⁴

¹or reached; ²or any motor vehicle as defined by the Illinois Vehicle Code; ³or by any other person or persons; ⁴or a felony

CHARGING NOTE: The phrase "without lawful justification" has been deleted. See Appendix B for an explanation.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 88-1392 (Jan. 1, 1991) and re-numbered by P.A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 19-1(a)

BURGLARY

In violation of SECTION 19-1(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), without authority, knowingly entered¹ a building² of Don Smith, doing business as Smith's Meat Market, located at 777 South Avenue, Union City, Union County, Illinois, with the intent to commit therein a theft.³

¹or remained within; ²house-trailer, watercraft, aircraft, motor vehicle, railroad car or any part thereof; ³or felony (be specific as to particular felony)

NOTE: This offense does not include the offense set out in 625 ILCS 5/4-102.

CHARGING NOTE: A burglary committed in a school, day care center, day care home, group day care home, or part day child care facility or place of worship is a Class 1 Felony, except that this provision does not apply to a day care center, day care home, group day care home, or part day child care facility operated in a private residence used as a dwelling. See the Sentencing Guide. "Place of worship" is defined in Section 2-15b of the Criminal Code. "School" is defined in Section 2-19.5 of the Criminal Code.

SENTENCING NOTE: Regarding penalties prescribed in subsection (b) for violations committed in a day care center, day care home, group day care home, or part day child care facility, the time of day, time of year, and whether children under 18 years of age were present in the day care center, day care home, group day care home, or part day child care facility are irrelevant.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1962); Amended - Laws 1965, p.2976; P.A.s 77-906, 77-2638, 78-255, 82-238, 91-360, 91-928 and 96-556.

CHARGE: Felony (Class 2) **BOND:** Must be Set by Judge

720 ILCS 5/ 19-2

POSSESSION OF BURGLARY TOOLS

In violation of SECTION 19-2 of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of , defendant, (defendant’s name), knowingly possessed one pry bar, two wrenches and a screwdriver, suitable for use in breaking into a building,¹ with the intent to enter any such place and with the intent to commit therein a theft.²

¹house-trailer, watercraft, aircraft, motor vehicle, railroad car or any depository designed for the safekeeping of property, or any part thereof; ²or felony (be specific as to the particular felony)

NOTE: “BURGLARY TOOL” includes any key, tool, instrument, device, or any explosive suitable for use in breaking into any place listed in footnote ¹ above.

NOTE: The trier of fact may infer from the possession of a key designed for lock bumping an intent to commit a felony or theft; however, this inference does not apply to any peace officer or other employee of a law enforcement agency, or to any person or agency licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. For the purposes of this Section, "lock bumping" means a lock picking technique for opening a pin tumbler lock using a specially-crafted bumpkey.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1962); Amended - Laws 1965, p.2976; P.A.s 77-907, 77-2638, 78-255 and 95-883.

Legislative History: This offense was recently amended by Public Act: 96-1307 (Effective: 1-1-11).

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 19-2.5(b)

UNLAWFUL SALE OF BURGLARY TOOLS

In violation of SECTION 19-2.5(b) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly sold¹ a lock pick² which was specifically manufactured³ for use in breaking into a building⁴ to Don Smith.

¹or transferred; ²or a key, including a key designed for lock bumping; ³or altered; ⁴or a house-trailer, watercraft, aircraft, motor vehicle, railroad car, or any depository designed for the safekeeping of property, or any part of that property.

NOTE: This offense does not apply to the sale or transfer of any item described in subsection (b) to any peace officer or other employee of a law enforcement agency, or to any person or agency licensed as a locksmith under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, or to any person engaged in the business of lawful repossession of property who possesses a valid Repossessor-ICC Authorization Card.

NOTE: “Lock Bumping” means a lock picking technique for opening a pin tumbler lock using a specially-crafted bumpkey. “Motor Vehicle” has the meaning ascribed to it in the Illinois Vehicle Code.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This offense was recently created by Public Act: 96-1307 (Effective: 1-1-11).

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 19-3(a)

RESIDENTIAL BURGLARY

In violation of SECTION 19-3(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly and without authority, entered into the dwelling place of Don Smith, located at 777 South Avenue, Union City, Union County, Illinois, with the intent to commit therein a theft.¹

¹or felony (be specific as to the particular felony)

NOTE: This offense does now include burglary. (720 ILCS 5/19-1)

IMPORTANT: This offense may now also be committed by a person who falsely represents himself or herself, including but not limited to falsely representing himself or herself to be a representative of any unit of government or a construction, telecommunications, or utility company, for the purpose of gaining entry to the dwelling place of another with the intent to commit therein a felony or theft or to facilitate the commission therein of a felony or theft; (720 ILCS 5/ 19-3(a-5)).

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 91-928 (6-1-01); Amended - P.A. 84-832, 82-238 & 91-928. This Section was recently amended by Public Act 96-1113. Effective: January 1, 2011.

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 19-3(a)

RESIDENTIAL BURGLARY

In violation of SECTION 19-3(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly and without authority, entered into the dwelling place of Don Smith, located at 777 South Avenue, Union City, Union County, Illinois, with the intent to commit therein the offense of aggravated criminal sexual assault in violation of Section 12-14 of Act 5 of Chapter 720 of the Illinois Compiled Statutes.¹

¹or any felony (be specific as to the particular felony) or theft

NOTE: This offense does now include burglary. (720 ILCS 5/19-1)

IMPORTANT: This offense may now also be committed by a person who falsely represents himself or herself, including but not limited to falsely representing himself or herself to be a representative of any unit of government or a construction, telecommunications, or utility company, for the purpose of gaining entry to the dwelling place of another with the intent to commit therein a felony or theft or to facilitate the commission therein of a felony or theft; (720 ILCS 5/ 19-3(a-5)).

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

ADDITIONAL CASE AUTHORITY - - This subsection withstands a constitutional attack based upon the mutually exclusive nature of the burglary and residential burglary statutes (which is no longer in effect) People v. Torres, 327 Ill. App. 3d 1106, 764 N. E. 2d 1206, 262 Ill. Dec. 89 (5th Dist., 2002)

Legislative History: This Section was recently amended by Public Act 96-1113. Effective: January 1, 2011.

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 19-4(a)(1)

CRIMINAL TRESPASS TO RESIDENCE

In violation of SECTION 19-4(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant’s name), knowingly and without authority, entered¹ a residence² located at 777 May Street, Union City, Union County, Illinois.

¹or remained within; ²including a house trailer that is the dwelling place of another

DEFINITION: For the purpose of this Section, in the case of a multi-unit residential building or complex, "residence" shall only include that portion of the building or complex which is the actual dwelling place of any person and does not include such places as common recreational areas or lobbies. (720 ILCS 5/19-4(a))

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 83-1070 (July 1, 1984). Amended - P.A. 91-895 and by P. A. 97-1108; (eff: 1-1-13).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 19-4(a)(2)

CRIMINAL TRESPASS TO A RESIDENCE

In violation of SECTION 19-4(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly and without authority, entered the residence of Dawn Smith located at 777 May Street in Union City, Illinois at a time when said defendant knew¹ that one or more persons were present in that residence.

¹or had reason to know

NOTE: This subsection may also be violated where the defendant enters the residence of another and remains in that residence after he knows or has reason to know that one or more persons is present in that residence.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 19-5

CRIMINAL FORTIFICATION OF A RESIDENCE OR BUILDING

In violation of SECTION 19-5 of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), with the intent to prevent the lawful entry of a law enforcement officer,¹ maintained a building² at 777 May Street, Union City, Union County, Illinois, in a fortified condition, knowing that such building was used for the trafficking³ of cocaine, a controlled substance as defined by the Illinois Controlled Substances Act.⁴

¹or another; ²or a residence; ³or unlawful manufacture, storage with intent to deliver or manufacture, or delivery; ⁴or cannabis as defined in the Cannabis Control Act or methamphetamine as defined in the Methamphetamine Control and Community Protection Act.

DEFINITIONS: "Fortified condition" means preventing or impeding entry through the use of steel doors, wooden planking, crossbars, alarm systems, dogs, video surveillance, motion-sensing devices, booby traps, or other similar means. If video surveillance is the sole component of the fortified condition, the video surveillance must be with the intent to alert an occupant to the presence of a law enforcement officer for the purpose of interfering with the official duties of a law enforcement officer, allowing removal or destruction of evidence, or facilitating the infliction of harm to a law enforcement officer. For the purposes of this Section, "booby trap" means any device, including but not limited to any explosive device, designed to cause physical injury or the destruction of evidence, when triggered by an act of a person approaching, entering, or moving through a structure.

NOTE: This Section does not apply to the fortification of a residence or building used in the manufacture of methamphetamine as described in Sections 10 and 15 of the Methamphetamine Control and Community Protection Act.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 86-760 (Eff: 1-1-90). Amended by P.A. 94-556. Recently amended by Public Act 98-0897. (Eff: 1-1-15.)

