

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Incident Review

TO: Nathaniel Quarterman
Director
Correctional Institutional Division

DATE: September 27, 2007

THRU: Rodney Cooper
Deputy Director
Correctional Institutional Division

FROM: Ray Castro
Region IV Director
Correctional Institutional Division

SUBJECT: Serious Incident Review
Wynne Unit - Employee Death
and Offender Escape

BACKGROUND

On September 24, 2007 at approximately 10:30 a.m. Offender Jerry Martin, TDCJ #795994 and Offender John Falk, TDCJ #425404, fatally injured Officer Susan Canfield CO IV during an escape from the Wynne Unit. After an intensive manhunt both offenders were captured without further incident and immediately transported to the Walker County Jail.

An incident review team was formed at the request of Nathaniel Quarterman, TDCJ - CID Director. The team was comprised of the following members:

Ray Castro, Director, Region IV

Tommy Prasifka, Director of Operations, Manufacturing and Logistics

Ray Thompson, Senior Warden, Coffield Unit

Robert Eason, Senior Warden, Robertson Unit

Brenda Chaney, Senior Warden, Garza Unit

Charles Bell, Assistant Director, Security Systems

George Crippen, Director, Clinical Administration, Health Services

Phyllis McWhorter, Manager, Health Services

Beverly Stewart, Manager, Classification and Records

Paul Wilder, Member, State Classification Committee

Jack Douglas, Program Specialist V, Counsel Substitute

Roger Demney, Office of the Inspector General

Grant Dickey, Program Specialist, Security Systems

Jennifer King, Technical Writer II, Executive Services

Riley Tilley, Technical Writer II, Executive Services

SCOPE AND OBJECTIVES

The scope of the review team was to examine unit staffing, security procedures, emergency response, escape plan, investigative procedures, disciplinary, classification and medical information. The objectives of the team were to identify procedures that may prevent similar incidents in the future as well as to offer suggestions and corrective actions for the Wynne Unit Warden. The team utilized interviews with offenders and staff, visual inspections of the area where the incident occurred and a review of all applicable documents and procedures pertinent to the incident.

INCIDENT REVIEW

Participant Summary

Employee:

Susan Canfield, white female, 59 years old, Correctional Officer IV

Offenders:

Falk, John TDCJ #425404, W/M/40/G2

Offender Falk is serving a life sentence for murder with a deadly weapon. Offender Falk was received by the TDCJ at the Goree Unit on July 11, 1986.

Martin, Jerry Duane TDCJ #795994, W/M/37/G2

Offender Martin is serving a 50-year sentence for Attempted Capital Murder. Offender Martin was received by the TDCJ at the Gurney Unit on August 28, 1997.

Chronology of Events

On September 24, 2007 at approximately 10:30 a.m., Field Squad numbers 01, 02, 05 and 11 (totaling 76 offenders) were working in the Wynne Unit onion field next to the City of Huntsville Service Center. Offender Jerry Martin, TDCJ #795994, approached the edge of the field, approximately 25 feet from Joe Jeffcoat, Correctional Officer IV, and asked him to hold his broken watch. Officer Jeffcoat then observed Offender John Falk, TDCJ #425404, who was removing grass from the field, approaching him from the left. As Officer Jeffcoat directed his attention to Offender Falk, Offender Martin rushed Officer Jeffcoat and began trying to obtain control of Officer Jeffcoat's holstered weapon. Officer Jeffcoat began defending himself and his weapon against Offender Martin as Offender Falk began trying to pull Officer Jeffcoat off his horse. Officer Jeffcoat began kicking at the two (2) offenders while yelling for assistance. Officer Jeffcoat began to lose his balance and grabbed his saddle horn to catch himself.

At that point Offender Martin was able to take control of the .357 revolver as Officer Jeffcoat knocked Offender Martin to the ground. Officer Jeffcoat then jumped off his horse and tackled Offender Martin. As Officer Jeffcoat was trying to regain control of his weapon, Offender Martin threw the weapon to Offender Falk. Offender Falk then pointed the weapon at Officer Jeffcoat who immediately released Offender Martin. Both offenders then jumped over a barb wire fence onto the City of Huntsville Service Center parking lot where the high-rider, Susan Canfield, Correctional Officer IV, was positioned.

