



U.S. Department of Justice
Federal Bureau of Prisons

PROGRAM STATEMENT

OPI: CPD/CPB

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Escapes/Deaths Notifications

/s/

Approved: Thomas R. Kane
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1. PURPOSE AND SCOPE

This Program Statement provides policy and procedure for the timely notification of interested parties when an inmate escapes or dies.

a. Summary of Changes

Policy Rescinded

P5553.07 Escapes/Deaths Notifications (2/10/06)

Removes the requirement to send a copy of the notification letter regarding the escape of military inmates to the Correctional Programs Administrator in the North Central Region.

Allows in certain instances, for escape notifications to be sent by electronic message.

b. Program Objective. The expected result of this program is:

Timely notification will be provided to appropriate individuals and agencies when an inmate escapes or dies.

c. Institution Supplement. None required. Should local facilities make any changes outside the required changes in the national policy or establish any additional local procedures to implement the national policy, the local Union may invoke to negotiate procedures or appropriate arrangements.

d. **Pretrial/Holdover and/or Detainee Procedures**

- **Pretrial.** Escape notification procedures in this PS apply to pretrial inmates. Death notification procedures for pretrial inmates are specified in the Program Statement **Pretrial Inmates**.
- **Holdover.** This PS applies to holdover inmates, as indicated in applicable sections.
- **Detainee.** This PS applies to Immigration and Customs Enforcement (ICE) detainees.

2. **DEFINITION**

For the purposes of this Program Statement, “escape” is an unauthorized absence from custody.

3. **ESCAPE NOTIFICATION PROCEDURES**

Note: If there is an indication of a threat to any official, victim, or witness, immediate notification must be made to those persons.

a. **Notification of Bureau Officials**

(1) **Escape During Regular Work Day.** The Warden (or designee) notifies the Regional Director of the escape immediately by telephone, and confirms this notification by sending an electronic Report of Incident form (BP-A0583) to the Regional Office, with an information copy to the Correctional Services Administrator, Central Office.

(2) **Escape After Regular Work Day.** The Institution Duty Officer reports the escape in accordance with the Program Statement **Duty Officers**. The Warden (or designee) confirms this notification by sending an electronic Report of Incident form (BP-A0583) to the Regional Office the next day, with an information copy to the Correctional Services Administrator, Central Office.

b. **Notification of Federal Officials**

(1) **Federal Bureau of Investigation.** The Warden (or designee) notifies the FBI office having jurisdiction over the institution immediately by telephone. A copy of the Notice of Escaped Federal Prisoner (BP-A0393) must be sent by an electronic message or faxed to the FBI. A copy of the electronic message or fax transmittal will be filed in the Judgment and Commitment file with the original Notice of Escaped Federal Prisoner (BP-A0393).

(2) **U.S. Marshals Service.** The Warden (or designee) immediately by telephone notifies the U.S. Marshals office having jurisdiction over the institution. A copy of the Notice of Escaped

Federal Prisoner (BP-A0393) must be sent by an electronic message or fax to the U.S. Marshal's office. A copy of the electronic message or fax transmittal will be filed in the Judgment and Commitment file with the original Notice of Escaped Federal Prisoner (BP-A0393).

(3) **Court Officials.** A letter will be sent by electronic message or fax to the sentencing U.S. District Judge(s), and any other judge or court official who may have a special interest in the inmate's location, providing escape information and including a copy of the Notice of Escaped Federal Prisoner (BP-A0393).

Copies of that letter will also be sent by electronic message or fax to the sentencing district's U.S. Attorney and Chief U.S. Probation Officer, and to the Chief U.S. Probation Office for the district the institution is located in. The Warden (or designee) sends the original letter(s) through regular mail.

If the escapee poses a threat to any official, the Warden (or designee) must alert that official by telephone immediately and document the contact in the Privacy Folder, Section II, of the Inmate Central File.

Note: Correspondence to Federal courts must contain the Federal docket number and inmate's register number.

