I. PURPOSE

The purpose of this policy is to define an established process for requesting all points bulletins (APB’s) and issuing, updating, and clearing of Oregon Department of Corrections Order for Arrest and Return of Prisoner Warrants (CD1644).

NOTE: ODOC does not issue arrest warrants per se; rather ODOC issues an Order for Arrest and Return of Prisoner Warrants that authorize law enforcement agencies to arrest and detain our escapees.

II. DEFINITIONS

A. Administrative Message: An English language system message from one agency to another sent via LEDS.

B. All Points Bulletin (APB): A LEDS message that is sent to all Oregon law enforcement agencies to alert them that an inmate has escaped and providing details of the escape, a description of the escapee, and contact telephone numbers for notification.

C. Constructive Escape: Includes inmates/offenders who:

1. Are ghost escapees as defined in II. G. below;

2. Have unfinished Oregon Department of Corrections sentences who have been released from physical custody prior to admission to ODOC; or

3. Unlawfully depart from ODOC custody, fail to report as required, or commit act(s) resulting in arrest, detention, or incarceration by another jurisdiction while under any of the following conditions:

   a. On ODOC approved leave: (such as emergency leave or transitional leave as permitted under the rules for Alternative Incarceration Programs (OAR 291-062) and Short-term Transitional Leaves, Emergency Leaves, and Supervised Trips (OAR 291-063).
b. On approved work release from an DOC facility, from OYA or a county re-entry program; or

c. Second Look conditional release.

D. Emergency Leave: A leave of ten days duration or less within the state for the specific purposes listed in 291-063-0050(2)(a) where the inmate is expected to return to the releasing facility.

E. Escape: The unlawful departure of an inmate under ODOC custody from:

1. Within the secure perimeter of a facility;
2. The immediate control of Oregon Department of Corrections staff; or
3. The grounds of a minimum security facility without a secure perimeter; or
4. The direct supervision of non-ODOC personnel authorized to supervise an inmate while outside the facility secure perimeter.

F. Ghost Escapee: When an offender is released from federal or another state’s custody and Oregon authorities do not take custody of the offender in order to return the offender to Oregon for service of outstanding Oregon sentences.

G. LEDS (Law Enforcement Data System): A system providing telecommunication and information services to all law enforcement and criminal justice agencies through the use of modern communications and information system technology.

H. NCIC (National Crime Information Center): A nationwide message switching system created to provide interstate exchange of criminal justice information which is operated by the Federal Bureau of Investigation (FBI) in Washington D.C.

I. Order for Arrest and Return of Prisoner Warrants: An ODOC form granting authority to any law enforcement agency to arrest, detain, and hold an ODOC inmate that has escaped, absconded, or otherwise left custody without authorization within the limitations of the arresting agencies rules, until arrangements can be made to return the individual to the custody of the department.

J. Short-term Transitional Leave: A leave for a period not to exceed 30 days preceding an established projected release date which allows an inmate opportunity to secure appropriate transitional support when necessary for successful reintegration into the community. The department may grant a transitional leave of up to 90 days for inmates participating in an alternative incarceration program in accordance with ORS 421.500 and the department’s rule on Alternative Incarceration Programs (OAR 291-062).

K. Unauthorized Departure: The failure to return to custody after any form of temporary release or transitional leave from a correctional facility.

II. POLICY

A. General
1. The department shall issue an APB, have the institution functional unit manager sign the hard copy of the Order for Arrest and Return of Prisoner warrant, and then make entry of the Wanted Person Warrant into LEDS/NCIC for any inmate who:

   a. Escapes (walk-aways) from a facility, work crew or any other release program; or

   b. Fails to return to a correctional facility from emergency leave or any other leave program; or

   c. Fails to report as directed to a community corrections office for supervision of a short-term transitional leave, or any other leave program. (NOTE: This requires ONLY a signed Order for Arrest and Return of Prisoner Warrant and subsequent wanted person entry into LEDS/NCIC; an APB is not normally issued under this circumstance.)

2. The department will use the LEDS/NCIC system to transmit necessary information to law enforcement agencies used to identify, locate, and return to custody any inmate that escapes or otherwise unlawfully departs from the legal custody of the Department of Corrections.

B. Issuing APB, signature of the hard copy Order for Arrest and Return of Prisoner Warrant, and entry of Wanted Person Entry into LEDS/NCIC:

1. When an employee learns of an inmate's escape or unauthorized departure, the employee will immediately notify the housing institutions control center.

2. The housing institutions control center staff will:

   a. Immediately notify the functional unit manager or designee of the responsible facility, Special Investigations Unit (SIU), and SCI Control Center.

      • SIU Contact: Administrator 503-383-6873, SIU Fugitive Inspector 503-302-4228, or 24 hour phone 503-569-0734. Note: Contact must be made with any of the above mentioned individuals, do not leave a voice message.