CHARGE: Felony (Class 3) **BOND:** Must be Set by Judge

720 ILCS 5/ 19-6(a)(1)

HOME INVASION

In violation of SECTION 19-6(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), not a peace officer acting in the line of duty, knowingly, and without authority, entered the dwelling place of Don Smith, located at 777 May Street, Union City, Union County, Illinois, knowing¹ Don Smith to be present within that dwelling place² and while armed with a dangerous weapon,³ a knife, threatened the imminent use of force⁴ against Don Smith in that said defendant threatened to stab Don Smith.

¹or having reason to know; ²or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons are present or who falsely represents himself or herself, including but not limited to falsely representing himself or herself to be a representative of any unit of government or a construction, telecommunications, or utility company, for the purpose of gaining entry to the dwelling place of another when he or she knows or has reason to know that one or more persons are present; ³other than a firearm; ⁴or used force

DEFINITION: For purposes of this Section, "dwelling place of another" includes a dwelling place where the defendant maintains a tenancy interest but from which the defendant has been barred by a divorce decree, judgment of dissolution of marriage, order of protection, or other court order.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 80-1392 (Eff: 9-22-78). Amended - P.A. 85-1387, 85-1433, 86-820, 90-878, 91-404, 91-928, 96-1113 (Effective: 1-1-11), 96-1551 (Effective: 7-1-11) amended and re-numbered by Public Act 97-1108 (Eff: 1-1-13).

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 19-6(a)(2)

HOME INVASION

In violation of SECTION 19-6(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), not a peace officer acting in the line of duty, knowingly, and without authority, entered the dwelling place of Don Smith, located at 777 May Street, Union City, Union County, Illinois, knowing¹ Don Smith to be present within that dwelling place² and intentionally caused injury³ to Don Smith in that he struck Don Smith in the face with his fist.

¹or having reason to know; ²or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons are present; ³other than great bodily harm, permanent disability, permanent disfigurement, or death proximately caused by a firearm personally discharged by the defendant

DEFINITION: For purposes of this Section, "dwelling place of another" includes a dwelling place where the defendant maintains a tenancy interest but from which the defendant has been barred by a divorce decree, judgment of dissolution of marriage, order of protection, or other court order.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

ADDED CASE AUTHORITY - - The enhanced sentence for this subsection (15-20-25 to life) based upon the possession or use of a firearm is upheld. (People v. Hill, 199 Ill. 2d 440, 771 N. E. 2d 374, 264 Ill. Dec. 670 (Ill. Sup. Ct., 2002))

This complaint was re-numbered by P. A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 19-6(a)(3)

HOME INVASION

In violation of SECTION 19-6(a)(3) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), not a peace officer acting in the line of duty, knowingly, and without authority, entered the dwelling place of Don Smith, located at 777 May Street, Union City, Union County, Illinois, knowing¹ Don Smith to be present within that dwelling place² and while armed with a firearm, threatened the imminent use of force³ against Don Smith in that said defendant threatened to shoot Don Smith.

¹or having reason to know; ²or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons are present; ³or used force

DEFINITION: For purposes of this Section, "dwelling place of another" includes a dwelling place where the defendant maintains a tenancy interest but from which the defendant has been barred by a divorce decree, judgment of dissolution of marriage, order of protection, or other court order.

SENTENCING NOTE: A violation of subsection (a) (3) is a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was re-numbered by P. A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 19-6(a)(4)

HOME INVASION

In violation of SECTION 19-6(a)(4) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), not a peace officer acting in the line of duty, knowingly, and without authority, entered the dwelling place of Don Smith, located at 777 May Street, Union City, Union County, Illinois, knowing¹ Don Smith to be present within that dwelling place² and threatened to use force³ against Don Smith in that said defendant threatened to shoot Don Smith and in so doing, said defendant personally discharged a firearm.

¹or having reason to know; ²or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons are present; ³or used force

DEFINITION: For purposes of this Section, "dwelling place of another" includes a dwelling place where the defendant maintains a tenancy interest but from which the defendant has been barred by a divorce decree, judgment of dissolution of marriage, order of protection, or other court order.

SENTENCING NOTE: A violation of subsection (a) (4) is a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was re-numbered by P. A. 97-1108; Eff: 1-1-13).

CHARGE: Felony (Class X) **BOND:** Must be Set by Judge

720 ILCS 5/ 19-6(a)(5)

HOME INVASION

In violation of SECTION 19-6(a)(5) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), not a peace officer acting in the line of duty, knowingly, and without authority, entered the dwelling place of Don Smith, located at 777 May Street, Union City, Union County, Illinois, knowing¹ Don Smith to be present within that dwelling place² and said defendant personally discharged a firearm that proximately caused great bodily harm³ to the person of Don Smith.⁴

¹or having reason to know; ²or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons are present; ³or any violation of Section 12-13, 12-14, 12-14.1, 12-15 or 12-16; ⁴or any person within that residence

DEFINITION: For purposes of this Section, "dwelling place of another" includes a dwelling place where the defendant maintains a tenancy interest but from which the defendant has been barred by a divorce decree, judgment of dissolution of marriage, order of protection, or other court order.

SENTENCING NOTE: A violation of subsection (a) (5) is a Class X felony for which 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was re-numbered by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Felony (Class X) **BOND:** Must be Set by Judge

720 ILCS 5/ 19-6(a)(6)

HOME INVASION

In violation of SECTION 19-6(a)(6) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), not a peace officer acting in the line of duty, knowingly, and without authority, entered the dwelling place of Dawn Smith, located at 777 May Street, Union City, Union County, Illinois, knowing¹ Dawn Smith to be present within that dwelling place² and said defendant committed an aggravated criminal sexual assault³ against Dawn Smith⁴ in violation of Section 12-15 of the Criminal Code in that (describe the offense).

¹or having reason to know; ²or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons are present; ³or any violation of Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60 or 12-13, 12-14, 12-14.1, 12-15 or 12-16; ⁴or any person within that residence

DEFINITION: For purposes of this Section, "dwelling place of another" includes a dwelling place where the defendant maintains a tenancy interest but from which the defendant has been barred by a divorce decree, judgment of dissolution of marriage, order of protection, or other court order.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This subsection was amended by Public Act 96-1551. (Effective: 7-1-11).

This complaint was re-numbered by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 20-1(a)(1)

ARSON

In violation of SECTION 20-1(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), by means of fire,¹ knowingly damaged a building² of Don Smith, being a residence located at 777 May Street, Union City, Union County, Illinois without Don Smith consent.

¹or explosives; ²or any real or personal property

CHARGING NOTES: (a) If property damaged is personal property, the value of the property must be \$150 or more and that allegation must be averred in the complaint. (b) A prosecution for this offense may be commenced at any time. (720 ILCS 5/3-5)

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1962): Amended - Laws 1967, p.2972; P.A. 77-2638. Re-numbered by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Felony (Class 2)

BOND: Must be Set by Judge

720 ILCS 5/ 20-1(a)(2)

ARSON

In violation of SECTION 20-1(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), by means of fire¹ and with the intent to defraud an insurer, Family Home Insurance Company, Inc., a corporation, knowingly damaged a building² of Don Smith, being a residence located at 777 May Street, Union City, Union County, Illinois.

¹or explosives; ²or any real or personal property

CHARGING NOTES: (1) If property damaged is personal property, the value of the property must be \$150 or more and that allegation must be averred in the complaint. (2) A prosecution for this offense may be commenced at any time. (720 ILCS 5/3-5)

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Re-numbered by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Felony (Class 2)

BOND: Must be Set by Judge

720 ILCS 5/ 20-1(b)

RESIDENTIAL ARSON

In violation of SECTION 20-1(b) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while committing an arson in violation of Section 20-1(a) of the Illinois Criminal Code, knowingly partially¹ damaged the dwelling place of Don Smith located at 777 May Street in Union City, Union County, Illinois.

¹or totally

CHARGING NOTE: A prosecution for this offense may be commenced at any time. (720 ILCS 5/3-5)

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created by Public Act 90-787 (Eff: 8-14-98). Re-numbered by P.A. 97-1108; (Eff: 1-1-13).

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 20-1(b-5)

PLACE OF WORSHIP ARSON

In violation of SECTION 20-1(b-5) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while committing the offense of arson in violation of Section 20-1 of Act 5 of Chapter 720 of the Illinois Compiled Statutes, said defendant knowingly damaged¹ the Union City Church of the Creator, a place of worship.

