

Policy 405 Reporting Incidents

**STATE OF VERMONT
AGENCY OF HUMAN SERVICES
DEPARTMENT OF CORRECTIONS**

Policy: 405

Subject: Reporting Incidents

Effective Date: December 7, 1987 Review and Re-Issue Date:

Supersedes: 2/22/84 APA Rule Number:

Recommended for approval by:		Authorized By:	
_____	_____	_____	_____
Signature	Date	Signature	Date

1. Authority:

1.1.

2. Purpose:

2.1. Communication flow within the Department of Corrections is essential in order for all staff to perform their responsibilities in a timely and effective manner. An Incident Reporting System can help decision making both as a reaction to an immediate difficulty and as a tool for long-range planning.

2.2. The purpose of this policy is to outline a process for the reporting of incidents which occur to inmates, clients property or staff that are within the control of the Department. This process will provide the Department of Corrections with data which can contribute to the long-range planning for the care and custody of those committed to the custody of the Commissioner. identification of training needs recognition of areas of excellence in staff performance and as a mechanism for long-range problem solving such as population balances.

3. Applicability/Accessibility

3.1.

4. Policy

4.1. Priority and Responsibility

4.1.1 In order to carry out this policy, it shall be the responsibility of all staff to report the incident through the on-site chain of command. It shall be the duty and responsibility of all Superintendents and Probation and Parole Managers or their designees, to report promptly and

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properly all reportable incidents that occur within their jurisdiction to Area Managers. who will in turn apprise the Director of Operations in accordance with subscribed time frames.

4.1.2 Upon occurrence and/or the determination of a reportable incident an initial telephonic report to the Area Manager must. and will receive top priority so that if assistance is required a prompt and thoughtful response will occur. It is mandatory that these reports be made within the time limits prescribed and with as much accurate information as possible. The time frames for reporting the incidents shown below apply only to the initial notification and only to the basic information. Subsequent information can be supplied on an as needed basis depending on the severity of the incident. The remaining information will be submitted on the written report. The telephone report (s) and the written report that follows will serve to make the Department more readily responsive to any and all emergencies in the best possible manner.

4.2 TIME FRAMES

4.2.1 The incidents described herein include those of a life safety, or an emergency nature requiring immediate decision-making and approval to ensure protection of offenders and staff and security. These incidents must be reported to the Superintendent or Site Manager who will in turn notify the Area Manager as soon as possible, but within one hour of their occurrence, or from time of discovery. The Area Manager will notify the Director of Security and Operations. Such incidents include:

4.2.1.1 Death or serious injury to: employee (job related); offender or visitor (on State property); inmates, volunteers (in Department related functions); to include aggravated assault or sexual assault. Serious injury means any physical injury with a substantial risk of death, disfigurement or loss or impairment of a bodily organ. It also means any injury resulting from stabbing, shooting, fire, explosion, physical or sexual assault.

4.2.1.2 Fire resulting in injury to staff, inmate, other offender on State property, volunteer while working on behalf of the State, major property damage, or evacuation of any part of a State building under Department of Corrections' control.

4.2.1.3 Escape or attempted escape from minimum or higher custody.

4.2.1.4 Class II - IV Inmate Disturbance (see Policy 1016).

4.2.1.5 Employee conduct which is detrimental to the best interests' of the Department of Corrections; including, but not limited to, automobile accident in State vehicle or while on State business using a private vehicle and being reimbursed for such use, with injury resulting.

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- 4.2.1.6 Any other incident seriously effecting the Department's normal operations, such as employee job actions, criminal allegation against Department member, demonstrations, fire, explosion, or natural disaster. Any loss of support system (heat, phones) where the facility or work site lacks appropriate resources and an immediate decision is needed by the Area Manager).
 - 4.2.1.7 Discovery of dangerous weapons (which go beyond the scope of contraband) or a cache of homemade weapons.
 - 4.2.1.8 Loss or theft of security related items such as weapons, chemical agents, keys, Department vehicles.
 - 4.2.1.9 The discharging of a Department issued firearm by a Department employee, while on duty, at any-time other than practice.
 - 4.2.1.10 Hostage situation where an offender is an active participant.
 - 4.2.1.11 The arrest and for criminal involvement of any offender resulting in serious injury (sexual offenses; murder; manslaughter; arson - death resulting; assault and robbery; kidnapping; DWI - death resulting; aggravated assault); :the arrest and/or criminal involvement of any inmate who is on furlough or escape status.
 - 4.2.1.12 Any serious attempt at suicide.
 - 4.2.1.13 Any facility restraint for more than a two-hour period.
- 4.2.2 Incidents described herein include those of a more routine nature. These incidents must be reported to the Superintendent or Site Manager as soon as possible, but within one hour of their occurrence or from the time of discovery. The Superintendent or Site Manager will, in turn, notify the Area Manager within the next work day. The purpose of such notification to the Area Manager is to provide information for planning and management review. The Area Manager will notify the Director of Security and Operations. Such incidents include:
- 4.2.2.1 Any facility restraint for more than one, but less than two hours.
 - 4.2.2.2 Any inmate escape while on furlough.
 - 4.2.2.3. Inmate suicide gesture.
 - 4.2.2.4 Any threats by inmates not resolved through the disciplinary report process which causes staff to fear for self/family.

