

Chapter: Internal Reporting	Effective Date: 12/1/16
Title: Incident Reporting	
ACA: 4-JCF-2A-19, 2A-30	Page: 1 of 4
Statutes: 28 CFR §115.361	Replaces: GAP.07.03, 4/1/14

(a) **Policy.**

Incidents must be properly documented and reported. Critical incidents, serious incidents, and the suspected mistreatment of youth must be reported immediately to the Office of Inspector General–Incident Reporting Center (IRC).

(b) **Applicability.**

This policy applies to all Texas Juvenile Justice Department (TJJD) staff.

(c) **Definitions.**

(1) **Abuse, Neglect, or Exploitation (ANE)**--see definition in [GAP.380.9333](#).

(2) **Critical Incident**--includes any of the following:

INCIDENT TYPE	Residential Facility (TJJD-operated or contracted)	Parole (TJJD-operated or contracted)
Riot	X	X
Employee work stoppage	X	X
Hostage situation	X	X
Man-made or natural disaster (e.g., weather emergency, loss of power exceeding 8 hours, environmental accident, serious illness affecting operations and involving large numbers of youth or staff)	X	X
Escape from a residential facility	X	
Escape during secure transport	X	X
Death of a youth or on-duty staff member	X	X
Alleged sexual abuse of youth, as defined in GAP.380.9337	X	X
Alleged sexual misconduct by a youth that involves: <ul style="list-style-type: none"> • contact, including penetration, as defined in GAP.380.9503; or • touching or fondling, as defined in GAP.380.9503 	X	
Life-threatening suicide attempt, life-threatening self-harm incident, or life-threatening injury	X	X
Use of oleoresin capsicum (OC) spray	X	
Use of deadly force by Office of Inspector General staff	X	X
Non-medical emergency situation that calls for immediate, coordinated action involving resources outside the facility	X	

(3) **Serious Incident**--includes any of the following:

INCIDENT TYPE	Residential Facility <small>(TJJD-operated or contracted)</small>	Parole <small>(TJJD-operated or contracted)</small>
Hospital admission of a youth for any reason	X	
Off-site emergency medical treatment of youth for any reason	X	
Off-site emergency medical treatment of a staff member resulting from an assault within a facility	X	
Emergency administration of psychotropic medication	X	
Sexual harassment of youth by other youth, as defined in GAP.380.9337	X	
Sexual harassment of youth by staff, contractor, or volunteer, as defined in GAP.380.9337	X	X
Discovery of a weapon or an item adapted for use as a weapon in a residential facility	X	
Discovery of an illegal weapon or firearm in a parole office		X
Discovery of drugs (including prescription drugs) that did not clearly originate from inside the facility	X	
Any incident the chief local administrator determines is a serious offense that could result in criminal charges	X	X
A communication or activity that suggests an inappropriate adult–youth relationship involving a staff member, volunteer, or contractor	X	X
A use of force that the chief local administrator or designee believes to be in violation of TJJD policy	X	X
Any of the following injuries to a youth that are not clearly accidental: <ul style="list-style-type: none"> • eye injury • broken bone • loss of consciousness • loss of tooth or portions of tooth • cut requiring tissue adhesive or stitches • internal injury • eardrum injury • serious wound involving loss of skin or hair • joint injury • extensive welts and bruises • concussion diagnosed by a medical provider 	X	

(4) **Chief Local Administrator (CLA)**--as used in this policy, the CLA is:

- (A) the superintendent or administrative duty officer, for TJJD-operated residential facilities;
- (B) the case management coordinator, for contract residential facilities; or
- (C) the regional parole supervisor, for TJJD-operated or contract parole offices.

(5) **Life-Threatening**--an incident involving a youth who appears to be unresponsive, unconscious, not breathing, or experiencing severe respiratory distress or uncontrollable bleeding. Life-threatening incidents also include any incident that would have likely resulted in the death of a youth except for circumstances beyond the youth’s control, as determined by a health-care professional.

(d) **Procedures.**

(1) **Staff Responsibilities.**

Any **staff member** who witnesses a critical or serious incident or who has cause to believe that a youth has been a victim of ANE must:

- (A) notify the IRC by telephone immediately; and
- (B) notify the CLA by telephone immediately after calling the IRC.

