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Department of Correctional Services

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**INMATE ESCAPE INCIDENTS**  
**2006 - 2010**



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## INMATE ESCAPE INCIDENTS

2006 - 2010

This report provides descriptive information on incidents of inmate escape from New York State Department of Correctional Services facilities from 2006 through 2010. 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.

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## **Executive Summary**

### **Number of Escapes**

In 2010, a total of three (3) inmates escaped during two incidents. In the previous four years, seven (7) inmates escaped - four (4) in 2006, two (2) in 2007, none in 2008 and one (1) in 2009. (See Table 1.1, p. 4)

### **Location of Escapes**

Nine (9) of the ten (10) escapes (90%) that occurred during the 2006-2010 time span were from minimum security facilities or by inmates assigned to work details outside the security perimeter fence of a medium security prison. There were no escapes from secure custody during the last four years. (See Table 1.2, p. 5)

### **Escapes by Facility Security Level**

Over the time period 2006 through 2010, one (1) escapee was assigned to a maximum security prison, three (3) escapees were assigned to medium security prisons, and six (6) were inmates assigned to minimum security facilities at the time of the escape incidents. (See Table 2.1, p.6)

### **Incarceration Offense**

Five (5) of the ten (10) escapees during the 2006 through 2010 time period were serving a sentence for burglary; three (3) escapees were incarcerated for a drug offense; one (1) for possession of a weapon and one (1) for a prior escape. (See Table 3.1, p. 7)

### **Age of Escapees**

Escapees were younger when compared to the overall inmate under custody population. 80% percent of escapees versus 36% of the under custody population were less than 31 years of age. (See Table 4.2, p. 8)

### **Time Served Prior to Escape**

Between the years of 2006 and 2010, 90% of the escapees had served less than two years of incarceration prior to 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 2006 through 2010 time period.

There were ten (10) inmates who escaped during the last five years. Nine (9) escapes involved minimum security inmates or inmates assigned to supervised work crews located outside the facility perimeter. The remaining inmate was assigned to a maximum security prison and escaped while under direct supervision of a correctional officer in a community setting.

When compared to the overall inmate population, escapees from 2006 through 2010 were more likely to be younger, committed to prison for a drug offense or burglary, and incarcerated in a minimum security facility.

Appendix A shows the number of escapees by facility and year. Appendix B presents a brief description of each escape incident.

## Section One, Number of Inmate Escapes

There were three (3) inmate escapes in 2010. From 2006 through 2010, ten (10) inmates escaped from New York State Department of Correctional Services (NYSDOCS) custody. The five-year total represents an average annual rate of .03 escapes per 1,000 inmates, or one inmate escaped annually for every 30,520 inmates held under custody by NYSDOCS during the time period.

Table 1.1 presents data on the number and rate of escapes from 2006 through 2010. 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
2006	4	0.06
2007	2	0.03
2008	0	0.00
2009	1	0.02
2010	3	0.05
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 occasions when an inmate is escorted by correctional officers to court or to a hospital. Table 1.2 shows one (1) escape from secure custody and nine (9) escapes from minimum security or less secure settings occurred from 2006 through 2010. An examination of escapes from less secure settings reveals that three (3) were walkaways from medium security facility assignments outside of the perimeter fence and six (6) involved inmates assigned to minimum security facilities.

Table 1.2, Frequency and Rate of Escapes from  
Secure and Less Secure Custody, 2006 - 2010

Year	Escapes from Secure Custody	Escapes from Minimum Security or Walkaway
	N	N
2006	1	3
2007	0	2
2008	0	0
2009	0	1
2010	0	3
Total	1	9

## Section Two, 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 facility security level of inmates who escaped from custody. As indicated in the table, 60% or six (6) of the escapees were in minimum security institutions. See Appendix B, page 17, for details of the escapes that occurred from 2006 to 2010.

Security Level	2006	2007	2008	2009	2010	Total	
Maximum	1	0	0	0	0	1	10%
Medium	1	0	0	0	2	3	30%
Minimum	2	2	0	1	1	6	60%
Total	4	2	0	1	3	10	100%

### Section Three, Commitment Offense

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 drug offenses (30% vs. 20%) or burglary (50% vs. 11%); and less likely to be convicted of robbery (0% vs. 17%), murder (0% vs. 15%) or sex offenses (0% vs. 9%).

