

State of New York  
Department of Correctional Services

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**INMATE ESCAPE INCIDENTS**  
**2004 - 2008**



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## INMATE ESCAPE INCIDENTS

2004 - 2008

This report provides descriptive information on incidents of inmate escape from New York State Department of Correctional Services facilities for the 2004 through 2008 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 2009

# INMATE ESCAPE INCIDENTS

2004 - 2008

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## **EXECUTIVE SUMMARY**

### **1. Number of Escapes**

There were no inmate escapes in 2008, which is unprecedented based on available Department records back to 1960. The previous low was 2 escapes in 2004, 2005 and 2007. Prior to 2004, the previous low was 3 escapes in 1966.

In the five-year period 2004-2008, 10 inmates escaped from custody. (See Table 1.1, p. 4)

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

Most escapes, 80% or 8 of the 10 escapes, in the 2004-2008 time period were from minimum security facilities or inmates assigned to work details outside the security perimeter fence. There were no escapes from secure custody in 2007 or 2008. (See Table 1.2, p. 5)

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

Over the time period 2004 through 2008, 20% or 2 of the escapees were assigned to maximum security prisons, 1 was an inmate assigned to a medium security prison, and 70% or 7 were inmates assigned to minimum security facilities. (See Table 2.1, p.6)

### **4. Incarceration Offense**

During the 2004-2008 time period, four escapees were serving a sentence for a drug offense. (See Table 3.1, p. 7)

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

During the 2004-2008 time period, escapees were younger when compared to the overall under custody population. Seventy percent (70%) of escapees were 30 years old or younger, while 37% of the under custody population had not reached their 31<sup>st</sup> birthday yet. (See Table 4.2, p. 8)

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

Between the years of 2004 and 2008, 70% of the escapees had served less than two years of incarceration prior to their escape. (See Table 8.1, p. 14)

## INTRODUCTION

The Department of Correctional Services maintains specific information on escapes and, together with data files on under custody inmates, produces an 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 2004 through 2008 time period.

There were 10 inmates who escaped during the 2004-2008 time period. Eight escapes involved minimum security inmates or inmates designated for supervised work crew assignments outside the facility perimeter. The remaining two 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 from 2004 through 2008 were more likely to be younger, African-American, male, committed to prison for a drug offense, and serving a relatively short sentence.

Appendix B presents a brief description of each escape incident.

## Section One, Number of Inmate Escapes

There were no inmate escapes in 2008, which is unprecedented based on available Department records going back to 1960. The previous low for escapes was 2 in 2004, 2005 and 2007. Prior to 2004, the previous low was 3 escapes in 1966.

From 2004 through 2008, the five-year time period reviewed in this report, 10 inmates escaped from New York State Department of Correctional Services' (NYSDOCS) custody. Each and every inmate escape covered in this report was an inmate acting alone. There were no incidents of multiple inmates involved in an escape from NYSDOCS.

The five-year total represents an average annual rate of .03 escapes per 1,000 inmates. The 2004-2008 rate represents one escaped inmate for every 31,687 inmates held under custody by NYSDOCS during the time period.

Table 1.1 presents data on the number and rate of escapes during the 2004-2008 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 a rate allows for standardized yearly comparisons.

Calendar Year	Number of Escapes	Rate per 1,000 Inmates
2004	2	0.03
2005	2	0.03
2006	4	0.06
2007	2	0.03
2008	0	0.00
Total	10	0.03

## Escapes From Secure Custody

Traditionally in New York State, most escapes occur at minimum custody facilities or from less secure areas outside 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 who escape from immediate custody by walking away are commonly referred to as 'walkaways'. Walkaways do not have to use more elaborate methods necessary to escape from a higher security assignment.

Secure assignments include housing that is 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 two escapes (20%) from secure custody and 8 escapes (80%) from minimum security or less secure settings occurred during the 2004-2008 time period. An examination of escapes from less secure settings reveals that one was a walkaway from a medium security facility assignment outside of the perimeter fence and 7 involved inmates assigned to minimum security facilities.

