

22.75

Definition Of Escape From Geographic Boundaries Of Electronic Monitoring Or Home Detention Program

A person [(charged with a (felony) (misdemeanor)) (convicted of a misdemeanor)] commits the offense of escape when he is conditionally released from a supervising authority through [(an electronic monitoring) (a home detention)] program and [while armed with a dangerous weapon,] he knowingly [(escapes) (leaves)] from the geographic boundaries of the program with the intent to evade prosecution.

Committee Note

730 ILCS 5/5-8A-4.1 (West 2024).

Give Instruction 22.76.

Use applicable bracketed material.

When this offense is committed while armed with a dangerous weapon, this offense becomes a Class 1 felony. 730 ILCS 5/5-8A-4.1(c). Use the bracketed phrase “[while armed with a dangerous weapon,]” when the Class 1 felony version of this offense is charged.

The Committee has not included the statutory language “an act which, if committed by an adult, would constitute a felony” in the instruction because the Committee believes that determining whether an act would constitute a felony is a question of law for the court, not a question of fact for the jury.

For the offense of failure to comply with a condition of the electronic monitoring or home detention program (730 ILCS 5/5-8A-4.15(b)), see Instruction 22.75X.