¹partially or totally

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This offense was created by Public Act 93-169 (Eff: 7-10-03) and re-numbered by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 20-1.1

AGGRAVATED ARSON

In violation of SECTION 20-1.1 of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while committing an arson, knowingly partially¹ damaged a building² of Don Smith, being a residence located at 777 May Street, Union City, Union County, Illinois, knowing³ that Don Smith was present therein.⁴

¹or totally; ²or structure including any adjacent building or structure including all or any part of a school building, house trailer, watercraft, motor vehicle, or railroad car; ³or reasonably should have known; ⁴or because of which any person suffers great bodily harm, or permanent disability or disfigurement as a result of the fire or a fireman or a policeman, or a correctional officer who is present at the scene acting in the line of duty, is injured as a result of the fire or explosion

CHARGING NOTE: A prosecution for this offense may be commenced at any time. (720 ILCS 5/3-5)

DEFINITIONS: For purposes of this subsection, "property of another" means a building or other property whether real or personal, in which a person other than the offender has an interest that the offender has no authority to defeat or impair, even though the offender may also have an interest in the building or property; and "school building" means any public or private preschool, elementary or secondary school, community college, college or university.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 80-807 (October 1, 1977); Amended - P.A. 80-1099 84-1100, 92-421, 93-335, 94-127 and 94-393.

CHARGE: Felony (Class X)

BOND: Must be Set by Judge

720 ILCS 5/ 20-2(a)

POSSESSION OF EXPLOSIVES OR INCENDIARY DEVICES

In violation of SECTION 20-2(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly possessed¹ an explosive compound,² commonly referred to as C-10, knowing that Don Smith intended to use such explosive to commit the offense of arson,³ in violation of Section 20-1 of Act 5 of Chapter 720 of the Illinois Compiled Statutes.

¹or manufactured or transported; ²or timing or detonating device for use with any explosive compound or incendiary device; ³or intended to use such explosives or device to commit any felony

NOTE: When possession is the essence of the offense, knowledge is the mental state that must be alleged. People v. Smith (1960), 20 Ill. 2d 345 and People v. Farmer (1995), 165 Ill. 2d 194.

SENTENCING NOTE: If a defendant receives a term of imprisonment, that term shall be not less than 4 years and not more than 30 years. See the Sentencing Guide.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 20-2(a)

POSSESSION OF EXPLOSIVES OR INCENDIARY DEVICES

In violation of SECTION 20-2(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly possessed¹ an explosive compound,² commonly referred to as C-10, and intended to use such explosive to commit the offense of arson,³ in violation of Section 20-1 of Act 5 of Chapter 720 of the Illinois Compiled Statutes.

¹or manufactured or transported; ²or timing or detonating device for use with any explosive compound or incendiary device; ³or any offense or knows that another intended to use such explosives or device to commit a felony

NOTE: When possession is the essence of the offense, knowledge is the mental state that must be alleged. People v. Smith (1960), 20 Ill. 2d 345 and People v. Farmer (1995), 165 Ill. 2d 194.

SENTENCING NOTE: If a defendant receives a term of imprisonment, that term shall be not less than 4 years and not more than 30 years. See the Sentencing Guide.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1962); Amended - Laws 1967, p.2972; P.A.s 77-2638, 84-1308 and 91-121.

CHARGE: Felony (Class 1)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1(a)(1)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly damaged property of Don Smith, a picture window in the residence located at 777 May Street, Union City, Union County, Illinois, said damage not being in excess of \$300.¹

¹see following page for felony charge

SENTENCING NOTE: In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1962); Amended - Laws 1965, p.3200; P.A.s 77-2638, 79-759, 80-1098, 82-495, 85-1440, 86-495, 88-558, 89-8, 91-360, 92-454, 94-509, 95-553 and 96-529.

This complaint was re-numbered by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-1(a)(1)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly damaged property of Don Smith, being trees and shrubbery, located at 777 May Street, Union City, Union County, Illinois, said damage being in excess of \$300 but not in excess of \$10,000.¹

¹see preceding page for misdemeanor charge

CHARGING AND SENTENCING NOTE: **(d)(1)(C)** A violation of this subparagraph is a Class 4 felony when the damage to property does not exceed \$300 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(G)** A violation of this subparagraph is a Class 3 felony when the damage to property exceeds \$300 but does not exceed \$10,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(I)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(J)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$100,000. A violation of paragraphs (1) through (6) is a Class 1 felony when the damage to property exceeds \$100,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(2)** When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. **(d)(3)** In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This subsection was last amended by P. A. 98-0315; (Eff: 1-1-14).

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1(a)(2)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), recklessly, by means of fire,¹ damaged property of Don Smith, being a residence located at 777 May Street, Union City, Union County, Illinois, in that he, while draining gasoline into the street from a truck parked directly in front of the residence, located at 777 May Street, Union City, Union County, Illinois, discarded a lighted cigarette into said gasoline, which ignited the gasoline, setting fire to Don Smith's residence.²

¹or explosive; ²describe the reckless acts of the defendant

CHARGING AND SENTENCING NOTE: **(d)(1)(C)** A violation of this subparagraph is a Class 4 felony when the damage to property does not exceed \$300 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(G)** A violation of this subparagraph is a Class 3 felony when the damage to property exceeds \$300 but does not exceed \$10,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(I)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(J)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$100,000. A violation of paragraphs (1) through (6) is a Class 1 felony when the damage to property exceeds \$100,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(2)** When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. **(d)(3)** In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This subsection was last amended by P. A. 98-0315; (Eff: 1-1-14).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-1(a)(3)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(3) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly started a fire on the land of Don Smith located at 777 Main Street, Union City, Union County, Illinois.

CHARGING AND SENTENCING NOTE: **(d)(1)(C)** A violation of this subparagraph is a Class 4 felony when the damage to property does not exceed \$300 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(G)** A violation of this subparagraph is a Class 3 felony when the damage to property exceeds \$300 but does not exceed \$10,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(I)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(J)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$100,000. A violation of paragraphs (1) through (6) is a Class 1 felony when the damage to property exceeds \$100,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(2)** When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. **(d)(3)** In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This offense was amended by Public Act 95-553 (Eff: 6-1-08). This subsection was last amended by P. A. 98-0315; (Eff: 1-1-14).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-1(a)(4)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(4) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly injured a domestic animal of Don Smith, a dog, in that he struck the dog with a club, without Don Smith 's consent and the damage to the dog did not exceed \$10,000.

CHARGING AND SENTENCING NOTE: **(d)(1)(G)** A violation of this subparagraph is a Class 3 felony when the damage to property exceeds \$300 but does not exceed \$10,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(I)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds\$10,000 but does not exceed \$100,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(J)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds\$100,000. A violation of paragraphs (1) through (6) is a Class 1 felony when the damage to property exceeds\$100,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(2)** When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. **(d)(3)** In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This subsection was last amended by P. A. 98-0315; (Eff: 1-1-14).

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1(a)(5)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(5) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly deposited in a building¹ of Don Smith, being a residence located at 777 May Street, Union City, Union County, Illinois, a stink bomb² intending to interfere with Don Smith 's use of the building.

¹or on the land; ²or any offensive smelling compound

CHARGING AND SENTENCING NOTE: **(d)(1)(C)** A violation of this subparagraph is a Class 4 felony when the damage to property does not exceed \$300 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(G)** A violation of this subparagraph is a Class 3 felony when the damage to property exceeds \$300 but does not exceed \$10,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(I)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(1)(J)** A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$100,000. A violation of paragraphs (1) through (6) is a Class 1 felony when the damage to property exceeds \$100,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(2)** When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. **(d)(3)** In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section,

the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This subsection was last amended by P. A. 98-0315; (Eff: 1-1-14).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-1(a)(6)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(6) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), with the intent to defraud an insurer, the No-State Insurance Company, knowingly damaged his 2012 Ford Falcon automobile with a VIN of XXX222 in that said defendant pushed his automobile over South Cliff and said damage was not in excess of \$300.

EXCEPTION: This Section may cover damage to any property except as described in subsection (b) of Section 20-1 (Arson).

CHARGING AND SENTENCING NOTE: (d)(1)(C) A violation of this subparagraph is a Class 4 felony when the damage to property does not exceed \$300 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. (d)(1)(G) A violation of this subparagraph is a Class 3 felony when the damage to property exceeds \$300 but does not exceed \$10,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. (d)(1)(I) A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000 and the damage to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. (d)(1)(J) A violation of this subparagraph is a Class 2 felony when the damage to property exceeds \$100,000. A violation of paragraphs (1) through (6) is a Class 1 felony when the damage to property exceeds \$100,000 and the damage occurs to property of a school or place of worship or to farm equipment or immovable items of agricultural production, including but not limited to grain elevators, grain bins, and barns or property which memorializes

or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. **(d)(2)** When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. **(d)(3)** In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This subsection was last amended by P. A. 98-0315; (Eff: 1-1-14).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-1(a)(7)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(7) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly shot a revolver¹ at the caboose² of a Springfield & Northeastern Railroad freight train located at 777 May Street, Union City, Illinois.

