

SUMMARY STATEMENT
State of Idaho v. Ryan Xavier Morgan
Docket No. 50865

In this case arising out of Bonneville County, the Court of Appeals affirmed Ryan Xavier Morgan's judgment of conviction for felony escape. Morgan was participating in specialty court while being held in the county jail. As part of this program, Morgan was employed by a local business and was permitted to leave the jail to attend his work-release shifts. Morgan was also permitted to do errands related to his employment before or after his shifts, with the permission of the officers overseeing his work release. On the day in question, Morgan had permission to go to his work-release shift, obtain a bicycle and cell phone and cash a check. Morgan was expected to return to the jail later that day. Morgan did not return. As a result, Morgan was arrested by his probation officer two days later and returned to the jail. Morgan filed a motion to dismiss, arguing that he could not be charged with escape under I.C. § 18-2505 while on work release. After finding I.C. § 18-2505 to be unambiguous, the district court found the statute included failing to return to the jail after completion of a work-release shift. Accordingly, the district court denied the motion to dismiss.

On appeal, Morgan argued that the district court erred in denying his motion to dismiss, again asserting he cannot be charged with escape when he had permission to independently travel to and from the jail for work release. The Court rejected Morgan's argument and held that his permission to leave the jail was limited to traveling to and from his work assignment. Morgan also argued that, in defining the crime of felony escape, I.C. § 18-2505 does not include failing to return to the jail after completing a work-release shift. Because leaving a work assignment without permission of an employment supervisor or officer is included in I.C. § 18-2505, the Court held that Morgan did escape when he avoided returning to the jail after being released from his work assignment for the purpose of traveling independently back to the jail. Because Morgan failed to demonstrate any error, the Court held that the district court properly denied Morgan's motion to dismiss.

*This summary constitutes no part of the opinion of the Court, but has been prepared
by court staff for the convenience of the public.*