

**POLICY & PROCEDURES**

<b>CHAPTER:</b>	3	Institutional Operations	<b>3.2.11</b>
<b>SECTION:</b>	2	Safety and Emergency Procedures	<b>EFFECTIVE DATE:</b>
<b>SUBJECT:</b>	11	<b>Inmate Escapes</b>	<b>7 / 21 / 2020</b>
<b>Missouri Revised Statutes: Sec. 536.056.2 &amp; 536.061.2</b>			
<b>STANDARDS: ACA – 4 – ALDF: 1C-05 (M), 7F-02</b>			
<b>APPROVED:</b>  _____			<b>REVIEW DATE:</b> <b>7 / 21 / 20</b>
<b>Dale Glass</b> <b>COMMISSIONER OF CORRECTIONS</b>			<b>REVISION DATE:</b> <b>7 / 30 / 20</b>
Rescind: 3.2.11 dated 3/18/18 Cancel:			

**I. POLICY**

It is the policy of the Division of Corrections to maintain a plan to prevent inmate escape and provide for the capture and return of an escaped inmate.

**II. RESPONSIBILITIES**

All Division of Corrections staff are responsible for adhering to the following procedures.

**III. DEFINITIONS**

**Attempting Escape** - A situation in which an inmate attempts to breach the secure perimeters of correctional facility or custody of correctional supervision without authorization.

**Deadly Force:** A force that carries substantial risk of causing death.

**Emergency Code 5 Alert:** A code used by Correctional staff members to signify inmate escape.

**Escape:** A situation in which an inmate leaves the secure perimeters of correctional facility or custody of correctional supervision without authorization.

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**Facility:** A place, institution, building (or part thereof), set of buildings, or area (whether or not enclosing a building or set of buildings) that is used for lawful custody and/or treatment of individuals. It may be owned and/or operated by public, private agencies and includes the staff and services as well as the buildings and grounds.

**Facility Grounds:** A designated parcel of land which includes the land boundaries and around the facility.

**Incident Commanders:** Members of the Division's highest-ranking personnel who have decision making authority for an emergency response, are specifically charged with commanding, coordinating or managing a major aspect of the response, and have the resources to support participation in the response.

**Lights-Out:** A designated time period in which certain major light fixtures are turned off or dimmed in the cell units during nightly sleeping hours.

**NCIC:** National Crime Information Center.

**Out-of Bound Line:** A clear noticeable boundary line near facility perimeter fences, with posted signs warning inmates and any unauthorized person(s) not to cross the line, without proper authorization.

**Reasonable Force:** The force used is only that amount necessary to control the situation and no more.

### **IV. PROCEDURES**

#### **A. General Information**

1. The Division of Corrections will develop and maintain a plan that specifies the procedure to be followed in situations that threaten facility security such as escapes. The plan will be made available to all applicable staff and will be reviewed at least annually, and updated, as needed.
2. During outside recreation at MSI, inmates must obtain permission from the supervising Correctional Officer before crossing the marked out-of bound line for any reason.
3. A no-trespassing sign is posted on the outer perimeter fence for the benefit of the civilians or general public.
4. Unauthorized civilians or person(s) of the general public crossing the facility out-of bound fences will be reported to the St. Louis Metro Police Dept. as trespassing.

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5. Any time there is an inmate escape, the inmate's money accounts maintained by the Business office will be frozen until such time as the inmate is apprehended, returned to facility and taken before a disciplinary hearing committee.
6. The initial efforts to apprehend an inmate escapee or inmate attempting to escape are a function of the custody staff.
7. Correctional custody staff will use physical restraint, and reasonable force to apprehend an inmate escapee. Staff will not resort to use of firearms or deadly force unless as defined in Procedure H, of this policy and procedure.
8. Correctional staff members are prohibited from firing at a fleeing inmate inside a hospital facility regardless of circumstances. The staff member must implement Procedure F, of this policy and procedure.
9. An inmate will not be considered an escapee if the inmate is released in error by the Division or Divisional staff authorized to make such releases. The inmate, when returned to the facility following the erroneous release, will not be placed in administrative segregation unit and will not be disciplined.
10. An inmate who is assigned to one housing unit and who for lack of proper supervision, is placed or found in another housing unit other than the properly assigned unit will not be charged for attempting to escape for the purposes of disciplinary action.

