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VOLUSIA COUNTY DEPARTMENT OF CORRECTIONS

USE OF PORCE REPORT SUPPLEMENTAL COL

IHMATE BUNKE, Michael BOOKING NO. 867423 Sterlla check ing checking immate: 0 Sterlla : All-secure: Notified Operator

> Signature of Reporting Officer/ Investigator

Original to Inmate Medical File Yellow copy to Inmate File Pink copy to Institution File

INMATE/PATIENT HOSPITAL LOG

INMATE NAME: SURKE, MICHAEL BOOKING NO. 867423
HOSPITAL: DELAND HOSP ROOM NO. 2016

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INMATE/PATIENT HOSPITAL LOG

1739

HOSPITAL: DECAND FURIDA HOLP ROOM NO. 2016

DATE	TIME	INFORMATION
2-6-17	0800	HEROCOURT CALLED INTO LT MASON
PRODUCTION OF THE PARTY OF THE	0806	BREAKFAST FED TO YM
	0855	DRINTALKING TO VO
	0930	1/m Leavisse Room FOR CATSCAN - OFC MURRAY
	0952	I'm so coved hock in Room - Control matiered
	1120	Nurse in to change IV
Control of the contro	1205	Durse in to track to I'M
	1230	Horse in Do vitters
	1232	WACH RED TO 1/M
	1508	Norse in checking on In
	1600	HEROCOUNT CALLED MITO (TM ASON
	1025	DOCTOR IN TO TALK TO I'M
=	1945	OFC Plot 2 to Relieve of Zemba
		1/m secred to had 2 leads come a 11/a 1211
		1. HC Key, 1 RAdeo Charger, 1 Bottom, Hosp Pack#
1		1 Bay Resone 9 Prophy
	2000	contact contraction thead court
	2120	move to RM 252 Nurse Heiri Stored personal
		Belonging S At NUISES Station
only depth (32 45	NUESE INTO Change IV BAG
	9300	Contact control with Hardconf Cit Kasay
	0300	contact control with Hardcont Ct Kasner
		to the town to the tension

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INMATE/PATIENT HOSPITAL LOG

HOSPITAL: Deland Hospital Room No. 252

DATE	TIME	INFORMATION
2/7/12	0400	NUCSE IN FOR ROUND'S
	0500	Nuise in For Rounds
	0700	NUSSE IN FOR Rounds
	0725	NUrsean For mods & vitals.
	10734	ofc. Stoldion arrived on duty in room #252. Properly
		bricked by Ofc. Plotz, Inventory received 1 H/c Reu# 4.
		I hard to the state of the stat
		tote bag. No radio. Oto Plotz depart room #252
		restraints on.
	0800	Formal Headopunt called into VCBS Combol 1 INSout total 1
		SAT, Stormer informed.
	0015	In up and into the restroom, RTN 0819 hrs. to bed.
	0844	Bill from Respiratory dopt. in to april in mate.
	0930	Pottent Care Tech Ms. Doca in room to remove tray.
	0947	I VUSSE Unda in room to alread on invite
	1003	Security check- No problems, UCBJ CRO Smith informed.
		Food Service in room to discuss ments. I/m Buske on No food diet.
	1031	Illude unda in room to have an Til fluid be
	1049	Im spucke into restroom.
12-07-12	1056	In Duske returned to the bed.



INMATE/PATIENT HOSPITAL LOG

INMATE NAME: BURKE, Michael	0.2.5	
	BOOKING NO. 861423	
HOSPITAL: Deland Haspital	ROOM NO. 252	in the last
ų.		liberos.

TIME	INFORMATION
1108 1131 1145 1151 1216 1230 1233	Social Worker Amanda in room to speak with I/I I/M Buske O/T restroom: Blead Presence & Temperature cheek made by concetect in Charles in room 252 Selventy Cheek-No problem - VCBS looters of C. Scarbogs Nurse Lindo in room to charge I/M IV long. Jamate Buske in restroom, RTN
	1108 1131 1145 1151 1216 1230

Inter-Office Memorandum

To:

Marilyn Chandler Ford, Ph.D., CJM, Director

Division of Corrections

From:

Captain William McClelland, Administrative Captain

Date:

February 13, 2012

Re:

AFTER ACTION REPORT - BURKE, M. #867423

Background Information - Inmate

Inmate Michael Burke was arrested on 2-4-2012 by VCSO on two warrants. One was from Judge Rouse for F/Uttering Forged Checks with a bond of \$3,500 and one was from Judge Hudson for F/VOP Grand Theft and Dealing in Stolen Property with no bond. At the time of his arrest Inmate Burke was experiencing possible medical concerns and was taken to Florida Memorial Hospital in Deland by VCSO.

