

Incident Report Reference Guide 2015



Prepared by the State of Utah, Division of Juvenile Justice Services
Investigations Bureau

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INTRODUCTION

Critical incidents occur within all programs and facilities under the direction of the Division of Juvenile Justice Services (DJJS). These events range from situations as simple as “information only” to others, which may require referrals to the respective county attorney’s office or law enforcement agency.

These **non-routine, unusual or potentially threatening** events require proper documentation. This documentation is accomplished by the preparation of Incident Reports.

This Reference Guide will explain:

- ✓ When to prepare an Incident Report
- ✓ Who should prepare an Incident Report
- ✓ How to prepare an Incident Report
- ✓ Who should be notified of an incident
- ✓ How Incident Reports are distributed
- ✓ Incident Summary Log for each facility/program
- ✓ Protocol for notification of incidents and distribution of reports for outside agencies

In the event you require an internal investigation contact any of the following investigators:

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DIRECTIONS FOR COMPLETING INCIDENT REPORTS

An Incident Report shall be generated by staff to account for any non-routine, unusual, or potentially threatening event or incident that occurs. These reports shall be prepared generally by staff, but may be used by any person having direct involvement in or knowledge of an incident. When multiple staff respond to or have knowledge of an incident, one person shall be designated to generate a report known as the primary Incident Report. There should only be one primary Incident Report per incident episode. All others involved shall generate Supplemental Reports describing their involvement during and immediately after an incident. An incident episode generally refers to the duration of an incident, from the time of onset until the situation has been resolved.

In the event that an Incident or Supplemental Report has been submitted and the writer finds that additional information is needed in writing, then staff shall generate an Addendum Report. A writer may use the Incident Report format to generate an Addendum Report, provided that the writer indicates in the *Description of Incident and Action Taken* portion of the report, that *this is an addendum to my original Incident (or Supplemental) Report*. The writer should also refer to the original Incident Report number.

All reports are considered to have been **submitted** after its writer has either signed the report or has sent the report outside the program/facility via courier, fax, mail, or email (regardless of whether the sent report is signed). Once a report has been submitted, it is considered complete and will be used as an official document accounting for the incident. Once reports have been submitted they shall not be altered, modified, or amended. If additional information is needed, then an Addendum Report may be used to document this information.

I. WHEN TO PREPARE AN INCIDENT REPORT

Incident Reports should be used to describe any non-routine, unusual, or potentially threatening event in a DJJS facility or program, or contracted provider when the event involves DJJS. Events requiring completion of an Incident Report include, but are not limited to: accidents, suicide attempts, assaults, physical interventions, absconded juvenile(s), or any other non-routine, unusual, or potentially threatening occurrences. Reports shall be completed **before the end of the shift when the incident occurred, or within 24 hours when approved by a supervisor**. Incident Reports do not replace other required documentation (e.g. disciplinary and/or progress notes).

II. WHO SHOULD PREPARE AN INCIDENT REPORT

DJJS employees, contracted providers for the Division, or any other person(s) having legitimate business with any juvenile under Division care, shall prepare a report when incidents occur. Any person(s) involved in or directly aware of an incident shall complete a primary Incident or Supplemental Report. A person who may not have witnessed an incident, but has received information about an incident, may also generate a Supplemental Report. There should only be one primary Incident Report per incident episode. Again, an incident episode generally refers to the duration of an incident, from the time of onset until the situation has been resolved. All other reports accounting for an incident shall be written as a Supplemental Report.

III. WHO SHOULD PREPARE A SUPPLEMENTAL REPORT

A Supplemental Report(s) is completed by staff (or witnesses) when more than one staff responds to or is aware of an incident. One staff shall be appointed to generate a primary Incident Report, and all others shall generate Supplemental Reports. Again, there should only be one primary Incident Report per incident episode.

IV. PREPARATION OF AN INCIDENT REPORT

When preparing an Incident Report, all applicable portions of the report shall be completed. The following is a description of what information needs to be included in each portion of the report:

A. Juveniles Involved: The names of all the juveniles involved should be listed, as well as, their case number, age, sex, and ethnicity.

