


**U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons**



**PROGRAM STATEMENT
Inmate Escape and Death Notification Procedures**

Approved by	 William K. Marshall III Director, Federal Bureau of Prisons
DPI	CPD
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Summary of Changes

<p><i>Program Statement Rescinded:</i></p> <ul style="list-style-type: none">▪ 5553.08 Escapes/Deaths Notifications (1/4/2017)
<p><i>Changes:</i></p> <ul style="list-style-type: none">▪ Adds language requiring Designation Sentence Computation Center (DSCC) to be notified of an escape.▪ Updates notification procedures for District of Columbia Superior Court (D.C. Code) offenders.▪ Clarifies escape and death notification procedures for domestic and international terrorists.▪ Clarifies escape and death notification procedures for military inmates.▪ Updates the name of this program statement to Inmate Escape and Death Notification Procedures for clarity and accuracy.

1. PURPOSE AND SCOPE

This program statement is intended to provide procedures for the timely notification of interested parties in the event of an inmate escape or death.

a. Program Objectives.

- Timely notification is provided to appropriate individuals and agencies when an inmate escapes or dies.

b. Institution Supplement. None.

2. PRETRIAL, HOLDOVER, AND/OR DETAINEE PROCEDURES

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

3. ESCAPE NOTIFICATION PROCEDURES

For the purposes of this program statement, the term “escape” is departure from custody without permission or authority or before official release. 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.** The following procedures are to be utilized to notify Bureau officials following an escape.

- (1) **Escape During Regular Workday.** The Warden or designee notifies the Regional Director of the escape immediately by telephone and confirms this notification by sending an electronic BP-E583, Report of Incident, to the Regional Office with an information copy to the Correctional Services Administrator, Central Office. The Warden or designee notifies the DSCC via a copy of the BP-A0393, Notice of Escaped Federal Prisoner via electronic message within one calendar day.

- (2) **Escape After Regular Workday.** 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 BP-E583, Report of Incident to the Regional Director in accordance with the Program Statement **Correctional Services Procedures Manual**. The Warden or designee notifies the DSCC via a copy of the BP-A0393, Notice of Escaped Federal Prisoner via electronic message within one calendar day.

- b. **Notification of Federal Officials.** The following procedures are to be utilized to notify federal officials following an escape.

- (1) **Federal Bureau of Investigation (FBI).** The Warden or designee notifies the FBI office, having jurisdiction over the institution, immediately by telephone. A copy of the BP-A0393, Notice of Escaped Federal Prisoner must be sent to the FBI via electronic message or fax. A

copy of the electronic message or fax transmittal will be filed in the Judgment and Commitment (J&C) file along with the original BP-A0393.

(2) **U.S. Marshals Service (USMS).** The Warden or designee notifies the USMS office having jurisdiction over the institution immediately by telephone. A copy of the BP-A0393, Notice of Escaped Federal Prisoner must be sent to the USMS via electronic message or fax. A copy of the electronic message or fax transmittal will be filed in the Judgment and Commitment (J&C) file along with the original BP-A0393.

(3) **Court Officials.** The Warden or designee notifies 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. The notification will be sent via a letter and provide escape information and include a copy of the BP-A0393, Notice of Escaped Federal Prisoner. In the event the escapee is a D.C. Code offender, the letter will be sent to the D.C. Superior Court sentencing judge.

Copies of the letter will also be sent via 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) via regular mail. For D.C. Code offenders, copies will be sent to the Chief, Superior Court Division, and Court Services and Supervision Agency (CSOSA).

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.

(4) **Military Officials.** If a military inmate escapes, the Warden or designee notifies the United States Disciplinary Barracks (USDB), no later than the next day via telephone. The Warden or designee confirms the notification with a letter that provides escape information, with a copy to the Regional Director. Refer to Correctional Programs Branch page of the Bureau's intranet site for address information.

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

(1) **Victim/Witness Program (VWP) Assignment.** Unit Management staff must notify each victim/witness by telephone immediately after the escape is confirmed and provide the date and time of the VWP inmate's escape. Further notification information is detailed 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 workday. 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 workday. The Warden or designee confirms the notification with a letter that provides escape information, with a copy to the Regional Director.

(4) **Immigration and Customs Enforcement (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 workday. 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 program statement, as applicable. If the holdover is a non-Bureau inmate, the agency responsible for the inmate must be notified by telephone no later than the next workday. 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 workday.

If the escape occurs after a regular workday, the IMS Duty Officer must be notified immediately after the escape is confirmed. 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) **Residential Reentry Center (RRC) Escape.** If an inmate escapes from an RRC, the RRM makes the necessary 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 a transfer furlough from an institution to an RRC, the sending institution makes the notifications.

(8) **Non-U.S. Citizen.** If a non-U.S. citizen escapes, the Warden or designee notifies the appropriate consulate official by telephone immediately. The Warden or designee confirms the notification with a letter that provides escape information, with a copy to the Regional Director.

(9) **Domestic and International Terrorists.** When an inmate with a Security Threat Group (STG) assignment of Domestic or International Terrorist escapes, the Warden or designee will notify the Intelligence and Counterterrorism Branch, Correctional Programs Division, Central Office the same day as the escape by e-mail and advise them of the date and time of the inmate's

escape.

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.
- Cause of death.
- Investigative steps being taken, if necessary.
- Name and address of next of kin.
- Notifications made.
- Status of autopsy request.
- Brief medical summary related to death.

a. **Notification of Bureau Officials.** The following procedures are to be utilized when notifying Bureau officials following the death of an inmate.