Sergeant Larry Grissom observed Offender Falk firing at Officer Canfield (this weapon was later found emptied). Officer Canfield began firing at the two (2) offenders and emptied her service revolver (six [6] rounds). Sergeant Grissom fired two (2) shots, Officer Royce Hagans fired one (1) shot and Officer Phillip Lynch fired three (3) shots at the offenders in an attempt to stop the escape. Offender Falk then came up beside Officer Canfield, still mounted, and placed the .357 revolver taken from Officer Jeffcoat in Officer Canfield's side. Offender Falk then took control of Officer Canfield's Ruger 77 rifle and took approximately two (2) steps back. Offender Martin, who had taken control of a City of Huntsville one (1) ton truck, rammed the vehicle into Officer Canfield's horse which immediately threw Ms. Canfield into the air landing on the truck's windshield ultimately striking her head on the ground.

Wynne Unit security staff members and unit medical personnel immediately responded to the crime scene where Officer Canfield was struck. Medical staff attempted to resuscitate Officer Canfield but to no avail. Officer Canfield was pronounced deceased at 10:44 a.m. by Justice of the Peace Janie Ferris. The crime scene was immediately secured by Wynne Unit staff until the Office of the Inspector General (OIG) arrived. The crime scene was later given over to the Texas Department of Public Safety (DPS) and the Texas Rangers.

The two (2) offenders fled the scene via the city truck. A city employee who had observed the incident began following the city truck and immediately called 911 to report the incident.

The two offenders drove the truck to the former Kentucky Fried Chicken, now closed, on Highway (Hwy) 30, and left the city truck in the parking lot. Offender Martin and Offender Falk then fled on foot to the Guaranty Bank located across the street from the Kentucky Fried Chicken. Offender Martin and Offender Falk took possession of a red Dodge pickup occupied by one (1) white female. Offender Falk took the driver's seat, ordering the female in the passenger's seat, while Offender Martin jumped into the bed of the hostage's truck still in possession of Officer Canfield's rifle. Huntsville Police Officer Ron Cleere was immediately on the scene and fired his weapon at the truck, hitting the right front tire. Both offenders and hostage headed to the area behind the Wal-Mart Super Center located on Interstate Highway-45 South onto Smithers Road.

At this point the two (2) offenders exited the vehicle and fled in different directions into the woods. The hostage also exited the vehicle immediately. While fleeing, Offender Martin fired at local law enforcement who returned fire. Around 11:09 a.m., Offender Falk approached a beer truck driver in the Wal-Mart loading area and asked for a ride. The truck driver, aware of the situation, noticed a DPS Trooper close by and began waving at

him. The DPS Trooper immediately responded and Offender Falk surrendered without further incident.

The City of Huntsville Police Department initiated the Code Red System which notifies local residents within a specified area of the incident.

Offender Martin eluded immediate capture. Stationary and roving patrols were established along IH-45, Farm-to-Market 1374, Veterans' Memorial Boulevard and Hwy 30 with the assistance of additional TDCJ Units and local and state law enforcement. The Wynne Unit tracking pack canines were then deployed and Offender Martin was apprehended at approximately 1:45 p.m. in the woods off Smithers Road. Both offenders were taken to the Walker County Sheriff's Department for processing. Offender Martin was later transferred to the Estelle Unit and Offender Falk was transferred to the Ellis Unit.

Officer Jeffcoat's empty .357 revolver was recovered at the crime scene in the City of Huntsville Service Center parking lot. The rifle taken from Officer Canfield was located in the woods in close proximity to where Offender Martin was eventually apprehended. The rifle contained three (3) rounds when found.

Investigators with the OIG, DPS Crime Scene Unit and the Texas Rangers arrived to process the crime scene and began their criminal investigation.

The Dallas County Medical Examiners Office performed an autopsy on the body of Officer Susan Canfield.

During the incident Officer Canfield's horse was shot in the left abdomen area thru the saddle. The horse was later euthanized and an autopsy performed. The autopsy was conducted by Dr. Dan Posey, Texas A&M Veterinarian, Mr. Ricky Kimich, Wynne Unit Farm Manager and Kevin McMillan, Livestock Supervisor. A bullet removed from inside the horse was handed over to Texas Ranger Otto Hanek.

The Texas Rangers and the OIG are conducting an on-going investigation.

UNIT STAFFING

The Wynne Unit is staffed according to the TDCJ *Wynne Unit Staffing Document* dated May 1, 2006.

Findings

- The Wynne Unit is allocated 460 Correctional Officer positions. On the day of the incident, the Wynne Unit had 354 Correctional Officer positions filled; raw strength of 77%.
- The Wynne Unit field operation is allocated eight (8) Correctional Officer positions and one (1) Sergeant position. On the day of the incident, the Wynne Unit had all nine (9) field positions filled; strength of 100%.