B. Date, Time & Incident Location: The date and time should reflect when the incident occurred and not when the report was generated or completed. However, when writing an Addendum Report that provides additional information relevant to an incident, which has already occurred, then the new report should reflect when this additional information was received. The location of the incident should describe specifically where the incident occurred. For example: If an incident occurred at the Mill Creek Youth Center (MCYC), then the location should specify where in the MCYC the incident occurred (e.g. Cottage W, Room 1.)

C. Staff on Shift and Witnesses: The person preparing the report should list names of only staff members on shift *who were involved in or have knowledge of* the incident. Witnesses include other juveniles, volunteers, school staff, or anyone who witnessed the event.

D. Section A – Description of the Incident & Action Taken: Information contained here should define who is preparing the report (by name and job title). All reports should be written in first person (e.g. “I, John Doe, DJJS Counselor II....”). The information provided should be clear, concise, accurate, specific and as detailed as possible. The writer should describe events as objectively, factually, and as accurately as possible. Subjective and judgmental statements should be avoided. In addition, the writer will describe what actions were taken in response to the incident to ensure that policy, program rule, or protocol has been complied with and managed appropriately. For example, when an incident involves physical intervention, the writer should specifically document which control holds were used, whether restraints were used, and how long the holds and/or restraints were used. The writer should also document if any verbal de-escalation techniques were used as well as their justification for using force consistent with Division policy.

Other pertinent information, which should be incorporated within this section, might include: who was notified of the incident (e.g. the supervisor by name) and how and when they were contacted (e.g. by phone, in person, texted), and whether the incident included any involvement by an outside entity, such as law enforcement, medical personnel, etc.

E. Section B – Use of Force: Any time force is used by staff during an incident, all staff involved shall use the check boxes to identify their justification to use force as allowed by Division policy. Each staff shall also identify and document the control hold (by name) that was attempted or applied to the juvenile. If the use of force resulted in an injury (e.g. rug burn, bloody nose, etc.) to the juvenile or staff, then the injury shall be documented in this section. The writer shall identify who was injured, what was done about the injury, and how medical was notified for oversight consistent with the Division’s Use of Force Policy. The writer should identify the medical personnel (by name) and the date that the person received medical attention, if known. For example, if a Use of Force incident occurred at the end of a shift and medical was notified for oversight, however, the shift ended prior to medical arriving then documentation of notification is sufficient.

F. Section C – Injury Accounting: Any time an injury is observed or occurs then staff shall document the injury and report it to their supervisor, medical personnel, or emergency services depending on its severity. When an injury occurs as a result of an incident (excluding injuries already accounted for in Section B) then this section is to be used to account for when the injury was observed, how the injury was sustained, and what was done about the injury.

G. Section D – Level of Severity and Classification: The writer identifies the severity of the incident (1-4) and the type of incident, listed in the Level Severity Section of this guide. Each program/facility may incorporate administrative oversight when classifying incidents.

H. Section E – Characteristics of Incident: In this section, the writer will check all boxes that apply to the characteristics of the incident as trained by PbS. Additional documentation, such as, evidence or surveillance video that accompanies an Incident Report shall be checked off under the Miscellaneous Section.

V. NOTIFICATION AND DISTRIBUTION OF REPORTS PROTOCOL:

Level 1 incidents require immediate notification to all members in the Chain of Command and shall be handled in the following manner: Notification shall be done by phone and contact shall be made with a live person. A voicemail message is not sufficient as notification for a Level 1 incident, although a message should be left indicating that notification was attempted. The person attempting to make contact with a live person shall start with their immediate supervisor and then proceed upward from there. Once a live person has been contacted, it is the responsibility of that contacted person to notify the next person or party in the Chain of Command. These notification attempts and actual contacts made shall be documented in the Incident Report.

Level 2 incidents require that the program/facility APD is made aware of the incident within 24 hrs. If the notification period falls over the weekend, then a voicemail message notifying the APD of the incident is sufficient. The APD will then determine whether additional notification (Chain of Command) needs to occur at that time or whether the notification can wait until normal business hours (M-F 8am – 5pm).

Case Manager Notification and Distribution of Reports

When a level 1 incident occurs the Division staff, as applicable, shall immediately notify case management in addition to the Chain of Command. Case Managers shall be notified within 24 hours of a level 2 incident. Staff shall attempt to speak to the case manager directly, but may leave a voice mail or a text message. All level 3 and 4 Incident Reports shall be disseminated to Case Management within 3 business days.