      • SCI Control Center: 503-378-5807

   b. The housing institutions control center will immediately enter an APB into LEDS/NCIC and send a copy to SCI Control Center and SIU. If the housing institution has no LEDS/NCIC entry-level ability or if there are issues, SCI Control Center will assist in entry of the APB and send a copy to the housing institution and SIU.

DURING NORMAL BUSINESS HOURS:

   c. Contact the local OISC Institution Records Office staff if the inmate has escaped from an ODOC facility or the OISC Central office (503-570-6919) if the inmate escaped any other facility or if Institution Records Office staff is
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unavailable. (Normal hours of operation are from 7:30 a.m. – 4:00 p.m. Pacific Time zone). The designated OISC staff shall:

(1) Prepare the Order for Arrest and Return of Prisoner (CD1644) and have the institution functional unit manager sign. This should be done immediately.

(2) After the Order of Arrest and Return of Prisoner is signed, OISC staff will make initial LEDS/NCIC wanted person warrant entry;

(3) Forward the signed copy of the Order for Arrest and Return of Prisoner (CD1644) to SCI Control Center within 30 minutes after the escape is known, via fax, for warrant confirmation purposes. A copy will be faxed to SIU as well.

(4) Note escape on assignment log in the institution file; and

(5) Notify the appropriate OISC Central Unit prison term analyst to note the escape in the sentencing file.

AFTER NORMAL BUSINESS HOURS & DURING HOLIDAYS:

d. After normal business hours, during holidays, or if the facility where the escape occurred has no LEDS authorized personnel to enter the escape warrant and APB information, the SCI Control Center staff shall:

(1) Enter the APB into LEDS/NCIC;

(2) Prepare the Order for Arrest and Return of Prisoner (CD1644) and have the institution functional unit manager sign;

(3) After the Order of Arrest and Return of Prisoner is signed, make wanted person warrant entry into LEDS/NCIC;

(4) Upon notification, SCI Control Center will create a file for the current escape or unauthorized departure. Copies of any administrative messages, APB, the signed Order for Arrest and Return of Prisoner, and a copy of the wanted person warrant entry will be maintained in the file in the SCI Control Center.

(5) Control Center staff will assure that OISC Central Unit is apprised of the event as soon as practicable following initial actions.

3. The inmate’s housing site functional unit manager or designee will initiate an Unusual Incident Report pertaining to the escape and the required notifications. (See policy 70.1.1 Escape Notifications)

4. Nation-wide warrants will be issued for all felons; however extradition limits may vary by crime class and length of remaining sentence, see attached Extradition Parameters for Warrant Entries (CD1645).
5. The following information will be entered in the miscellaneous field of the warrant to indicate that warrant confirmation will be available only through the SCI Control Center: "Escapee confirm 24 hours SCI Control Center via phone (503-378-5807), or teletype (SCI ORI: OR024135C or SCI)."

6. A caution notation should be entered if information exists that indicates the escapee is armed or if other information exists that would otherwise substantiate a caution entry.

7. Each wanted person/escape warrant entry shall be verified by a second person to ensure the accuracy of the entry, prior to its submission into LEDS/NCIC.

8. The institution where the escape occurred is responsible for the accuracy and completeness of the information contained in the Wanted Person Warrant and APB entries even though they may not have entered the information.

9. All modifications to the original wanted person warrant will be made by staff of SIU, SCI Control Center, or OISC staff/Central Unit. A copy of any modification shall be sent to the SCI Control Center and to the facility where the escape occurred.

10. The following documents are to be forwarded to SIU: The signed Order of Arrest and Return of Prisoner (form CD1644), the Wanted Person Warrant, the APB, the Unusual Incident Report, Misconduct Report and any memorandum of action taken by staff.

C. Confirmation of Wanted Person Escape Warrants

1. When a law enforcement agency requests wanted person warrant confirmation, SCI Control Center will respond within ten minutes to the requesting agency. In the case where a warrant has been served, SIU will be contacted to coordinate extradition along with the Interstate Compact when the arrest occurs outside of Oregon.

2. Confirmation of the warrant will be provided as well as the ORI for SIU (ORI: OR024175C / FNN) so extradition and transportation arrangements may be made. Hit confirmation of a valid warrant will be given only when a signed warrant is found in the warrant file.

D. Clearing of Order for Arrest of Escape Warrants

1. Immediately after notification of arrest by receiving a locate message, the wanted person warrant will be cleared from LEDS/NCIC by the SCI Control Center.

2. SCI Control Center will make immediate notification to the SIU's Administrator (503)383-6873, the SIU 24-hour phone (503)569-0734, and/or SIU Fugitive Inspector (503)302-4228 (make contact with an Inspector - leaving messages will not suffice).

3. SCI Control Center will then send all information contained in the warrant file to the SIU.
IV. IMPLEMENTATION

This policy will be adopted immediately without further modification.

Certified: ________________signature on file____________________
          Birdie Worley, Rules Coordinator

Approved: ________________signature on file____________________
           Mitch Morrow, Deputy Director