Crime	2006	2007	2008	2009	2010	Total	
Murder	0	0	0	0	0	0	0%
Other Homicide	0	0	0	0	0	0	0%
Sex Offense	0	0	0	0	0	0	0%
Robbery	0	0	0	0	0	0	0%
Assault	0	0	0	0	0	0	0%
Burglary	1	0	0	1	3	5	50%
Weapon Offense	0	1	0	0	0	1	10%
Grand Larceny	0	0	0	0	0	0	0%
Drug Offense	2	1	0	0	0	3	30%
Stolen Property	0	0	0	0	0	0	0%
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 (Escape 1st)	1	0	0	0	0	1	10%
Total	4	2	0	1	3	10	100%

Crime	Escapees	Under Custody
Murder	0%	15%
Other Homicide	0%	5%
Sex Offense	0%	9%
Robbery	0%	17%
Assault	0%	6%
Burglary	50%	11%
Weapon Offense	10%	5%
Grand Larceny	0%	2%
Drug Offense	30%	20%
Stolen Property	0%	1%
Forgery	0%	1%
DWI	0%	2%
Youthful Offender	0%	2%
Other Felony	10%	5%
Total	100%	100%

Table 4.1 displays the age of escaped inmates and Table 4.2 compares the age of escaped inmates with the under custody population during the 2006-2010 time period. Proportionately, a larger percentage of escapees were younger than inmates in the under custody population; 80% of the escapees were under 31 years of age, while 36% 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 35%, respectively).

Age	2006	2007	2008	2009	2010	Total	
< 21	0	0	0	0	2	2	20%
21-30	2	2	0	1	1	6	60%
31-40	1	0	0	0	0	1	10%
41-50	1	0	0	0	0	1	10%
> 50	0	0	0	0	0	0	0%
Total	4	2	0	1	3	10	100%

Age	Escapees	Under Custody
< 21	20%	5%
21-30	60%	31%
31-40	10%	29%
41-50	10%	24%
>50	0%	11%
Total	100%	100%

## Section Five, Race/Ethnicity

Table 5.1 presents information on the race or ethnic status of escapees; Table 5.2 compares the race or ethnicity of escapees and the under custody population. Comparisons between race/ethnicity of escapees and under custody population reveal that 30% of escapees were White compared to 21% of the total inmate population; 60% of escapees were African-American compared to 51% in the under custody population; and 10% of escapees were Hispanic compared to 26% of the under custody population. Escapees in this time period were more likely to be African-American or White when compared with the overall under custody population and less likely to be Hispanic than the overall under custody population.

Race/Ethnicity	2006	2007	2008	2009	2010	Total	
White	1	0	0	1	1	3	30%
African-American	2	2	0	0	2	6	60%
Hispanic	1	0	0	0	0	1	10%
Other	0	0	0	0	0	0	0%
Total	4	2	0	1	3	10	100%

Race/Ethnic	Escapees	Under Custody
White	30%	21%
African-American	60%	51%
Hispanic	10%	26%
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). For example, consider the case of an inmate convicted of a misdemeanor Driving While Intoxicated (DWI) in 1993, a felony of burglary in 1995, and a felony of armed robbery in 2009 for which he received a prison sentence. For purposes of this report and Table 6.1, the most serious prior offense was the felony burglary; the 2009 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 80% of the escapees had been convicted of at least one prior felony offense.

### Prior Adult Commitments

Table 6.2 shows prior jail and prison commitments for the ten escaped inmates. Only the most serious level of commitment is shown for each inmate. Half of the escapees had a previous prison incarceration.

Prior Conviction	2006	2007	2008	2009	2010	Total	
None	0	0	0	0	1	1	10%
Misdemeanor	0	1	0	0	0	1	10%
Felony	4	1	0	1	2	8	80%
Total	4	2	0	1	3	10	100%

Prior Commitment	2006	2007	2008	2009	2010	Total	
None	0	0	0	1	1	2	20%
Jail	0	2	0	0	1	3	30%
Prison	4	0	0	0	1	5	50%
Total	4	2	0	1	3	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. 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 the sentence. For purposes of this report, the 6/7 time period is considered the minimum sentence for determinately sentenced inmates.

### Aggregate Minimum Sentence

An examination of Table 7.1 reveals that most prison escapees were serving relatively short minimum sentences. Half of the inmates who escaped had a minimum sentence of less than two years, and 80% were serving a minimum sentence of less than four years.

Aggregate Min. Sentence	2006	2007	2008	2009	2010	Total	
< 2 Years	0	2	0	0	3	5	50%
2 Years	0	0	0	0	0	0	0%
3 Years	2	0	0	1	0	3	30%
4 - 5 Years	2	0	0	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	0	0	0	0	0	0%
Total	4	2	0	1	3	10	100%

Table 7.2 compares the minimum sentence of escaped inmates with the under custody population for the years 2006-2010. While 50% of escapees were serving a minimum sentence of less than two years, only 15% of the under custody population had minimum sentences of less than two years.