Private Provider Notification and Distribution of Reports

All level 1 and 2 incident documentation will be disseminated to Quality Assurance. All level 1-4 incident documentation shall be disseminated to DJJS Case Management.

All reports shall be externally disseminated to the Chain of Command within 3 business days by close of business on the third day. Distribution may be done through email, fax, courier, or mail depending on the situation. In an attempt to maintain files electronically, the Investigation Bureau prefers reports be sent electronically (e.g. scanned or via attachment to an email). The original Incident and Supplemental Report(s) shall be kept and maintained by the sending facility/program in accordance with GRAMA and its retention schedule.

VI. ASSISTANT PROGRAM DIRECTOR/CONTRACTED PROVIDER DUTIES:

The DJJS APD or the administration of a contracted provider shall assign a staff (preferably one person) to ensure:

- That every Incident Report is assigned a number to account for every incident episode. This will ensure that the record is retained and easily accessible for future reference.
- That an Incident Report Summary Log per program, facility or function is maintained.
- That these records shall be stored and maintained consistent with Division Policy and GRAMA retention schedules. An Incident Report Summary Log is an overall accounting of incidents that occur over a calendar year and will be maintained by each program, facility or function.

VII. ENTITY OTHER THAN DJJS NOTIFICATION OF INCIDENTS / DISTRIBUTION OF REPORTS:

Notification that an incident occurred and the distribution of any reports generated by DJJS to agencies or entities other than DJJS shall be screened by the principal DJJS administrator where the incident occurred. Copy(s) of Incident or Supplemental Report(s) may be forwarded to agencies or entities other than DJJS only after the principal DJJS administrator has deemed it necessary for release and in accordance with GRAMA. The

principal DJJS administrator may notify other agencies or entities of incidents that occur when the incident pertains to the function of the other agency or entity.

INCIDENT REPORT LEVELS OF SEVERITY

The Level of Severity system identifies the severity of the incident that occurs within the facility/program.

The system is comprised of four levels of severity:

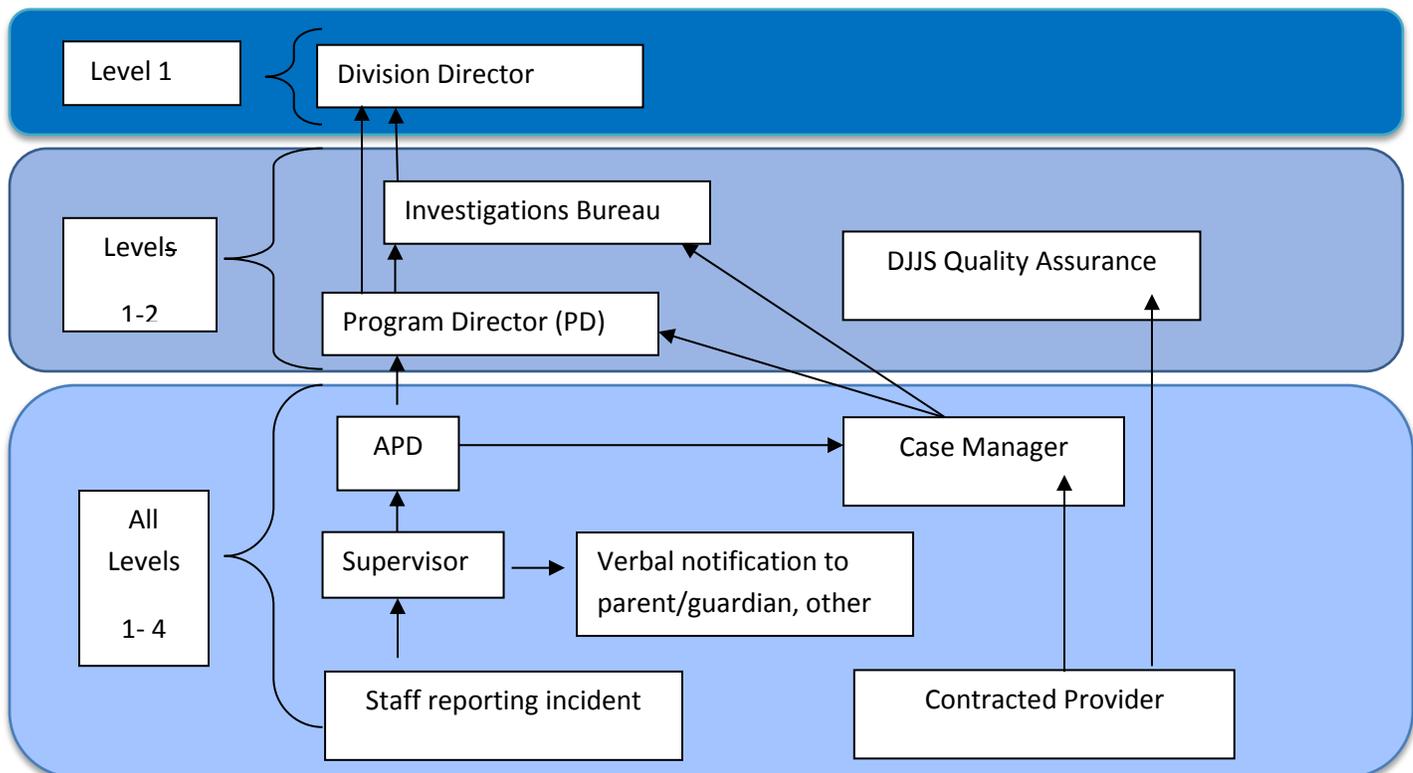
Level 1	Maximum severity
Level 2	Intermediate severity
Level 3	Minimum severity
Level 4	Information only

