

22.77 Issues In Escape-Failure To Comply With A Condition Of Electronic Home Monitoring Detention Program

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

First Proposition: That the defendant was [(charged with) (convicted of)] a [(felony)(misdemeanor)]; and

Second Proposition: That the defendant was conditionally released from a supervising authority through an electronic home monitoring detention program; and

Third Proposition: That the defendant knowingly violated a condition of the electronic home monitoring detention program by ____[(.)(; and

Fourth Proposition: That when the defendant did so, he was armed with a dangerous weapon.)]

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

Committee Note

730 ILCS 5/5-8A-4.1 (West 1997), added by P.A. 89-894, effective January 1, 1997.

Give Instruction 22.76.

Insert in the blank the appropriate condition.

Use the bracketed Fourth Proposition only when the Class 1 felony version of this offense is charged. See Committee Note to Instruction 22.76.

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.