

	<b>MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES</b>	
	<b>Subject</b>  <b>ESCAPES AND RELATED INCIDENTS</b>	<b>Policy Number</b> <b>GJ-13</b> <b>Effective Date</b> <b>02-13-24</b>
<b>Related Information</b> Arizona Revised Statutes DK-3, <i>Inmate Visitation</i> DN-3, <i>Work Release</i> DO-1, <i>Intake Process</i>	<b>Supersedes</b> <p style="text-align: center;">GJ-13 (10-04-19)</p>	

**PURPOSE**

The purpose of this Office Policy is to establish guidelines and procedures for Office personnel regarding notification and response upon discovery of an incident of escape or attempted escape by an inmate or prisoner from Office custody, or any escape related incidents.

**POLICY**

It is the policy of the Office to provide direction to Office personnel in the event of an inmate or prisoner escape or attempted escape from Office custody, or any escape related incident. These emergency procedures are established to protect members of the public by ensuring Office personnel respond accordingly to incidents of inmate or prisoner escape or attempted escape from Office custody, or any escape related incidents.

**DEFINITIONS**

**Attempted Escape:** Any interrupted or abandoned effort to escape by a person held in Office custody prior to the completion of the escape.

**Erroneous Release:** A prisoner or inmate's unauthorized departure from Office custody, as the result of an administrative error.

**Escape:** A departure from Office custody in which a person is held or detained with knowledge such departure is not permitted, or the failure to return to custody following a temporary leave.

**Inmate:** A person who has been accepted for confinement into an Office jail facility.

**Jail File:** The file containing the inmate's custodial records pertaining only to jail-related information, exclusive of any judicial records, with the exception of any protective orders.

**Law Enforcement Action:** Any action taken by a deputy or reserve deputy to prevent or stop a criminal offense, including the taking into custody of persons suspected of committing, or having committed, a criminal offense.

**Prisoner:** A person deprived of their freedom and kept under involuntary restraint, confinement, or custody prior to being accepted into an Office jail facility.

**Security Override:** For the purpose of this Office Policy, the restriction of movement to and from, and a physical lockdown in its entirety or in an individual area, of an Office jail facility, custody bureau facility, or any area where inmates or prisoners are under the supervision of Office personnel. Security override is initiated due to a

reported emergency or incident which may affect institutional safety, order, security, or public safety and may be maintained for such time as the incident exists.

**Sheriff's Inmate Electronic Data (SHIELD):** An Office jail management system containing information about individuals who are, or have been, incarcerated or booked into an MCSO jail facility. Information is entered in this database when an individual is booked and updated throughout the term of incarceration. This includes, but is not limited to: inmate's charges; holds; court dispositions; bond and fine amounts; inmate listed booked in personal property; locker assignments; housing locations; restrictions; emergency medical information; scheduled inmate appointments; and the day-to-day operations of jail facility housing unit shift logs.

**Unauthorized Absence:** An escape resulting from an inmate who is temporarily released into the community for an unescorted leave and fails to return to custody within six hours of the appointed return time.

**Work Release:** A court ordered sentence which specifies particular dates or times an inmate is to be confined in a jail facility and released into the community.

## PROCEDURES

1. **Incident Types:** Escape and escape related incidents are placed into the following categories:
  - A. Escapes from Office Custody: Escapes from custody include escapes and attempted escapes from a jail facility, a non-jail facility, transportation/extradition of an inmate or prisoner by an Office employee, and work release inmates who leave Office custody without authorization, other than those designated a no-show, as specified in Office Policy DN-3, *Work Release*.
  - B. Unauthorized Absences: Unauthorized absences include an inmate who fails to return back to Office custody from their authorized temporary unescorted leave into the community or their scheduled temporary release from custody as ordered by the court.
  - C. Erroneous Releases: Erroneous releases include an unauthorized departure from Office custody of an inmate or prisoner, as the result of an administrative error, in which release procedures were completed by Office personnel in conflict or in absence of a court order.
2. **Discovery and Reporting an Escape:** Employee actions and responsibilities related to all escapes and attempted escapes of inmates or prisoners, or any escape related incidents, shall be conducted with the goal of protecting members of the public and apprehending the escapee.
  - A. An employee who discovers an escape or attempted escape of a subject who is lawfully detained and/or placed under arrest by a peace officer, prior to being accepted into any jail facility, shall take necessary law enforcement action to recapture the subject, as specified in ARS 13-3896.
  - B. An employee who has determined an inmate from a jail facility or custody bureau facility is unaccounted for, shall immediately notify the shift supervisor. The supervisor shall respond to the area and determine whether an escape has occurred.
    1. The responding supervisor shall ensure appropriate measures are taken to locate and properly account for the inmate's absence.
    2. If the inmate is not located, the supervisor shall declare an escape and follow emergency procedures, as specified in this Office Policy and the affected division's operations manual.

