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INMATE ESCAPE INCIDENTS
2007 - 2011



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This report provides descriptive information on incidents of inmate escape from New York State Department of Corrections and Community Supervision facilities from 2007 through 2011. 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.

August 2012

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Executive Summary

Number of Escapes

In 2011, a total of four inmates escaped during four incidents. In the previous four years, six inmates escaped - two in 2007, none in 2008, one in 2009, and three in 2010. Between 2007 and 2011 there were a total of 10 offenders who escaped. (See Table 1.1, p. 4)

Location of Escapes

All escapes that occurred during the 2007-2011 time period 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 five years. (See Table 1.2, p. 5)

Escapes by Facility Security Level

Over the time period 2007 through 2011, two escapees were assigned to a medium security facility, and eight inmates were assigned to minimum security facilities at the time of the escape incident. (See Table 2.1, p.6)

Incarceration Offense

Five of the ten escapees during the 2007 through 2011 time period were serving a sentence for burglary; four escapees were incarcerated for a drug offense; and one was incarcerated for possession of a weapon. (See Table 3.1, p. 7)

Age of Escapees

Escapees were younger when compared to the overall inmate under custody population. Eighty percent (80%) of escapees versus 38% of the under custody population were less than 31 years of age. (See Table 4.2, p. 8)

Time Served Prior to Escape

From 2007 through 2011, 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 Corrections and Community Supervision maintains specific information on escapes and, together with data files on under custody inmates, produces an annual 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 2007 through 2011 time period.

There were ten inmates who escaped during the last five years. All escapes involved minimum security inmates or medium security inmates assigned to supervised work crews located outside the facility perimeter.

When compared to the overall inmate population, escapees from 2007 through 2011 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 four inmate escapes in 2011. From 2007 through 2011, ten inmates escaped from New York State Department of Corrections and Community Supervision (NYSDOCCS) custody. The five-year total represents an average annual rate of .03 escapes per 1,000 inmates, or one inmate escaped annually for every 29,777 inmates held under custody by NYSDOCCS during the time period.

Table 1.1 presents data on the number and rate of escapes from 2007 through 2011. 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
2007	2	0.03
2008	0	0.00
2009	1	0.02
2010	3	0.05
2011	4	0.07
Total	10	0.03

Escapes from Secure Custody

Historically most escapes in New York State occur at minimum security 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 that there were no escapes from secure custody and ten escapes from minimum security or less secure settings from 2007 through 2011. An examination of escapes from less secure settings reveals that two were walkaways from medium security facility assignments outside of the perimeter fence and eight involved inmates assigned to minimum security facilities.

Table 1.2, Frequency and Rate of Escapes from
Secure and Less Secure Custody, 2007 - 2011

Year	Escapes from Secure Custody	Escapes from Minimum Security or Walkaways
	<u>N</u>	<u>N</u>
2007	0	2
2008	0	0
2009	0	1
2010	0	3
2011	0	4
Total	0	10

Section Two: Facility Security Level

New York State correctional facilities are classified as maximum, medium or minimum security. 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, 80% (or eight) of the escapees were in minimum security institutions while 20% (or two) of the escapes were in medium security facilities. See Appendix B, page 17, for details of the escapes that occurred from 2007 to 2011.

Security Level	2007	2008	2009	2010	2011	Total	
Maximum	0	0	0	0	0	0	0%
Medium	0	0	0	2	0	2	20%
Minimum	2	0	1	1	4	8	80%
Total	2	0	1	3	4	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 Corrections and Community Supervision 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 (40% 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	2007	2008	2009	2010	2011	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	0	0	1	3	1	5	50%
Weapon Offense	1	0	0	0	0	1	10%
Grand Larceny	0	0	0	0	0	0	0%
Drug Offense	1	0	0	0	3	4	40%
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)	0	0	0	0	0	0	0%
Total	2	0	1	3	4	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	40%	20%
Stolen Property	0%	1%
Forgery	0%	1%
DWI	0%	2%
Youthful Offender	0%	2%
Other Felony	0%	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 2007-2011 time period. 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 only 38% 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 34%, respectively).