After First Appearance on 2-5-2012, at approximately 1043 hours, our Division took over custody of Inmate Burke at Florida Memorial Hospital Deland. Inmate Burke was classified by our Case Management intake counselor as a MEDM FNSM. In accordance with our policy this classification required one officer, without a weapon, to be assigned for hospital coverage. Inmate Burke was the only inmate that we were supervising in the hospital at this time.

Hospital Coverage

Inmate Burke was initially in the ICU area of the hospital for treatment. He remained in this location until 2-6-2012, when he was transferred out of ICU to Room 252 at approximately 2120 hours.

Inmate Burke remained assigned to Room 252 until 2/7/2012 at approximately 1300 hours when Officer Stridiron reported to his supervisor that Inmate Burke had escaped from the room while he was allegedly using the bathroom.

Memo to Dr. Ford After Action Report - Burke February 13, 2012 Page 2 of 3

Actions Post- Escape

Hospital Security and Deland Police Department were contacted. Inmate Burke was recaptured in a wooded area close to the hospital at 1303 hours. Inmate Burke was returned via EVAC to Florida Memorial Hospital Deland, where he was medically cleared to be released from the hospital. Inmate Burke was then transported from the hospital to the Branch Jail by Corrections staff. He was processed into the jail, evaluated by the VCDC Medical Section and housed in Unit 12 on MHC/CWI due to suicidal statements made during his recapture. An INA was added of "Escape Risk Two Officer Full Restraints" due to his escape. Currently, Inmate Burke remains in Unit 12.

Officer Involved

A review was conducted of Officer Stridiron's actions, as well as applicable Corrections Division policies and procedures, and Post Orders. The review reveals that he failed to follow proper policies, procedures, post orders and proper correctional security practices. His violations appear to be the direct cause of this escape. If the officer had followed existing policies and procedures that this incident should not have occurred. The violations committed are as follows:

- 1. Volusia County Division of Corrections Policy 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.
- 2. **Volusia County Division of Corrections Policy102.10(C-I)** (Division-issued Items) (1)All staff are required to wear the appropriate issued items, i.e. flashlight, key holder, radio holder, blood borne pathogen pouch, handcuffs, (pager, radio, 911 tool, and Pepper foam with case if applicable).
- 3. Volusia County Division of Corrections Policy 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.
- 4. Volusia County Division of Corrections Policy 700.15, O -1 & 3 (Security):
- (1) The officer shall remain with the inmate at all times.
- (2) The officer on duty shall station himself/herself at the door maintaining visibility of the inmate at all times.

Memo to Dr. Ford After Action Report - Burke February 13, 2012 Page 3 of 3

- 5. Volusia County Division of Corrections Policy Post Orders for Hospital Officer (p. 40): 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.

Other Hospital Staffing

A review of written hospital logs from the previous shifts (02/05/12 to 02/07/12) was also conducted. This was done in an effort to determine whether this incident had systemic causes, or whether it was more individual in nature.

Four other officers worked shifts prior to Officer Stridiron assuming duty on 2/7/12. Review of the logs indicate that the Division's policies appear sufficient for security and safety of an inmate in the hospital and under the Division's custody. Based on the logs, the Division's policy and procedure and Post Orders for hospital duty were generally followed. Minor issues of documentation were noted (e.g., noted time tray in for inmate but do not note tray removed). Retraining on this specific issue, as well as a refresher on the entire Division policy and Post Orders for hospital duty is recommended for all officers.

c: Assistant Director L. Neel Warden M. Pronovost Warden B. Masker

POST ORDERS HOSPITAL OFFICER

The Hospital Officer will:

