

## 22.25 Definition Of Escape

A person commits the offense of escape when he is

[1] [(convicted of \_\_\_\_\_) (charged with the commission of \_\_\_\_\_)], and intentionally escapes from [(any penal institution) (the custody of an employee of a penal institution)] [while armed with a dangerous weapon].

[or]

[2] convicted of \_\_\_\_\_ and knowingly fails to [[report (to a penal institution) (for periodic imprisonment at any time)] [(return from [(furlough) (work release) (day release)] [abide by the terms of home confinement]]] [while armed with a dangerous weapon].

[or]

[3] in the custody of the Department of Human Services under [(the provisions of the Sexually Violent Persons Commitment Act) (a detention order) (a commitment order) (a conditional release order) (a court order)] and intentionally escapes from [(any secure residential facility) (a Department of Human Services employee) (an agent of the Department of Human Services)] [while armed with a dangerous weapon].

[or]

[4] in the lawful custody of a peace officer for an alleged [(commission of \_\_\_\_\_) (violation of a term or condition of [(probation) (conditional discharge) (parole) (aftercare release) (mandatory supervised release) (supervision)])] and intentionally escapes from custody [while armed with a dangerous weapon].

### Committee Note

#### *Instruction and Committee Note Approved April 29, 2016*

720 ILCS 5/31-6(a), (b), (b-1), (c) and (d) (West, 2016).

Give Instruction 22.26.

When applicable, give Instruction 4.08, defining the term “peace officer”.

When applicable, give Instruction 4.09, defining the term “penal institution”.

When applicable, give Instruction 4.17, defining the term “dangerous weapon”.

If there is sufficient evidence for the defense of necessity, give Instructions 24-25.22 and 24-25.22A. See *People v. Unger*, 66 Ill.2d 333, 362 N.E.2d 319, 5 Ill.Dec. 848 (1977).

Insert in the blank the specific offense. See Committee Notes to Instructions 4.04 and 4.06.

Use applicable paragraphs and bracketed material.

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