Age	2007	2008	2009	2010	2011	Total	
< 21	0	0	0	2	0	2	20%
21-30	2	0	1	1	2	6	60%
31-40	0	0	0	0	1	1	10%
41-50	0	0	0	0	1	1	10%
> 50	0	0	0	0	0	0	0%
Total	2	0	1	3	4	10	100%

Age	Escapees	Under Custody
< 21	20%	8%
21-30	60%	30%
31-40	10%	28%
41-50	10%	24%
>50	0%	10%
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 40% 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 none of the 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	2007	2008	2009	2010	2011	Total	
White	0	0	1	1	2	4	40%
African-American	2	0	0	2	2	6	60%
Hispanic	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0%
Total	2	0	1	3	4	10	100%

Race/Ethnic	Escapees	Under Custody
White	40%	21%
African-American	60%	51%
Hispanic	0%	26%
Other	0%	2%
Total	100%	100%

Section Six: Prior Adult Criminal Record

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. Twenty percent (20%) of the escapees had a previous prison incarceration.

Prior Conviction	2007	2008	2009	2010	2011	Total	
None	0	0	0	1	0	1	10%
Misdemeanor	1	0	0	0	0	1	10%
Felony	1	0	1	2	4	8	80%
Total	2	0	1	3	4	10	100%

Prior Commitment	2007	2008	2009	2010	2011	Total	
None	0	0	1	1	0	2	20%
Jail	2	0	0	1	3	6	60%
Prison	0	0	0	1	1	2	20%
Total	2	0	1	3	4	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 NYSDOCCS. 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. Sixty percent (60%) 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	2007	2008	2009	2010	2011	Total	
< 2 Years	2	0	0	2	2	6	60%
2 Years	0	0	0	0	0	0	0%
3 Years	0	0	1	1	0	2	20%
4 - 5 Years	0	0	0	0	1	1	10%
6 - 9 Years	0	0	0	0	1	1	10%
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	2	0	1	3	4	10	100%

Table 7.2 compares the minimum sentence of escaped inmates with the under custody population for the years 2007-2011. While 60% of escapees were serving a minimum sentence of less than two years, only 16% of the under custody population had minimum sentences of less than two years.

Aggregate Minimum	Escapees	Under Custody
< 2 Years	60%	16%
2 - 5 Years	30%	38%
6 - 9 Years	10%	16%
10 - 14 Years	0%	10%
15 - 19 Years	0%	7%
20 Years +	0%	14%
Total	100%	100%

Aggregate Maximum Sentence

Table 7.3 shows the maximum sentence of inmate escapees from 2007 through 2011 (see page 13). The maximum sentence for escapees is compared to the under custody population in Table 7.4 (see page 13). Among the escaped inmates, 50% had maximum terms of less than four years compared to only 23% of the under custody population; and no escapees had maximum sentences of 10 years or longer, while 41% of under custody inmates were serving a similar sentence.

A partial explanation for the difference in aggregate minimum sentence and the aggregate maximum 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. The 10 escapees were housed in medium and minimum security facilities where offenders may have shorter sentences.

Table 7.3, Aggregate Maximum Sentence of Escapees by Year of Escape, 2007 - 2011

Aggregate Max. Sentence	2007	2008	2009	2010	2011	Total	
<4 Years	2	0	0	1	2	5	50%
4 Years	0	0	1	2	0	3	30%
5 Years	0	0	0	0	1	1	10%
6-9 Years	0	0	0	0	1	1	10%
10-14 Years	0	0	0	0	0	0	0%
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	2	0	1	3	4	10	100%

Table 7.4, Aggregate Maximum Sentence of Escapees and Under Custody Population, 2007 - 2011