**B. Attempting Escape from Facility:**

1. A Correctional staff member observing attempting escape from any area of the facility or facility grounds will **immediately** notify the Master Control/Control Center Officer via radio or telephone stating "I have a code 5" and identifies the exact location and requests a back up.
2. The Correctional staff will give the inmate direct order to stop and give up self. If the inmate refuses, the Correctional staff secures the area and maintains eye contact with the inmates attempting to escape, for positive identification, until back-up arrives.
3. The Master Control/Control Center Officer will immediately contact the Shift Commander, passes on the known information, and starts the process of locking the exit doors.
4. Upon receiving the information, the Shift Commander:

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- a. Directs the Master Control/Control Center Officer to lock and secure all the entrances and exit doors,
  - b. Directs sufficient staff back-up to seal off the area of attempted escape and prohibits inmates and non-custody staff members' movements in and out of the area.
  - c. Calls and notifies the Chief of Security and Officer of the Day,
  - d. Directs the Master Control/Control Center Officer to announce an end to all visitations if applicable, and advise visitors to remain calm in the lobby area until positive identification can be made; and to allow only authorized persons to enter or exit the facility.
  - e. Directs the floor escort officers to escort all visitors and assemble them in the lobby area.
  - f. Directs one supervisor and one Correctional Officer to verify visitors' identifications using visitors log and photo ID's and have officer escorts the visitors out of the facility.
  - g. Directs the inmates who are out of the affected area to remain in their temporary location under the watch of staff's supervision, until further notice.
  - h. Post extra security staff outside of the facility perimeters.
- C. Identifying those attempting to escape:**
- 1. Staff reporting the attempting escape will positively identify those attempting to escape and points them out to the Shift Commander/Floor Supervisor.
  - 2. Once the inmates have been identified, the Shift Commander orders them removed from the area, striped searched, and placed in the Disciplinary housing unit. (See Policy #3.1.11: Inmate Searches).
  - 3. All the remaining inmates in the unit where the attempted escape occurred will also be strip searched.
  - 4. The Shift Commander contacts the Unit Manager/Classification supervisor and requests a reclassification of any suspected co-conspirator in the unit.
  - 5. The Shift Commander reconciles the number of inmates assigned in the facility in accordance with policy #3.1.6: Inmate Count.

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6. If during the count reconciliation information reveals that there is a missing inmate or that, a missing inmate is hiding within the secure perimeters of the facility, the Shift Commander directs custody staff to search the area and apprehend the inmate using only reasonable force to do so.
7. Any unidentified person found in the area being searched would be asked to provide identity for verifications by the Shift Commander. The Shift Commander may call the St. Louis Metro Police Dept. for assistance.
8. The Shift Commander may broaden the search area as necessary and may request for a K-9 Unit to assist.
9. If effort to apprehend the missing inmate is unsuccessful, it becomes the responsibility of the available highest-ranking Division's Incident Commanders to call off the search when appropriate.
10. The Shift Commander orders the reporting staff member to submit an Incident Report and Disciplinary Report prior to leaving.
11. The Shift Commander summarizes the search findings and submits the reports to the Chief of Security prior to leaving. (See policy #3.1.30: Incident Reporting). A complete and detailed Incident Report and a Disciplinary Report must be submitted within twenty-four (24) hours. (See policy #3.1.10: Incident Reporting Form; #3.3.6: Major Violations/Disciplinary Hearing).
12. The Shift Commander orders the resumption of normal activities.