- Four (4) squads were authorized to work the field on the day of the incident; Squad #1 (21 offenders), Squad #2 (20 offenders), Squad #5 (20 offenders), and Squad #11 (15 offenders), totaling 76 offenders.
- One (1) officer was assigned to each of the following areas:
 - Each squad (#1, #2, #5 and #11), totaling 4 officers;
 - High-rider position (located on the southeast side of the City Service Center parking lot);
 - Tool wagon;
 - Inside perimeter detail; and
 - Community service.
- One (1) Sergeant was assigned to oversee field operations.
- On the day of the incident, the field force was staffed appropriately.
- All employees involved in the incident are current on In-Service Training.

Recommendations:

- None

SECURITY PROCEDURES

Review team members reviewed the Wynne Unit's *Escape Plan*, security procedures and emergency response pertinent to the incident.

Findings

- Field turnout procedures are correct - four (4) checks before leaving the back gate (e.g., pat searches, strip searches, rostering of offenders, I.D. card check, weapon issuances).
- On the day of incident appropriate number of offenders were assigned to each squad.
- Interview with Field Sergeant Larry Grissom regarding the selection and training of new field officers determined the process to be appropriate.
- All field officers received and signed for their post orders on a daily basis.

- During interviews and observation of the crime scene it was discovered that the placement of the high-rider was hindered by several heavy equipment vehicles. These vehicles obstructed the officers' view of the field squad offenders and the field officers.
- During the review of the crime scene, it was observed that the location was close to free-world property, free-world vehicles and heavy equipment machinery.
- The offenders were scheduled to pick okra in the bottom; therefore, the high-rider was issued a Ruger 223. However, due to fog, the work location was changed to the onion field. A shotgun is normally issued for this area; however, the correct weapon was not reissued to the high-rider.
- Officer Jeffcoat allowed Offender Falk to approach the front edge of the onion field to drop some grass which was located to the front left of Officer Jeffcoat. At the same time Officer Jeffcoat allowed Offender Martin to approach him from the front right side of the onion field after Offender Martin asked Officer Jeffcoat to hold his broken watch. As a result, Officer Jeffcoat did not maintain sight of Offender Falk, which is contrary to established post orders, who then created an unknown noise to distract Officer Jeffcoat's attention from Offender Martin. This allowed Offender Martin to get close enough to rush Officer Jeffcoat and gain control of his weapon.
- The review team identified and interviewed 19 offenders working in the field the date of this incident. The information obtained was inconsistent and inconclusive.

Recommendations:

- The Field Force Working Committee should review all post orders relating to field operations as part of the implementation of the new training curriculum, which has been under development prior to this incident.
- The Agency should proceed with the plan to designate a technical line of supervision for field security operations.
- Field supervisor should ensure the line of sight for the high-rider position is not obstructed.
- Conduct a risk assessment to determine security and safety risks of community service and field work locations (e.g., proximity to dense woods, public roadways, populated areas and offender custody level).
- When the work mission changes after weapons and equipment have been issued to the field staff, the field supervisor must re-evaluate weapons and equipment needs and ensure that proper equipment is issued for the correct location.

- Wynne Unit administration should take appropriate disciplinary action per PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees."

EMERGENCY RESPONSE

- Emergency response by responsible personnel was immediate, appropriate, and in accordance with unit and Agency guidelines.
- Additional security staff and medical staff responded immediately upon being notified and acted in a prompt and professional manner.
- The unit had adequate resources and followed appropriate procedures in effectively responding to the emergency situation, to include preservation of the crime scene and excellent deployment of kennel operations.
- The Walker County Sheriff's Department, Huntsville Police Department and TDCJ all operate on different radio bands. Therefore, the utilization of the cell phone became the most effective way for those involved to communicate with others.
- It appears that information was not easily shared between the TDCJ and law enforcement during the incident, to include those individuals in charge of the incident.

Recommendations:

- TDCJ communications is in the process of determining the type of radio equipment best suited for communicating with other agencies.
- Review coordination with locally-based law enforcement agencies and established protocols for emergency situations.

DISCIPLINARY

Findings

Review of Offender Martin's disciplinary records indicate his most recent three (3) disciplinary cases occurred on July 25, 2007, shortly after his transfer to the Wynne Unit from the Polunsky Unit. After he arrived at the Wynne Unit, Offender Martin wrote the UTMB Practice Manager at the Polunsky Unit, K. Rudolph, to tell her that he had arrived at the Wynne Unit and to ask for favors. She delivered the letter to the Polunsky Unit administration and the resulting investigation culminated with case #20070329760 for Rule 30.1, attempting to establish an inappropriate relationship with Ms. Rudolph, and the discovery of an inappropriate relationship with an LVN, Ms. Haga, at the Polunsky Unit. Offender Martin received two (2) more disciplinary cases - #2007329747 for Code 30.02,

establishing an inappropriate relationship, and #20070329753 for Code 20, sexual misconduct. The punishment assessed for the disciplinary cases was within the range of punishment established in the offender disciplinary procedures.