Table 1.2, Frequency and Rate of Escapes from Secure and Less Secure Custody, 2004 - 2008

Year	Escapes from Secure Custody		Escapes from Minimum Security or Walkaway	
	N	Rate	N	Rate
2004	0	0.00	2	0.03
2005	1	0.02	1	0.02
2006	1	0.02	3	0.05
2007	0	0.00	2	0.03
2008	0	0.00	0	0
Total	2	0.01	8	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 2004 through 2008. As indicated in the table, 70% or 7 of the escapees were in minimum security institutions. See Appendix B, page 17, for details of the escapes that occurred from 2004 to 2008.

Security Level	2004	2005	2006	2007	2008	Total	
Maximum	0	1	1	0	0	2	20%
Medium	0	0	1	0	0	1	10%
Minimum	2	1	2	2	0	7	70%
Total	2	2	4	2	0	10	100%

### Section Three, Commitment Offense of Escapees

The most serious commitment crime for each escaped inmate is shown in Table 3.1. The commitment offense for all inmates in the custody of the Department of Correctional Services is compared with escaped inmates in Table 3.2. Compared to the under custody population, escapees were more likely to be convicted of stolen property (10% vs. 1%) or drug offenses (40% vs. 23%) and less likely to be convicted of robbery (10% vs. 17%), sex offenses (0% vs. 8%), or assault (0% vs. 6%).

Crime	2004	2005	2006	2007	2008	Total	
Murder	0	1	0	0	0	1	10%
Other Homicide	0	0	0	0	0	0	0%
Sex Offense	0	0	0	0	0	0	0%
Robbery	0	1	0	0	0	1	10%
Assault	0	0	0	0	0	0	0%
Burglary	0	0	1	0	0	1	10%
Weapon Offense	0	0	0	1	0	1	10%
Grand Larceny	0	0	0	0	0	0	0%
Drug Offense	1	0	2	1	0	4	40%
Stolen Property	1	0	0	0	0	1	10%
Forgery	0	0	0	0	0	0	0%
DWI	0	0	0	0	0	0	0%
Youthful Off.	0	0	0	0	0	0	0%
Other Felony	0	0	1	0	0	1	10%
Total	2	2	4	2	0	10	100%

Crime	Escapees	Under Custody
Murder	10%	15%
Other Homicide	0%	5%
Sex Offense	0%	8%
Robbery	10%	17%
Assault	0%	6%
Burglary	10%	10%
Weapon Offense	10%	4%
Grand Larceny	0%	2%
Drug Offense	40%	23%
Stolen Property	10%	1%
Forgery	0%	1%
DWI	0%	1%
Youthful Offender	0%	1%
Other Felony	10%	4%
Total	100%	100%

## Section Four, Age of Escapees

Table 4.1 displays the age of escaped inmates for the 2004-2008 time period. Table 4.2 compares the age of escaped inmates with the under custody population during the 2004-2008 time period. Proportionately, a larger percentage of escapees were younger than inmates in the under custody population during the same five years; 70% 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 overall under custody population (10% versus 32%).

Age in Years	2004	2005	2006	2007	2008	Total	
< 21	0	0	0	0	0	0	0%
21-30	2	1	2	2	0	7	70%
31-40	0	1	1	0	0	2	20%
41-50	0	0	1	0	0	1	10%
> 50	0	0	0	0	0	0	0%
Total	2	2	4	2	0	10	100%

Age	Escapees	Under Custody
< 21	0%	5%
21-30	70%	32%
31-40	20%	31%
41-50	10%	23%
>50	0%	9%
Total	100%	100%

## Section Five, Race/Ethnicity of Escapees

Table 5.2 presents information on the race ethnic status of the under custody population and escapees for the time period 2004-2008. Comparisons between race/ethnicity of escapees and under custody population for the five-year time period reveal that 10% of escapees were White compared to 20% of the total inmate population; 70% of escapees were African-American compared to 51% in the under custody population; and, 20% of escapees were Hispanic compared to 28% of the under custody population. Escapees in this time period were more likely to be African-American when compared with the overall under custody population.

