

State of New York  
Department of Correctional Services

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**INMATE ESCAPE INCIDENTS**

**2003 - 2007**



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## INMATE ESCAPE INCIDENTS

2003 - 2007

This report provides descriptive information on incidents of inmate escape from New York State Department of Correctional Services facilities for the 2003 through 2007 time period. The report presents information on demographic characteristics, as well as the legal history of escapees. The analysis uses a series of variables to compare escapees with the general inmate population. The report is preceded by a brief summary of the main findings.

July 2008

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2003 - 2007

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## **EXECUTIVE SUMMARY**

### **1. Number and Rate of Escapes Inmates**

In the five-year period 2003-2007, 15 inmates escaped from custody. Two inmates escaped in calendar year 2007 (see Table 1.1, p. 4).

### **2. Location of Escapes**

Most escapees (73%, N=11) in the 2003-2007 time period were from minimum security facilities or work details in communities. There were no escapes from secure custody in 2007 (see Table 1.2, p. 5).

### **3. Escapes by Facility Security Level**

Over the time period 2003 through 2007, 27% (N=4) of escapes occurred at maximum security prisons and 73% (N=11) at minimum security facilities (see Table 2.1, p.6).

### **4. Incarceration Offense**

In 2007, one escapee was serving a sentence for a drug offense and one escapee had been sentenced to prison for possession of a weapon (see Table 3.1, p. 7).

### **5. Age of Escapees**

During the 2003-2007 time period, escapees were younger when compared to the inmate under custody population. Sixty percent of escapees were younger than 31 years old while 37% of the under custody population were younger than 31 years of age (see Table 4.2, p. 8).

### **6. Time Served Prior to Escape**

Between the years of 2003 and 2007, 47% (N=7) of escapees had served less than two years of incarceration prior to their escape. In 2007, both inmates had served less than two years (see Table 7.1, p. 14).

### **7. Duration of Escape**

In 2007, both inmates who escaped from custody were apprehended by New York State Department of Correctional Services staff or police and returned to NYS DOCS custody. One escapee was apprehended within 30 minutes; one escapee was caught within 6 hours.

Of the 15 inmates who escaped from custody during the 2003-2007 time period, 60% (N=9) were apprehended within 6 hours. All escapees were taken into custody in less than three days.

## INTRODUCTION

The Department of Correctional Services maintains specific information on escapes and, together with data files on under custody inmates, produces the annual department report on inmate escapes. The report profiles inmate escapees and the circumstances surrounding escape incidents for the previous five years. Characteristics of escapees are compared to the under custody population for the 2003 through 2007 time period.

There were 15 inmates who escaped during the 2003-2007 time period, including 14 men and 1 woman. Eleven escapes involved minimum security inmates or inmates designated for supervised work crew assignments outside the facility perimeter. The remaining four inmates escaped from a maximum security prison or while under direct supervision of a correctional officer in a community setting.

When compared to the overall inmate population, escapees were more likely young, Caucasian, committed to prison for a drug offense and serving a relatively short sentence. In 2007, two inmates escaped from custody. One inmate escaped from a minimum security facility, while the other inmate escaped from a community work detail. Appendix B presents a brief description of each escape incident.

## Section One, Number of Inmate Escapes

In 2007, two inmates escaped in separate incidents. During the five-year time period reviewed in this report, 15 inmates escaped from NYSDOCS custody.

The five-year total represents an average annual rate of .05 escapes per 1,000 inmates. The 2007 rate was .03 escapes per 1,000 inmates or one escaped inmate for every 31,754 inmates held under custody by NYSDOCS.

Table 1.1 presents data on the number and rate of escapes during the 2003-2007 time period. Rate data are used to measure the number of escaped inmates as a proportion of the inmate population. In this report rates are calculated as the number of escapees per 1,000 under custody inmates. Since the average inmate population may fluctuate higher or lower from year to year, the use of rates allow for standardized yearly comparisons.

Calendar Year	Number of Escapes	Rate per 1,000 Inmates
2003	6	0.09
2004	2	0.03
2005	2	0.03
2006	3	0.05
2007	2	0.03
Total	15	0.05

## Escapes From Secure Custody

Most escapes occur at minimum custody facilities or from less secure areas outside of the perimeter fence of medium or maximum security prisons. Additional escapes occur while inmates are on supervised work details providing services to local communities, at state parks, or along state highways. Inmates assigned to less secure areas may escape from immediate custody by walking away and are commonly referred to as 'walkaways'. Walkaways do not have to use elaborate methods necessary to escape from a higher security assignment.

