UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
POSTAL SERVICE CENTER BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-0003

ASO 1640.16E
PMO
13 JUL 10

AIR STATION ORDER 1640.16E

From: Commanding Officer, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: PRISONER ESCAPE BILL

Ref: (a) SECNAVINST 1640.9C (NOTAL)
(b) MCO 5500.6G
(c) MCO P5800.16A, LEGADMINMAN
(d) MCO 3574.2K

1. Situation. Service members routinely escort military prisoners/confinees. On occasion, prisoners/confinees may attempt to escape with or without success. Escorts, armed or unarmed, must know what actions to take when faced with an attempted escape or successful escape.

2. Cancellation. ASO 1640.16D.

3. Mission. Escorts will take appropriate actions to prevent the escape of a prisoner/confinees. If a prisoner/confinee should escape, the escort must know what immediate action to take to recapture the escapee as quickly as possible.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To train all escorts in appropriate prisoner escort duties, to include the actions they are legally required to take, to prevent an escape and recapture an escapee.

(2) Concept of Operations

(a) Prisoner escorts, armed or unarmed, will exercise due care and take all precautions to preclude prisoner escapes. Escorts will exercise their duties in accordance with reference (b) and direction from competent authority.

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(b) In the event of an escape, the procedures contained in references (a) and (b) will be followed by all personnel assigned duties requiring the supervision of detainees/confinees, as set forth in this Order.

b. Coordinating Instructions

(1) Attempted Escape from an Armed Escort. If a detainee/confinee attempts to escape from an armed escort, the escort will take immediate action as follows:

(a) Command the escapee to halt and repeat the command one time if necessary.

(b) If unsuccessful through the use of verbal commands, prevent the escape by physical pursuit and restraint.

(c) Alert all non-prisoner personnel in the area of the escape and request their assistance to recapture the escaping prisoner.

(d) Utilize deadly force only if authorized with the following conditions:

1. Warning shots are not authorized.

2. When a firearm is discharged, it will be fired with the intent of rendering the person at whom it is discharged incapable of continuing the activity or course of behavior prompting the individual to shoot.

3. Shots shall not be fired if they are likely to endanger innocent bystanders.

4. Deadly force is justified only under conditions of extreme necessity, as a last resort, and when all lesser means have failed or cannot reasonably be employed.

(e) If in the escort's judgment all reasonable efforts have been taken to stop the escapee, including the use of deadly force when authorized and appropriate, and the escapee is still not in custody, the escort will proceed to the nearest means of communication and report the escape to the escort's Commanding Officer and request instructions.

(2) Attempted Escape from an Unarmed Escort. If a detainee/confinee attempts to escape from an unarmed escort, the escort will take immediate action as follows:

(a) Command the escapee to halt and repeat the command one time if necessary.

(b) If unsuccessful through the use of verbal commands, prevent the escape by physical pursuit and restraint.

(c) Alert all non-prisoner personnel in the area to the escape and request their assistance to recapture the escaping prisoner.

(d) If in the escort's judgment all reasonable efforts have been taken to stop the escapee and physical pursuit and restraint have not resulted in preventing the escape, the escort will proceed to the nearest means of communication and report the escape to the escort's Commanding Officer and request instructions.

(3) Escape Bill. The Escape Bill shall be placed into effect immediately following an escape as follows:

(a) The squadron/unit having cognizance over the confinee shall phone all details of the escape to the Military Police Desk Sergeant (ext. 3615).

(b) The Commanding Officer will ensure compliance with paragraph 5010.2b of reference (c).

(c) Upon notification of the escape, the Military Police Desk Sergeant shall take appropriate action to seal the immediate area of escape and issue a 50-mile radius alert via the Police Information Network. After completion of the foregoing action, the Military Police Desk Sergeant shall:

1. Alert the Joint Public Affairs Office.

2. Alert the Station Operations Office.

3. Alert the Station Headquarters Squadron and 2d Marine Aircraft Wing Groups to be on the lookout for strangers in barracks and other facilities, to preclude the escapee from stealing unmarked clothing or obtaining assistance from friends.

4. Be prepared to dispatch a mobile public address system to alert residents in government housing areas.

5. Be prepared to provide military police for each helicopter employed in the search, if available.

(d) The officers listed below are directed to provide assistance to the limit of their capabilities in the execution of this Escape Bill:

1. Airfield Operations Officer (SAR helicopters).

2. Motor Transport Officer (vehicle transportation).

3. Commanding Officers or Command Duty Officers (search parties).

(e) Additional assistance in the execution of this Escape Bill may be requested from the North Carolina Prison Department, Unit 22, telephone (252)223-5100 (Newport, NC).

(4) Responsibilities of Competent Authority. Commanders and those who are designated in writing to issue orders to law enforcement and security personnel will ensure the following:

(a) Ensure that all personnel assigned to perform law enforcement or security-type duties receive instructions on applicable regulations relating to the use of force. In addition, periodic instruction will be given to all personnel assigned such duties to ensure that they continue to be thoroughly familiar with all restrictions on the use of deadly force. Such instructions should be situationally and operationally oriented, incorporating practical demonstrations that apply the general guidelines and rules of reference (b) and this Order.

(b) Ensure that all law enforcement and security personnel are instructed in the use and safe handling of assigned weapons/equipment in accordance with the provisions of reference (d). Marines armed with a pistol, who do not fire for qualification or re-qualification with that weapon, and Marines armed with a shotgun, will fire a FAM course with the weapon at least every 6 months.

5. Administration and Logistics. The CO, 2d MAW, CO's, FRC East, and Naval Health Clinic concur with the contents of this Order insofar as it pertains to members of their command.

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Reserve.

b. Signal. This Order is effective the date signed.

ROBERT D. CLINTON
Executive Officer

DISTRIBUTION: A

Copy to: State Highway Patrol; New Bern, Craven County Sheriff's Dept., New Bern, Havelock Police Dept., Havelock, NC Prison Dept., Unit 22, Newport

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