

ABSENT WITHOUT LEAVE (AWOL) / ESCAPE

Revision Date July 20, 2021

Authority:

Wis. Stat. 946.42(3)(c); 938.533(3m)
Wisconsin Administrative Code 394.08

Definition:

A youth has escaped if the youth is absent without permission or leaves one or more of the following placements or scheduled activities without permission:

- The youth's residence or other assigned placement
 - A scheduled school placement or training site
 - A scheduled work site
 - An assigned report center or other department office
 - Any other scheduled program or activity, including an authorized treatment program, community service assignment, or any other activity established in the youth's schedule
 - Any other place to which the youth has been assigned
- A youth shall be considered AWOL if one of the following occurs:
- Youth removes their Global Positioning System (GPS)/Radio Frequency (RF) monitoring and tracking device
 - Youth fails to maintain charge of GPS/RF monitor
 - Whereabouts and activities of the youth are unknown for greater than 12 hours
 - Alternate care site reports that a youth has left the facility without approval
 - Other as staffed with a Corrections Field Supervisor (CFS)
- When a youth is determined to be AWOL the Agent/Covering Agent shall:
- Issue an Apprehension Request (DOC-58), if not already completed
 - National Center for Missing and Exploited Children (NCMEC) Requirements
 - When a youth's whereabouts are unknown, staff shall select the NCMEC notification option
 - When a youth's whereabouts are known, but youth is in violation, staff shall not select the NCMEC notification option
 - Staff with CFS, including discussion on notification to victim/witness
 - Attempt to contact and or locate the youth, family, or known collaterals and document all efforts
 - Complete COMPAS note and send to the Status keeper mailbox
 - Complete incident report, by end of shift, selecting "AWOL" including:
 - When and from where the youth AWOL' d
 - Current adjudicating offense(s)
 - Risk Score
 - How long the youth has been on community supervision
 - Programming the youth received while in the community
 - Previous violations and dispositions
 - Attempts made to locate the youth
 - Other pertinent information, such as any new criminal behavior
 - Within 5 business days, submit US Marshall Fugitive Task Force referral, unless otherwise staffed with a CFS

- When a youth has escaped, a referral for Prosecution – Type 2 Youth is completed within 30 days. The agent shall refer the youth to the Local Law Enforcement Agency or the District Attorney's Office for escape charges, unless otherwise directed by a CFS.
- Victim Notification of AWOL or Escape:
 - Authority: Wisconsin Statute 938.51(4)
 - If a Juvenile Victim Witness Notification (DOC-1717) has been completed when a youth escapes or is AWOL and is absent for more than 12 hours after the expiration of the specified period, Victim/Witness Coordinator shall make a reasonable attempt to notify, by telephone, all the following:
 - Any registered victim
 - Parent/guardian of any minor victim
 - Adult family member of a victim who has passed away as a result of the delinquent act
 - Any witness who has testified against the youth in court
 - If the Victim/Witness Coordinator cannot reach the victim/witness by telephone they shall mail a letter to the victim/witness at the last known address
 - All attempts to reach the victim/witness shall be documented in NOTIS
- Youth Located
 - Ensure that DOC-58 is completed
 - Complete a COMPAS note
 - When the whereabouts of the youth are known, the Agent shall email the COMPAS note to the Status keeper mailbox and notify Victim/Witness Coordinator mailbox, DOCDJCVWadmin@wisconsin.gov
 - Victim/Witness Coordinator shall notify the victim/witness that the youth has been located/apprehended