


2

SPECIAL DIRECTIVE 06-02

TO: ALL DEPUTY DISTRICT ATTORNEYS
ALL DISTRICT ATTORNEY INVESTIGATORS

FROM: JOHN K. SPILLANE 
Chief Deputy District Attorney

SUBJECT: DISTRICT ATTORNEY'S OFFICE PROTOCOL FOR
INTERAGENCY NOTIFICATION OF ESCAPED,
ERRONEOUSLY RELEASED, OR CAPTURED PRISONERS

DATE: FEBRUARY 15, 2006

The escape or erroneous release of an incarcerated prisoner poses a significant danger to the public. When such an event occurs, three objectives are of the highest priority: apprehension of the escapee, protection of the public, and protection of witnesses and justice system personnel who may be at risk. Additionally, investigative opportunities may arise which require swift inter-agency action and coordination in order to be effective. These objectives can only be accomplished with the cooperation of each involved agency.

In the event of an escape or erroneous release, the Sheriff's Department shall assume the responsibilities of the lead agency in all matters involving the apprehension of the suspect. No independent investigative action should be taken by the District Attorney's Bureau of Investigation without first consulting with the Major Crimes Bureau, Metro Detail of the Sheriff's Department. This does not preclude arrest of the escapee under appropriate circumstances. Once an escape or erroneous release occurs, Sheriff's Department policy requires immediate notification to the Watch Commander of the arresting law enforcement agency or station with a request that the investigating officer contact the Sheriff's Major Crimes Bureau without delay. It shall then be the responsibility of the arresting law enforcement agency to notify the appropriate investigating officer(s).

The Sheriff's Department policy also requires immediate notification to the District Attorney's Command Post. It shall be the responsibility of the Command Post investigators to notify the Head Deputy of the division, branch, or unit which is prosecuting or which prosecuted the underlying offense of the escaped or

erroneously released inmate. It shall then be the responsibility of the Head Deputy to notify the Bureau Director, trial deputy, and the Media Relations Division of the escape or erroneous release. Such notification(s) shall be made immediately. If the Head Deputy is not available, the Command Post should notify the Assistant Head Deputy to assume the

responsibilities of notification. Questions may be directed to the Sheriff's Department Headquarters Bureau 24 hour hotline at (323) 526-5541.

Once the trial deputy has been notified of the escape or erroneous release, he or she shall contact the investigating officer on the case to determine if the suspect-at-large presents a danger to the safety of any witness or justice system employee. If such a danger exists, the investigating officer and trial deputy shall follow the directions found in GOM 98-26 Endangered Witness Relocation Protocol or take whatever additional action is deemed necessary to provide appropriate witness protection.

The Sheriff's Department policy requires immediate notification to the District Attorney Command Post of the apprehension or capture of an escaped or erroneously released prisoner. The Command Post shall notify the appropriate Head Deputy who shall, in turn, notify the Bureau Director, Media Relations, and the trial attorney. The Sheriff's Department shall also notify the Watch Commander(s) of the arresting law enforcement agency/agencies involved.

It is the Sheriff's Department's practice to clear all press releases through the lead investigator, in consultation with the affected parties, before dissemination to the public. Likewise, the District Attorney's Media Relations Division shall not make any press release regarding an escaped or erroneously released prisoner without first notifying and consulting with the Sheriff's Department.

An escaped or erroneously released prisoner if apprehended in another state shall be extradited absent compelling reasons not to do so. A refusal to extradite an escaped or erroneously released prisoner requires Bureau Director approval.