Secure assignments include inmate housing units located inside medium and maximum security prisons and circumstances when an inmate is escorted by correctional officers to court or to a hospital. Table 1.2 shows four escapes (27%) from secure custody and 11 escapes (73%) from minimum security or less secure settings occurred during the 2003-2007 time period. An examination of escapes from less secure settings reveals that all eleven inmates were assigned to minimum security facilities.

Table 1.2, Frequency and Rate of Escapes from Secure and Less Secure Custody, 2003 - 2007

Year	Escapes from Secure Custody		Escapes from Minimum Security or Walkaway	
	N	Rate	N	Rate
2003	2	0.03	4	0.06
2004	0	0.00	2	0.03
2005	1	0.02	1	0.02
2006	1	0.02	2	0.03
2007	0	0.00	2	0.03
Total	4	0.01	11	0.03

## Section Two, Escapes by Facility Security Level

New York State correctional facilities are classified as maximum, medium or minimum security. This designation is based upon the physical characteristics of each facility that enable the Department to safely and securely house inmates. Several criteria are taken into consideration in determination of the security classification: **perimeter** - the type of enclosure surrounding the inmates within a correctional facility; **internal control** - the capacity to isolate internal areas of a prison through the use of control gates; **housing** - the type of occupied units ranging from individual cells with remote controlled locks to open barracks-type housing; **special housing** - the need to securely control and isolate disruptive individuals from the general inmate population; and **operational configuration** - the ability to monitor and control inmate movement and interaction within the facility.

Table 2.1 reveals the housing security level of inmates who escaped from custody in the years from 2003 through 2007. As indicated in the table, 73% or 11 of the escapees were in minimum security institutions. See Appendix B, page 17, for details of escapes from 2003 to 2007.

Security Level	2003	2004	2005	2006	2007	Total	
Maximum	2	0	1	1	0	4	27%
Medium	0	0	0	0	0	0	0%
Minimum	4	2	1	2	2	11	73%
Total	6	2	2	3	2	15	100%

### Section Three, Commitment Offense of Escapes

The most serious commitment crime for each escaped inmate is shown in Table 3.1. The commitment offenses for the two escapees in 2007 were for criminal possession of a weapon and for drugs.

The commitment offenses for all inmates in the custody of the Department of Correctional Services are compared with escaped inmates in Table 3.2. Compared to the under custody population, escapees were more likely to be convicted of stolen property (7% vs. 1%), burglary (13% vs. 9%), grand larceny (7% vs. 2%), or murder (20% vs. 14%), and less likely to be convicted of robbery (7% vs. 18%), sex offenses (0% vs. 8%), or assault (0% vs. 6%).

Table 3.1, Commitment Offense Type by Year of Escape  
Inmate Escapees, 2003 - 2007

Crime	2003	2004	2005	2006	2007	Total	
Murder	2	0	1	0	0	3	20%
Other Homicide	0	0	0	0	0	0	0%
Sex Offense	0	0	0	0	0	0	0%
Robbery	0	0	1	0	0	1	7%
Assault	0	0	0	0	0	0	0%
Burglary	1	0	0	1	0	2	13%
Weapon Offense	0	0	0	0	1	1	7%
Grand Larceny	1	0	0	0	0	1	7%
Drug Offense	1	1	0	1	1	4	27%
Stolen Property	0	1	0	0	0	1	7%
Other Felony	1	0	0	1	0	2	13%
Total	6	2	2	3	2	15	100%

Table 3.2, Commitment Offense of Escapees and Under Custody Pop.  
2003 - 2007

Crime	Escapees	Under Custody
Murder	20%	14%
Other Homicide	0%	5%
Sex Offense	0%	8%
Robbery	7%	18%
Assault	0%	6%
Burglary	13%	9%
Weapon Offense	7%	4%
Grand Larceny	7%	2%
Drug Offense	27%	25%
Stolen Property	7%	1%
Other Felony	13%	8%
Total	100.0%	100%

## Section Four, Age of Escapees

Table 4.1 displays the age of escaped inmates for the 2003-2007 time period; Table 4.2 compares the age of escaped inmates with the under custody population. Proportionately, a larger percentage of escapees were younger than inmates in the under custody population during the last five years; 60% of the escapees were under 31 years of age while 37% of the under custody inmates were less than 31 years of age. The proportion of escapees over 40 years old was significantly less when compared to the under custody population (7% versus 30%).