- C. An employee who discovers, or is advised of an escape or attempted escape of an inmate or prisoner from Office custody, shall immediately initiate the following **minimum** response procedures:
  - 1. Secure the scene;
  - 2. Notify an on-duty supervisor; and
  - 3. Initiate emergency procedures, as specified in this Office Policy and the affected division's operations manual.
  
- 3. **Jail Facility Escapes:** Jail facilities include the interior and perimeter of each facility. Upon determination of an escape or attempted escape, the on-duty supervisor of the division experiencing the reported escape or attempted escape of an inmate from a jail facility shall be responsible for the following:
  - A. Placing the affected jail facility on security override and identify the inmate involved by ensuring immediate identification (ID) headcounts are conducted;
  
  - B. Contacting the Communications Division to advise of the escape and to request notifications be made to Jail Crimes and the on-duty District II patrol supervisor who shall coordinate perimeter search efforts, until relieved by Jail Crimes personnel. The following information shall be provided as it becomes known:
    - 1. The location of the escape;
    - 2. The name and description of the escapee;
    - 3. The mode of transportation and direction of travel of the escapee;
    - 4. The last known address of the escapee; and
    - 5. Any other pertinent information relevant to the escape and/or escapee. Additional intelligence may be requested from the Custody Bureau Intelligence Unit (CBIU).
  
  - C. Ensuring an immediate search of the facility and perimeter is conducted for the inmate and to identify or discover any possible escape routes which may have been taken. Any security breaches, missing or damaged property/equipment resulting from an incident shall be addressed to ensure inmate containment is maintained until additional repair or replacement of such property/equipment can be completed after the scene is released by assigned Jail Crimes investigators;
  
  - D. Ensuring the escapee's cell or living area is immediately secured, and all other physical evidence associated with the escape, or the escape route is protected until released by the assigned Jail Crimes investigators;
  
  - E. Ensuring the inmate's personal cell property is secured and turned over to the assigned Jail Crimes investigators. The number of personnel in the chain of evidence shall be kept to a minimum;
  
  - F. Notifying surrounding Office jail facilities of the escape;

- G. Ensuring one employee, with initial knowledge of the escape, has been designated to act as the liaison between the jail facility and the investigator;
  - H. Ensuring the escapee's cellmates are removed from the cell and isolated, pending an interview by the assigned Jail Crimes investigators;
  - I. Coordinating response resources and efforts of responding personnel.
  - J. Notifying the chain of command;
  - K. Ensuring all employee witnesses remain on duty and are available for interview by the assigned Jail Crimes investigators, unless specifically released by the Jail Crimes supervisor or designee;
  - L. Ensuring no outside agency is allowed access to the scene, witnesses, or evidence without the approval of assigned Jail Crimes investigators;
  - M. Notifying the inmate's housing facility if the escape was not from there;
  - N. Providing the Jail Crimes investigators with requested security surveillance video and documentation, including but not limited to, a hard copy of the inmate's SHIELD visitation list, visitation recordings, and a copy of the inmate's Jail File. Requests for visitation recordings may be submitted to the Inmate Electronics Records Team (IERT), as specified in Office Policy DK-3, *Inmate Visitation*;
  - O. Notifying the Operations Information Center (OIC) Section to initiate an escape message through an Attempt-To-Locate (ATL) notice and a Wanted Flyer. The OIC shall e-mail the Wanted Flyer to the Victim's Assistance and Notification Unit (VANU). The VANU shall notify any victims identified in SHIELD, in a timely manner;
  - P. Notifying the Sheriff's Information Management Services (SIMS) Division. SIMS shall update SHIELD, place a file stop on the escapee's booking, and prepare the escapee's commitment documents for the assigned Jail Crimes investigators;
  - Q. Ensuring escapees who successfully leave custody, but are apprehended prior to the notification process, are reported to Jail Crimes personnel; and
  - R. Ensuring an *Incident Report* (IR) is completed and employees who witnessed the escape or were involved in the apprehension of the escapee complete IR supplements prior to the end of shift.
4. **Non-Jail Facility and Transportation Escapes:** Non-jail facilities include, but are not limited to, courthouses, hospitals, medical offices, mortuaries and custody bureau facilities managed by Office personnel such as, the Court Operations Division, Court Security Division, Transportation Division, Inmate Medical Services Division, Food Services Division, and the Institutional Services Division. The on-duty supervisor of the division experiencing the reported escape or attempted escape of an inmate or prisoner from a non-jail facility, shall be responsible for the following:
- A. Contacting the Communications Division to advise of the escape and to request notifications be made to Jail Crimes and the jurisdictional law enforcement agency to coordinate perimeter search efforts. The following information shall be provided as it becomes known:
    - 1. The location of the escape;
    - 2. The name and description of the escapee;