¹any firearm; ²any portion of a railroad train

SENTENCING NOTE: In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was last amended by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1(a)(8)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(8) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly and without proper authorization damaged¹ a fire hydrant² located at 123 West Main Street in Union City, Illinois, in that said defendant (describe the damage done by the defendant).

¹cuts, injures, damages, defaces, destroys, or tampers with ²or any fire hydrant or any public or private fire fighting equipment, or any apparatus appertaining to fire fighting equipment

SENTENCING NOTE: In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was created by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Misdemeanor (Class B)

BOND: \$1,500

720 ILCS 5/ 21-1(a)(9)

CRIMINAL DAMAGE TO PROPERTY

In violation of SECTION 21-1(a)(9) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), intentionally and without proper authorization opened a fire hydrant located at 123 West Main Street in Union City, Illinois.

SENTENCING NOTE: In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal damage to property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service. The community service requirement does not apply when the court imposes a sentence of incarceration.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was created by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Misdemeanor (Class B)

BOND: \$1,500

720 ILCS 5/ 21-1.01(a)(1)

CRIMINAL DAMAGE TO GOVERNMENT SUPPORTED PROPERTY

In violation of SECTION 21-1.01(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly damaged, without the consent of the State of Illinois, government supported property, to wit: the office of the Illinois Attorney General, located at 777 May Street, Union City, Union County, Illinois¹, and said damage being in excess of \$500 but not in excess of \$10,000.

¹or any government supported property.

DEFINITION: For the purposes of this Section, "government supported" means any property supported in whole or in part with State funds, funds of a unit of local government or school district, or federal funds administered or granted through State agencies.

CHARGING AND SENTENCING NOTE: A violation of this Section is a Class 4 felony when the damage to property is \$500 or less; a Class 3 felony when the damage to property exceeds \$500 but does not exceed \$10,000; a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000; and a Class 1 felony when the damage to property exceeds \$100,000. When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. See the Sentencing Guide.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 76-1581 (September 26, 1969); Amended - P.A.s 77-2638, 77-2830, 78-255, 86-1254, 89-31 and amended and renumbered by P.A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class 3)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.01(a)(2)

CRIMINAL DAMAGE TO GOVERNMENT SUPPORTED PROPERTY

In violation of SECTION 21-1.01(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly damaged by fire,¹ without the consent of the State of Illinois, government supported property, to wit: the office of the Illinois Attorney General, located at 777 May Street, Union City, Union County, Illinois¹, and said damage being in excess of \$500 but not in excess of \$10,000.

¹or explosive; ²or any government supported property.

DEFINITION: For the purposes of this Section, "government supported" means any property supported in whole or in part with State funds, funds of a unit of local government or school district, or federal funds administered or granted through State agencies.

CHARGING AND SENTENCING NOTE: A violation of this Section is a Class 4 felony when the damage to property is \$500 or less; a Class 3 felony when the damage to property exceeds \$500 but does not exceed \$10,000; a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000; and a Class 1 felony when the damage to property exceeds \$100,000. When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. See the Sentencing Guide.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This subsection was amended and renumbered by P.A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class 3)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.01(a)(3)

CRIMINAL DAMAGE TO GOVERNMENT SUPPORTED PROPERTY

In violation of SECTION 21-1.01(a)(3) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly started a fire, without the consent of the State of Illinois, at the office of the Illinois Attorney General, located at 777 May Street, Union City, Union County, Illinois, which is government supported property¹, said damage being in excess of \$500 but not in excess of \$10,000.

¹any government supported property.

DEFINITION: For the purposes of this Section, "government supported" means any property supported in whole or in part with State funds, funds of a unit of local government or school district, or federal funds administered or granted through State agencies.

CHARGING AND SENTENCING NOTE: A violation of this Section is a Class 4 felony when the damage to property is \$500 or less; a Class 3 felony when the damage to property exceeds \$500 but does not exceed \$10,000; a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000; and a Class 1 felony when the damage to property exceeds \$100,000. When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. See the Sentencing Guide.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 76-1581 (September 26, 1969); Amended - P.A.s 77-2638, 77-2830, 78-255, 86-1254, 89-31 and amended and re-numbered by P.A. 97-1108; (eff. 1-1-13).

CHARGE: Felony (Class 3)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.01(a)(4)

CRIMINAL DAMAGE TO GOVERNMENT SUPPORTED PROPERTY

In violation of SECTION 21-1.01(a)(4) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly deposited a stink bomb,¹ without the consent of the State of Illinois, in the office of the Illinois Attorney General, located at 777 May, Union City, Union County, Illinois, and thereby intended to interfere with the use by the Illinois Attorney General² of that building,³ which is government supported property⁴ said damage being in excess of \$500 but not in excess of \$10,000.

¹or any offensive smelling compound; ²or another; ³or land; ⁴or in whole or in part

DEFINITION: For the purposes of this Section, "government supported" means any property supported in whole or in part with State funds, funds of a unit of local government or school district, or federal funds administered or granted through State agencies.

CHARGING AND SENTENCING NOTE: A violation of this Section is a Class 4 felony when the damage to property is \$500 or less; a Class 3 felony when the damage to property exceeds \$500 but does not exceed \$10,000; a Class 2 felony when the damage to property exceeds \$10,000 but does not exceed \$100,000; and a Class 1 felony when the damage to property exceeds \$100,000. When the damage to property exceeds \$10,000, the court shall impose upon the offender a fine equal to the value of the damages to the property. See the Sentencing Guide.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 76-1581 (September 26, 1969); Amended - P.A.s 77-2638, 77-2830, 78-255, 86-1254, 89-31 and was amended and re-numbered by P.A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class 3)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.2(a)(1)

INSTITUTIONAL VANDALISM

In violation of SECTION 21-1.2(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), by reason of the actual¹ race² of Don Smith,³ knowingly and without consent inflicted more than \$300 worth of damage upon the church⁴ of Don Smith, located at 777 May Street, Union City, Illinois.

¹or perceived; ²or color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin; ³or another individual or group of individuals regardless of the existence of any other motivating factor or factors; ⁴or synagogue, mosque, or other building, structure or place used for religious worship or other religious purposes

DEFINITION: (d) "Sexual orientation" has the meaning ascribed to it in paragraph (O-1) of Section 1-103 of the Illinois Human Rights Act. (775 ILCS 5/1-103) (O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

CHARGING AND SENTENCING NOTE: If the damage to the property does not exceed \$300, this offense is a Class 3 felony. Institutional Vandalism is a Class 2 felony for any second or subsequent offense. The charging instrument must state prior conviction. See Appendix A.

Upon imposition of any sentence, the trial court shall also either order restitution paid to the victim or impose a fine up to \$1,000. In addition, any order of probation or conditional discharge entered following a conviction or an adjudication of delinquency shall include a condition that the offenders perform public or community service of no less than 200 hours if that service is established in the county where the offender was convicted of institutional vandalism. The court may also impose any other condition of probation or conditional discharge under this Section. (720 ILCS 5/21-1.2(b)-5) See the **Sentencing Guide**.

IMPORTANT: For sentencing and alternative charging information see the **Sentencing Guide**.

Legislative History: Created - P.A. 82-995 (January 1, 1983); Amended - P.A. 85-1209, 88-659 and 92-830.

This subsection was amended by Public Act 99-0077. Effective: 1-1-16.

CHARGE: Felony (Class 2) **BOND:** Must be Set by Judge

720 ILCS 5/ 21-1.2(a)(2)

INSTITUTIONAL VANDALISM

In violation of SECTION 21-1.2(a)(2) ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), by reason of the actual¹ race² of Don Smith,³ knowingly and without consent inflicted more than \$300 worth of damage upon the cemetery⁴ of Don Smith, located at 777 May Street, Union City, Illinois.

¹or perceived; ²or color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin; ³or another individual or group of individuals regardless of the existence of any other motivating factor or factors; ⁴or mortuary or other facility used for the purpose of burial or memorializing the dead

DEFINITION: (d) "Sexual orientation" has the meaning ascribed to it in paragraph (O-1) of Section 1-103 of the Illinois Human Rights Act. (775 ILCS 5/1-103) (O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

CHARGING AND SENTENCING NOTE: If the damage to the property does not exceed \$300, the offense is a Class 3 felony. Institutional Vandalism is a Class 2 felony for any second or subsequent offense. The charging instrument must state prior conviction. See **Appendix A**. Upon imposition of any sentence, the trial court shall also either order restitution paid to the victim or impose a fine up to \$1,000. In addition, any order of probation or conditional discharge entered following a conviction or an adjudication of delinquency shall include a condition that the offenders perform public or community service of no less than 200 hours if that service is

established in the county where the offender was convicted of institutional vandalism. The court may also impose any other condition of probation or conditional discharge under this Section. (720 ILCS 5/21-1.2(b)-5)) See the **Sentencing Guide**.

IMPORTANT: For sentencing and alternative charging information see the **Sentencing Guide**.

