

SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

SECOND DEGREE ESCAPE

RCW 9A.76.120

ELEMENTS

- 1a) The suspect knowingly escaped from a detention facility; OR
- 1b) The suspect was charged with a felony or with an equivalent juvenile offense, and he/she knowingly escaped from custody; OR
- 1c) The suspect was committed as criminally insane pursuant to RCW 10.77 for a sex, violent, or felony harassment offense, was under an order of conditional release, and left or remained absent from the State of Washington without prior court authorization.

Defense: Uncontrollable circumstances prevented the suspect from remaining in custody or in the detention facility or from returning to custody or to the detention facility, and the suspect did not contribute to the creation of such circumstances in reckless disregard of the requirement to remain or return, and the suspect returned to custody or the detention facility as soon as such circumstances ceased to exist.

SPECIFIC REQUIREMENTS

- [] 1. Written detailed statements from all jail/prison staff involved in the escape investigation.
- [] 2. Written statement from suspect's employer, if the escape was from work release.
- [] 3. Police reports which detail suspect's recapture even if from another agency.
- [] 4. Statements from civilian witnesses who have knowledge of the suspect's activities while in escape status.
- [] 5. Packet of materials from suspect's prison or jail file which document why the suspect was being held, when admitted, and scheduled release dates.
- [] 6. Copy of the commitment order holding suspect in custody prior to escape or copy of the Judgment and Sentence as applicable.
- [] 7. Statement from suspect(s) if possible, including why suspect escaped and/or failed to return.