As indicated, the classification of Incident Reports delineates from the most severe to the least severe.

Directions for completing Incident Reports have been distributed to all programs and facilities throughout the Division and to all contracted private providers. Furthermore, the Incident Report Reference Guide is accessible by way of the policy and procedure section of the DHS website:

<http://www.hspolicy.utah.gov>.

Due to the severity of Level 1 incidents and the potential impact to the health, safety, and/or security of both staff and juveniles, administrative oversight is critical for ensuring that the incident is properly evaluated and that appropriate resources are in place. When Level 1 incidents occur, after hours, the Program Director (PD) will determine whether the Deputy or Division Director needs to be notified immediately or whether the matter can wait until normal awake hours or the next business day. Any notification during an incident should not preclude staff from managing the incident, but it should occur as soon as possible. In consultation with the Division Director or Deputy Director, the Investigations Bureau, may control the dissemination of Incident Reports when relevant to an investigation.



INCIDENT REPORT LEVELS OF SEVERITY

LEVEL 1 – MAXIMUM SEVERITY

ACCIDENT/INJURY/ILLNESS

Any time staff contact 911 or transport a juvenile (or staff on shift) to a hospital or Emergency Room because a juvenile (or staff on shift) requires *immediate* medical attention. (May include, but not limited to: Suicide Attempt, Drug Over-Dose, Forcible Sexual Assault.)

ARSON

ANY CRISIS EMERGENCY RESPONSE OR INVOLVEMENT FROM AN OUTSIDE ENTITY

- When an incident requires that a crisis emergency response type of agency/entity is contacted or dispatched to take tactical command over the incident. A crisis emergency response type of agency/entity includes, but is not limited to: Law Enforcement, Fire Department, Centers for Disease Control (CDC), etc.

ANY FORCIBLE SEXUAL ACTIVITY

- Any acts as defined in Utah Criminal Code, Section 76, Chapter 6, Offenses Against the Person.

ANY SERIOUS BODILY INJURY OCCURS

- Means any bodily injury that creates or causes serious permanent disfigurement, protracted (prolonged or extended) loss, or impairment of the function of any bodily member, or organ, or creates a substantial risk of death;

ESCAPE

- By a juvenile from a secure facility or detention center.

OFFICIAL MISCONDUCT BY STAFF

- Any illicit drug activity by staff, juvenile(s), school employee(s), private provider or other;
- Any Code of Ethics or policy & procedure violations that endanger the lives or physical welfare of staff or juvenile(s).

OTHER

RIOT

- When **three or more** juveniles engage in tumultuous or violent conduct consistent with UCA §76-9-101.