- Report directly to the Operations Supervisor.
- 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.
- When escorting the inmate in your custody to a medical procedure, make yourself aware of your surroundings.
- Upon relief, the On-duty Officer will complete a security check of the area to include the room "layout" and inmate restraints.
- Do not leave the inmate unattended. You must be properly relieved by Corrections staff or a Law Enforcement Officer prior to leaving the inmate.
- 8. Ensure all protective equipment is secure and positioned correctly at all times. You must wear the protective vest while supervising an inmate if wearing a weapon.
- 9. Ensure all restraints and keys are secure and within your control and not in reach/control of the inmate.
- In an emergency situation, notify the Hospital Security Staff as soon as possible.
- 11. In the event an inmate is released from custody while in the hospital, the Hospital Security Staff and the Charge Nurse (in her absence contact the Nurse assigned to the patient) will be notified and apprised of the fact that there will no longer be a Corrections Officer assigned to the patient.
- Know and follow the procedures outlined in Division Policy 700.15.
- 13. Communicate with hospital staff in a cordial and professional manner. In the event of a disagreement with hospital staff concerning a security related issue, address the issue in a professional manner; calmly and quietly so as not to disturb the normal hospital operations.
- Perform all other duties as assigned.

VOLUSIA COUNTY DIVISION OF CORRECTIONS

POLICY AND PROCEDURE MANUAL

POLICY NO. 700.15

DATE: December 15, 2011

SUPERSEDES: November 19, 2010

SUBJECT: MEDICAL AND HEALTH SERVICES

Hospital/Transport Duty

It is the policy of the Volusia County Division of Corrections to provide security, when required, for inmates hospitalized during their incarceration with the Division.

NCCHC J-E-08, J-E-10

It shall be the responsibility of all staff to ensure compliance with this Policy and Procedure.

A. Determination of hospitalization

- 1. The need for hospitalization shall be determined by the Medical Supervisor (MS) on duty, the Medical Director (MD) or the emergency room doctor.
- 2. The Medical Supervisor shall notify the Shift Commander (SC) of the need to hospitalize the inmate, giving the inmate's name and reason for hospitalization.
- 3. The Medical Supervisor on duty shall notify the hospital of the inmate's medical condition and shall provide the hospital with all necessary information.

B. Transportation (Corrections)

- 1. The SC shall notify the OS who shall check with the Booking Office for the inmate's charges, criminal history and classification to determine the level of security required for the inmate.
- 2. The SC or OS shall ensure that only certified Officers who are weapons qualified (.38 cal. Revolver or 9 mm) are used for transport, and also, that only certified Officers with at least one (1) year of experience with our Division are used for hospital duty.
- 3. The OS shall instruct the Transporting Officer (TO) on the travel route and hospital entrance to be used, except when transported by EVAC.
- 4. The OS will contact HHMC security and advise them of the transport.
- 5. The TO shall ensure that the following equipment is utilized for hospital duty. This equipment may be obtained from the OS at VCBJ or the Receiving/Discharge Officer at VCCF.
 - a) 2 pair of handcuffs
 - b) 2 pair of leg irons
 - c) 1 belly chain
 - d) 1 cuff key
 - e) 1 Inmate/Patient Hospital folder with VCDC-214

- f) 3 pair of plastic handcuff
- g) 1 carry bag
- h) 1 vest for one officer escort and 2 vests for two officer escort.
- i) 1 weapon belt & weapon key
- j) 1 weapon pick up from weapons locker in VCBJ/VCCF sallyport

C. Notifications

- During normal working hours the SC or OS shall notify the Warden of the need for hospitalization, providing the inmate name, booking number, charges, reason for the hospitalization and estimated length of stay, if known.
- After normal working hours, the SC or OS shall notify the on duty Captain or Staff Duty Officer (SDO) of the
 need for transport to the hospital and provide all pertinent information and further instructions reference
 transport/hospitalization. If notification is for information only, and the Captain is not on duty, the SDO shall be
 contacted after 0700 hours.
- The SC or OS shall file an Incident Report (VCDC-401) to include a VCDC 402 from medical personnel and forward it to the Warden.
- 4. The OS shall schedule the transport in JMS.
- 5. When the inmate is admitted and a room assignment made, the TO shall notify the SC or OS.
- The SC or OS shall notify the Medical Supervisor.

D. Staff assignments

- The SC on duty at the time of admission shall ensure that hospital coverage is made for all shifts for the first twenty-four (24) hours until such time as the respective SC can schedule staffing for their own shifts or until Staff Scheduling is
- 2. The SC shall ensure that only certified personnel who are weapons qualified, when needed, with at least one (1) year of correctional experience with our Division shall be assigned to hospital duty.
- It shall be the responsibility of each officer assigned to hospital duty to contact the SC at the Branch Jail at least two (2)
 hours prior to reporting for duty. The SC shall advise the officer where to report or, if applicable, that the overtime has