A review of Offender Falk disciplinary records indicates the last major case was September 23, 2003 for failure to obey an order and creating a disturbance. He has had two (2) minor cases each year since.

Recommendations:

None

CLASSIFICATION

- Both offenders (Jerry Martin and John Falk) were classified as G2 at time of the incident. However, Offender Martin had just received three (3) major cases for two (2) employee/offender relationships at the Polunsky Unit. The computer recommended G4 custody for Offender Martin, but the Unit Classification Committee (UCC) remained him G2 custody on July 27, 2007 due to information received as a result of an ongoing investigation. The UCC was within the boundaries of the TDCJ *Classification Plan* to override the computer-recommended custody.
- Both offenders were appropriately assigned to the correct unit based on their security needs and classification boundaries. Classification guidelines were adhered to when assigning these offenders to their custody designation, work assignments and housing areas.
- Offenders in G2, G3, G4 or G5 custody may be assigned to field operations under direct armed supervision. These two (2) offenders were appropriately assigned.

Recommendations:

- None

MEDICAL

Interviews of Wynne Unit medical staff were conducted regarding the medical care provided to Officer Canfield.

Findings

- Medical staff immediately responded to the situation at the City Service Center parking lot where Officer Canfield was struck. Once on the scene, appropriate medical protocols were followed by the medical staff.

Recommendations:**None****OFFICE OF INSPECTOR GENERAL (OIG) INVESTIGATION**

The OIG - Investigations Division currently has an ongoing investigation of the escape. The Texas Rangers are investigating the homicide at the Wynne Unit and the kidnapping and auto theft at Guaranty Bank.

Findings

- At 10:30 a.m., the situation was heard over the Huntsville Police Department frequency by the OIG. Two (2) OIG investigators arrived at the Wynne Unit crime scene and secured the crime scene. Security had already retrieved the weapons from the crime scene. The weapons were turned over to the OIG. At 10:45 a.m., OIG Wynne Unit investigators were advised of the escape. The investigators reported to the scene as instructed. At 11:10 a.m., three (3) additional OIG investigators arrived at the crime scene. At that time, the decision was made that the Texas Rangers would handle the homicide and the OIG would handle the escape. At 11:30 a.m., the first Texas Ranger arrived at the crime scene and took charge. At 3:00 p.m., four (4) additional OIG investigators began interviewing offenders present during the incident. At 4:30 p.m., six (6) additional OIG investigators arrived to assist with interviews of the offenders. The crime scenes at Guaranty Bank and Smithers Road were handled by the Texas Rangers. Investigation continues and appropriate charges will be presented to the Walker County District Attorney.

Recommendations:**None**

CONCLUSION

The Serious Incident Review Team for the Wynne Unit employee homicide and offender escape has established that this incident resulted from the assailants intentionally inflicting serious bodily injury on Ms. Susan Canfield which resulted in her tragic and untimely death. The offenders then escaped from custody of the Texas Department of Criminal Justice.

The Serious Incident Review team reviewed all applicable evidence and conducted staff and offender interviews regarding this incident. The review team determined that unit staffing was not a contributing factor to the incident. Findings and recommendations have been noted in the areas of Security Procedures and Emergency Response regarding post orders, high-rider position, risk assessment of all field work locations, radio equipment and the evaluation of weapons and equipment needs if a work mission changes. Once the incident was identified, security staff and medical staff responded appropriately and according to established procedures. Life-saving techniques were applied and heroic efforts were made to try to save the life of Officer Canfield. Appropriate measures were taken once the incident was discovered. All correctional staff involved with the incident have received required Agency training. Both offenders were properly classified and assigned to the field operations. Employee failure to follow established post orders provided the opportunity for this incident to occur.

The Office of the Inspector General, Texas Rangers and Department of Public Safety Crime Scene Unit continues to formally investigate the homicide and will issue a final report.

Individuals affected by this tragic incident, to include fellow employees, incident responders, health care providers, support personnel, investigators and members of the Walker County, Texas community, are commended for their prompt, professional and compassionate intervention on behalf of Susan Canfield.

Attachment A - Administrative Review

Attachment B - 1st Shift Duty Rosters for 09/24/2007

Attachment C - Unit Staffing Plan

Attachment D - Field Force Offenders Tracking Rosters for 09/24/2007

Attachment E - Aerial photos of incident location

Attachment F - Offender Information

Attachment G - Unit Profile