SUICIDE – COMPLETED

UNATTENDED OR ATTENDED DEATH

UNLAWFUL (CUSTODIAL) SEXUAL ACTIVITY WITH A YOUTH IN CUSTODY

- Custodial Sexual Relations (UCA §76-5-413)
- Custodial Sexual Misconduct – Indecent Liberties

LEVEL 2 – INTERMEDIATE SEVERITY

ABSCONDED FROM PLACEMENT / WALK-AWAY FROM PROGRAM / FACILITY

- Juvenile(s) absconds from a community-based program, and the process for obtaining a warrant, per Division policy, has been initiated.
- Juvenile(s) walk(s)-away from a community-based program, for up to 24 hours (per Division policy) without permission.
- Any time a juvenile(s) absconds or walk(s)-away from a community-based program, staff shall notify all relevant persons (Chain of Command) as soon as possible, and in accordance with the operations manual.
- This only applies to adjudicated juveniles committed to the temporary custody of DJJS.

ACCIDENT/INJURY/ILLNESS

- Illness-Prolonged- When a juvenile exhibits an illness over an extended period of time, has been seen by a medical professional.
- Any time a juvenile is admitted to a hospital for more than 24 hours.

ANY USE OF FORCE, PHYSICAL INTERVENTION AND/OR RESTRAINT USED

- Use of any physical intervention technique (including escort technique that involves temporarily touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a juvenile who is acting out to walk to a safe location);
- Use of any mechanical restraint or device used for the purpose of restricting movement;
- Use of any chemical for the purpose of restraining a juvenile; or a chemical that could be perceived as being used for the purpose of restraining a juvenile;
- Any time force is used, including personal safety used at work;
- DJJS justification for any use of force, physical intervention or restraint must be in compliance with DJJS policy.

ANY SUBSTANTIAL BODILY INJURY OCCURS

- Means bodily injury, not amounting to serious bodily injury that creates or causes protracted (prolonged or extended) physical pain, temporary disfigurement, or temporary loss or impairment of the function of any bodily member or organ.

ASSAULT BY PRISONER WITH INJURY

- An assault by any juvenile incarcerated within a detention center or secure facility on another person.

ASSAULT AND SUBSTANTIAL BODILY INJURY OCCURS

ATTEMPTED ESCAPE FROM A DETENTION CENTER OR SECURE FACILITY

CODE OF ETHICS / POLICY & PROCEDURE VIOLATIONS OR PROVIDER CODE OF CONDUCT VIOLATIONS

- When a staff is sanctioned and/or terminated as a result of the violation. Providing an illegal or harmful substance to a minor.

CONTRABAND (DANGEROUS OR HARMFUL MATERIAL) WITHIN A FACILITY/ PROGRAM, including

- Weapons
- Illegal Substances
- Pornography

CRIMINAL MISCHIEF / DAMAGES OR INTERRUPTS A COMMUNICATION DEVICE

- Any person who intentionally and unlawfully tampers with property of another (or the state) and by doing so recklessly endangers human life or human health or safety or recklessly causes or threatens a substantial interruption or

impairment of any critical infrastructure; or attempts to prohibit or interrupt another person's use of a communication device when the other person is attempting to summon emergency aid. This includes, but is not limited to: staff radios, phones, surveillance equipment, etc. (UCA §76-6-106).

DAMAGING A SECURE FACILITY, DETENTION CENTER OR SHELTER

- A person who willfully and intentionally breaks down, pulls down, destroys, floods, or otherwise damages any place of confinement, including a detention, shelter, or secure confinement facility for juveniles, is guilty of a felony of the third degree. (UCA §76-8-418)

DCFS INVOLVEMENT:

- Any Referral to CPS (Child Protective Services) for allegations of abuse, neglect, or exploitation by a family or community member.

MISCONDUCT REPEATED ACTIVITY

OBSTRUCTING JUSTICE

- When a person hinders, delays, or prevents an investigation, apprehension, prosecution, conviction, or punishment of any person;
- Harbors a juvenile who has absconded from the temporary custody of the Division.

OTHER

SEXUAL ACTIVITY

- Sexual Activities or Conduct between Juveniles in any DJJS Facility/ Community Based Program.
- Unlawful Sexual Activity or Conduct (Statutorily Illegal) involving any juvenile in a DJJS Facility/ Community-based placement. (UCA 76-5-401, 76-5-401.1, 76-5-401.2).
- Lewdness/ Sexual Battery (UCA 76-9-702) – A person who performs any of the following acts in public; or the person should have known that any of the following acts would likely be offensive, insulting or alarming; Expose genitals, female breast (areola), buttocks, anus, or pubic area. Masturbates.

