

POLICY 5.30 (17) HANDLING YOUTH ESCAPES OR UNAUTHORIZED ABSENCES

Policy Committee Chair

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Approved



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Authorizing Sources

RCW Chapter 13.40
RCW Chapter 72.05
RCW Chapter 9A.76
WAC Chapter 388-740
WAC 388-730-0070
WAC 388-730-0080

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I. PURPOSE AND SCOPE

This document establishes policy relating to escape, unauthorized absence, and whereabouts unknown status of youth for institutions, community facilities and parole. It establishes expectations that responders, in situations where escape is a concern, understand that JR serves a difficult population of youth and consider that it is developmentally normal for youth to be impulsive and to make mistakes when assigning sanctions. JR will not further criminalize youth and interfere with successful reentry to their communities by adding new charges unless it is absolutely necessary.

All staff, contractors, volunteers, and interns working in the Division of Institution Programs, Division of Community Programs and Parole, and the Division of Operations and Support Services are responsible for reviewing and complying with Juvenile Rehabilitation (JR) policies.

II. POLICY

- 1. JR acknowledges the risk of escape and unauthorized absence for youth committed to JR. All staff will work to reduce risk and prevent escape while on duty.**
 - 1.1. Physical and structural safety and security procedures must be followed.
 - 1.2. Staff will develop and maintain relationships with youth in their care and be aware of changes to behavior that may indicate warning signs for escape.

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- 2. Every residential facility must have a local protocol on responding to escapes. Each local protocol must address:**
 - 2.1. Referral to law enforcement,
 - 2.2. Notification of the Victim/Witness program if required,
 - 2.3. Notification of Department of Correction (DOC) staff for youth in the Youthful Offender Program (YOP),
 - 2.4. Notification to facility administration
 - 2.5. Notification to Central Office administration.
 - 2.6. A checklist for staff that includes search procedures for youth who are unaccounted for.

ESCAPE PROCEDURES

- 3. Reviews of unauthorized absences will occur as soon as possible in order to appropriately determine whether an escape has occurred.**
- 4. Youth who attempt to escape or make plans to escape from residential programs may be referred to law enforcement if the Superintendent, Regional Administrator or designee determines that it is necessary, even if the planned or attempted escape was not completed.**
- 5. Escape procedures will begin immediately upon knowledge of any intentional escape.**
 - 5.1. Local law enforcement notification must be completed immediately upon confirmation of an escape. A warrant must be issued immediately through Green Hill School or the local law enforcement agency.
 - 5.2. Additional notifications of escape, such as Victim/Witness, must be completed in accordance with Policy 1.80 (9), *Notifying the Community of Youth Placement, Transfer or Release*. Notifications must be completed within 3 hours of law enforcement notification.
 - 5.3. Staff will secure the youth's property within 2 hours of notifying law enforcement of the escape and will inventory property following timelines of Policy 2.30 (16), *Managing Youth Property and Residential Accounts*.
 - 5.4. Staff at residential facilities will make reasonable and proactive efforts to locate youth who have escaped or who are on unauthorized absence in order to facilitate their apprehension or return to the program. Each facility will have a local protocol addressing search and apprehension.
 - 5.5. The CFA, in consultation with the Regional Administrator or designee, has the authority to stop or suspend the process outlined in this policy at any time if the youth returns voluntarily to the community facility.
- 6. Persons and agencies notified of the escape will be notified of apprehension within one business day after JR becomes aware of the apprehension in accordance with Procedure 3.30.1.**

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INSTITUTIONS

- 7. The Superintendent will determine whether an absence from an institution is classified as an escape, attempted escape or out of bounds using the definitions provided in this policy and will initiate the appropriate response procedures.**

COMMUNITY FACILITIES

- 8. The Community Facility Administrator, in consultation with the Regional Administrator or designee, will determine whether an absence is classified as an escape or unauthorized absence using the definitions provided in this policy and will initiate the appropriate response procedures. The CFA must consider:**
 - 8.1. Whether the youth attempted to contact staff in advance to inform of possible or probable schedule violation;
 - 8.2. Whether the absence was unusual for the youth (There is no prior known history of unaccounted for time and whereabouts; the youth demonstrates overall compliance with schedules; or the youth is engaged and motivated in community based programs);
 - 8.3. Whether the youth made a concerted effort to return to the facility;
 - 8.4. Whether there are other mitigating or aggravating factors.
- 9. An incident will be treated as an unauthorized absence when youth do not comply with an approved community supervision plan but return voluntarily to the community facility within a reasonable period of time (determined by the CFA or designee).**
 - 9.1. Youth whose absence is classified as unauthorized absence will be sanctioned under provisions of WAC 388-730-0070, *Residential Disciplinary Standards*.