E. Restraints

- All inmates shall be in some form of restraint at all times. These restraints may consist of handcuffs, belly chains, leg
 irons, leather restraints or a combination of these. Under normal circumstances, leg irons shall be the minimum restraint
 used.
- 2. Type and amount of restraints shall be determined by:
 - a) Security classification of the inmate
 - b) Type of injury or illness
 - c) Mental stability of the inmate
 - d) Type of medical procedure to be performed

Policy 700.15 Page 3 of 6

- 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
- 4. All inmates housed in a medical facility shall have a set of leg irons attached to one of their legs and to the bed rail. If this
- 5. When it is necessary to restrain an inmate to a bed or chair for his/her own protection or behavior control, leather restraints should be used. The Officer shall notify the OS when this is necessary.
- 6. Leather restraints shall generally be provided by the hospital and shall be placed on the inmate prior to the removal of the
- 7. Hospital staff shall place the inmate into leather restraints, and ensure proper application.
- 8. Relief Officers shall inspect all restraints for accountability and proper application prior to assuming control of the inmate.
- 9. Plastic handcuffs are to be used in place of metal handcuffs when the inmate is undergoing treatments such as an x-ray or MRI. The plastic handcuff is to be applied prior to the removal of the metal handcuff. The metal handcuff shall then be reapplied prior to the removal of the plastic handcuff. The plastic handcuff can be removed by using bandage scissors to cut them off. Bandage scissors can be obtained from medical staff present at the hospital.

F. Inmate/patient hospital folder

- 1. The OS shall ensure that ten (10) folders are maintained in the OS office and are ready for use.
- 2. The OS shall inventory the folders during each shift and ensure that all are accounted for. Any discrepancies or need for
- 3. Each folder shall contain the following:
 - a) I copy Hospital Policy and Procedure 700.15
 - b) 1 copy Hospital Post Orders
 - c) 1 pad of VCDC-732
 - d) 6 VCDC-401s
 - e) 6 VCDC-402s
- 4. The OS shall ensure that a folder is delivered to the officer assigned to hospital duty as soon as possible after the
- 5. The OS shall ensure that a copy of the inmate's VCDC-214 is placed into the folder prior to delivery.
- 6. The Officer assigned to hospital duty shall properly maintain the VCDC-732 by documenting relief information, equipment checks, pass-ons, meals, showers, visits, security checks, unusual incidents and any other relevant information.

G. Headcount

- 1. Headcounts shall be conducted at the specified times as per Policy 400.18.
- 2. The officer shall contact the Control Room at the institution where the inmate is assigned.
- 3. An entry shall be made on the inmate's VCDC-732.

H. Visitation

- 1. Visitors must be approved by the Warden or SDO in advance.
- 2. Visits shall be in accordance with hospital and Division visiting regulations.
- 3. Any questions as to the appropriateness of a visit, the officer shall contact the SC for clarification.
- All visits shall be documented on the VCDC-732. Documentation shall contain who visited, purpose of visit, length of visit and who approved the visit.

I. Telephone

- Inmates shall not be allowed telephone privileges unless approved by the SC or OS. As per policy 700.30 all approved
 phone calls shall be documented on the VCDC-732.
- The documentation shall contain the person calling or called, the purpose, length of call and who approved the call. All
 long distance calls shall be collect when the telephone call is outgoing (i.e., placed by the inmate); the officer shall dial the
 telephone.

J. Mail

- Inmates shall be afforded the same mail privileges as general population inmates.
- 2. The OS shall coordinate pick up and delivery of mail on the 0800-2000 shift.

K. Commissary

- 1. Commissary privileges will not be provided as items purchased may be contrary to the therapeutic needs of the inmate.
- 2. The hospital provides needed hygiene items and the Division will provide writing paper and envelopes.

L. Smoking

1. Smoking shall not be permitted.

M. Meals/Staff Relief

- Meals shall be served to staff on the same schedule as patients.
- 2. Inmates may order their own meals in accordance with hospital instructions.
- 3. The SC at the Branch Jail shall be responsible for providing a relief for the staff member assigned to hospital duty.

N. Weapon

- 1. Weapons shall only be used when approved by the on-duty Captain, Warden or SDO.
- 2. The Division-authorized Smith and Wesson .38 caliber revolver/Glock semi-automatic/9mm shall be used as the hospital weapon whenever required.
- The Officer shall be knowledgeable of Division Policy and Procedure 400.10.
- 4. The Officer shall maintain weapon safety at all times.
- 5. No weapon shall be carried while assigned to the psychiatric unit.