SUICIDE BEHAVIOR

- Attempted suicide (overt act)
- Self-mutilations
- Intentional injuries to self* (refer to Self-harm on Levels 2 and 3)
- Developing a plan or strategy for committing suicide
- This, however, does not include tattooing or gang ritual

***SELF-HARM with more than a minor injury**

- Self-harm that has been determined to be non-suicidal behavior based on SPS or clinical assessment, may be categorized as self-harm.

THREAT OF VIOLENCE

- Any time a person threatens bodily injury, death, substantial property damage and acts with intent to place a person in fear consistent with UCA §76-5-107.

WEAPONS RELATED OFFENSES BY RESTRICTED PERSONS, OR FIREARM RELATED OFFENSE

- Category I Restricted Persons (UCA §76-10-503)
 - Any Parolee;
 - Any juvenile convicted of a violent felony as defined in UCA §76-3-203.5;
 - Remains Cat I Restricted Person for 10 years.
- Category II Restricted Persons (UCA §76-10-503)

- Any juvenile convicted of any felony;
- Remains Cat II Restricted Person for 7 years.

LEVEL 3 – MINIMUM SEVERITY

ABSCONDED JUVENILE(S)

- Any non-adjudicated juvenile that absconds from a DJJS program with non-secure beds (e.g. Receiving Centers, Youth Services, etc.);
- Any non-adjudicated juvenile who absconds from a DJJS program with non-secure beds, that is placed with the DJJS program by another agency like the Division of Child and Family Services; notification to the placing agency may apply.

USE or ABUSE OF ANY ILLEGAL SUBSTANCES, INTOXICANTS, or PSYCHOTOXIC CHEMICAL SOLVENTS

- Causing youth to become altered or ill

ASSAULT BY PRISONER, NO INJURY

- An assault by any juvenile incarcerated in a detention center or secure facility on another person and no injury was sustained.

CONTRABAND (PROGRAMATICALLY PROHIBITED)

- All items prohibited by program or facility management based on operations manuals and/or rules. For example, cell phones, IPODS, jewelry, and money.

GANG RELATED OFFENSES

- Throwing gang signs, gang writing not amounting to property damage or criminal mischief.

GIVING A FALSE ALARM

OTHER

PROPERTY DAMAGE

Not amounting to the Level 2 definition of DAMAGING A SECURE FACILITY, DETENTION CENTER OR SHELTER.

THEFT

SELF-HARM with minor or no injury

- Self-harm that has been determined to be non-suicidal behavior based on SPS or clinical assessment, may be categorized as self-harm.

SUICIDE IDEATION

- Self-reported thoughts of engaging in suicide-related behavior. This means a juvenile verbally expresses thoughts or fantasies about committing suicide or verbally expresses a desire to kill him or herself not amounting to criteria expressed under Suicidal Behavior.

LEVEL 4 – INFORMATION ONLY

ANY ACCIDENT

- Even if no injury was sustained.

ANY INJURY

- All injuries not amounting to injuries already described previously need to be accounted for.

ANY POTENTIAL LITIGATION

- You are threatened or received notice of lawsuit.

ASSAULT – NO INJURY

BUILDING SAFETY ISSUES

CUSTODIAL INTERFERENCE

- Not amounting to Obstructing Justice

OTHER

TAMPERING WITH EVIDENCE

CHAIN OF COMMAND
Notification and Distribution of Incident Reports

LEVEL 1
(MAXIMUM SEVERITY)

1. DJJS Director & Deputy Division Director
2. Investigations Bureau
3. Program Director (PD)
4. Assistant Program Director (APD)
5. Supervisor
6. Case Manager /Quality Assurance*

LEVEL 2
(INTERMEDIATE SEVERITY)

1. Investigations Bureau
2. Program Director
3. Assistant Program Director
4. Supervisor
5. Case Manager/Quality Assurance *

LEVEL 3
(MINIMUM SEVERITY)

1. Assistant Program Director
2. Supervisor
3. Case Manager *

LEVEL 4
(INFORMATION ONLY)

1. Assistant Program Director
2. Supervisor
3. Case Manager *

*required by private provider