Table 5.1, Race/Ethnicity of Escapees by Year  
2004 - 2008

Race/Ethnic	2004	2005	2006	2007	2008	Total	
White	0	0	1	0	0	1	10%
African-American	1	2	2	2	0	7	70%
Hispanic	1	0	1	0	0	2	20%
Other	0	0	0	0	0	0	0%
Total	2	2	4	2	0	10	100%

Table 5.2, Race/Ethnicity of Escapees and  
Under Custody Population 2004 - 2008

Race/Ethnic	Escapees	Under Custody
White	10%	20%
African-American	70%	51%
Hispanic	20%	28%
Other	0%	2%
Total	100%	100%

## Section Six, Prior Adult Convictions

Table 6.1 shows prior adult convictions for the escapee population. Inmates are categorized according to their most serious prior criminal record (i.e., a felony conviction is more serious than a misdemeanor conviction which in turn is treated as 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 armed robbery in 2004 for which he received a prison sentence. For purposes of this report and Table 5.1, the most serious prior offense was the felony burglary; the 2004 armed 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 6.1 reveals that 60% of the escapees between 2004 and 2008 had been convicted of at least one prior felony offense.

### Prior Adult Commitments

Table 6.2 shows prior jail and prison commitments for the 10 inmates who escaped during the 2004-2008 period. Only the most serious level of commitment is shown for each inmate. Half of the escapees had a previous prison incarceration.

Prior Conviction	2004	2005	2006	2007	2008	Total	
None	0	1	0	0	0	1	10%
Misdemeanor	1	1	0	1	0	3	30%
Felony	1	0	4	1	0	6	60%
Total	2	2	4	2	0	10	100%

Prior Commitment	2004	2005	2006	2007	2008	Total	
None	0	1	0	0	0	1	10%
Jail	1	1	0	2	0	4	40%
Prison	1	0	4	0	0	5	50%
Total	2	2	4	2	0	10	100%

## Section Seven, Sentence Length

The New York State Penal Law stipulates that either an indeterminate sentence or determinate sentence be imposed upon convicted felony offenders sentenced to the state correctional system. An indeterminate sentence includes a range of years with a minimum and maximum time period that 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 mandatory release from NYSDOCS' custody. The structure of the minimum and maximum sentence range varies according to prior felony convictions and crime classification (Class A offenses are the most serious, while Class E offenses are 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 after April 13, 2007. The determinate sentence consists of a specified number of years and in general 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 7.1 shows the aggregate minimum sentence of escapees for the years 2004-2008. An examination of the table reveals that most prison escapees were serving short minimum sentences. Half of the inmates who escaped had less than a two-year minimum sentence and 70% were serving a minimum sentence of less than four years.

Aggregate Min. Sentence	2004	2005	2006	2007	2008	Total	
< 2 Years	2	1	0	2	0	5	50%
2 Years	0	0	0	0	0	0	0%
3 Years	0	0	2	0	0	2	20%
4 - 5 Years	0	0	2	0	0	2	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 +	0	1	0	0	0	1	10%
Total	2	2	4	2	0	10	100%

Table 7.2 compares the minimum sentence of escaped inmates with the under custody population for the years 2004-2008, and shows that a larger percent of escapees were serving shorter minimum sentences. While half of escapees were serving a minimum sentence of less than two years, only 14% of the under custody population had minimum sentences 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 may be assigned to minimum security facilities which allow more opportunity for escape. Inmates committed for more serious offenses that have longer sentences are more likely to be housed in maximum security prisons.

Aggregate Minimum	Escapees 2004-2008	Under Custody 2004-2008
< 2 Years	50%	14%
2 - 5 Years	40%	40%
6 - 9 Years	0%	18%
10 - 14 Years	0%	9%
15 - 19 Years	0%	6%
20 Years +	10%	13%
Total	100%	100%

### **Aggregate Maximum Sentence**

Table 7.3 (see page 13) shows the maximum sentence of inmate escapees for the time period of 2004-2008.

The maximum sentence for escapees is compared to the under custody population for the years 2004-2008 in Table 7.4 (see page 13). Among the escaped inmates, half had maximum terms of less than four years compared to only 18% of the under custody population for the 2004-2008 time period.