(4) **Military Officials.** If a military inmate escapes, the Warden (or designee) notifies the Department of the Army, Office of the Provost Marshal General, 2800 Army Pentagon, Washington, DC 20301-2800, phone number 703-697-7388 or 703-695-8499, no later than the next day. The Warden (or designee) confirms the notification with a letter that provides escape information, with a copy to the Regional Director.

Note: Correspondence about military inmates must contain the inmate's military prison number.

c. **Escape Notification Procedures for Specific Cases**

(1) **Victim/Witness Program (VWP) Assignment.** As soon as possible after discovering the escape of any inmate with a VWP SENTRY CMA assignment, unit management staff contact the victims and witnesses by telephone and advise them of the date and time of the inmate's escape. Further notification information is contained in the Program Statement **Victim and Witness Notification Program.**

(2) **State Boarder.** If a state boarder escapes, the Warden (or designee) notifies the director of the appropriate department of corrections by telephone, no later than the next work day. The Warden (or designee) confirms the notification with a letter that provides escape information, with a copy to the Regional Director.

(3) **Pretrial Inmate or Material Witness.** If a pretrial inmate or a material witness escapes, the Warden (or designee) notifies the Assistant U.S. Attorney assigned to the case by telephone, no later than the next work day. The Warden (or designee) confirms the notification with a letter that provides escape information, with a copy to the Regional Director.

(4) **ICE Detainee.** If an ICE detainee escapes, the Warden (or designee) or the Residential Reentry Manager (RRM) notifies the Assistant Director, Correctional Programs Division, and the local ICE office by telephone, no later than the next work day. The Warden (or designee) or RRM confirms the notification with a letter that provides escape information, with a copy to the Regional Director. ICE is responsible for further notification.

(5) **Holdover.** If a Bureau holdover inmate escapes, the holding institution applies the notification procedures of this PS. If the holdover is a non-Bureau inmate, the agency responsible for the inmate must be notified by telephone, no later than the next work day. The Warden (or designee) confirms the notification by a letter that provides escape information, with a copy to the Regional Director.

(6) **Witness Security Program (WITSEC) Case.** If a WITSEC inmate escapes, the Warden (or designee), in addition to notifying the Regional Director, must telephone the Inmate Monitoring Section (IMS), Central Office, immediately, if the escape occurs during a regular work day.

If the escape occurs after a regular work day, notification procedures must be in accordance with the Program Statement **Duty Officers**, except that IMS is responsible for notifying Federal, state, consulate officials, and victims or witnesses.

(7) **Furlough or Residential Reentry Center (RRC) Escape**

- If an inmate escapes while on furlough from an institution, institution correctional systems/unit management staff make the notifications. Further notification procedures for inmates who escape while on furlough from an institution are in the Program Statement **Inmate Furloughs**.
- If an inmate escapes while on an unescorted transfer from one institution to another, the sending institution is responsible for notifications.
- If an inmate escapes from an RRC, the RRM makes the notifications. Further notification procedures for inmates who escape while on furlough from an RRC are in the Program Statement **Community Corrections Manual**.
- If an inmate escapes while on an unescorted transfer from an institution to an RRC, the sending institution makes the notifications. RRC staff follow procedures in the **Community Corrections Manual**.

(8) **Non-U.S. Citizen.** If a non-U.S. citizen escapes, the Warden (or designee) notifies the appropriate consulate official by telephone, no later than the next work day. The Warden (or designee) confirms the notification with a letter that provides escape information, with a copy to the Regional Director.

4. **DEATH NOTIFICATION PROCEDURES**

Immediately, upon an inmate's death, the Warden (or designee) assembles the following information concerning the deceased inmate:

- Name, register number, date of birth.
- Offense and sentence.
- Date, time, and location of death.
- Apparent cause of death.
- Investigative steps being taken, if necessary.
- Names and address of survivor or designee.
- Notifications made.
- Status of autopsy request.
- Brief medical summary related to death.

a. **Notification of Bureau Officials**

(1) **Death During Regular Work Day.** The Warden (or designee) telephones the report to the Regional Director immediately. The Warden (or designee) confirms the notification by sending an electronic Report of Incident form (BP-A0583) to the Regional Office, with an information copy to the Correctional Services Administrator, Central Office.

