

	<p align="center">JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:110 3-JTS-3A-18, 28, 31; 3B-16; 3D-06-9 3-JCRF-3A-02; 3B-13; 3D-04-9 1-JDTP-3E-02 1-JBC-3A-17, 18; 3B-16; 3D- 06-8 4-JCF-2A-19, 21, 29, 30</p>
<p>CHAPTER: Program Services</p>		<p>AUTHORITY: KRS 15A.0652</p>
<p>SUBJECT: Incident Reporting</p>		
<p>POLICY NUMBER: DJJ 321</p>		
<p>TOTAL PAGES: 5</p>		
<p>EFFECTIVE DATE: 4/05/2019</p>		
<p>APPROVAL: Carey D. Cockerell</p>		<p>, COMMISSIONER</p>

I. POLICY

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

II. APPLICABILITY

This policy shall apply to each DJJ group home and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

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

1. Use of Isolation;
2. Absent without leave (AWOL), escape, or attempts;
3. Assault, attempted assault, threatened assault by:
 - a. Youth on youth;
 - b. Youth on staff;
 - c. Staff on youth; or
 - d. Youth on other;
4. Sexual assault or attempted sexual assault, involving physical contact of:
 - a. Youth on youth;

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- b. Youth on staff;
- c. Staff on youth; or
- d. Youth on other;
- 5. Inappropriate sexual behavior or sexual harassment:
 - a. Youth on youth;
 - b. Youth on staff;
 - c. Staff on youth or
 - d. Youth on other;
- 6. Major property destruction;
- 7. Possession of contraband;
- 8. Death of youth;
- 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 restraint:
 - a. Physical restraint;
 - b. Therapeutic restraint; and
 - c. Mechanical restraint, except in cases of routine transportation;
- 14. The taking of a hostage or hostages;
- 15. Rioting or attempting to incite a riot;
- 16. Positive drug screen or test;
- 17. Chronic program disruption that threatens the safety of youth or staff; or
- 18. 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 youth;
 - 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;

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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.
- 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 youth is the subject of the incident and may have sustained injuries. This shall not include youth who are physically restrained;
 2. Post-restraint body ID completed by health trained or medical staff when a youth has been physically restrained;
 3. Photographs in the following situations:
 - a. Post-restraint or injury photographs, of the youth, shall be retained, with a copy of the youth's post-restraint body ID documentation, in the youth'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 youth's hard case file;
 4. Medical reports shall be obtained when medical services from an outside provider are required, as part of the incident, and shall be retained in the medical file of the injured person, with a notation in the incident report stating the location of the medical report;
 5. Witness statements from staff observing the incident and youth 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
 6. Police report when there has been a formal complaint made regarding an incident.
 7. For the following incidents, refer to the corresponding policy for required documentation:
 - a. Contraband;
 - b. Searches;
 - c. Isolation;

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- d. Restraint;
 - e. AWOL;
 - f. Sexual assault;
 - g. Suicide attempt;
 - h. Medical emergencies; or
 - i. Death of a resident.
- E. A youth 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, the shift report, and the shift log by the end of the shift.
- G. The original incident report shall be filed in the youth's Individual Client Record (ICR). An incident report that is medical in nature shall not be filed in the youth's ICR.
- H. Designated staff shall document a summary of the incident in the electronic record of the youth within seven (7) business days of the incident.
- I. The Superintendent or Administrative Duty Officer (ADO) shall be advised of all incidents immediately, or as soon as reasonably possible.
- J. The shift supervisor or designee shall be responsible for review of the incident report, to ensure thoroughness and accuracy, shall sign off on the incident report, include comments, if applicable, and complete the online notification.
- K. The on-line notification shall be submitted to the Superintendent no later than twenty-four (24) hours after the incident, with the exception of weekends and holidays.
- L. The Superintendent or designee shall conduct a preliminary review of all incidents involving injury, physical restraint other than a basic escort, isolation, assaultive behavior (sexual or violent), suicide attempt, and any situation that may result in harm to a youth or staff. The Superintendent shall take steps necessary to protect the safety and welfare of the youth and staff.
- M. 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 youth actions during the incident;
 - 2. A review of the incident's impact on staff and youth;
 - 3. A review of corrective actions taken and still needed; and

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4. Plans for improvement to avoid another incident.

N. 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 AWOL, attempted AWOL, death, or serious injury to staff or youth, 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 Division Director.
 4. 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 four (4) 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.
- O. 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.