I. PURPOSE:

This policy directs staff on when and how to review offender-related incidents that may happen within OYA facilities or in the community.

II. POLICY DEFINITIONS:

**Administrative Incident Review:** A review of an offender-related incident by an internal facility or field review team designated by the superintendent, camp director or field supervisor.

**Cabinet:** An executive group that provides oversight of agency operations.

**Critical Incident Review:** A review of an offender-related incident by a review team designated by the Director’s Office.
**Excessive Force:** A type or amount of force beyond that which is reasonably necessary to control the situation and achieve the correctional objective; or the continued use of physical intervention after it is no longer reasonably necessary.

**Physical Intervention:** Direct physical contact where reasonable force is applied to an offender against resistance, either to restrict movement or mobility or to disengage from harmful behavior.

**Restraint Chair:** A system of security restraints designed to safely restrain an offender in a sitting position with all four limbs and torso restrained to the chair.

**Room Removal:** A physical intervention incident where a noncompliant offender is removed from a confined space, as delineated in OYA facilitywide procedure FAC II-B-1.1 (b).

**Suicide Attempt:** Unsuccessful, potentially lethal effort to complete suicide.

**Youth Incident Review:** A review of an offender-related incident (youth incident) by a supervisor or manager.

### III. POLICY:

Part of OYA’s mission is to provide offenders opportunities for reformation in safe environments. In order to maintain safe environments for its staff and offenders, OYA will review offender-related incidents in a timely manner to assess the degree to which the incident responses were in compliance with OYA rules and policies (if applicable) and to recommend ways to enhance safety and security.

The review process described herein may be in addition to an OYA Professional Standards Office (PSO) investigation or law enforcement investigation.

OYA will better understand the circumstances and events contributing to offender incidents by reviewing them in a consistent manner. Information gathered through the review process will be analyzed to identify factors that contributed to successful outcomes and determine if improvements or changes are needed.

Information gained through incident reviews will be used to improve agency policy, procedures, training and practices. The information may also be used in other proceedings, including disciplinary actions.

### IV. GENERAL STANDARDS:

A. All incidents involving offenders that require a Youth Incident Report (YIR) also require a Youth Incident Review by a supervisor or manager.

B. The following incidents require an Administrative Incident Review if the incident occurs in an OYA facility:

1. Offender-on-staff assault;
2. Use, or alleged use, of excessive force on an offender;
3. Offender room removal from a confined space;
4. Offender placement in a restraint chair;
5. A substantiated or unsubstantiated (by completed investigation) allegation/incident of offender sexual abuse;
6. Offender serious injury due to a physical intervention; and

[Serious injuries include, but are not limited to, a break in skin requiring suture, bruising accompanied by swelling or extreme pain, broken bones, internal injury; any injury requiring medical treatment beyond routine first aid, or time off from work or school.]

7. As determined by the Facility Services Assistant Director, or designee, offender injury resulting in offsite medical care.

C. The Community Services Assistant Director, or designee, will determine if an Administrative Incident Review is required if any of the incidents listed in section B (above) occur in the community.

D. Incidents that require a Critical Incident Review include:

1. Death of a staff member due to an offender’s action;
2. Offender death, including suicide;
3. Attempted offender suicide;
4. Serious injury of a staff member due to an offender’s action that resulted in work time loss;
5. Loss of functional control of a facility or housing unit (e.g., loss of control required a staff recall or law enforcement response); and
6. Offender escape or attempted escape from an OYA facility.

E. Review Process

1. Youth Incident Review

   a) A supervisor or manager will conduct a Youth Incident Review within 24 hours of the incident reporting, excluding weekends and holidays.

See OYA Community Services policy III-A-1.0 (Youth Incident Reports) or Facility Services procedure FAC I-E-1.0 (Youth Incident Reports) for more information.
b) The reviewer will not be a person directly involved in the incident and will:

(1) Review the incident reports, incident summary and any other information in the Juvenile Justice Information System (JJIS);

(2) Determine whether the action/response to the incident was or was not in compliance with applicable OYA rules and policies and requires further review; and

(3) Investigate or cause an investigation of the related incident if the response appears excessive or inappropriate.

c) Physical interventions

In addition to the review described in paragraphs a) and b) above, the facility superintendent, camp director, program director, or field supervisor must review each staff use of physical intervention to determine policy compliance in these areas:

(1) Planned or reactive physical intervention;

(2) Use of a control device (shield, control blanket);

(3) Use of restraint devices (security restraints, temporary restraints, shield, restraint chair); and

(4) Proper medical attention for staff and offender(s).