(2) **Death After Regular Work Day.** The Institution Duty Officer reports the death in accordance with the Program Statement **Duty Officers**. Generally, that PS requires immediate telephonic notification to the Regional Duty Officer, except for deaths by natural causes that occur at a late hour.

In either case, Correctional Services confirms this notification (ordinarily the next day) by sending an electronic Report of Incident form (BP-A0583) to the Regional Office, with an information copy to the Correctional Services Administrator, Central Office.

The Warden (or designee) notifies the Regional Director by telephone or telemessage of any circumstances about the death that may be cause for special concern.

In addition, the Warden (or designee) sends the medical information required outlined above to the Medical Director as soon as possible, with a copy to the Regional Health Systems Administrator.

Notification to the Director. The Director must be notified of all deaths, even if there are no significant findings.

After reviewing the preliminary death information, the Regional Director notifies the Director directly by telephone or telemessage of any circumstances about the death that may be cause for special concern.

The Regional Director notifies the General Counsel, the Medical Director, and the Assistant Director, Correctional Programs Division, by telephone or telemessage.

b. Notification of Next-of-Kin and Other Requested Individuals

(1) **Telephone Notification.** The Warden (or designee) telephones the person named in the Acknowledgment of Inmate (Continuation Sheet) form (BP-A0408) immediately to communicate the circumstances surrounding the death. The BP-A0408 is found in the Inmate Central File.

When the inmate has not named a next-of-kin on the BP-A0408, the unit management staff must attempt to locate and notify the next-of-kin, since only the next-of-kin may determine the disposition of the deceased's remains and property. Normally, the Case Management Coordinator coordinates the disposition/shipping of the inmate's remains with the Supervisory Contract Specialist.

The Chaplain is also available to help notify the inmate's family.

(2) **Letters of Condolence.** As soon as practical, the Warden (or designee) mails a letter of condolence to the next-of-kin and advises that person of the circumstances of the death.

- If the death was by natural causes, a summary of the cause of death is given.
- If the death was accidental, and not by foul play, a reference to the nature of the accident and the cause of death is appropriate.
- If the death occurred under suspicious circumstances or by foul play, the cause of death may be given but with a statement that the matter is under investigation and that, for that reason, details may not be provided.

(3) **Death Certificate.** When the Death Certificate is received, the Warden (or designee) sends a copy to the person who received the deceased's remains.

(c) **Notification of Court Officials.** The Warden (or designee) sends a letter to the appropriate sentencing U.S. District Judge(s) that reports the circumstances of the death. Copies are mailed to:

- The U.S. Attorney(s) for the district(s) in which the inmate was sentenced.
- Chief U.S. Probation Officer.
- Regional Director.

Note: Correspondence to Federal courts must contain the Federal docket number and the inmate's register number.

(d) **Notification of Military Officials.** Bureau staff are **not** to contact the next-of-kin for military prisoners who have not been discharged from service. These prisoners require other notifications to ensure proper military protocol is followed, so that military officials make in-person notification of death to the inmate's next-of-kin to determine the appropriateness of a military funeral, and the disposition of property.

Prisoners received into the Bureau from the U.S. Disciplinary Barracks, Ft. Leavenworth, Kansas, and who have **not** been discharged, must also list the Supervisor of the Casualty Affairs Office as the person to be notified. The address and telephone number are:

U.S. Disciplinary Barracks
1301 North Warehouse Road
Ft. Leavenworth KS 66027-2304
913-758-3622

Military prisoners received from facilities other than the U.S. Disciplinary Barracks must list the Department of the Army as the notification contact. The address and telephone numbers are:

Department of the Army
Office of the Provost Marshal General
2800 Army Pentagon
Washington DC 20310-2800
703-697-7388 or 703-695-8499
703-693-4820 (non-duty hours)

Unit Management staff provide the next-of-kin information on the BP-A0408 to military officials to help them make the notifications.

