

24.18 Failure to Surrender (18 U.S.C. § 3146(a)(2))

The defendant is charged in [Count _____ of] the indictment with failure to surrender in violation of Section 3146(a)(2) of Title 18 of the United States Code. For the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant was sentenced to a term of imprisonment;

Second, the defendant was released from custody under the Bail Reform Act;

Third, the defendant was ordered to surrender for service of the sentence on [date];

Fourth, the defendant knew of the order to surrender; and

Fifth, the defendant intentionally failed to surrender as ordered.

Comment

See Comment to Instruction 24.17 (Failure to Appear (18 U.S.C. § 3146(a)(1))).\

Revised September 2025