**D. Escape from Facility:**

1. A Correctional staff member discovering an escape in any area of the facility will immediately notify the Master Control / Control Center Officer via radio or telephone using the appropriate emergency code alert and identifies the exact location, and requests back up.
2. If the escape has already taken place or is in progress, the reporting staff member gives the following information if immediately known:
  - a. Inmate (s) name and physical description,
  - b. Clothing description,
  - c. Means of escape, (if vehicle, give vehicle description and Plate number).
  - d. Direction of travel,
  - e. Last known Housing Unit,

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- f. Number of inmates involved,
  - g. If inmate has any weapon.
3. The Correctional staff member secures the point of escape and awaits supervisor arrival.
4. The Master Control/Control Center Officer notifies the Shift Commander and immediately passes on the known information about inmates to the Shift Commander, and enter the same information in the IJMS.
5. Upon receiving the information, the Shift Commander will:
  - a. Order for a facility lockdown and cessation of all activities.
  - b. Designate an officer to ensure that the identity of any visitor exiting the facility is verified via Visitor's Register Log, etc., and that only authorized persons are allowed to enter and exit the facility.
  - c. Call and notify the Chief of Security, the Officer of the Day, if outside regular business hours; and the Divisional Investigator.
  - d. Order Area Supervisors to account for their assigned staff members to ensure no hostage has been taken.
  - e. Obtain inmate's Housing Unit Card and IJMS full profile information,
  - f. Call and notifies the St. Louis Metro Police Dept., and give complete inmate information and last direction inmate is seen or known to be headed, and request to assist in a pursuit, if necessary.
  - g. Order an emergency card count and physical count.
  - h. Order a complete search of the Housing Unit from which the escape occurred.
  - i. Seal off the point of escape when known, as a crime scene.
  - j. Coordinate with Data Central to enter escape information into IJMS when provided with appropriate documentation.
  - k. Contact the Maintenance Supervisor to make necessary repairs if applicable. (See policy #2.4.2: Routine and Emergency Repairs).

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- l. Order the resumption of normal activities at the appropriate time.
  - m. Direct the officer who discovers the escape to prepare and submit Incident Report and Disciplinary Report prior to end of tour of duty. (See policy #3.1.10: Incident Reporting Form; #3.3.6: Major Violations/Disciplinary Hearing).
6. The Chief of Security notifies:
- a. The Detention Center Superintendents,
  - b. The Business Office Manager, and
  - c. Provides the following inmate's information:
    - (1) Name, Date of Birth, and Gender,
    - (2) Inmate Master Number,
    - (3) Housing Assignment, and
    - (4) Date escape occurred.
7. The Chief of Security gives authorization to the Business Office Supervisor to freeze inmate's account, commissary, and all written correspondence belonging to the inmate until further notice. All written correspondence will be forwarded to the investigator.
8. If an escaped inmate(s) is being held for the Federal Government or another jurisdiction, the Commissioner of Corrections/designee notifies that agency within two hours of receiving escape information.

**E. Escape/Attempting Escape during Facility Grounds Work Detail**

1. If an inmate escapes or attempts to escape during supervised facility grounds work detail, the Correctional Staff follows the procedure for attempted escape and notifies the Master Control/Control Center Officer via radio.
2. The Master Control/Control Center Officer receiving information about the escape follows the steps in Procedure A, of this policy.
3. If the Correctional staff requests assistance, the Shift Commander sends Corrections Officers to assist the outside work detail staff to return inmates to the facility.

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4. The Shift Commander instructs the Master Control/Control Center Officer to alert the Perimeter Patrol Officer. The Perimeter Patrol Officer responds in accordance with Policy # 3.1.26: Post Order.
5. The Correctional staff requesting back-up implements the applicable provisions of Procedure G, of this policy.
6. When inmate(s) who attempted to escape is returned to the facility, they will be classified as escape risk and placed in the Administrative Segregation Unit. (See policy #3.1.4: Admin. Segregation & Protective Custody)
7. The reporting Correctional staff will prepare and submit an Incident Report and Disciplinary Report to the Shift Commander upon return to facility and prior to end of tour of duty. (See policy #3.1.10: Incident Reporting Form; #3.3.6: Major Violations/Disciplinary Hearing).