3. The mode of transportation and direction of travel of the escapee;
  4. The last known address of the escapee; and
  5. Any other pertinent information relevant to the escape or escapee. Additional intelligence may be requested from the CBIU.
- B. Ensuring the affected area or room, including a courtroom, is placed on security override, cleared, and secured when an escape occurs, to include securing any evidence at the scene;
  - C. Coordinating search efforts of the facility and perimeter for the inmate or prisoner to identify or discover any possible escape routes which may have been taken. Any security breaches, missing or damaged property or equipment resulting from an incident shall be addressed to ensure inmate/prisoner containment is maintained until additional repair or replacement of such property or equipment can be completed after the scene is released by assigned Jail Crimes investigators;
  - D. Ensuring one employee, with initial knowledge of the escape, has been designated to act as the liaison between the jail facility and the investigator;
  - E. Coordinating response resources and efforts of responding personnel, such as Judicial Enforcement Division, Judicial Branch Security, Special Response Team, Canine, Tactical Operations Unit, hospital private security, District II, and the local jurisdictional law enforcement agency for search efforts until relieved by Jail Crimes personnel;
  - F. Notifying the chain of command;
  - G. Ensuring witnesses are identified, detained, and separated for investigative purposes. Witnesses are to be separated as soon as possible to prevent collusion in their statements;
  - H. Ensuring no outside agency is allowed access to the scene, witnesses, or evidence without the approval of assigned Jail Crimes investigators;
  - I. Notifying the inmate's housing facility;
  - J. Notifying the OIC Section to initiate an escape message through an ATL notice and a Wanted Flyer. The OIC shall e-mail the Wanted Flyer to the VANU. The VANU shall notify any victims identified in SHIELD, in a timely manner;
  - K. Notifying the SIMS Division. SIMS shall update SHIELD, place a file stop on the escapee's booking, and prepare the escapee's commitment documents for the assigned Jail Crimes investigators;
  - L. Ensuring escapees who successfully leave custody, but are apprehended prior to the notification process, are reported to Jail Crimes personnel; and
  - M. Ensuring an IR is completed and employees who witnessed the escape or were involved in the apprehension of the escapee complete IR supplements prior to the end of shift.
5. **Out of County Extradition Escapes:** An employee who discovers an escape or attempted escape of an inmate or prisoner during extradition outside of Maricopa County, shall immediately contact the agency having primary law enforcement responsibility in the jurisdiction for response. The employee shall, as soon as practicable, contact the Extraditions Unit supervisor and advise them of the incident. The

investigation of escapes or escape attempts which occur outside Maricopa County shall be completed by investigative personnel, as specified in this Office Policy.

