

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 1-JDTP-3E-02; 1-JDTP-3E-10; 1-JDTP-3E-11</b>
<b>CHAPTER: Day Treatment Services</b>	<b>AUTHORITY: KRS 15A.0652</b>	
<b>SUBJECT: Incident Reporting</b>		
<b>POLICY NUMBER: DJJ 1019</b>		
<b>TOTAL PAGES: 5</b>		
<b>EFFECTIVE DATE: 4/05/2019</b>		
<b>APPROVAL: Carey D. Cockerell , COMMISSIONER</b>		

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall have a system for day treatment programs to report incidents involving students. Prompt reporting shall take place in accordance with established procedures.

**II. APPLICABILITY**

This policy shall apply to DJJ operated day treatment programs.

**III. DEFINITION**

Refer to Chapter 1000.

**IV. PROCEDURES**

A. Events involving students which compromise the health, safety, or security of students, staff, or others, or the orderly management of the facility shall be considered incidents. The following situations shall constitute an incident:

1. Non-DJJ committed students leaving the building without permission;
2. DJJ committed students absent without leave (AWOL) or attempts;
3. Assault, attempted assault, or threatened assault by:
  - a. Student on student;
  - b. Student on staff;
  - c. Staff on student; or
  - d. Student on other;
4. Sexual assault or attempted sexual assault, involving physical contact of:
  - a. Student on student;
  - b. Student on staff;
  - c. Staff on student; or

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- d. Student on other;
  - 5. Sexual acting-out:
    - a. Student on student;
    - b. Student on staff;
    - c. Staff on student; or
    - d. Student on other;
  - 6. Major property destruction;
  - 7. Possession of contraband;
  - 8. Death of a student;
  - 9. Medication error;
  - 10. Major injury or illness requiring more than first aid, including emergency medical care or transport;
  - 11. Self-harming behavior;
  - 12. Suicide attempt;
  - 13. Use of physical restraint;
  - 14. The taking of a hostage or hostages;
  - 15. Rioting or attempting to incite a riot;
  - 16. Chronic program disruption that threatens the safety of students or staff;  
or
  - 17. Other.
- B. The primary staff directly involved in an incident shall complete the incident report by the end of the shift.
- C. An incident report shall include the following:
- 1. The full name of the student;
  - 2. Date including month, day, and year;
  - 3. Time including designations of a.m. or p.m.;
  - 4. Location of the incident;
  - 5. The reporting staff's name, signature, and current title;
  - 6. Detailed and specific information regarding the incident;
  - 7. Events leading up to the incident;
  - 8. The manner in which the incident was managed and any immediate consequences issued as a result;
  - 9. Witnesses or others involved, if applicable;
  - 10. Physical evidence and chain of custody documentation, if applicable;
  - 11. Specific restraints used, if any; and
  - 12. Injuries, if any.

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- D. Supporting documentation shall provide additional information regarding an incident. The following supporting documentation shall be required as part of the final incident report:
1. Medical body identification (ID) when the student is the subject of the incident and may have sustained injuries. This shall not include students who are physically restrained;
  2. Post-restraint body ID completed by health trained or medical staff when a student has been physically restrained;
  3. Photographs in the following situations:
    - a. Post-restraint or injury photographs, of the student, shall be retained, with a copy of the student's post-restraint body ID documentation, in the student's medical record, with a notation on the incident report stating the location of the photographs;
    - b. Staff injury photographs shall be retained with a copy of the incident report in the staff's medical record, with a notation on the incident report stating the location of the photographs; and
    - c. Damaged property photographs, dangerous contraband photographs, and all other photographs shall be attached to the incident report and retained in the student's hard case file;
  4. Witness statements from staff observing the incident and students and staff involved in the incident. Any witness statements shall be submitted directly to the shift supervisor or submitted in a sealed envelope to the Superintendent prior to the end of the staff's shift. Witness statements shall not be given directly to the staff member completing the incident report; and
  5. Police reports, when there has been a formal complaint made regarding an incident.
  6. For the following incidents, refer to the corresponding policy for required documentation:
    - a. Contraband;
    - b. Searches;
    - c. Restraint;
    - d. AWOL;
    - e. Sexual assault;
    - f. Suicide attempt;
    - g. Medical emergencies; or
    - h. Death of a resident.
- E. A student who is not the subject of the incident report, but involved in the incident, shall be identified by initials and DJJ number, if applicable.
- F. Designated staff shall reference the incident report in the progress notes.

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- G. The original incident report shall be filed in the student's Individual Client Record (ICR). An incident report that is medical in nature shall not be filed in the student's ICR.
- H. Designated staff shall document a summary of the incident in the electronic record of the student within seven (7) school days of the incident if applicable.
- I. The Superintendent or Administrative Duty Officer (ADO) shall be advised of all incidents immediately, or as soon as reasonably possible.
- J. The Superintendent or designee shall be responsible for review of the incident report, to ensure thoroughness and accuracy, shall sign off on the incident report, and include comments, if applicable.
- K. The Superintendent or designee shall conduct a preliminary review of all incidents involving injury, assaultive behavior (sexual or violent), suicide attempt, and any situation that may result in harm to a student or staff. The Superintendent shall take steps necessary to protect the safety and welfare of the student and staff.
- L. A debriefing shall be conducted after each incident. The debriefing process shall include coordination and feedback about the incident with staff involved in the incident, their supervisor, the Superintendent, and any other staff deemed appropriate by the Superintendent, as soon as possible after the incident. A debriefing shall include:
  - 1. A review of staff and the student's actions during the incident;
  - 2. A review of the incident's impact on staff and the student;
  - 3. A review of corrective actions taken and still needed; and
  - 4. Plans for improvement to avoid another incident.
- M. Notification
  - 1. The Superintendent or designee shall immediately provide notice, either by telephone or face to face contact, through the chain of command of all incidents that present an imminent threat to the safety or security of the facility.
  - 2. Incidents involving a student who is AWOL, attempted AWOL, death, or serious injury to staff or students, shall be immediately communicated through the chain of command to the Deputy Commissioner of Operations and the Commissioner.
  - 3. The Superintendent shall forward a copy of the incident report, including supporting documentation, to the Regional Facilities Administrator.
  - 4. The parent or caregiver, and the Juvenile Service Worker (JSW) if applicable, shall be promptly notified by the youth counselor, ADO, or designee of any of the following:
    - a. Serious injury or illness requiring more than first aid, including emergency medical care or transport;
    - b. Sexual assault; or

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- c. Suicide attempt.
- 5. If a student AWOLs or leaves the building without permission the parent or caregiver, and the JSW if applicable, shall be notified by the youth counselor, ADO, or designee as soon as practicable, but no later than four (4) hours from the occurrence.
- 6. In the event of the death of a student, staff shall refer to DJJPP Chapter 1 (Death of a Youth).
- N. After consultation with the Regional Director, the Department may submit a juvenile petition for a public offense or criminal complaint to the local prosecutor's office.

**V. MONITORING MECHANISM**

Monitoring shall be conducted by the Superintendent, the Facilities Regional Administrator (FRA), Regional Division Director, and Quality Assurance (QA) Branch.