(1) Notification to Regional Director.

(i) **Death During Regular Workday.** The Warden or designee notifies the Regional Director immediately by telephone. The Warden or designee confirms the notification by sending an electronic BP-E583, Report of Incident to the Regional Director in accordance with the Program Statement **Correctional Services Procedures Manual**.

(ii) **Death After Regular Workday.** The Institution Duty Officer reports the death in accordance with the Program Statement **Duty Officers** which requires immediate telephonic notification to the Regional Duty Officer, except for deaths by natural causes that occur at a late hour. The Warden or designee notifies the Regional Director by telephone or electronic message of any circumstances about the death that may be cause for special concern.

In either case, the Warden or designee confirms the notification by sending an electronic BP-E583, Report of Incident to the Regional Office in accordance with the Program Statement **Correctional Services Procedures Manual**.

(2) **Notification to Health Services.** The Warden or designee sends the required medical information (ordinarily the next day) outlined above to the Medical Director, Central Office, with a copy to the Regional Medical Director and the Regional Health Systems Administrator.

(3) **Notification to the Director.** The Director must be notified of all deaths, even if there are no

significant findings.

(4) **Regional Director Notifications.** After reviewing the preliminary death information, the Regional Director notifies the Director directly by telephone or electronic message of any circumstances about the death that may be cause for special concern.

The Regional Director notifies the General Counsel, Assistant Director, Health Services Division, Correctional Programs Division, and the Bureau Medical Director by telephone or electronic message.

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

(1) **Telephone Notification.** The Warden or designee telephones the person named in the BP-A0408, Acknowledgment of Inmate, Part 3 & 4, form 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, Unit Management staff must attempt to locate the next of kin, since only the next of kin may determine the disposition of the deceased's remains and property. All attempts to contact next of kin must be documented on the BP-A0381, Inmate Activity Record in the Inmate's Central File. Next of kin must be determined in accordance with the applicable state laws in the state the death occurred. Normally, the Case Management Coordinator coordinates the disposition/shipping of the inmate's remains with the Supervisory Contract Specialist.

The notification to next of kin is ordinarily conducted by the Chaplain in accordance with the Program Statement **Religious Beliefs and Practices**.

For additional information on notifications to the coroner or medical examiner as well as post-mortem forensic testing requests (e.g., autopsy and toxicology) refer to the Program Statement **Autopsies**.

(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 the matter is under investigation and, 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. In the death of a D.C. Code offender, the letter is sent to the sentencing D.C. Superior Court Judge. All Correspondence must contain the docket number and the inmate's register number. Copies are mailed to:

- The U.S. Attorney(s) for the district(s) in which the inmate was sentenced, or the
- Chief, Superior Court Division (D.C. Code offenders).
- The Chief U.S. Probation Officer for the district in which the inmate was sentenced,
- or the Court Services and Offender Supervision Agency (D.C. Code offenders).
- Regional Director.

d. **Notification of Military Officials.** In the event of the death of a military inmate, the Warden or designee shall notify the USDB no later than the next business day via telephone and confirm the notification with a letter providing information regarding the death. Refer to Correctional Programs Branch page of the Bureau's intranet site for address information.

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.

Unit Management staff provide next of kin information on BP-A0408, Acknowledgement of Inmate, Part 3 & 4 to military officials to help them make the notifications.

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

e. **Additional Death Notification Procedures for Specific Cases.**

(1) **Victim/Witness Program (VWP) Assignment.** Unit Management or RRM staff are required to provide VNS notification to the victims or witnesses within 30 days after the death of an inmate with a VWP assignment. Further notification information is detailed 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 workday. 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 workday. 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 holdover institution applies this program statement's notification procedures, as applicable. 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 a WITSEC inmate dies, the Warden or designee or RRM, in addition to notifying the Regional Director, must telephone the IMS in Central Office immediately if it occurs during a regular workday.

If the death occurs after a regular workday, the procedures are the same as in Section 4a of this program statement, except 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 workday. The Warden or designee confirms the notification by a letter explaining the circumstances of the death, with a copy to the Regional Director.

(8) **Domestic and International Terrorists.** When an inmate with an STG assignment of Domestic or International Terrorist dies, the Warden or designee will notify the Intelligence and Counterterrorism Branch, Correctional Programs Division, Central Office, the same day as the death via email and advise them of the date and time of the inmate's death.

A signed copy of all escape and death notifications must be maintained in the Inmate's Central File.

REFERENCES

Program Statements

Victim and Witness Notification Program
Religious Beliefs and Practices
Correctional Services Procedures Manual
Duty Officers
Community Corrections Manual
Autopsies
Pretrial Inmates

Bureau Forms

BP-A0393 Notice of Escaped Federal Prisoner
BP-A0408 Acknowledgement of Inmate, Part 3 &4
BP-A0381 Inmate Activity Record
BP-E583 Report of Incident

ACA Standards

Performance-Based Standards and Expected Practices for Adult Correctional Institutions (5th Edition): 5-ACI-1F-09, 5-ACI-3B-14(M), 5-ACI-3B-15, 5-ACI-3B-16, 5-ACI-6C-02, 5-ACI-6C-16

Performance-Based Standards and Expected Practices for Adult Local Detention Facilities (5th Edition): 5-ALDF-1C-05(M), 5-ALDF-2A-15, 5-ALDF-4D-12, 5-ALDF-4D-30

Standards for the Administration of Correctional Agencies (2nd Edition): 2-CO-1F-08, 2-CO-3B-02(M)

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) on the Bureau's intranet site.