This subsection was amended by Public Act 99-0077. Effective: 1-1-16.

CHARGE: Felony (Class 2) **BOND:** Must be Set by Judge

720 ILCS 5/ 21-1.2(a)(3)

INSTITUTIONAL VANDALISM

In violation of SECTION **21-1.2(a)(3)** ACT **5** of CHAPTER **720** of the Illinois Compiled Statutes, on **(date of offense)**, in the State of Illinois and the County of **_____**, defendant, **(defendant's name)**, by reason of the actual¹ race² of Don Smith,³ knowingly and without consent inflicted more than \$300 worth of damage upon the school⁴ of Don Smith, located at 777 May Street, Union City, Illinois.

¹or perceived; ²or color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin; ³or another individual or group of individuals regardless of the existence of any other motivating factor or factors; ⁴or any educational facility or community center

DEFINITION: (d) "Sexual orientation" has the meaning ascribed to it in paragraph (O-1) of Section 1-103 of the Illinois Human Rights Act. (775 ILCS 5/1-103) (O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

CHARGING AND SENTENCING NOTE: If the damage to the property does not exceed \$300, the offense is a Class 3 felony. Institutional Vandalism is a Class 2 felony for any second or subsequent offense. The charging instrument must state prior conviction. See **Appendix A**. Upon imposition of any sentence, the trial court shall also either order restitution paid to the victim or impose a fine up to \$1,000. In addition, any order of probation or conditional discharge entered following a conviction or an adjudication of delinquency shall include a condition that the offenders perform public or community service of no less than 200 hours if that service is established in the county where the offender was convicted of institutional vandalism. The court may also impose any other condition of probation or conditional discharge under this Section. (720 ILCS 5/21-1.2(b)-5)) See the **Sentencing Guide**.

IMPORTANT: For sentencing and alternative charging information see the **Sentencing Guide**.

This subsection was amended by Public Act 99-0077. Effective: 1-1-16.

CHARGE: Felony (Class 2)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.2(a)(4)

INSTITUTIONAL VANDALISM

In violation of SECTION 21-1.2(a)(4) ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), by reason of the actual¹ race² of Don Smith,³ knowingly and without consent inflicted more than \$300 worth of damage to a building located on the grounds adjacent to, and owned by the church⁴ of Don Smith which is located at 777 May Street, Union City, Illinois.

¹or perceived; ²or color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin; ³or another individual or group of individuals regardless of the existence of any other motivating factor or factors; ⁴or the grounds adjacent to, and owned or rented by any institution, facility, building, structure or place described in paragraphs (1), (2) or (3) of this Section

DEFINITION: (d) "Sexual orientation" has the meaning ascribed to it in paragraph (O-1) of Section 1-103 of the Illinois Human Rights Act. (775 ILCS 5/1-103) (O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

CHARGING AND SENTENCING NOTE: If the damage to the property does not exceed \$300, the offense is a Class 3 felony. Institutional Vandalism is a Class 2 felony for any second or subsequent offense. The charging instrument must state prior conviction. See **Appendix A.** Upon imposition of any sentence, the trial court shall also either order restitution paid to the victim or impose a fine up to \$1,000. In addition, any order of probation or conditional discharge entered following a conviction or an adjudication of delinquency shall include a condition that the offenders perform public or community service of no less than 200 hours if that service is established in the county where the offender was convicted of institutional vandalism. The court may also impose any other condition of probation or conditional discharge under this Section. (720 ILCS 5/21-1.2(b)-5) See the **Sentencing Guide.**

IMPORTANT: For sentencing and alternative charging information see the **Sentencing Guide.**

This subsection was amended by Public Act 99-0077. Effective: 1-1-16.

CHARGE: Felony (Class 2)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.2(a)(5)

INSTITUTIONAL VANDALISM

In violation of SECTION 21-1.2(a)(5) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), by reason of the actual¹ race² of Don Smith,³ knowingly and without consent, inflicted more than \$300 worth of damage to personal property contained in the church⁴ of Don Smith which is located at 777 May Street, Union City, Illinois.

¹or perceived; ²or color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin; ³or another individual or group of individuals regardless of the existence of any other motivating factor or factors; ⁴or any personal property contained in any institution, facility, building, structure or place described in paragraphs (1), (2) or (3) of this Section

DEFINITION: (d) "Sexual orientation" has the meaning ascribed to it in paragraph (O-1) of Section 1-103 of the Illinois Human Rights Act. (775 ILCS 5/1-103) (O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

CHARGING AND SENTENCING NOTE: If the damage to the property does not exceed \$300, this offense is a Class 3 felony. Institutional Vandalism is a Class 2 felony for any second or subsequent offense. The charging instrument must state prior conviction. See **Appendix A.** Upon imposition of any sentence, the trial court shall also either order restitution paid to the victim or impose a fine up to \$1,000. In addition, any order of probation or conditional discharge entered following a conviction or an adjudication of delinquency shall include a condition that the offenders perform public or community service of no less than 200 hours if that service is established in the county where the offender was convicted of institutional vandalism. The court may also impose any other condition of probation or conditional discharge under this Section. (720 ILCS 5/21-1.2(b)-5) See the **Sentencing Guide.**

IMPORTANT: For sentencing and alternative charging information see the **Sentencing Guide.**

This subsection was amended by Public Act 99-0077. Effective: 1-1-16.

CHARGE: Felony (Class 2)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.3(a)

CRIMINAL DEFACEMENT OF PROPERTY

In violation of SECTION 21-1.3(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly damaged the property of Don Smith, being a house located at 777 May Street, Union City, Illinois, in that said defendant defaced¹ the property of Don Smith by the use of paint,² said damage being in excess of \$300.

¹or deformed or otherwise damaged; ²or any other similar substance, or by the use of a writing instrument, etching tool, or any other similar device

NOTE: For the purposes of this subsection, “aggregate value” shall be determined by adding the value of the damage to one or more properties if the offenses were committed as part of a single course of conduct. (720 ILCS 5/ 21-1.3(b))

CHARGING AND SENTENCING NOTE: Criminal defacement of property is a Class A Misdemeanor for a first offense if the aggregate value of the damage to the property does not exceed \$300. Criminal defacement of property is a Class 4 felony if the aggregate value of the damage to property does not exceed \$300 and the property damaged is a school building or place of worship or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. (98-0315) Criminal defacement of property is a Class 4 felony for a second or subsequent conviction or if the aggregate value of the damage to the property exceeds \$300. The charging instrument must state prior conviction. See Appendix A. Criminal defacement of property is a Class 3 Felony if the aggregate value of the damage to property exceeds \$300 and the property damaged is a school building or place of worship or property which memorializes or honors an individual or group of police officers, fire fighters, members of the United States Armed Forces, National Guard, or veterans. (98-0315) In addition to any other sentence that may be imposed for a violation of this Section, a person convicted of criminal defacement of property shall: **(A)** Pay the actual costs incurred by the property owner or the unit of government to abate, remediate, repair, or remove the effect of the damage to the property; and **(B)** if convicted of criminal defacement of property that is chargeable as a Class 3 or Class 4 felony pay a mandatory minimum fine of \$500. (98-0466) To the extent permitted by law, reimbursement for the costs of abatement, remediation, repair, or removal shall be payable to the person who incurred the costs. In addition to any other sentence that may be imposed, a court shall order any person convicted of criminal defacement of property to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage to property that was caused by the offense, or similar damage to property located in the municipality or county in which the offense occurred. If the property damaged is a school building, the community service may include cleanup, removal, or painting over the defacement. In addition, whenever any person is placed on supervision for an alleged offense under this Section, the supervision shall be conditioned upon the performance of the community service.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 88-406 (Eff: 8-20-93). Amended: 90-685, 91-360, 95-553 and 96-0499. This subsection was last Amended by P. A. 98-0315 (Effective Date: 1-1-14.) and P.A. 98-466 (Effective Date: 8-16-13.)

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21-1.4(a)(1)

UNLAWFUL POSSESSION¹ OF JACKROCK

In violation of SECTION 24-1.4(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly possessed² a jackrock.

¹or use; ²or sold, gave away, manufactured, or purchased

CHARGING NOTE: This offense can also be committed when a defendant knowingly places, tosses or throws a jackrock on public or property. (720 ILCS 5/ 21-1.4(a)(2))

DEFINITION: A "jackrock" means a caltrop or other object manufactured with one or more rounded or sharpened points, which when placed or thrown present at least one point at such an angle that it is peculiar to and designed for use in puncturing or damaging vehicle tires. (21-1.4(b))

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created by Public Act 89-130 (Eff: 7-14-95) and amended and re-numbered by P.A. 97-1108; (eff: 1-1-13)

CHARGE: Misdemeanor (Class A)

BOND: \$1500

720 ILCS 5/ 21-2

CRIMINAL TRESPASS TO MOTOR VEHICLE

In violation of SECTION 21-2 of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly, and without authority, operated¹ a motor vehicle² of Don Smith, being a 2008 Ford Falcon bearing a 2008 Illinois registration USA-123.