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- 4.2.2.5 Any allegation (non-criminal) of misconduct or job performance made against a member of the Department that directly relates to the performance of work duties, where the Superintendent or site manager believes the person should be temporarily relieved of duty.
- 4.2.2.6 Any emergency arrest where prior authority from the site manager was not gained.
- 4.2.3 The following incidents must be reported to the Superintendent or Site Manager within their next work day. The Superintendent or Site Manager will, in turn, notify the Area Manager.
 - 4.2.3.1 Suicide attempt by other offenders (probation or parolee).
 - 4.2.3.2 Use of force (to include all incidents where physical force is used which do not meet the standard for one hour notification).
 - 4.2.3.3 Criminal acts committed on Department property that are reported to law enforcement officials.
 - 4.2.3.4 Theft, damage or loss of State property.
 - 4.2.3.5 Any physical assault on anyone by an inmate not covered in VI.A (One-Hour Notification).
 - 4.2.3.6 Any injury to a Department employee while on official business that does not fall under number one of the one-hour notification.
 - 4.2.3.7 Any automobile accident other than those that fall under one hour notification involving members of the Department. This is limited to those accidents involving a Department vehicle or the employee was on official business and /or was transporting an official.
 - 4.2.3.8 Any allegation (non-criminal) of misconduct or job performance made against a member of the Department that directly relates to the performance of their duties not covered in VI., B 5.
 - 4.2.3.9 Any other emergency arrest of a probationer or parolee.
 - 4.2.3.10 The strip search of any pre-arraigned misdemeanor or ICP.

4.3 MINIMUM INFORMATION

- 4.3.1 The following minimum information should be provided in the initial telephone report.

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- 4.3.1.1 What facility or what office is reporting?
- 4.3.1.2 Who is reporting (name and title)?
- 4.3.1.3 What happened (state as briefly and clearly as possible)?
- 4.3.1.4 When did the incident occur (time and date)?
- 4.3.1.5 Where did the incident occur (specific location)?
- 4.3.1.6 Who was involved or present (include status. i.e., staff, inmate, volunteer, etc.)?
- 4.3.1.7 What non-departmental people and agencies have been notified?
- 4.3.1.8 What are the backgrounds of the offenders? If escape, are they dangerous?
- 4.3.1.9 What actions have been taken or are proposed by the highest ranking individual involved?
- 4.3.1.10 Is the facility or office secure?

4.4 WRITTEN REPORT

- 4.4.1 The written report to the Area Manager shall be submitted as soon as possible after the reported incident, not later than three work days following the incident. The Area Manager will submit the report to the Director of Security and Operations with a notation including action taken within two work days.
- 4.4.2 The written report will be a summary of all the individual reports and will be forwarded on a Department of Corrections Incident Report.

4.5 LOG

- 4.5.1 The Central Office will maintain a cumulative log for permanent record. Each Superintendent will also maintain a cumulative log for permanent record, as well as having a system of retention. Each site manager will also maintain a cumulative log for permanent record, as well as having a system of retention.
- 4.5.2 Reporting Procedure – Institutions

RESPONSIBILITY	ACTION
Correctional Officer or Respondent Staff	Notify higher authority by local means.

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Shift Supervisor	Respond to the emergency with appropriate action, utilizing Contingency /Plans. Notify Superintendent /Assistant Superintendent.
Superintendent /Assistant Superintendent	Takes action. Personally notifies Area Manager by telephone.
Area Manager	Receives verbal report. Gives verbal report to Director.
Individual Reporters	Write reports.
Shift Supervisor or Senior Officer	Accumulates reports. Summarizes the reports and submits to the Superintendent on Incident Report.
Superintendent	Signs off and submits to Area Manager.
Area Manager	Receives and reviews written report and provides Superintendent feedback. Submits to Director.
Director of Security and Operations	Reviews reports. Provides Area Manager feedback. Investigates files for research and intelligence. Provides Commissioner with information. After reviewing report, insures that it is routed, for review by the Deputy Commissioner and the Commissioner, and the Program Services Division, and then return to the Office of the Director of Security and Operations and filed properly. Provides Commissioner with information.

4.5.3 Reporting Procedure - Probation and Parole Division

RESPONSIBILITY	ACTION
Probation and Parole Officer	Notify local higher authority upon discovery of a reportable incident. Submit written report.
Site Manager	Take any necessary action. Notifies Area Manager by telephone.
Area Manager	Receives verbal report: gives verbal report to Director.
Probation and Parole Officer	Writes and submits report to Site . Manager.
Site Manager	Signs off and submits to Area Manager.
Area Manager	Receives and reviews written report and provides Site Manager feedback. Submits to Director.

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Director of Security and Operations

Receives report. After review, ensures it is routed for review by the Deputy Commissioner, Commissioner, Director of Program Services, and then returned to the Office of Security and Operations and filed properly.

4.5.4 The Office of Security and Operations will ensure an annual report is developed based on incidents reported.

5. Training Method

5.1.

6. Quality Assurance Processes

6.1.

7. Financial Impact:

8. References

9. Responsible Director and Draft Participants

10.