**F. Escape during Transportation to Outside Facility**

1. Custody staff transporting inmates to outside facility must adhere to the security precautions outlined in policy #3.1.4: Inmate Transportation, and Policy #3.1.8: Inmate Transportation for Medical Treatment.
2. If an inmate escapes while being transported to outside facility, the staff person will immediately notify the Master Control/Control Center Officer via radio or telephone, with the following information:
  - a. Inmate name
  - b. Location of the escape,
  - c. Means of escape,
  - d. If inmate has weapon.
3. The Custody staff will attempt to apprehend the inmate using reasonable force.
4. The Correctional Staff will not fire weapon at the inmate unless any of the risk conditions stipulated in Procedure H of this policy is present.
5. The Master Control/Control Center Officer immediately notifies the Shift Commander who contacts the St. Louis Metro Police Dept., gives available information about inmate escape, and requests assistance to apprehend inmate. The Shift Commander implements other necessary procedures as outlined in this policy.



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6. Correctional Officers have the authority to use firearm for self defense if any person(s) with a weapon shoots at the Officer(s) to assist inmate to escape from custody during transportation to outside facility. Any discharge of firearm shall be in accordance with Procedure H, of this policy.
7. The Correctional Officer will immediately notify the Master Control/Control Center Officer (via radio), who notifies the Shift Commander. The Shift Commander contacts the St. Louis Metro Police Dept. and requests immediate assistance to the distressed officer.
8. The Correctional staff submits Incident Report and Disciplinary Report to the Shift Commander upon return to facility.

**G. In-patient/Hospital Escape**

1. Correctional Officers will not fire weapon at an escaping inmate inside the hospital. The Officer will do the following:
  - a. Immediately contact the hospital security staff, and
  - b. Give the inmate's photo ID to the responding hospital security staff to facilitate the identification of the inmate.
  - c. Call the facility, via telephone, and notify the Master Control/Control Center Officer and provide any special information (i.e., inmate escaped with handcuffs, ankle bracelets attached to the body, wearing blood stained cloths, etc.).
  - e. Retrieve any personal belongings of the inmate (jump suits, shoes, etc.), and wait for instructions from the Shift Commander before departing the hospital.
2. The Master Control/Control Center Officer passes on information to Shift Commander who contacts the St. Louis Metro Police Dept. and gives applicable information to the Police.
3. The Shift Commander notifies Divisional officials as appropriate. (See Policy # 1.1.17: Officer of the Day; #3.1.30: Incident Reporting).
4. The Correctional staff prepares and submits an Incident Report and Disciplinary Report to the Shift Commander upon return to facility. (See policy #3.1.10: Incident Reporting Form; #3.3.6: Major Violations/Disciplinary Hearing).

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5. The Shift Commander will review and will forward copies of the Incident report and Disciplinary Report to the Chief of Security and will retain the original copies of the reports in the hearing box until inmate returns to facility and is scheduled for disciplinary hearing.

**H. Escape Pursuit and Apprehension:**

1. If a Correctional staff member reporting an inmate escape is a custody staff and has clear view of the inmate or has knowledge where the inmate is hiding, and does not have to secure the point of escape or other inmates, the staff person shall do the following:
  - a. Give pursuit of the inmate until inmate is either apprehended or out of sight,
  - b. Continue to give verbal command to the inmate to stop and give up self,
  - c. Radio the Master Control/Control Center Officer and provide direction of pursuit and request officer assistance or assistance from the St. Louis Metro Police Dept.,
  - d. Use reasonable force to apprehend the inmate.
  - e. Scale down pursuit upon the arrival of the Police.
  - f. Direct the responding Police Officers to the inmate for apprehension.
  - g. Assist the Police Officers to identify the inmate upon apprehension.
  - h. Return the inmate to the facility once apprehended unless in Police custody.
2. Correctional staff will not fire weapon at a fleeing inmate or inmate attempting to escape either with a vehicle, or by crossing the out-of bound line unless a strong probability exist that the inmate poses a significant threat or serious physical injury to the officer or others; or as specified in Procedure H of this policy.
3. Correctional staff will not engage in a car chase of an inmate fleeing in a moving vehicle either on the facility grounds or outside of the facility grounds. The Correctional staff will take a description of the motor vehicle, the make and model, the color, and the direction headed by the inmate and passes the information to the Shift Commander via, radio or telephone.