PAROLE

- 10. Escape procedures will begin immediately upon knowledge of any intentional escape from electronic home monitoring (EHM).**
 - 10.1. Local law enforcement notification must be completed immediately upon confirmation of an escape. A warrant must be issued immediately through Green Hill School or the local law enforcement agency.
 - 10.2. Additional notifications of escape, such as Victim/Witness, must be completed in accordance with Policy 1.80 (9), *Notifying the Community of Youth Placement, Transfer or Release*. Notifications must be completed within 3 hours of law enforcement notification.
- 11. Youth who are not on EHM will be placed on Whereabouts Unknown status consistent with JR Parole Standards.**
 - 11.1. A parole arrest warrant will be completed and submitted by the Community Counselor within 5 working days of having reason to believe a youth is on whereabouts unknown status.

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- 11.2. Parole programs will make reasonable and proactive efforts to search for youth on whereabouts unknown status in order to facilitate their apprehension. Each local office will have a local protocol addressing search and apprehension.

SANCTIONS

- 12. The Superintendent, Regional Administrator or designee must ensure that appropriate sanctions are imposed.**
- 13. Youth who escape or attempt to escape from residential programs will be transferred to a maximum security facility as soon as possible. Staff will attempt to place youth at the facility in which they last resided.**
- 14. Youth who escape from electronic home monitoring may be placed in a maximum security facility for the remainder of the parole revocation period.**
 - 14.1. Youth will be required to complete their original parole revocation period.
 - 14.2. A new revocation may be initiated for the escape from electronic monitoring parole revocation.
- 15. The youth's Current Established Release Date (CERD) will be adjusted to reflect the period of time on escape and Whereabouts Unknown status. This time period does not count toward fulfillment of sentence or parole obligation.**
- 16. If there is a decision to extend the CERD, the youth must be afforded the due process rights outlined in Policy 6.50 (10), *Establishing the Release from Commitment Date*.**

REVIEW AND DOCUMENTATION

- 17. Administrative reviews of incidents will be conducted by the management and treatment team of the facility within seven days of the incident's resolution.**
 - 17.1. Reviews of unauthorized absences will address intent, sanctions, and timelines and identify possible preventive actions.
 - 17.2. Reviews of the escape or attempt to escape will determine appropriateness of placement, security classification, program status, and release dates.
 - 17.3. Youth will be allowed to participate in the review and provide information.
 - 17.4. Reviews will be documented in ACT.
- 18. Escape, attempted escape, unauthorized absence and whereabouts unknown must be documented in ACT.**

III. DEFINITIONS

Attempted Escape: When a youth tries or plans to leave the residential custody as evidenced by behavior, written or verbal plans, and/or being in an unauthorized location and having the means to escape.

Collateral Contacts: People who act as a source of information about a youth or family's situation and who may support information provided by a youth or be able to locate them in an emergency.

Current Established Release Date (CERD) An established release date set between a youth's minimum and maximum sentence.

Electronic Home Monitoring (EHM): A parole revocation option that uses an electronic device to monitor movement, in lieu of confinement in a secure facility.

Escape: Unapproved absence from a residential program or from electronic home monitoring, except for unauthorized absence (residential or parole) and attempted escape.

Law Enforcement: Includes the sheriff of the county of commitment, the chief of police of the city of residence prior to commitment, the Washington State Patrol and the tribal law enforcement agency of the youth's affiliated tribe. In the event of an escape, notification to local law enforcement in the jurisdictions where the facility is located are included.

Out of Bounds – Institution: Time when a youth is not where they're supposed to be or when the youth is in an unauthorized area of an institution.

Unauthorized Absence - Residential: Unapproved or unaccounted for time away from a minimum security community facility or institutional program activities conducted outside the institution which meets all of the following conditions:

1. The youth voluntarily returns to the facility or institutional program activity within a reasonable period of time as determined by the facility administrator or designee.
2. No behavior which could result in a new juvenile or criminal offense was committed during the absence;
3. There is no intent to escape.

Unauthorized Absence - Parole: Unapproved or unaccounted for time away from electronic home monitoring, which meets all of the following conditions:

1. The youth voluntarily returns to electronic home monitoring within a reasonable period of time as determined by the regional administrator or designee.
2. No behavior which could result in a new juvenile or criminal offense was committed during the absence;
3. There is no intent to escape.

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Whereabouts Unknown: While on parole supervision, unapproved and/or unaccounted for time away from identified residence, known programming, lacking contact with JR, and the youth has not been located.

IV. PROCEDURES

PRO 5.30.1 – Notification of Apprehension.

V. RELATED JR POLICIES

Policy 1.80 (9) - Notifying the Community of Youth Placement, Transfer or Release	Policy 6.50 (10) – Establishing the Release from Commitment Date
Policy 2.40 (16) - Managing Youth Property and Residential Accounts	

VI. FORMS AND DOCUMENTS

Document Title	Available In ACT	Link to Paper form
Wanted Person Notice of Cancellation		DSHS 20-227
Administrative No Bail Hold		DSHS 20-251
