

14-130. "Possession" defined.¹

A person is in possession of _____ (*name of object*) when, on the occasion in question, he knows what it is, he knows it is on his person or in his presence and he exercises control over it.

²[Even if the object is not in his physical presence, he is in possession if he knows what it is and where it is and he exercises control over it.]

[Two or more people can have possession of an object at the same time.]

[A person's presence in the vicinity of the object or his knowledge of the existence or the location of the object is not, by itself, possession.]

USE NOTES

1. This instruction is designed to be used in any case where "possession" is an element of the crime and is in issue.

2. One or more of the following bracketed sentences may be used depending on the evidence.