Table 4.1, Age at time of Escape by Year  
2003 - 2007

Age in Years	2003	2004	2005	2006	2007	Total	
< 21	0	0	0	0	0	0	0%
21-30	3	2	1	1	2	9	60%
31-40	3	0	1	1	0	5	33%
41-50	0	0	0	1	0	1	7%
> 51	0	0	0	0	0	0	0%
Total	6	2	2	3	2	15	100%

Table 4.2, Age of Escapees and Under Custody Pop.  
2003 - 2007

Age	Escapees	Under Custody
< 21	0%	5%
21-30	60%	32%
31-40	33%	33%
41-50	7%	22%
>50	0%	8%
Total	100%	100%

## Race/Ethnicity of Escapees

Table 4.4 presents information on the race/ethnic status of the under custody population and escapees for the time period 2003-2007. Comparisons between race/ethnicity of escapees and under custody population for the five-year time period reveal that 40% of escapees were White as compared to 19% of the total inmate population; 40% of escapees were Black compared to 51% in the under custody population; and, 20% of escapees were Hispanic compared to 28% of the under custody population. Escapees were more likely to be White when compared with the overall under custody population.

Table 4.3, Race/Ethnicity of Escapees by Year  
2003 - 2007

Race/Ethnic	2003	2004	2005	2006	2007	Total	
White	5	0	0	1	0	6	40%
Black	0	1	2	1	2	6	40%
Hispanic	1	1	0	1	0	3	20%
Other	0	0	0	0	0	0	0%
Total	6	2	2	3	2	15	100%

Table 4.4, Race/Ethnicity of Escapees and  
Under Custody Population 2003 - 2007

Race/Ethnic	Escapees	Under Custody
White	40%	19%
Black	40%	51%
Hispanic	20%	28%
Other	0%	2%
Total	100%	100%

## Section Five, Prior Adult Convictions

Table 5.1 shows prior adult convictions for the escapee population, categorized according to the most serious prior criminal record (i.e., a felony conviction is more serious than a misdemeanor conviction which in turn is more serious than no prior conviction). For example, consider the case of an inmate convicted of a misdemeanor DWI in 1993, a felony offense of burglary in 1995, and a felony of robbery in 2003 for which he received a prison sentence. For purposes of this discussion and Table 5.1, the most serious prior offense was the felony burglary; the 2003 robbery is the commitment offense on which the inmate is currently serving a prison sentence. Since the burglary felony is more serious than a misdemeanor of DWI, only the felony is reported as the most serious prior conviction. Table 5.1 reveals that 67% (N=10) of the escapees between 2003 and 2007 had been convicted of at least one prior felony offense. Seven percent of the escapees (N=1) did not have any prior convictions, while 27% (N=4) had at least one prior misdemeanor conviction.

### Prior Adult Commitments

Table 5.2 shows prior jail and prison commitments for the 15 inmates who escaped during the 2003-2007 period. The most serious level of commitment is shown for each inmate; forty percent of escapees had a previous prison incarceration.

Prior Conviction	2003	2004	2005	2006	2007	Total	
None	0	0	1	0	0	1	7%
Misdemeanor	1	1	1	0	1	4	27%
Felony	5	1	0	3	1	10	67%
Total	6	2	2	3	2	15	100%

Prior Commitment	2003	2004	2005	2006	2007	Total	
None	0	0	1	0	0	1	7%
Jail	4	1	1	0	2	8	53%
Prison	2	1	0	3	0	6	40%
Total	6	2	2	3	2	15	100%

## Section Six, Sentence Length

The New York State Penal Law stipulates that either an indeterminate sentence or determinate sentence be imposed upon a convicted felony offender sentenced to the state correctional system. An indeterminate sentence includes a range of years, a minimum and maximum time period, which an inmate may serve. In general, the minimum sentence is the least amount of time an inmate will serve before eligibility for parole. The maximum sentence is the longest amount of time an inmate can serve prior to release from custody of the Department of Correctional Services. The structure of the minimum and maximum sentence range varies according to prior felony convictions and crime classification (Class A offenses the most serious, Class E offenses the least serious).