O. Security

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- 1. The Officer shall remain with the inmate at all times.
- The Officer shall notify the OS any time it is necessary to leave the assigned room for tests, x-rays, etc. The OS shall be
- The Officer on duty shall station himself/herself at the door maintaining visibility of the inmate at all times. Unnecessary conversation between the inmate and the Officer on duty and the hospital staff shall be avoided. When two officers are assigned, the officer with the weapon shall be posted outside of the room. The unarmed officer shall be posted inside the room. In the event isolation is required, staff positions will be determined on a case-by-case basis.
- 4. The Officer on duty shall inspect all items brought into the room to ensure no contraband is introduced. The Officer shall ensure the accountability of all eating utensils and other equipment brought into the room.
- 5. Upon assuming hospital coverage from local law enforcement, the SC or designee shall go to the hospital and determine the security level needed for this inmate based on charges, physical condition, known history and complete a VCDC-401.

P. High security inmates

- 1. The OS shall assign two (2) Officers (only one of which shall be armed) to any high security inmate unless otherwise
- 2. The OS shall ensure that one Officer is assigned to inside security and his/her responsibilities shall include:
 - a) Inside room security
 - b) Search of area and inmate
 - c) Applying or removing restraints
 - d) Monitor inmate activities
 - e) Maintaining VCDC-732
 - f) Escorting inmate when out of room
- 3. The OS shall ensure that the armed Officer is assigned outside the room and his/her responsibilities shall include:
 - a) Room entrance security
 - b) Search of all items entering the room
 - c) Identification of all staff and visitors entering the room
 - d) Position himself/herself to observe the inside Officer and inmate at all times
 - Remain at a safe distance to monitor activities
 - Assist in escorting inmate when out of room

Q. Inmate discharge

- 1. When the officer on duty receives confirmation that an inmate is to be released from the hospital, he/she shall immediately notify the OS to arrange transportation. The OS shall then notify Medical of the inmate's return.
- The officer on duty shall contact the nurse reference any paperwork to accompany the inmate back to the institution.
- The officer and inmate shall remain in the room until the TO arrives. The two (2) Officers shall then escort the inmate to the vehicle. The TO shall then return the inmate to the appropriate institution's Medical for assessment.

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- 4. When the inmate is discharged from the hospital, the TO returning the inmate to the institution shall ensure that the Inmate/Patient Hospital folder (VCDC-732) and any hospital paperwork is delivered to the medical staff.
- 5. The officer being relieved of hospital duty at the time the inmate is discharged shall contact the SC for further instructions or assignments and deliver the hospital weapon, and ammunition (when applicable) and restraints to the TO, who shall return them to the institution.
- 6. The OS shall schedule the move back to the jail in JMS.
- 7. The OS shall ensure that the VCDC-214 is forwarded with the inmate to the appropriate housing unit. The VCDC-732 and any medical paperwork shall be forwarded to Medical for disposition.
- 8. The OS shall then file the Inmate/Patient Hospital folder in the OS office.

R. Inmate release from custody

- 1. When the OS has been appropriately advised that an inmate is being released from our custody at the hospital, the OS
 - a) Notify the SC
 - b) Notify the Hospital Duty Officer (HDO) and Medical at the appropriate institution.
 - Arrange for an officer to go to the hospital and out process the inmate.
 - d) Ensure that the inmate's personal property along with the VCDC-213, ink pad, scissors and any monies due are taken to the hospital with the TO.
 - e) Ensure that the original VCDC-214 is obtained from the Control Room at VCCF or Receiving/Discharge at VCBJ for
- Upon arrival at the hospital, the TO shall:
 - a) Ensure that a positive identification is obtained of the inmate being released by utilizing the VCDC-214 per Policy & Procedure 200.07. Call the Booking Office for a final hold check.
 - b) Obtain the right thumbprint of the inmate and compare it against the thumbprint already on the VCDC-214.
 - c) Check the wristband of the inmate for identification and booking number to ensure they match the VCDC-214 and
 - d) Ensure all personal property and monies belonging to the inmate are returned to the inmate.
 - Ensure the Property Inventory form (VCDC-213) is signed by the inmate.
 - Obtain all issued Division property.
 - Ensure the VCDC-214 and VCDC-213 are returned to the appropriate Control Room.
 - Ensure that all restraints and weapons (when applicable) are returned to the OS.

Regional Medical Director

Marilyn Chandler Ford

Corrections Director