

22.26 Issues In Escape--Penal Institution Or Work Release

To sustain the charge of escape, the State must prove the following propositions:

First Proposition: That the defendant was [(convicted) (charged with the commission)] of ____; and

Second Proposition: That the defendant intentionally escaped from [(any penal institution) (the custody of an employee of a penal institution)].

[or]

Second Proposition: That the defendant knowingly failed to report [(to a penal institution) (for periodic imprisonment at any time)].

[or]

Second Proposition: That the defendant knowingly failed to return from [(furlough) (work release) (day release)].

If you find from your consideration of all the evidence that each one of these propositions has been proved beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that any one of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

720 ILCS 5/31-6(a) and (b) (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §31-6(a) and (b) (1991)).

Give Instruction 22.25.

Insert in the blank the specific offense.

Use applicable bracketed material.

When accountability is an issue, ordinarily insert the phrase “or one for whose conduct he is legally responsible” after the word “defendant” in each proposition. See Instruction 5.03.