Determinate sentencing is imposed upon second felony offenders convicted of a violent felony offense committed after October 1, 1995; first felony offenders convicted of a violent felony offense committed after September 1, 1998; drug offenders for an offense committed after January 13, 2005; and, non-violent sex offenders committed after April 13, 2007. The determinate sentence consists of a specified number of years and the offender may be considered for release after serving 6/7 of his sentence. For purposes of this report, the 6/7 time period is considered the minimum sentence for determinately sentenced inmates.

### Aggregate Minimum Sentence

Table 6.1 shows the aggregate minimum sentence of escapees for the years 2003-2007. An examination of the table reveals that most prison escapees were serving relatively short minimum sentences. Forty-seven percent of inmates who escaped had less than a two-year minimum sentence and 60% were serving a minimum sentence of less than four years.

Aggregate Min. Sentence	2003	2004	2005	2006	2007	Total	
< 2 Years	2	2	1	0	2	7	47%
2 Years	0	0	0	0	0	0	0%
3 Years	1	0	0	1	0	2	13%
4-5 Years	1	0	0	2	0	3	20%
6-9 Years	0	0	0	0	0	0	0%
10-14 Years	0	0	0	0	0	0	0%
15-19 Years	0	0	0	0	0	0	0%
20 Years +	2	0	1	0	0	3	20%
Total	6	2	2	3	2	15	100%

Table 6.2 compares the minimum sentence of escaped inmates with the under custody population for the years 2003-2007. A larger percent of escapees were serving shorter minimum sentences. While forty-seven percent of escapees were serving a minimum sentence of less than two years, only 13% of the under custody population had a minimum sentence of less than two years. A partial explanation for the difference is that inmates committed to prison for less serious offenses and serving shorter sentences are more likely to be assigned to minimum security facilities which allow more opportunity for escape. Inmates committed for more serious offenses and longer sentences are more likely to be housed in maximum security prisons.

Table 6.2, Aggregate Minimum Sentence of Escapees and Under Custody Population, 2003 - 2007

Aggregate Minimum	Escapees 2003-2007	Under Custody 2003-2007
< 2 Years	47%	13%
2 Years	0%	14%
3 Years	13%	12%
4-5 Years	20%	16%
6-9 Years	0%	18%
10-14 Years	0%	9%
15-19 Years	0%	6%
20 Years +	20%	13%
Total	100%	100%

### Aggregate Maximum Sentence

Table 6.3 (see page 13) shows the maximum sentence of inmate escapees for the time period of 2003-2007. The maximum sentences for escapees are compared to the under custody population's maximum sentences for the years 2003-2007 in Table 6.4 (see page 13). Among the escaped inmates 53% had maximum terms of less than 6 years compared to only 33% of the under custody population for the 2003-2007 time period.

Table 6.3, Aggregate Maximum Sentence of Escapees by  
Year of Escape, 2003 - 2007

Aggregate Max. Sentence	2003	2004	2005	2006	2007	Total	
3 Years	0	1	1	0	2	4	27%
4 Years	1	1	0	0	0	2	13%
5 Years	0	0	0	2	0	2	13%
6-9 Years	2	0	0	1	0	3	20%
10-14 Years	1	0	0	0	0	1	7%
15-19 Years	0	0	0	0	0	0	0%
20-24 Years	0	0	0	0	0	0	0%
25 to Life	2	0	1	0	0	3	20%
Total	6	2	2	3	2	15	100%

Table 6.4, Aggregate Maximum Sentence of Escapees and  
Under Custody Population, 2003 - 2007

Aggregate Maximum	Escapees 2003-2007	Under Custody 2003-2007
3 Years	27%	15%
4 Years	13%	10%
5 Years	13%	8%
6-9 Years	20%	23%
10-14 Years	7%	10%
15-19 Years	0%	6%
20-24 Years	0%	4%
25 to Life	20%	26%
Total	100%	100%

## Section Seven, Time Served to Date of Escape

During the five-year time period of this report, 47% of escapees had served less than two years incarceration prior to escape. A similar proportion of under custody inmates (48%) had served less than two years in custody (see Table 7.2). However, while 13% of escapes (N = 2) had served 6 years or longer, fully 25% of the overall under custody population had served 6 years or longer (see Table 7.2). As noted earlier, offenders who have a long period of time to serve before release consideration are housed at medium and maximum security facilities.