¹or entered any part; ²any vehicle, aircraft, watercraft or snowmobile

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1962); Amended - P.A.s 77-2638 and 83-488.

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-2.5

UNLAWFUL USE OF AN ELECTRONIC TRACKING DEVICE

In violation of SECTION 21-2.5 of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹, used an electronic tracking device to determine the location² of Sam Smith.

¹or intentionally or recklessly; ²or movement.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was created by P. A. 98-0381; (Eff: 1-1-14).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-3(a)(2)

CRIMINAL TRESPASS TO REAL PROPERTY

In violation of SECTION 21-3(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ entered upon the land of Don Smith, located at 777 May Street, Union City, Union County, Illinois, after receiving, prior to such entry, notice from the owner,² Don Smith, that such entry was forbidden.

¹or intentionally or recklessly; ²or occupant

NOTE: A person may also violate this subsection in the following ways: (1) 21-3(a)(1) by knowingly entering into or remaining within a building of another. (Note that under this subsection, the defendant need not have a prior warning that he was not authorized to enter); (2) 21-3(a)(3) by remaining upon the land of another after receiving notice to depart; or (3) 21-3(a)(3.5) by representing false documents or falsely representing his or her identity orally to the owner or occupant of a building or land in order to obtain permission from the owner or occupant to enter or remain in the building or on the land.

NOTE: This Section does not apply to the following persons while serving process: (1) a person authorized to serve process under Section 2-202 of the Code of Civil Procedure; or (2) a special process server appointed by the circuit court. (Enacted by 97-0184; Eff: 7-22-11.)

NOTE: For specifications of the “purple marks” method of posting property see subsection (6-5) of this Section. (Enacted by P.A. 97-477 (Effective: 8-22-11)

NOTE: See following complaint for alternative charge.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Codified - Laws 1961, p.1983 (January 1, 1982); Amended - P.A.s 77-1525, 77-2638, 78-255, 82-564, 84-1041, 84-1391, 89-346, 89-373, 89-626, 90-419, 94-263, 94-509 and 94-512. This complaint was recently amended by Public Acts 97-0184; (Eff: 7-22-11) and 97-477 (Effective: 8-22-11)

CHARGE: Misdemeanor (Class B)

BOND: \$1,500

720 ILCS 5/ 21-3(a)(3)

CRIMINAL TRESPASS TO REAL PROPERTY

In violation of SECTION 21-3(a)(3) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant’s name), knowingly¹ remained upon the land of Don Smith, located at 777 May Street, Union City, Union County, Illinois, after receiving notice from the owner,² Don Smith, to depart.

¹or intentionally or recklessly; ²or occupant

NOTE: A person may also violate this subsection in the following ways: (1) 21-3(a)(1) by knowingly entering into or remaining within a building of another. (Note that under this subsection, the defendant need not have a prior warning that he was not authorized to enter); (2) 21-3(a)(3) by remaining upon the land of another after receiving notice to depart; or (3) 21-3(a)(3.5) by presenting false documents or falsely representing his or her identity orally to the owner or occupant of a building or land in order to obtain permission from the owner or occupant to enter or remain in the building or on the land.

NOTE: This Section does not apply to the following persons while serving process: (1) a person authorized to serve process under Section 2-202 of the Code of Civil Procedure; or (2) a special process server appointed by the circuit court.

NOTE: See preceding complaint for alternative charge.

NOTE: See Appendix B for discussion of necessity of alleging mental state.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This complaint was amended by Public Act 97-0184; Eff: 7-22-11 and 97-477, eff. 8-22-11.

CHARGE: Misdemeanor (Class B)

BOND: \$1,500

720 ILCS 5/ 21-3(a)(4)

CRIMINAL TRESPASS TO REAL PROPERTY

In violation of SECTION 21-3(a)(4) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ entered a field used² for growing crops³, in⁴ a motor vehicle⁵ after receiving, prior to the entry, notice from the owner⁶ that the entry is forbidden.

¹or intentionally or recklessly; ²or capable of being used; ³or an enclosed area containing livestock, an agricultural building containing livestock, or an orchard; ⁴or on; ⁵including an off-road vehicle, motorcycle, moped, or any other powered two-wheel vehicle; ⁶or occupant;

CHARGING NOTE: (1) This offense can also be committed when the defendant remains upon or in the area after receiving notice from the owner or occupant to depart. (2) For alternative ways of violating this subsection see prior complaints. (3) See preceding complaint for alternative charge. (4) See Appendix B for discussion of necessity of alleging mental state.

EXEMPTION: This Section does not apply to the following persons while serving process: (1) a person authorized to serve process under Section 2-202 of the Code of Civil Procedure; or (2) a special process server appointed by the circuit court.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This subsection was created by Public Act 97-1108; (eff: 1-1-13).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-5(a)

CRIMINAL TRESPASS TO STATE SUPPORTED LAND

In violation of SECTION 21-5(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ entered a building,² the office of the Illinois Attorney General, located at 777 May Street, Union City, Union County, Illinois, and remained in the building³ after receiving notice from Assistant Attorney General Don Smith, a representative of the State of Illinois,⁴ to depart, and thereby interfered with the Illinois Attorney General's⁵ lawful use⁶ of such building,² which property is supported wholly⁷ with State of Illinois funds.⁸

¹or intentionally or recklessly; ²or land; ³or upon the land; ⁴or from the State; ⁵or another; ⁶or enjoyment; ⁷in part; ⁸or Federal funds administered or granted through State agencies

NOTE: See preceding complaint for alternative charge.

NOTE: See Appendix B for discussion of necessity of alleging mental state.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-5(a)

CRIMINAL TRESPASS TO STATE SUPPORTED LAND

In violation of SECTION 21-5(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ entered a building,² the office of the Illinois Attorney General, located at 777 May Street, Union City, Union County, Illinois, after receiving prior to such entry, notice from Assistant Attorney General Don Smith, a representative of the State of Illinois,³ that such entry was forbidden, and thereby interfered with the Illinois Attorney General's⁴ lawful use⁵ of such building, which property is supported wholly⁶ with State of Illinois funds.⁷

¹or intentionally or recklessly; ²or land; ³or from the State; ⁴or another's; ⁵or enjoyment; ⁶or in part; ⁷or Federal funds administered or granted through State agencies

NOTE: See following complaint for alternative charge.

NOTE: See Appendix B for discussion of necessity of alleging mental state.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 76-1581 (September 26, 1969); Amended - P.A. 77-2638, 84-1041 and 94-263, eff. 1-1-06.

CHARGE: Misdemeanor (Class A)

BOND: \$1500

720 ILCS 5/ 21-5(a-5)

CRIMINAL TRESPASS TO STATE SUPPORTED LAND

In violation of SECTION 21-5(a-5) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), with the intent to compromise public safety by destroying property¹, entered a parking lot located at 777 West May Street, Union City, Union County, Illinois, said property being a right of way² of the Union City Bus Service, a public body organized under the Local Mass Transit District Act³, and (Pick One) (remained on that right of way after receiving notice from Don Smith, a representative of the Union City Bus Service⁴, to depart.) OR (prior to the entry, the defendant received notice from Don Smith, a representative of the Union City Bus Service⁴, that the entry was forbidden.)

¹or by causing a delay in transit service lasting more than 15 minutes; ²including facilities and improvements thereon, owned, leased, or otherwise used by a public body or district organized under the Metropolitan Transit Authority Act, the Local Mass Transit District Act, or the Regional Transportation Authority Act; ³or any public body or district organized under the Metropolitan Transit Authority Act, the Local Mass Transit District Act, or the Regional Transportation Authority Act; ⁴or from the public body or district.

CHARGING NOTE: **(1)** A person has received notice from the public body or district within the meaning of this subsection if he or she has been notified personally, either orally or in writing, or if a printed or written notice forbidding entry to him or her has been conspicuously posted or exhibited at any point of entrance to the right of way or the forbidden part of the right of way. **(2)** A second or subsequent violation of this subsection is a Class 4 Felony. The charging instrument must state the prior conviction. See Appendix A for a discussion.

DEFINITION: As used in this subsection (a-5), "right of way" has the meaning ascribed to it in Section 18c-7502 of the Illinois Vehicle Code.

IMPORTANT: For sentencing and alternative charging information see *the* Sentencing Guide.

This Subsection was created by Public Act 98-0748; Eff: 1-1-15.