See OYA Community Services policy III-A-1.0 (Youth Incident Reports) or Facility Services procedure FAC I-E-1.0 (Youth Incident Reports) for more information.

2. Administrative Incident Review

All facility incidents listed in section IV. B. and community incidents determined by the Assistant Director Community Services require an Administrative Incident Review within seven calendar days of when staff became aware of the incident.

a) The superintendent/camp director or field supervisor must designate at least two staff to conduct the review who were not involved in the incident and have the appropriate experience, training, and knowledge of agency policies, procedures and practices necessary to conduct the review.

The superintendent/camp director or field supervisor may designate themselves, other managers, program staff,
b) An Administrative Incident Review requires the accumulation of all relevant information, such as reports and documents of involved persons and witnesses (e.g., Youth Incident Reports).

Interviews may be necessary to clarify or obtain relevant information.

c) An Administrative Incident Review Report (YA 0024) with relevant information must be submitted by the reviewing staff to the applicable superintendent/camp director or field supervisor, and assistant director with the following elements:

(1) JJIS Incident Summary or Director’s Incident Report;

(2) Whether the action/response to the incident was in or not in compliance with applicable OYA rules and policies and requires no further review or requires a Critical Incident Review;

(3) Acknowledgements of what went well; and

(4) Plans for improvements to avoid a similar incident.

d) The applicable superintendent/camp director, field supervisor or assistant director may forward the Administrative Incident Review Report to the Director’s Office to be considered for a Critical Incident Review when deemed appropriate.

3. Critical Incident Review

A Critical Incident Review is required for incidents listed in section IV.D.

a) Incidents not listed in section IV.D. may require a Critical Incident Review if the Youth Incident Review or Administrative Incident Review Report recommends a Critical Incident Review.

b) When an incident is forwarded to the Director’s Office for a possible Critical Incident Review, the Deputy Director will determine the need for a Critical Incident Review.

c) When a Critical Incident Review is determined required, the Deputy Director or designee will convene an impartial Review Committee.
(1) Review Committee members must not have any personal involvement in the incident being reviewed, or be part of the facility, field office, or work unit of the incident to be reviewed.

(2) This process will not take the place of any legal investigation process or any judicial procedures or remedies.

(3) The Review Committee will prepare a final Critical Incident Review Report ([YA 0025](#)) for the Director no later than 10 working days following the completion of the review.

Any exception to the timeline must be reasonable, documented, and reported to the Director.

d) The Critical Incident Review Report will include:

(1) JJIS Incident Summary or Director’s Incident Report;

(2) The degree to which the action taken was in compliance with OYA rules and policies;

(3) Observations and interviews of the review team;

(4) Acknowledgements of what went well; and

(5) Any recommendations to enhance staff and offender safety specific to policy, training, security, or treatment.

e) Distribution of Critical Incident Review Reports

(1) Critical Incident Review Reports will be retained by the Director’s Office.

(2) A copy of the final Critical Incident Review Report will be forwarded to OYA Cabinet.

(3) For facility incidents, a copy of the final Critical Incident Review Report will be forwarded to the superintendent/camp director, and the living unit manager.

(4) For community incidents, a copy of the final Critical Incident Review Report will be forwarded to the field supervisor.
4. Improvement Plans

An Improvement Plan that addresses recommendations made by the Review Committee must be developed by the superintendent/camp director, field supervisor, or designee within 30 days and submitted to the appropriate assistant director.

F. Record Retention

1. All Critical Incident Review Reports will be retained by the Director's Office.

2. All Administrative Incident Review Reports and Improvement Plans will be retained by the corresponding facility or field office.

G. Employee Support Plan

All staff exposed to significant incidents must be offered assistance through the Employee Support Plan (ESP). The ESP provides for staff welfare during and after major emergencies and is to assist staff with their ability to process and cope with the effects of crisis, significant incidents or catastrophe.

Services available may include, but are not limited to, support for staff victims and first responders; support for staff families; incident trauma response; ongoing staff victimization; and staff support training.

See Treatment Services agencywide procedure TS I-E-4.0 (Employee Support Plan).

V. LOCAL OPERATING PROTOCOL REQUIRED: NO