A partial explanation for the difference in minimum sentence between the under custody population and the subset of escapees, 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	Under Custody
< 2 Years	50%	15%
2 - 5 Years	50%	38%
6 - 9 Years	0%	16%
10 - 14 Years	0%	10%
15 - 19 Years	0%	7%
20 Years +	0%	14%
Total	100%	100%

**Aggregate Maximum Sentence**

Table 7.3 (see page 13) shows the maximum sentence of inmate escapees from 2006 through 2010. The maximum sentence for escapees is compared to the under custody population in Table 7.4 (see page 13). Among the escaped inmates, 40% had maximum terms of less than four years compared to only 21% of the under custody population; and no escapees had maximum sentences of 25 years to Life, while 24% of under custody inmates were serving a similar sentence.

Table 7.3, Aggregate Maximum Sentence of Escapees by  
Year of Escape, 2006 - 2010

Aggregate Max. Sentence	2006	2007	2008	2009	2010	Total	
<4 Years	1	2	0	0	1	4	40%
4 Years	0	0	0	1	2	3	30%
5 Years	0	0	0	0	0	0	0%
6-9 Years	2	0	0	0	0	2	20%
10-14 Years	1	0	0	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	0	0	0	0	0	0%
Total	4	2	0	1	3	10	100%

Table 7.4, Aggregate Maximum Sentence of Escapees and  
Under Custody Population, 2006 - 2010

Aggregate Maximum	Escapees	Under Custody
<4 Years	40%	21%
4 - 5 Years	30%	18%
6 - 9 Years	20%	19%
10 - 14 Years	10%	9%
15 - 19 Years	0%	5%
20 - 24 Years	0%	3%
25 to Life	0%	24%
Total	100%	100%

## Section Eight, Time Served to Date of Escape

During the five-year time period of this report, 90% percent of escapees had served less than two years incarceration prior to escape. Forty-nine percent of under custody inmates had served less than 2 years in custody (see Table 8.2). However, while only 10% of escapees had served four years or longer, 34% of the under custody population had served four 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 2006 - 2010

Time Served	2006	2007	2008	2009	2010	Total	
< 1 Year	2	1	0	1	2	6	60%
1 Year	1	1	0	0	1	3	30%
2 Years	0	0	0	0	0	0	0%
3 Years	0	0	0	0	0	0	0%
4 Years	1	0	0	0	0	1	10%
5 Years	0	0	0	0	0	0	0%
6 + Years	0	0	0	0	0	0	0%
Total	4	2	0	1	3	10	100%

Table 8.2, Time Served of Escapees and  
Under Custody Population, 2006 - 2010

Time Served	Escapees	Under Custody
< 1 Year	60%	32%
1 Year	30%	17%
2 Years	0%	10%
3 Years	0%	7%
4 Years	10%	5%
5 Years	0%	4%
6 + Years	0%	25%
Total	100%	100%

## Section Nine, Duration of Escape

Of the ten (10) inmates who escaped from custody, four (4) were apprehended within six hours. All escapees were taken into custody within three days.

During the first escape incident in 2010, two minimum security inmates left a work detail outside the perimeter fence at 2:45 pm and walked into an adjacent wooded area. The next morning DOCS employees found both inmates hiding in the woods and returned them to custody.

In the second incident in 2010, DOCS employees discovered the inmate missing at 8:25 PM from a dormitory located at a minimum security facility. The next morning, DOCS employees captured the inmate who was walking along a highway.

Escape Duration	2006	2007	2008	2009	2010	Total	
< 6 hours	2	2	0	0	0	4	40%
6-12 hours	1	0	0	0	0	1	10%
13-23 hours	0	0	0	1	3	4	40%
1 day	0	0	0	0	0	0	0%
2-3 days	1	0	0	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	4	2	0	1	3	10	100%

## Appendix A

Number of Inmate Escapes by Facility 2006 - 2010							
	2006	2007	2008	2009	2010	Total	
Maximum Security							
Auburn	1	0	0	0	0	1	10%
Total	1	0	0	0	0	1	10%
Medium Security							
Lakeview Shock-M	0	0	0	0	2	2	20%
Wyoming	1	0	0	0	0	1	10%
Total	1	0	0	0	2	3	30%
Minimum Security							
Edgecombe	1	0	0	0	0	1	10%
Lyon Mt.	0	0	0	1	0	1	10%
Rochester	1	1	0	0	1	3	30%
Summit	0	1	0	0	0	1	10%
Total	2	2	0	1	1	6	60%
Grand Total	4	2	0	1	3	10	100%

## Appendix B

### 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 court trip
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

<u>Facility</u>	<u>Method of Escape</u>
No Escapes	No Escapes

Escapes - 2009

<u>Facility</u>	<u>Method of Escape</u>
Lyon Mountain	Walk away from facility

Escapes - 2010

<u>Facility</u>	<u>Method of Escape</u>
Lakeview Shock Male	Walk away from outside work detail
Lakeview Shock Male	Walk away from outside work detail
Rochester	Walk away from facility

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