Table 7.3, Aggregate Maximum Sentence of Escapees by  
Year of Escape, 2004 - 2008

Aggregate Max. Sentence	2004	2005	2006	2007	2008	Total	
<4 Years	1	1	1	2	0	5	50%
4 Years	1	0	0	0	0	1	10%
5 Years	0	0	0	0	0	0	0%
6-9 Years	0	0	2	0	0	2	20%
10-14 Years	0	0	1	0	0	1	10%
15-19 Years	0	0	0	0	0	0	0%
20-24 Years	0	0	0	0	0	0	0%
25 to Life	0	1	0	0	0	1	10%
Total	2	2	4	2	0	10	100%

Table 7.4, Aggregate Maximum Sentence of Escapees and  
Under Custody Population, 2004 - 2008

Aggregate Maximum	Escapees 2004-2008	Under Custody 2004-2008
<4 Years	50%	18%
4 - 5 Years	10%	17%
6 - 9 Years	20%	21%
10 - 14 Years	10%	10%
15 - 19 Years	0%	6%
20 - 24 Years	0%	3%
25 to Life	10%	25%
Total	100%	100%

## Section Eight, Time Served to Date of Escape

During the five-year time period of this report, seventy percent of escapees had served less than two years incarceration prior to escape. Forty-eight percent of under custody inmates had served less than two years in custody (see Table 8.2). However, while 10% of escapes had served 6 years or longer, fully 25% of the overall under custody population had served 6 years or longer. 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 8.1, Time Served of Escapees by  
Year of Escape, 2004 - 2008

Time Served	2004	2005	2006	2007	2008	Total	
< 1 Year	1	1	2	1	0	5	50%
1 Year	0	0	1	1	0	2	20%
2 Years	1	0	0	0	0	1	10%
3 Years	0	0	0	0	0	0	0%
4 Years	0	0	1	0	0	1	10%
5 Years	0	0	0	0	0	0	0%
6 + Years	0	1	0	0	0	1	10%
Total	2	2	4	2	0	10	100%

Table 8.2, Time Served of Escapees and  
Under Custody Population, 2004 - 2008

Time Served	Escapees 2004-2008	Under Custody 2004-2008
< 1 Year	50%	31%
1 Year	20%	17%
2 Years	10%	11%
3 Years	0%	7%
4 Years	10%	5%
5 Years	0%	4%
6 + Years	10%	25%
Total	100%	100%

## Section Nine, Duration of Escape

Of the 10 inmates who escaped from custody during the 2004-2008 time period, 70% or 7 were apprehended within 6 hours. All escapees were taken into custody within three days.

Escape Duration	2004	2005	2006	2007	2008	Total	
< 6 hours	2	1	2	2	0	7	70%
6-12 hours	0	0	1	0	0	1	10%
13-23 hours	0	1	0	0	0	1	10%
1 day	0	0	0	0	0	0	0%
2-3 days	0	0	1	0	0	1	10%
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	2	2	4	2	0	10	100%

## Appendix A

Number of Inmate Escapes by Facility 2004 - 2008							
	2004	2005	2006	2007	2008	Total	
Maximum Security							
Auburn	0	0	1	0	0	1	10%
Upstate	0	1	0	0	0	1	10%
Total	0	1	1	0	0	2	20%
Medium Security							
Wyoming	0	0	1	0	0	1	10%
Total	0	0	1	0	0	1	10%
Minimum Security							
Beacon	0	1	0	0	0	1	10%
Camp Georgetown	1	0	0	0	0	1	10%
Camp McGregor	1	0	0	0	0	1	10%
Edgecombe	0	0	1	0	0	1	10%
Rochester	0	0	1	1	0	2	20%
Summit	0	0	0	1	0	1	10%
Total	2	1	2	2	0	7	70%
Grand Total	2	2	4	2	0	10	100%

**APPENDIX B**

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

\* Female facility

ESCAPES - 2006

<u>FACILITY</u>	<u>METHOD OF ESCAPE</u>
Rochester	Walk away from facility
Wyoming	Walk away from farm
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

ESCAPES - 2008

FACILITY

METHOD OF ESCAPE

No Escapes

No Escapes

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August 2009