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4. The Shift Commander immediately contacts the St. Louis Metro Police Dept. and passes available information and inmate profile to the Police.
5. The Correctional staff prepares and submits Incident Report and Disciplinary Report upon return to facility and prior to end of tour of duty.

**I. Condition for use of Firearms to Prevent Escape**

1. Correctional staff is expected to use their best judgment in situations requiring the discharge of firearm. Before firing a weapon, the Correctional staff assesses the area for potential danger to uninvolved citizens and makes decision.
2. Correctional staff can implement the following guidelines to prevent escape if there is a substantial risk that the escapee will endanger human life or causes serious physical injury if the escape is not prevented. The weighing of “substantial risk” will be as follows:
  - a. Inmate points gun at a staff person, or
  - b. Inmate shoots at a Correctional staff, or
  - c. Inmate approaches a Correctional staff in a threatening manner with deadly weapon object such as knife, dagger, blunt object, or any such weapons capable of causing death, with the intent to inflict substantial harm, or kill the employee in order to escape; or
  - d. Inmate attempts to lodge a moving vehicle at the Correctional staff thus, posing an immediate danger of death or serious physical injury, or
  - e. Inmate fires at, or is in the process of killing a hostage, or
  - f. Inmate has been designated as dangerous felon whose intent to endanger human life or cause serious physical injury is known, if allowed to escape.
3. A Correctional Officer facing any or all of the above situations will do the following:
  - a. Give inmate verbal order to stop, lay down arms, and give up self,
  - b. Fire warning shots into the ground if inmate refuses order to stop,
  - c. If the inmate disregards the warning shots, refuses order to lay down the weapon, and continue to fire at the officer or shoots at a hostage; or

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approaches the Officer in any of the manners described above, the officer can return fire.

- d. The staff immediately or as soon as possible notifies the Master Control/Control Center Officer who notifies the Shift Commander via radio or telephone.
4. The Shift Commander immediately contacts the St. Louis Metro Police Dept. for assistance.
5. An escaping inmate who did not present any of the substantial risks outlined above, who has no weapon, whether or not the inmate crosses the out-of bound line and refuses order to stop, will not be fired upon. Correctional staff will attempt to apprehend the inmate in accordance with the provisions of Procedure G, of this policy.
6. The Shift Commander will ensure that an Incident Report and Disciplinary Report is prepared and submitted in all instances and in accordance with Divisional policy.

**J. Divisional Investigation**

1. Whenever an inmate escapes or attempted to escape, the on-duty Shift Commander or the Chief of Security will notify the Divisional Investigators.
2. The investigators will upon arrival, gather and document as appropriate, all relevant information associated with the escape or attempted escape.
3. The Divisional investigation will be conducted in accordance with Policy #1.1.14: Internal Affairs.

**K. Other Law Enforcement Agency Investigation**

1. All law enforcement agencies arriving in the facility to investigate inmate escape incident shall be directed to the Chief of Security or the Shift Commander.
2. The Chief of Security/designee will:
  - a. Provide copies of the Incident Report to the investigator if not previously made available to them,
  - b. If requested, retrieve the inmate's cell property from the inmate Housing Unit and make it available to the Investigator.

