

VOLUSIA COUNTY DIVISION OF CORRECTIONS
SUPPLEMENTAL REPORT

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INMATE'S NAME: Burke, Michael		BOOKING NUMBER: 827423	CELL NUMBER: N/A
SUBJECT: Escape Investigation		LOCATION: Florida Hosp/Deland	DATE: 2/8/2012 TIME: 0800

On 02/04/2012 at approximately 2240 hours Inmate Burke, Michael was arrested by VCSO for an adult warrant signed by Judge Rouse for Uttering Forged Checks with a bond of \$3500 and VOP Grand Theft and Dealing in Stolen Property signed by Judge Hudson with no bond. Inmate Burke was arrested at 1010 North Woodland Blvd. #29 in Deland, Florida. Due to medical concerns, Inmate Burke was taken to Florida Memorial Hospital in Deland and was subsequently admitted. VCSO stayed with this inmate at the hospital until First Appearance on 02/05/2012. No changes occurred at First Appearance and custody of this inmate turned over to VCDC. On 02/05/2012 at 1043 hours assumed custody of Inmate Burke at the hospital.

On 02/07/2012 at approximately 1300 hours the VCDC was informed by officer Stridiron that Inmate Burke had escaped from custody while at Florida Memorial Hospital in Deland. He was seen exiting the hospital by their personal who reported this to security staff.

Inmate Burke was the only inmate at Florida Memorial Hospital in Deland on this date and time. Inmate Burke had been classified by Case Management as a MEDM, Felon which allows security staff to only have one officer watching Inmate Burke and meet all Division Policy & Procedure. (By policy, when it is a one officer, the officer is not armed).

On 02/08/12 I returned to the security office at Florida Memorial Hospital and interviewed safety officers Tom Wise, Luis Rosario, head of security Steve Viola, and Jack Bass, an engineer at the hospital. I needed more information on how Inmate Burke exited the room and the route that was taken during the escape attempt. I also requested any video that they may have of this escape attempt. It was explained to me that Inmate Burke exited room 252 on the 2nd floor and stepped across the hall to a fire exit door. He went down the stairs to the first floor, exited out the fire door into the administration offices hallway. This is where Inmate Burke is first picked up by any surveillance camera within the building. Note that there is no camera on the second floor in the area of this incident. After getting some verbal assistance/directions from an unknown female, Inmate Burke headed south down the Administration hallway which led him to the main lobby at the hospital. Inmate Burke was seen by several staff members who were entering the lobby. They immediately reported what they were seeing, (Inmate Burke exiting the hospital though the main lobby) to security staff.

At this point I want to recognize all Deland Memorial Hospital Staff who assisted with returning of Inmate Burke back into custody. If it was not for the quick action taken in reporting this unusual incident and the excellent response by the three security staff members and engineer, this incident may have turned out much worse.

Wise, Rosario, Viola, and Bass quickly responded and pursued Inmate Burke who now was running south across the parking lot, and across Plymouth Street to the parking lot of 740 North Medical Park. Note that an unknown worker from that building had come out and stated she saw Inmate Burke run towards the woods and that she believed that he was the boyfriend of a fellow co-worker at 740 North Medical Park. I have not been able to identify either of these two females and Inmate Burke denies knowing anyone that may work in that area.

Wise, Rosario, Viola, and Bass secured the perimeter surrounding Inmate Burke who was now holed up in a vacant shed east of the 740 building until Deland police arrived and secured the weapon and Inmate Burke, again with the assistance of Florida Memorial Hospital staff.

At this point I would like to recognize Deland Police Department for their quick response and assistance in securing Inmate Burke. Officer C. K. Walter was very informative and accurate with all information. His report was promptly sent to the VCDC Booking Office and his follow up work was excellent.

Once recaptured, Inmate Burke was cleared for release from Florida Memorial Hospital and returned to the Volusia County Branch Jail by correctional staff.

After reviewing the inmate/patient Hospital Log Sheets on Inmate Burke while at Florida Memorial Hospital, Inmate Burke was in the I.C.U. 2016 on 02/05/12 at 1205 hours. Officer Gillis came on duty and secured Inmate Burke in leg irons. The VCSO deputy was relieved from duty. Officer Gillis checks in regularly to the VCDC. (Security checks). He reports no inmate movement on his shift.

OFFICER'S SIGNATURE: **Captain W.F. McClelland**

EMP. NO.: **414**

DATE: **2/10/12**

TIME: **1230**

Officer Gillis was relieved by officer Bishop at 1939 hours. He reports, inmate secure in leg iron. Officer Bishop calls in security checks and head counts. He reports no inmate movement.

On 02/06/12 is relieved by officer Zemba at 0735 hours. Officer Zemba reports, Inmate secured to bed with leg iron. Officer Zemba call contacts the control room at VCBJ and notified Officer Murray that inmate Burke was leaving the room for a CAT/SCAN at 0930 hours. Officer Zemba notifies the control room at 0952 hours reporting that inmate Burke is back in room 2016 and secure. He reports no other movement.

