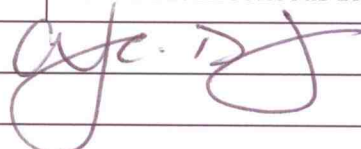


<b>POLICY OF</b> <b>STATE OF DELAWARE</b> <b>DEPARTMENT OF CORRECTION</b>	<b>POLICY NUMBER</b> <b>3.11</b>	<b>PAGE NUMBER</b> <b>1 of 1</b>
	<b>RELATED ACA STANDARDS:</b>	
<b>CHAPTER: 3 Programs and Services</b>	<b>SUBJECT: Erroneous Releases</b>	
<b>APPROVED BY THE COMMISSIONER:</b> 		
<b>EFFECTIVE DATE:</b> 28 May 2009		
<b>APPROVED FOR PUBLIC RELEASE</b>		

**I. AUTHORITY:** 11 Del. Code 6517

**II. PURPOSE:** To establish a process for notification of an erroneous release from a Level V or Level IV facility.

**III. APPLICABILITY:** All Department employees.

**IV. DEFINITIONS: Erroneous Release:** A Level V or Level IV facility release from custody that is either prior to or after the scheduled/authorized date.

**V. POLICY:** When it is suspected that an offender has been erroneously released the following procedures will take place:

- A. The Director and/or Information Resource Manager (IRM) of Central Offender Records will notify the Bureau Chief of Management Services (BCMS) or Deputy Bureau Chief of Management Services in the BCMS absence.
- B. The Director and/or IRM and BCMS will jointly inform the Bureau Chief of Prisons or Bureau Chief of Community Corrections, depending on which level facility is impacted; Department of Justice assigned legal counsel, and the Deputy Commissioner of the erroneous release. All parties will jointly determine the appropriate course of action to be taken, including apprehension and return of the offender.
- C. The Deputy Commissioner will inform the Commissioner of the erroneous release and related circumstances in writing, including a copy to the appropriate Bureau Chiefs, Central Offender Records Director and other involved parties.
- D. The Director and/or IRM will investigate the incident and submit a written report to the BCMS and the Deputy Bureau Chief, to include recommendations to prevent future situations of a similar nature and necessary disciplinary actions.