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-5(c)

CRIMINAL TRESPASS TO STATE SUPPORTED LAND

In violation of SECTION 21-5(c) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ entered a building,² the office of the Illinois Attorney General, located at 777 May Street, Union City, Union County, Illinois, by presenting false documents,³ to Assistant Attorney General Don Smith, a representative of the State of Illinois,⁴ and thereby interfered with the Illinois Attorney General's⁵ lawful use⁶ of such building,² which property is supported wholly⁷ with State of Illinois funds.⁸

¹or intentionally or recklessly; ²or land; ³or by falsely representing his or her identity orally; ⁴or to the State; ⁵or another's; ⁶or enjoyment; ⁷or in part; ⁸or Federal funds administered or granted through State agencies

NOTE: This subsection can also be violated when the defendant remains upon such land or in such building by presenting false documents or by representing his or her identity falsely in order to so remain.

NOTE: See Appendix B for discussion of necessity of alleging mental state.

NOTE: This subsection (c) does not apply to a peace officer or other official of a unit of government who enters upon land supported in whole or in part with State funds, or federal funds administered or granted through State agencies or any building on such land in the performance of his or her official duties.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Subsection created by P.A. 94-263, eff. 1-1-06.

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-5.5(b)(1)

CRIMINAL TRESPASS TO A SCHOOL SAFE ZONE

In violation of SECTION 21-5.5(b)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), a student¹ at the Union City High School who has been expelled² from that High School for disrupting the orderly operation of that High School and as a condition of that expulsion³ the defendant has been denied access to the Union City School Safe Zone, knowingly and without lawful authority entered⁴ in the Union City High School Building located at 123 West Main Street, Union City, Illinois, a School Safe Zone, after having been served in person⁵ with notice that such conduct was forbidden,

¹or an employee; ²or suspended or dismissed; ³or suspension or dismissal; ⁴or remained; ⁵or by registered or certified mail, at the last address given by that person.

NOTE: As used in this Section: "Employee" means a person employed by a school whose relationship with that agency constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor. "Employee" includes, but is not limited to, a teacher, student teacher, aide, secretary, custodial engineer, coach, or his or her designee. "School administrator" means the school's principal, or his or her designee. "Safe school zone" means an area that encompasses any of the following places during regular school hours or within 60 minutes before or after the school day or 60 minutes before or after a school-sponsored activity. This shall include any school property, ground, or street, sidewalk, or public way immediately adjacent thereto and any public right-of-way situated immediately adjacent to school property. The safe school zone shall not include any portion of the highway not actually on school property. "School activity" means and includes any school session, any extracurricular activity or event sponsored by or participated in by the school, and the 60-minute periods immediately preceding and following any session, activity, or event. "Student" means any person enrolled or previously enrolled in a school.

NOTE: A defendant also violates this subsection when that defendant enters or remains in a safe school zone without lawful business, once being served either in person or by registered or certified mail that his or her presence has been withdrawn by the school administrator, or his or her designee, and whose presence or acts interfere with, or whenever there is reasonable suspicion to believe, such person will disrupt the orderly operation, or the safety, or peaceful conduct of the school or school activities. 720 ILCS 5/ 21-5.5(b) (2)

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This subsection was created by Public Act: 97-0547; (Eff: 1-1-12).

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-6(a)

UNAUTHORIZED POSSESSION¹ OF WEAPONS

In violation of SECTION 21-6(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly possessed² a weapon,³ a .45 caliber pistol, in a building⁴ supported in whole⁵ with public funds,⁶ the office of the Illinois Attorney General, located at 777 May Street, Union City, Union County, Illinois, without prior written permission from Don Smith, the chief security officer for such building.

¹or storage; ²or stored; ³any weapon enumerated in Section 33A-1 listed below (pistol, revolver, rifle, shotgun, taser, knife with blade of at least 3 inches in length, dagger, dirk, switchblade knife, stiletto, bludgeon, blackjack, slingshot, sandbag, sand club, metal knuckles, billy club, or other dangerous weapon of like character); ⁴or on land; ⁵or in part; ⁶or on any land supported in whole or in part with public funds

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 76-1581 (September 26, 1969); Amended - P.A.s 77-2638 & 89-685.

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-7(a)(1)

CRIMINAL TRESPASS TO A RESTRICTED AREA¹

In violation of SECTION 21-7(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly² entered into³ the Union City Power Plant, a restricted area,¹ after having received notice that said entry into the restricted area was forbidden.

¹or a Restricted Landing Area at an Airport; ²or intentionally or recklessly; ³or remained within

CHARGING AND SENTENCING NOTES: (1) A violation of paragraph (2) of subsection (a) is a Class A misdemeanor. (2) A violation of paragraph (1) or (3) of subsection (a) is a Class 4 felony. (3) A violation of subsection (b) is a Class 3 felony. See the Sentencing Guide. (4) This offense may also be committed when: (1) a suspect enters upon, or remains in a restricted area or restricted landing area used in connection with an airport facility, or part thereof, in this State by presenting false documents or falsely representing his or her identity orally to the airport authority (21-7(a)(2)); and (2) a suspect enters upon, or remains in a restricted area or restricted landing area as prohibited in paragraph (1) of this subsection, while dressed in the uniform of, improperly wearing the identification of, presenting false credentials of, or otherwise physically impersonating an airman, employee of an airline, employee of an airport, or contractor at an airport (21-7(a)(3)).

DEFINITION: Notice that the area is "restricted" and entry thereto "forbidden," for purposes of this Section, means that the person or persons have been notified personally, either orally or in writing, or by a printed or written notice forbidding such entry to him or a group or an organization of which he is a member, such has been conspicuously posted or exhibited at every usable entrance to such area or the forbidden part thereof.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created by P.A. 92-575 (Eff:1-1-03). Amended by Public Acts 94-263, 94-547, 94-548 and was amended and renumbered by P.A. 97-1108; (eff: 1-1-13).

CHARGE: Felony (Class 4)

BOND: Must be Set By Judge

720 ILCS 5/ 21-7(b)

CRIMINAL TRESPASS TO A RESTRICTED AREA¹

In violation of SECTION 21-7(b) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly² entered into³ the baggage area of the Union City Airport, a restricted area,¹ by falsely representing his identity⁴ to Don Smith, a representative of the Union City Airport.

¹or a Restricted Landing Area used in connection with an airport facility, or any part thereof, or any "restricted area"; ²or intentionally or recklessly; ³or remained within; ⁴or by presenting false documents

NOTE: Notice that the area is "restricted" and entry thereto "forbidden," for purposes of this Section, means that the person or persons have been notified personally, either orally or in writing, or by a printed or written notice forbidding such entry to him or a group or an organization of which he is a member, which has been conspicuously posted or exhibited at every usable entrance to such area or the forbidden part thereof.

NOTE: This subsection (b) does not apply to a peace officer or other official of a unit of government who enters a restricted area or a restricted landing area used in connection with an airport facility, or part thereof, in the performance of his or her official duties.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created by P.A. 92-575 (Eff:1-1-03). Amended by Public Act 94-263.

CHARGE: Misdemeanor (Class A)

BOND: \$1,500

720 ILCS 5/ 21-7(b)

CRIMINAL TRESPASS TO A RESTRICTED AREA¹

In violation of SECTION 21-7(b) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly² entered into³ the baggage area of the Union City Airport, a restricted area¹ in violation of Section 21-7(a) of Act 5 of Chapter 720 of the Criminal Code, while improperly wearing the identification of the Union City Airlines⁴.

¹or a Restricted Landing Area at an Airport or any "restricted area"; ²or intentionally or recklessly; ³or remained within; ⁴or while dressed in the uniform of, presenting false credentials of, or otherwise physically impersonating an airman, employee of an airline, employee of an airport, or a contractor at an airport

NOTE: Notice that the area is "restricted" and entry thereto "forbidden," for purposes of this Section, means that the person or persons have been notified personally, either orally or in writing, or by a printed or written notice forbidding such entry to him or a group or an organization of which he is a member, such has been conspicuously posted or exhibited at every usable entrance to such area or the forbidden part thereof.

CHARGING NOTE: Whoever enters upon, or remains in, any restricted area or restricted landing area used in connection with an airport facility, or a part thereof, in this State, while in possession of a weapon, a replica of a weapon, or ammunition, after the person has received notice from the airport authority that the entry is forbidden, commits a Class 3 felony. See the Sentencing Guide.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created by P.A. 81-564 (Eff:1-1-80). Amended by Public Act 94-263, 94-547, 94-548, and 95-331, eff. 8-21-07.)

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21-8(a)(1)

CRIMINAL TRESPASS TO A NUCLEAR FACILITY

In violation of SECTION 21-8(a)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly entered into¹ the Union City Power Plant, a nuclear facility, after having received notice that said entry into the nuclear facility was forbidden.

¹or remained within

NOTE: For an alternative method of charging this offense, see the next two pages.

NOTE: The phrase "without legal authority" has been deleted. See Appendix B for an explanation.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created by P.A. 92-575 (Eff:1-1-03). Amended by Public Act 94-263.