On 02/06/12 at 1945 hours officer Plotz relieves officer Zemba. Officer Plotz reports, inmate secure to bed. At 2120 hours he reports that inmate Burke was move to room 252. It is not documented that he contacted control, but it is documented that he calls in head count /security checks. He has no entries after 2300 head count until 0300 hour on 02/07/12 when he calls in head count.

On 02/07/12 at 0734 hours Officer Plotz was relieved by Officer Stridiron. Officer Stridiron conducts an inventory of all equipment passed on from Officer Poltz, but document that he has no radio. He reports that inmate Burke is presently on bunk with leg irons on. At 0800 hours he calls in head count to the control room. At 0815 hours he reports inmate up to use restroom. RTN 0819 hours to bed. He calls in security check at 1003 hours. At 1049 hours he documents inmate Burke into use restroom. At 1056 hours inmate Burke returned to bed. At 1131 hours he documents Inmate Burke O/T restroom. It is not documented when he returned to the hospital bed. At 1145 it is documented blood pressure check. 1151 hours chow. 1218 hours he reports security check - no problems - VCBJ Control. At 1233 hours inmate Burke in restroom. RTN That was the last entry made by Officer Stridiron in the Inmate/Patient Hospital Log.

In reference to the attached layout of room 252 you can see that where officer Stridiron was seated as to where inmate Burke was when he used the restroom. Officer Stridiron was not in a position to see inmate Burke when he was in the restroom or in a position to prevent inmate Burke from exiting the room. Officer Stridiron did not have his assigned Division radio with him on this day which was needed to contact Control and report this escape.

During this investigation I have found several Division policy violations that officer Stridiron, William #702 violated. Attached is a layout of the room that best shows where officer Stridiron was seated in the room and were inmate Burke's bed was. It also shows the steps inmate Burke took exiting room 252. The last entry made in the hospital log by Officer Stridiron was at 12:33 hours when he allowed inmate Burke to enter the restroom unsupervised. Approximate 8 minutes had passed when the call came from the main lobby to the nurse's station on the 2nd floor asking the charge nurse, Andrea Roberts if the officer in room 252 was ok and were they missing a patient/inmate. In Officer Stridiron's report states that 8 minutes had passed before he got up to check on inmate Burke. Officer Stridiron report also states that at that same time the nurse came into the room checking on him when he was opening the bathroom door checking on the inmate Burke. Officer Stridiron could not immediately contact the division due to him not having his radio.

102.09, Z-Correctional Officer/Employee Conduct

CO's shall remain alert and in full possession of his/her faculties while on duty. Sleeping, reading, engaging in distracting amusement or occupation while on duty, except to consult such rules or other material as the proper performance of these duties, is prohibited and may result in severe adverse action up to and including termination. A CO shall not leave an assigned post until properly relieved.

700.15, E- 3 & 4 Restraints

3- Any question by the officer as to the type or amount of restraints to be used shall be brought to the attention of the OS or S/C for resolution.

4- All inmates housed in a medical facility shall have a set of leg irons attached to one leg and to the bed rail. If this is medically unfavorable, contact the OS for instructions.

O -1 & 3 Security

1-The officer shall remain with the inmate at all times.

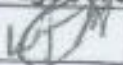
3-The officer on duty shall station himself/herself at the door maintaining visibility of the inmate at all times.

102.10, C-1 Dress and Appearance

All staff are required to wear the appropriate issued items, i.e. flash light, key holder, radio holder, blood borne pathogen pouch, handcuffs, (pager, radio, 911 tool, and pepper foam if applicable).

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I have spoken to Mr. Viola who is having some problems down loading the video requested by the Division of Corrections but states that he will have it available by 12:00, 02/09/12 along with his written report of this event. I have advised Mr. Viola that I will pick both the video and report up as soon as I receive his call that it is ready. I again thanked him for his professionalism in handling this matter and to please let his staff know how the Division of Corrections feels about the staff at the Deland Memorial Hospital. They all should be very proud.

Post Orders – Hospital Officer

The Hospital Officer will:

- #2 Remain alert and aware of your surroundings.
- #3 Maintain a "state of readiness" and be prepared to take action at all times.
- #4 Position yourself by the room entrance for optimum viewing of the inmate in your custody as well as controlling the room entrance at all times. This includes keeping your weapon, when applicable, positioned as far away from the inmate as possible.
- #6 Upon relief, the On Duty Officer will complete a security check of the area to include the room "layout" and inmate restraints.
- #8 Do not leave the inmate unattended. You must be properly relieved by corrections staff or a Law Enforcement Officer prior to leaving the inmate.

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VCDC 402 CR-0059-0493

WORD/402 (Supplemental)