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- c. Provide the Investigator access into inmate's cell for a search, if requested. (See Policy #3.1.19: Crime Scene).
  - d. Provide all withheld correspondence belonging to the inmate, when available, to the Investigator.
  - e. Prepare a brief report of the Investigator's presence and activities in the facility, and forwards the report through the chain of command.
- L. Capture/Return of Inmate:**
- 1. If an escaped inmate is captured by Correctional Officers, the Shift Commander will:
    - a. Order the inmate to be housed in the Administrative Segregation Unit. (See Policy # 3.5.4: Housing Transfer).
    - b. Notify the Chief of Security and Duty Officer of the inmate capture and/or return.
  - 2. The Chief of Security notifies the Commissioner/Superintendents, and advises the Shift Commander to coordinate with the Police Dept. to cancel the escape notice.
  - 3. The Shift Commander directs the officer who spotted and captured the inmate to prepare an Incident Report and Disciplinary Report on the inmate. (See Policy # 3.3.6: Major Violations/Disciplinary Hearing).
  - 4. The Shift Commander tabulates the total number of manpower hours spent, including overtime hours expended in searching for, or capturing of, the escaped inmate to effectuate restitution from the inmate. The restitution amount shall be calculated base on the hourly ratio of the official maximum pay scale of the most senior ranking employee of the search crew.
  - 5. The Shift Commander attaches the tabulation result with the Disciplinary Report and forwards it along with the Incident Report to the Chief of Security.
  - 6. The Commissioner of Corrections or designee notifies the Director of Public Safety of the capture, and the appropriate releasing authority if inmate is held for different jurisdiction.
  - 7. Escaped inmates who return to the facility on their own accord, captured by, or surrenders to, the Police; once in Division's custody, will be placed in the Disciplinary Segregation Unit, and will receive a Disciplinary Report. The Shift

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Commander will ensure that a Disciplinary Report is prepared on the inmate and is submitted to the Chief of Security by the end of tour of duty.

8. The Shift Commander shall manage the inmate in accordance with the steps provided in this policy.

**M. Media/Public/Crime Victim Notification and Information Requests:**

1. The Director of Public Safety or designee will notify the media, crime victim if appropriate, and the public of the escape as appropriate.
2. The Commissioner of Corrections and/or the Director of Public Safety will determine what information to be given to the media or the public with regards to the escape.
3. Any employee receiving media request or public inquiry for information directs such requestor to the Commissioner of Corrections or Director of Public Safety. (See Policy #1.1.18: News Media – Public Information).

**N. Department of Public Safety Review:**

1. The Commissioner of Corrections will forward any probable violation of Missouri State or Federal Statutes to the St. Louis Metro Police Dept for review of criminal violations.
2. The St. Louis Metro Police Dept. determine the appropriate statute violated and forwards the findings to the Commissioner of Corrections.
3. The Commissioner reviews the findings and takes appropriate action.

**O. Divisional Administrative Reviews:**

The Chief of Security will ensure that a debriefing is conducted within 72 hours of the escape.

**P. TRAINING**

1. The Division of Corrections complies with Missouri State standards and qualifications for the use of weapons.
2. Correctional Officers will be fully trained in the use of weapon prior to being assigned to a job function requiring the use of firearm. Staff members must successfully complete, and meet the State’s qualifying standards required for the issuing of license to carry firearm, by:

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- a. Completing a minimum of eight (8) hours of classroom lessons and achieving the required passing score on the prescribed tests, and
  - b. Completing a minimum of eight (8) hours of field (range) training and achieving the required passing score on the prescribed field tests, and
  - c. Obtaining a combined minimum total of sixteen (16) hours of weapon training as described in (a) and (b), above.
3. Correctional Officers are required to re-certify with the state every twelve (12) months by successfully completing and passing the required tests for re-certification.
  4. The Training Coordinator will issue a copy of this policy and policy #3.1.31: Armory Operations... to, and will discuss their contents with, Correctional staff scheduled for weapon training each time the training is conducted and each time a re-certification is required. The Training Coordinator will maintain accurate and verifiable record of all training as they occur.
  5. This policy and procedure will be included in the First-Year Training and subsequent In-Service Training for all applicable Correctional staff during basic training and yearly thereafter.