

<p align="center">State of Vermont Agency of Human Services Department of Corrections</p>	<p align="center">Title: Facility Escape, Response, and Review</p>		<p align="center">Page 1 of 6</p>
<p>Chapter: Security and Supervision</p>	<p align="center"># 407</p>	<p>Supersedes: Interim Memo <i>Escape and Unauthorized Absence from Furlough or Conditional Reentry, 7/01/19</i> and 26.04 <i>Media Notification of Escape, 5/20/91.</i></p>	
<p>Attachments, Forms & Companion Documents: N/A</p>			
<p>Local Procedure(s) Required: No local procedure required Applicability: All DOC staff, contractors and volunteers Security Level: "A" – Only Department Staff may have access to this document</p>			
<p align="center"><u> signed </u> James W. Baker, Commissioner</p>	<p align="center"><u> 12/23/2020 </u> Date Signed</p>	<p align="center"><u> 1/01/2021 </u> Effective Date</p>	

PURPOSE

The purpose of this directive is to provide Department of Corrections (DOC) staff with response instructions for facility escapes.

AUTHORITY

13 V.S.A. § 1501; 28 V.S.A. §§ 102(b)(10) and 601(4).

POLICY

It is the policy of the DOC to take proactive steps to minimize or prevent the risk of escape from a correctional facility, in part, by preparing in advance to react quickly and firmly in the event of an actual or attempted escape.

GENERAL GUIDELINES

A. ESCAPE IN PROGRESS

1. Any DOC staff member who identifies an inmate attempting to escape shall:

- a. Notify, by radio, the on-duty Correctional Facility Shift Supervisor (CFSS) and CFSS-designated responders, noting the:
 - i. Escape location; and/or
 - ii. Escape method.
 - b. Take appropriate action to stop the escape not inconsistent with Directive 413 *Use of Force*.
 - c. Identify the escapee(s), noting:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - d. Secure the area where the escape or attempt took place.
 - e. Treat the area as a crime scene.
- 2. The CFSS shall place the facility on lockdown and conduct an emergency headcount, to include a "name-to-face" (i.e., verification of each inmate's name, face, and presence) headcount.
 - 3. The CFSS shall activate the relevant facility's Incident Command System and immediately notify the Vermont State Police (VSP) (see Notifications section below).

B. COMPLETED ESCAPE/MISSING INMATE

- 1. Staff members shall immediately notify the CFSS of any possible escapes, or escape attempts, once discovered.
- 2. The CFSS shall direct appropriate staff to determine whether an escape has occurred, the identity of an escapee, and additional, pertinent, information. These steps shall include, at minimum:

[REDACTED]

C. FACILITY RESPONSE

- 1. A facility's response to an escape shall be tailored to the circumstances of each incident. Nevertheless, it shall be governed by the following priorities:

[REDACTED]

[REDACTED]

2. Escape Investigation. Escape investigations shall include explicit information on the following:

[REDACTED]

4. Documentation. Facilities shall complete an Incident Report for Facility Escape in the Offender Management System (OMS), upload photos of any relevant scene(s) and/or evidence into the OMS, and preserve any relevant video in the OMS, or other electronic storage system (see Legal Paperwork section below).

D. ESCAPE FROM FACILITY WORK CREW

1. Work Crew Outing Preparation. The Work Crew Leader (WCL) shall perform the following prior to every facility departure:
 - a. Procure a written list of work crew inmates and provide same to facility.
 - b. Photograph each work crew inmate.
 - c. Provide facility with written description of each work crew inmate's clothing, including components not visible in the photo.
 - d. The photos and clothing descriptions may be deleted upon the work crew's return.

[REDACTED]

E. NOTIFICATIONS

1. The facility shall always describe an escapee as “dangerous” in its notification to law enforcement.
2. The CFSS shall immediately notify:
 - a. Appropriate Superintendent;
 - b. Local police; and
 - c. VSP (unless already notified by the WCL).
3. The Superintendent shall immediately notify the Facilities Director.
4. The Facilities Director and Superintendent shall arrange for notification to the media, victims, and the community.

[REDACTED]

6. A departmental designee shall notify additional interested agencies (e.g., Federal Marshalls, Immigration and Customs Enforcement, or another state’s agency).
7. A departmental designee shall appropriately notify all search-related agencies, the media, and community, when the inmate has been returned to custody.

F. REVIEW

1. All escapes shall be investigated by the Facilities Director or designee to determine the relevant facts. The Facilities Director or designee shall complete a formal After-Action Review (i.e., a structured review process analyzing the incident, its causes and repercussions, and deriving points for improvement) after all escapes.

G. TRAINING AND PREPAREDNESS

1. Each facility shall conduct regular drills related to escape discovery and response.

[REDACTED]

H. LEGAL DOCUMENTATION/DUTY

[REDACTED]

- [REDACTED]
- [REDACTED]
3. The Incident Commander (with the assistance of the local district manager, if necessary) shall facilitate the issuance of a Return on Mittimus (ROM), including a copy of the holding mittimus(es.)
 4. The Incident Commander or designee shall provide a copy of the ROM to the NCIC & Extradition Administrator. [REDACTED]
 5. The Incident Commander or designee shall facilitate completion of an affidavit affirming that the inmate is believed to have escaped from custody.
 - a. The affidavit shall contain the inmate's name, date-of-birth, Inmate ID, minimum and maximum release dates, intake date, legal status, and charges. The affidavit shall be accompanied by the mittimus(es) providing legal holding authority.
 - b. The affidavit shall include an affirmation from the author that they believe the inmate has escaped from lawful custody.
 - c. The affidavit shall briefly outline the case facts and provide additional detail in supplementary documents, as necessary.
 - d. The affidavit shall be provided to the local VSP.
- [REDACTED]