



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
505 KAR 1:140  
3-JDF-3A-18, 3A-27  
DJJPP 702**

<b>CHAPTER: Detention Services</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Incident Reports</b>	
<b>POLICY NUMBER: DJJ 715</b>	
<b>TOTAL PAGES: 4</b>	
<b>EFFECTIVE DATE: October 5, 2018</b>	
<b>APPROVAL: Carey D. Cockerell, COMMISSIONER</b>	

**I. POLICY**

DJJ regional juvenile detention centers shall have a system for reporting incidents. Prompt reporting shall take place according to established procedures. The primary staff member directly involved in or witnessing an incident shall write an incident report. Supporting documentation shall be submitted by any staff involved in or witnessing an incident.

**II. APPLICABILITY**

This policy shall apply to all regional juvenile detention centers.

**III. DEFINITION**

Refer to Chapter 700.

**IV. PROCEDURES**

- A. Any staff witnessing or discovering an incident shall immediately intervene to prevent further escalation if possible or lessen potential severity.
- B. The Superintendent, Assistant Superintendent, or Administrative Duty Officer shall be notified immediately, or as soon as reasonably possible, upon observation or discovery of an incident involving:
  - a. AWOL/Escapes;
  - b. Death;
  - c. Serious injury or illness requiring more than first aid, including emergency medical care or transport;
  - d. Assault on Youth;
  - e. Assault on Staff;
  - f. Possession of dangerous contraband;
  - g. Physical restraint;
  - h. Sexual assault;
  - i. Suicide attempt; or
  - j. Medication Error.
- C. Internal Investigation Branch (IIB) shall be notified immediately whenever a sexual assault is alleged, threatened, or occurs.

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- D. An incident report shall be written to provide detailed and specific information regarding:
1. The violation or behavior;
  2. Events leading up to the incident;
  3. The manner in which the incident was dealt with and any consequences issued as a result;
  4. Staff witnesses;
  5. Physical evidence;
  6. Use of force;
  7. The full name of the juvenile;
  8. Date, time, and place; and
  9. The reporting staff's name, signature, and current position.
- E. The primary staff member directly involved in or witnessing an incident shall write an incident report. Supporting documentation shall be submitted by any staff in or witnessing an incident. The Superintendent or designee may require a brief narrative of the incident to also be entered into the progress notes for major rule violations, use of physical or mechanical restraints in response to major rule violations, use of isolation, or major injury/illness.
- F. 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 assessment documentation, when the juvenile who is the subject of the incident has sustained an injury not caused by a restraint;
  2. Post-restraint assessment documentation completed by health trained or medical staff when a juvenile has been restrained;
  3. Photographs in the following situations:
    - a. Post-restraint or injury photographs of the juvenile, shall be retained with a copy of the juvenile's post-restraint assessment documentation in the juvenile's medical record. A notation on the incident report shall state 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. A notation on the incident report shall state 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 juvenile's record.
- G. The incident report and any supporting documentation shall be completed and submitted to the staff's supervisor(s) prior to the end of the reporting staff's shift on the date of the incident. The supervisor shall be responsible for a review of the report to ensure thoroughness, accuracy, and submit to the Superintendent within twenty-four (24) hours of the incident.

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- H. Superintendents or designee shall archive videos of some incidents that involve physical restraint, property damage, staff misconduct, or any other incidents deemed necessary for future reviews. The archived videos shall be placed on the appropriate electronic site provided by the IS Branch. Archived videos shall not be stored on individual computer equipment. In addition, at the request of IIB, the Ombudsman, or the Office of Commissioner, video of an incident shall be archived.
- I. The parent or caregiver and the Juvenile Service Worker (JSW) shall be notified by the youth's counselor, ADO, facility nurse, or designee as soon as practicable, but no later than twenty-four (24) hours from the occurrence of any incident listed below:
  - a. AWOL;
  - b. Death;
  - c. Serious injury or illness requiring more than first aid, including emergency medical care or transport;
  - d. Sexual assault; or
  - e. Suicide attempt.
- J. The Superintendent shall take immediate steps necessary to protect the safety and welfare of the juvenile and staff.
- K. A debriefing shall be conducted after each incident. The debriefing process includes coordination and feedback about the incident with the Superintendent or designee as soon as possible after the incident. A debriefing shall include:
  - 1. A review of staff and juvenile actions during the incident;
  - 2. A review of the incident's impact on staff and juveniles;
  - 3. A review of corrective actions taken and still needed; and,
  - 4. Plans for improvement to avoid another incident.
- L. Staff shall obtain a statement from the juvenile regarding the incident. The juvenile shall be given the opportunity to discuss the incident and sign off on the incident report. The copy of the incident report shall be filed in the juvenile's record.
- M. The Superintendent or designee shall immediately up-line notice of all incidents that present an eminent threat to the safety or security of the program. Up-lining requires actual contact with a superior in the chain of command. Written reports transmitted to regional staff and to central office do not substitute for the up-line telephone call and actual contact made with a superior in the chain of command. All incidents involving absent without leave (AWOL), escape, death, or serious injury to staff or a juvenile shall be communicated through the chain of command to the Office of the Commissioner.
- N. In accordance with approved protocol, the Superintendent shall forward copies of incident reports, including all supporting documentation, to the Regional Director or Facilities Regional Administrator and the Ombudsman, if applicable, for any of the following:

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- a. AWOL/Escape;
  - b. Death;
  - c. Serious injury or illness requiring more than first aid, including emergency medical care or transport;
  - d. Assault on Youth;
  - e. Assault on Staff;
  - f. Possession of dangerous contraband;
  - g. Physical restraint;
  - h. Sexual assault;
  - i. Suicide attempt; or
  - j. Medication Error.
- O. If appropriate, filing of public offenses shall be done after consultation with the Regional Director or Facilities Regional Administrator.

**V. MONITORING MECHANISM**

The Superintendent, the Facilities Regional Administrator, and the Ombudsman, as appropriate, shall have responsibility for monitoring compliance with this policy. The Quality Assurance Branch shall conduct annual program audits.