

14-2221. Escape from jail; essential elements.¹

For you to find the defendant guilty of escape from jail [as charged in Count _____]², the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant was committed³ to jail;
2. The defendant [escaped from]⁴ [or] [attempted to escape from] jail;
3. This happened in New Mexico on or about the _____ day of _____, _____.

USE NOTES

1. See NMSA 1978, § 30-22-8 (1963). If the escape is from a jail initiated prisoner-release program, established under NMSA 1978, Section 33-3-24 (1981), use UJI 14-2228A NMRA. If the escape is from a community custody release program, NMSA 1978, § 30-22-8.1 (1999), use UJI 14-2228C NMRA.

2. Insert the count number if more than one count is charged.

3. “Committed” means being physically placed in custody, with or without an order of confinement.

4. Use only the applicable bracketed element established by the evidence.

[Adopted, effective October 1, 1976; UJI Criminal Rule 22.00 NMSA 1978; UJI 14-2221 SCRA; as amended, effective January 1, 1999; as amended by Supreme Court Order No. 22-8300-031, effective for all cases pending or filed on or after December 31, 2022.]