6. **Unauthorized Absences:** An inmate is considered an unauthorized absence when they fail to return back to Office custody from their temporary authorized leave into the community, as specified in ARS 31-341. The on-duty supervisor from the division declaring the unauthorized absence shall be responsible for the following:
  - A. Contacting the Communications Division to advise of the unauthorized absence, the location, and the name of the employee at the scene who may provide further information;
  - B. Obtaining an IR number and ensuring an IR is completed;
    1. The offense cited in the IR shall be Unauthorized Absence/Escape.
    2. An IR shall be completed and forwarded in TraCS to the Jail Crimes supervisor, who shall review each case and take appropriate action. In addition, a copy of the IR shall also be e-mailed to the Jail Crimes supervisor.
  - C. Notifying SIMS to update SHIELD. If the unauthorized absence involves an inmate who was on work release status, the on-duty SIMS Commander or designee shall notify the court which issued the confinement order during business hours, or if after hours, the next business day.
  - D. Contacting the Jail Crimes supervisor/investigator;
    1. The Jail Crimes supervisor/investigator shall determine if notification to OIC is necessary. If the supervisor/investigator determines notification is warranted, Jail Crimes shall contact OIC so an ATL and a Wanted Flyer can be issued. The OIC shall e-mail the Wanted Flyer to the VANU. The VANU shall notify any victims identified in SHIELD, in a timely manner.
    2. The Jail Crimes supervisor/investigator shall determine if notification of the MCSO Fugitive Apprehension Tactical Enforcement (FATE) team is necessary. If the supervisor determines notification is warranted, the Jail Crimes supervisor/investigator shall contact the team and provide all relevant information.
7. **Erroneous Release:** An erroneous release as defined in ARS 31-123, shall be processed as an escape from custody. The case agent, in conjunction with the Maricopa County Attorney's Office, Criminal Division, shall determine whether escape charges shall be filed.
  - A. The on-duty supervisor from the division declaring the erroneous release shall be responsible for the following:
    1. Contacting the Communications Division to advise of the erroneous release, provide the appropriate radio code, and to request the Jail Crimes supervisor be notified to contact the supervisor from the division declaring the erroneous release;
    2. Obtaining an IR number and ensuring an IR is completed;
      - a. The incident cited in the IR shall be Erroneous Release/Escape.



- D. The investigation of escapes or escape attempts from the custody of personnel from another agency shall be the responsibility of either the other agency or the agency having jurisdiction in the area where the escape or escape attempt occurred.
9. **Communications Division Responsibilities:** The responsibilities of the Communications Division shall include, but not be limited to, the following:
- A. Obtaining from the reporting supervisor the location of the escape, the number of escapees, the general description and clothing of each escapee, the escapee’s direction of travel, any related hazards to officer safety, and the name and telephone number of a contact person at the scene who can provide further information;
  - B. Broadcasting an ATL to all districts, using the appropriate radio codes;
  - C. Notifying the local jurisdictional law enforcement agency where the escape occurred;
  - D. Directing all inquiries to the appropriate personnel; and
  - E. Issuing an IR number.
10. **OIC Section Responsibilities:** The responsibilities of the OIC Section shall include, but not be limited to, the following:
- A. Obtaining from the reporting supervisor details of the escape, the escapee’s name, address, sex, race, date of birth, social security number, booking number, other agency holds, charges, known agency identifiers, physical description, whether the escapee was a pretrial detainee or a fully sentenced inmate, and whether the escapee was being held in Office custody solely as a courtesy hold;
  - B. Preparing the electronic transmission of all ATLs;
  - C. Preparing and disseminating a Wanted Flyer noting the escape, unauthorized absence, or erroneous release, as appropriate, to include notifying the VANU; and
  - D. Notifying every agency which has placed a hold on the escapee through teletype. Personnel making these notifications shall scan the completed teletype into the TraCS system.
    - 1. The agency shall be provided with the contact information of the assigned Jail Crimes supervisor/investigator.
    - 2. If the escapee was being held in Office custody solely as a courtesy hold, the agency having jurisdiction of the escapee shall be notified through teletype.
11. **Work Release Inmates:** Work release inmates who leave the custody of the Office without authorization have escaped. Inmates who fail to report, either initially or at any time during the term of their work release sentence, have not escaped, rather they have failed to comply with a court ordered sentence. This is commonly referred to as a no-show. Procedures for inmates documented as a “no-show” shall be followed, as specified in Office Policy DN-3, *Work Release*. In these instances, an IR is not required.
12. **Failure to Comply with Probation Terms of Release:** Persons released by court order to the custody of the MCAPD are no longer Office inmates and failure to comply with the terms of the Adult Probation program does not constitute an escape from Office custody. In these instances, an IR is not required.

13. **Booking an Escapee:** An inmate who is a captured escapee shall be booked under a new booking number, as specified in Office Policy DO-1, *Intake Process*.
  - A. If a sentenced inmate escapes from custody, the escape interrupts the original sentence, as specified in ARS 13-712, until amended or otherwise ordered by the court of jurisdiction.
  - B. The VANU shall notify any victims identified in SHIELD of the escapee's return to Office custody, as specified in ARS 13-4412.