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21-8(a)(2)

CRIMINAL TRESPASS TO A NUCLEAR FACILITY

In violation of SECTION 21-8(a)(2) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly remained within the Union City Power Plant,¹ a nuclear facility, after said defendant received notice from Don Smith, the manager² of the Union City Power Plant to depart from that facility.³

¹or on the grounds of that facility; ²or the owner of the facility or any other person authorized by the owner or manager of the facility to give such notice; ³or from the grounds of that facility

NOTE: For an alternative method of charging this offense, see the prior complaint and the following complaint.

NOTE: The phrase "without legal authority" has been deleted. See Appendix B for an explanation.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21-8(a)(3)

CRIMINAL TRESPASS TO A NUCLEAR FACILITY

In violation of SECTION 21-8(a)(3) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ entered into² the Union City Power Plant, a nuclear facility, by falsely representing his identity³ to Don Smith, the manager of the Union City Power Plant.

¹or intentionally or recklessly; ²or remained within; ³or by presenting false documents

NOTE: For alternative methods of charging this offense, see the two previous pages.

NOTE: This subsection (b) does not apply to a peace officer or other official of a unit of government who enters a restricted area or a restricted landing area used in connection with an airport facility, or part thereof, in the performance of his or her official duties.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created by P.A. 92-575 (Eff:1-1-03). Amended by Public Act 94-263.

CHARGE: Felony (Class 4)

BOND: Must be set by Judge

7720 ILCS 5/ 21-9(a)

CRIMINAL TRESPASS TO A PLACE OF PUBLIC AMUSEMENT

In violation of SECTION 21-9(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly entered¹ into the locker room of the Union City baseball field² located at 777 May Street, Union City, Illinois, a place of public amusement, after said defendant had received notice that the general public was restricted from access to that locker room.

¹or remained; ²or on any portion of a place of public amusement

NOTE: In this Section, a "place of public amusement" means a stadium, a theater, or any other facility of any kind, whether licensed or not, where a live performance, a sporting event, or any other activity takes place for other entertainment and where access to the facility is made available to the public regardless of whether admission is charged. 720 ILCS 5/ 21-9(d)

NOTE: For an alternative method of charging this subsection see the following page.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Added by P.A. 93-407, eff. 1-1-04. Amended by P.A. 94-263, eff. 1-1-06.

CHARGE: Felony (Class 4)

BOND: Must be Set By Judge

720 ILCS 5/ 21-9(a-5)

CRIMINAL TRESPASS TO A PLACE OF PUBLIC AMUSEMENT

In violation of SECTION 21-9(a-5) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), knowingly¹ gained access into² the Union City Action Park, a place of public amusement, by falsely representing his identity orally³ to Don Smith, the owner of the Union City Action Park⁴.

¹or intentionally or recklessly; ²or remained in any portion of; ³or by presenting false documents; ⁴or to a lessee of the place of public amusement or to an agent of either the owner or a lessee, or to performer or a participant at the place of public amusement.

NOTE: For alternative methods of charging this offense, see the previous page.

NOTE: In this Section, a "place of public amusement" means a stadium, a theater, or any other facility of any kind, whether licensed or not, where a live performance, a sporting event, or any other activity takes place for other entertainment and where access to the facility is made available to the public regardless of whether admission is charged. 720 ILCS 5/ 21-9(d)

NOTE: This subsection (b) does not apply to a peace officer or other official of a unit of government who enters a restricted area or a restricted landing area used in connection with an airport facility, or part thereof, in the performance of his or her official duties.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Added by Public Act 94-263, eff. Jan. 1, 2006.

CHARGE: Felony (Class 4)

BOND: Must be Set By Judge

720 ILCS 5/ 21-10(a)

CRIMINAL USE OF A MOTION PICTURE EXHIBITION FACILITY

In violation of SECTION 21-10(a) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), while seated in the Union City Theater, a motion picture exhibition facility, knowingly operated an audiovisual recording function of a device without consent of Don Smith, the owner¹ of the Union City Theater.

¹or lessee

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: This offense was added by Public Act 93-804 (Eff: 7-24-04).

CHARGE: Felony (Class 4)

BOND: Must be Set by Judge

720 ILCS 5/ 21.2-2(a)(3)

INTERFERENCE WITH A PUBLIC INSTITUTION OF EDUCATION

In violation of SECTION 21.2-3(a)(3) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), when on the campus¹ of a public institution of education, the University of Illinois, Union City Campus, Union City, Union County, Illinois, without authority from the institution, he, through force or violence,² knowing denied to Don Smith, a trustee³ of the institution, the right of ingress⁴ to the campus in that he shoved, kicked and struck Don Smith.

¹or at or in any building or other facility owned, operated or controlled by the institution;

²force or violence may be actual or threatened; ³or employee, student or invitee; ⁴or egress

CHARGING NOTE: Alternative forms of the charge can be found in subsection 21.2-2(a)(1) and (2); (1) freedom of movement at such place, or (2) use of the property or facilities of the institution.

CHARGING AND SENTENCING NOTE: A person convicted of violation of this Article commits a Class C misdemeanor for the first offense and for a second or subsequent offense commits a Class B misdemeanor. If the interference with the public institution of education is accompanied by a threat of personal injury or property damage, the person commits a Class 3 felony and may be sentenced to a term of imprisonment of not less than 2 years and not more

than 10 years and may be prosecuted for intimidation in accordance with Section 12-6 of this Code. See Appendix A.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 76-1582 (September 26, 1969); Amended - P.A. 77-2638, 96-807 amended by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Misdemeanor (Class C)

BOND: \$120

720 ILCS 5/ 21.2-2(b)(1)

INTERFERENCE WITH A PUBLIC INSTITUTION OF
EDUCATION

In violation of SECTION 21.2-2(b)(1) of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of _____, defendant, (defendant's name), when on the campus¹ of a public institution of education, the University of Illinois, Union City Campus, Union City, Illinois, without authority from the institution, he, through force or violence,² knowingly disrupted³ the performance of institutional duties by Don Smith, a trustee,⁴ of the institution in that he refused to permit Don Smith to enter his office on the campus.

¹or operated at or in any building or other facility owned, operated or controlled by the institution; ²force or violence may be actual or threatened; ³or impeded, obstructed or interfered; ⁴or employee

CHARGING NOTE: Alternative form of charge can be found in subsection 21.2-2(b)(2); (2) the pursuit of educational activities, as determined or proscribed by the institution, by a trustee, employee, student or invitee of the institution.

CHARGING AND SENTENCING NOTE: A person convicted of violation of this Article commits a Class C misdemeanor for the first offense and for a second or subsequent offense commits a Class B misdemeanor. If the interference with the public institution of education is accompanied by a threat of personal injury or property damage, the person commits a Class 3 felony and may be sentenced to a term of imprisonment of not less than 2 years and not more than 10 years and may be prosecuted for intimidation in accordance with Section 12-6 of this Code. See Appendix A.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

This complaint was last amended by P. A. 97-1108; (Eff: 1-1-13).

CHARGE: Misdemeanor (Class C)

BOND: \$120

720 ILCS 5/ 21.2-2(c)

INTERFERENCE WITH A PUBLIC INSTITUTION OF HIGHER EDUCATION

In violation of SECTION 21.2-2(c) ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense) , in the State of Illinois and the County of , defendant, (defendant's name), when on the campus¹ of a public institution of higher education, the University of Illinois, Union City Campus, Union City, Union County, Illinois, without authority from the institution, he, through force of violence,² knowingly occupied³ Smith Hall, a building⁴ owned⁵ by the institution after receiving due notice to depart from Don Smith, a trustee of the institution.

¹or at, or in any building or other facility owned, operated or controlled by the institution;
²force or violence may be actual or threatened; ³or remained in or at; ⁴or property or other facility; ⁵or operated or controlled

CHARGING NOTE: A second or subsequent offense is a Class B misdemeanor. The charging instrument must state prior conviction. See Appendix A.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

CHARGE: Misdemeanor (Class C)

BOND: \$120

720 ILCS 5/ 21.3-5

UNLAWFUL SOLICITATION ON SCHOOL PROPERTY

In violation of SECTION 21.3-5 of ACT 5 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense) , in the State of Illinois and the County of , defendant, (defendant's name), knowingly¹ delivered² a written³ solicitation on the property of the Union City High School located at 777 May Street, Union City,⁴ for the purpose of inviting the students of the Union City High School to a party⁵ that was to be held in an abandoned building located at 221B Baker Street, Union City, Illinois.⁶

¹or intentionally or recklessly; ²or distributed; ³or printed; ⁴or any school or within 1,000 feet of school property; ⁵or any event; ⁶or when a significant purpose of the event was to commit illegal acts or to solicit attendees to commit illegal acts

NOTE: See Appendix B for discussion of necessity of alleging mental state.

IMPORTANT: For sentencing and alternative charging information see the Sentencing Guide.

Legislative History: Created - P.A. 88-357 (Eff: 8-16-93).

CHARGE: Misdemeanor (Class C)

BOND: \$120