Aggregate Maximum	Escapees	Under Custody
<4 Years	50%	23%
4 - 5 Years	40%	18%
6 - 9 Years	10%	18%
10 - 14 Years	0%	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 (49%) 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 2007 - 2011

Time Served	2007	2008	2009	2010	2011	Total	
< 1 Year	1	0	1	2	3	7	70%
1 Year	1	0	0	1	0	2	20%
2 Years	0	0	0	0	0	0	0%
3 Years	0	0	0	0	0	0	0%
4 Years	0	0	0	0	1	1	10%
5 Years	0	0	0	0	0	0	0%
6 + Years	0	0	0	0	0	0	0%
Total	2	0	1	3	4	10	100%

Table 8.2, Time Served of Escapees and
Under Custody Population, 2007 - 2011

Time Served	Escapees	Under Custody
< 1 Year	70%	32%
1 Year	20%	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 inmates who escaped from custody between 2007 and 2011, six were apprehended within six hours. All escapees were taken into custody within one day. All of the 2011 escapees were apprehended within 90 minutes, details follow:

During the first escape incident in April 2011, a minimum security inmate left a dormitory and walked into a wooded area. One hour later the escapee was apprehended by DOCCS staff and State Police officers one-half mile from the facility.

In the second escape in June 2011, a minimum security inmate fled through an open door while cleaning near the entrance. DOCCS employees witnessed the escape and captured the inmate one block from the facility. He was returned within five minutes.

In the third case in July 2011, a minimum security inmate was emptying trash into a dumpster located outside the facility and ran away from staff. DOCCS employees pursued the escapee and he was returned to the facility within five minutes.

During the fourth escape in December 2011, a minimum security inmate smashed through a glass door and ran from the facility. Less than 90 minutes later the escapee was apprehended by New York State Police.

Escape Duration	2007	2008	2009	2010	2011	Total	
< 6 hours	2	0	0	0	4	6	60%
6-12 hours	0	0	0	0	0	0	0%
13-23 hours	0	0	1	3	0	4	40%
1 day	0	0	0	0	0	0	0%
2-3 days	0	0	0	0	0	0	0%
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	0	1	3	4	10	100%

Appendix A

Number of Inmate Escapes by Facility							
2007 - 2011							
Maximum Security	2007	2008	2009	2010	2011	Total	
Total Maximum Security	0	0	0	0	0	0	0%
Medium Security							
Lakeview Shock-M	0	0	0	2	0	2	20%
Total Medium Security	0	0	0	2	0	2	20%
Minimum Security							
Fulton	0	0	0	0	2	2	20%
Hudson	0	0	0	0	1	1	10%
Lyon Mountain	0	0	1	0	0	1	10%
Rochester	1	0	0	1	1	3	30%
Summit Shock	1	0	0	0	0	1	10%
Total Minimum Security	2	0	1	1	4	8	80%
Grand Total	2	0	1	3	4	10	100%

Note: Facilities are shown only if there was an escape during the 2007 to 2011 time period.

Appendix B: Escape Incident Details

Escapes - 2007

<u>Facility</u>	<u>Date</u>	<u>Method of Escape</u>
Rochester	6/2007	Walk away from facility
Summit	9/2007	Walk away from community work detail

Escapes - 2008

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

Escapes - 2009

<u>Facility</u>	<u>Date</u>	<u>Method of Escape</u>
Lyon Mountain	8/2009	Walk away from facility

Escapes - 2010

<u>Facility</u>	<u>Date</u>	<u>Method of Escape</u>
Lakeview Shock Male	1/2010	Walk away from outside work detail
Lakeview Shock Male	1/2010	Walk away from outside work detail
Rochester	12/2010	Walk away from facility

Escapes - 2011

<u>Facility</u>	<u>Date</u>	<u>Method of Escape</u>
Hudson	4/2011	Walk away from outside of dormitory

Fulton	6/2011	Ran out front door while on inside work detail
Fulton	7/2011	Ran away from facility while on outside work detail
Rochester	12/2011	Kicked front door and ran out

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August 2012