Table 7.1, Time Served Prior to Escape by  
Year of Escape, 2003 - 2007

Time Served	2003	2004	2005	2006	2007	Total	
< 1 Year	1	1	1	1	1	5	33%
1 Year	0	0	0	1	1	2	13%
2 Years	2	1	0	0	0	3	20%
3 Years	0	0	0	0	0	0	0%
4 Years	2	0	0	1	0	3	20%
5 Years	0	0	0	0	0	0	0%
6 + Years	1	0	1	0	0	2	13%
Total	6	2	2	3	2	15	100%

Table 7.2, Time Served of Escapees and  
Under Custody Population, 2003 - 2007

Time Served	Escapees 2003-2007	Under Custody 2003-2007
< 1 Year	33%	31%
1 Year	13%	17%
2 Years	20%	11%
3 Years	0%	7%
4 Years	20%	5%
5 Years	0%	4%
6 + Years	13%	25%
Total	100%	100%

## Section Eight

Escape Duration	2003	2004	2005	2006	2007	Total	
< 6 hours	3	2	1	1	2	9	60%
6-12 hours	0	0	0	1	0	1	7%
13-23 hours	0	0	1	0	0	1	7%
1 day	3	0	0	0	0	3	20%
2-3 days	0	0	0	1	0	1	7%
4-7 days	0	0	0	0	0	0	0%
8-29 days	0	0	0	0	0	0	0%
1-6 months	0	0	0	0	0	0	0%
> 6 months	0	0	0	0	0	0	0%
Not in custody	0	0	0	0	0	0	0%
Total	6	2	2	3	2	15	100%

### Criminal Charges and DOCS Sanctions

Upon return to a Department of Correctional Services' (DOCS) facility, escapees face state criminal charges for escape, department disciplinary sanctions, and transfer to a maximum security prison. Of the fifteen escapees during 2003-2007, eight received additional sentences for escape with additional prison time to be served consecutively to their original incarceration period; thirteen of the fifteen escapees received department sanctions including up to ten years in Special Housing Units where inmates may spend 23 of 24 hours of each day in their cell; and, eight of eleven minimum security inmates were transferred to maximum security prisons.

## Appendix A

Number of Inmate Escapes by Facility 2003 - 2007							
	2003	2004	2005	2006	2007	Total	
Maximum Security							
Auburn	0	0	0	1	0	1	7%
Elmira	2	0	0	0	0	2	13%
Upstate	0	0	1	0	0	1	7%
Total	2	0	1	1	0	4	27%
Medium Security							
Total	0	0	0	0	0	0	0%
Minimum Security							
Beacon	0	0	1	0	0	1	7%
Camp Gabriels	1	0	0	0	0	1	7%
Camp Georgetown	0	1	0	0	0	1	7%
Camp McGregor	1	1	0	0	0	2	13%
Edgecombe	0	0	0	1	0	1	7%
Fulton	1	0	0	0	0	1	7%
Hudson W. R.	1	0	0	0	0	1	7%
Rochester	0	0	0	1	1	2	13%
Summit	0	0	0	0	1	1	7%
Total	4	2	1	2	2	11	73%
Grand Total	6	2	2	3	2	15	100%

## APPENDIX B

### ESCAPES - 2003

<u>FACILITY</u>	<u>METHOD OF ESCAPE</u>
Camp McGregor	Walk away from facility
Camp Gabriels	Walk away from facility dormitory
Fulton	Walk away from facility work detail
Elmira	Escaped onto roof then down outside wall of building
Elmira	Escaped onto roof then down outside wall of building
Hudson Work Release	Walk away from facility

### ESCAPES - 2004

<u>FACILITY</u>	<u>METHOD OF ESCAPE</u>
Camp McGregor	Walk away from facility
Camp Georgetown	Walk away from community work detail

ESCAPES - 2005

<u>FACILITY</u>	<u>METHOD OF ESCAPE</u>
Beacon	Walk away from facility
Upstate	While at community hospital escaped through roof in holding area

ESCAPES - 2006

<u>FACILITY</u>	<u>METHOD OF ESCAPE</u>
Rochester	Walk away from facility
Auburn	While in transit from hospital visit
Edgecombe	Walk away from facility

ESCAPES - 2007

<u>FACILITY</u>	<u>METHOD OF ESCAPE</u>
Rochester	Walk away from facility
Summit	Walk away from community work detail

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August 2008