Normal next-of-kin notification procedures outlined in Section 4.b. are followed for military prisoners who **have been** discharged from service.

e. Death Notification Procedures for Specific Cases

(1) **Victim/Witness Program (VWP) Assignment.** Unit Management staff are required to provide VNS notification to the victims or witnesses within 30 days after the death of an inmate with a VWP SENTRY CMA assignment. Further notification information is in the Program Statement **Victim and Witness Notification Program.**

(2) **State Boarder.** If a state boarder dies, the Warden (or designee) notifies the director of the appropriate state department of corrections by telephone, no later than the next work day. The Warden (or designee) confirms the notification by letter explaining the circumstances of the death, with a copy to the Regional Director.

(3) **ICE Detainees.** If an ICE detainee dies, the Warden (or designee) or RRM notifies the Assistant Director, Correctional Programs Division, and the local ICE office by telephone, no later than the next work day. The Warden (or designee) or RRM confirms the notification by a letter explaining the circumstances of the death, with a copy to the Regional Director.

(4) **Holdover.** If a Bureau holdover inmate dies, the holding institution applies this Program Statement's notification procedures. If the holdover is a non-Bureau inmate, the appropriate agency responsible for the inmate is notified. The Warden (or designee) confirms the notification by a letter explaining the circumstances of the death, with a copy to the Regional Director.

(5) **WITSEC Case.** If an inmate in the WITSEC Program dies, the Warden (or designee), in addition to notifying the Regional Director, must telephone the IMS in the Central Office immediately if it occurs during a regular work day.

If the death occurs after a regular work day, the procedures are the same as in Section 4.a.(2), except that the IMS is responsible for notifying Federal officials, victims, and witnesses.

(6) **Inmates Housed in a Contract Facility.** The RRM carries out the procedures in this Program Statement for any death of a sentenced Federal inmate in a contract facility or on writ from a contract facility.

(7) **Non-U.S. Citizen.** If a non-U.S. citizen dies, the Warden (or designee) notifies the appropriate consulate official by telephone, no later than the next work day. The Warden (or designee) confirms the notification by a letter explaining the circumstances of the death, with a copy to the Regional Director.

5. AGENCY ACA ACCREDITATION PROVISIONS

- American Correctional Association 4th Edition Standards for Adult Correctional Institutions: ACI-4-4225, 4-4321.
- American Correctional Association 4th Edition Standards for Adult Local Detention Facilities: 4-ALDF-1C-05.
- American Correctional Association 2nd Edition Standards for Administration of Correctional Agencies: 2-CO-3B-02.

REFERENCES

Program Statements

- P1434.06 Jurisdiction on Escape Related Issues – Memorandum of Understanding
USMS/FBI/BOP (7/25/94)
- P1490.06 Victim and Witness Notification Program (10/20/16)
- P5180.05 Central Inmate Monitoring System (12/31/07)
- P5280.09 Inmate Furloughs (1/20/11)
- P5502.11 Duty Officers (9/26/16)
- P5566.06 Use of Force and Application of Restraints (8/29/14)
- P5800.15 Correctional Systems Manual (9/23/16)
- P7300.09 Community Corrections Manual (8/1/16)
- P7331.04 Pretrial Inmates (1/31/03)

Technical Reference Manuals

- T4101.04 BOP Acquisition (5/19/04)
- T5360.02 Ministry of BOP Chaplains (11/18/04)

BOP Forms

- BP-A0393 Notice of Escaped Federal Prisoner
- BP-A0408 Acknowledgement of Inmate
- BP-A0583 Report of Incident

Records Retention Requirements

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) system on Sallyport.