(2) **CLA's Responsibilities.**

As soon as possible, but not later than 24 hours after being notified by staff or the IRC of an ANE allegation or a critical or serious incident, the **CLA** or **designee** must email the [Initial Report of Serious Incident form \(CCF-350 for parole, CCF-351 for halfway houses and contract care residential programs, or CCF-352 for institutions\)](#) to the distribution list referenced on the form.

(3) **Central Office Actions upon Receipt of a Report.**

- (A) Upon receipt of a verbal report of alleged ANE or a serious or critical incident, **IRC staff** documents the report and confirms receipt by providing a tracking number to the caller when appropriate.
- (B) **IRC staff** ensures all verbal, electronic, or hard-copy reports are entered into the IRC database.
- (C) **IRC staff** immediately notifies TJJJ administrators by sending an email to the appropriate serious-incident distribution list:
 - (i) if the allegation involves a staff member engaging in sexual contact or causing serious bodily injury; or
 - (ii) for any other critical incident, as deemed necessary.
- (D) Within two workdays after receipt of a reported incident or allegation, the **supervisor over the IRC** or **designee** reviews the incident and refers the case for investigation and resolution to the appropriate TJJJ department, as indicated below. Reports involving separate issues that require resolution by different departments are separated and referred as appropriate.
 - (i) Incidents involving criminal allegations are referred to the Office of Inspector General (OIG) for investigation and resolution.
 - (ii) Incidents involving allegations of ANE are referred to the Administrative Investigations Department for investigation and resolution in accordance with [GAP.380.9333](#).
 - (iii) Incidents involving youth grievances are referred to the Youth Rights Department and processed in accordance with [GAP.380.9331](#).
 - (iv) Policy violations involving the safety and security of youth are generally assigned to the Administrative Investigations Department.
 - (v) Policy violations that do not involve the safety and security of youth are assigned to the appropriate division.

(4) **Critical Incident Debriefing.**

- (A) For critical incidents, the **CLA** or **designee** must coordinate a debriefing with appropriate staff as soon as possible after the situation has been stabilized. To determine whether an incident should be classified as life-threatening, the **CLA** or **designee** consults with medical personnel.

- (B) For life-threatening incidents in institutions, the debriefing must include the health services administrator or designee.
 - (C) If a criminal investigation is pending or ongoing, the debriefing may be postponed up to 72 hours until the assigned OIG investigator determines the debriefing can proceed without adversely affecting the investigation.
 - (D) The debriefing is documented by taking minutes and completing the [Critical Incident Debriefing Review form, CCF-355 \(residential facilities\)](#) or [CCF-355p \(parole\)](#). The debriefing must include:
 - (i) a review of the actions of staff and youth during the incident;
 - (ii) a review of the incident's impact on staff and youth;
 - (iii) a review of corrective actions taken and still needed; and
 - (iv) plans for improvement to avoid a similar incident.
 - (E) The **CLA** or **designee** forwards electronic copies of the debriefing minutes and the completed CCF-355 or CCF-355p to designated Central Office administrators.
- (5) **Routine Incident Reporting Using the CCF-225 Form.**
- (A) The [Incident Report form, CCF-225](#), is used to document the following types of incidents:
 - (i) certain types of critical and serious incidents, including hostage situations, death of youth, and serious injuries;
 - (ii) major rule violations by youth;
 - (iii) minor rule violations by youth that result in referral to the security unit;
 - (iv) parole rule violations;
 - (v) use of force, excluding physical escorts;
 - (vi) non-routine use of mechanical restraints;
 - (vii) non-routine strip searches;
 - (viii) self-referral to the security unit;
 - (ix) youth arrests; and
 - (x) admission to and release from the security unit, isolation, or detention.
 - (B) The **staff member** completing the CCF-225 must sign and date the form.
 - (C) Except as described in (D) below, completed CCF-225 forms must be submitted as soon as possible and no later than the end of the current shift (or the end of the workday for non-shift workers).
 - (D) A **staff member** who refers a youth to the security unit must complete a CCF-225 form and submit the form to the security unit as soon as possible after the incident, but no later than 30 minutes after the youth's arrival at the security unit. If the incident report cannot be made available within 30 minutes, the security juvenile correctional officer supervisor, security case manager, or designee may extend the time limit up to 30 additional minutes. The superintendent or designee may extend the time limit up to one additional hour.
 - (E) The **CLA** or **designee** reviews and signs all CCF-225 forms and ensures they are entered into CCS and appropriately filed.

References: See [INS.91.91](#) for procedures on incident report writing and data entry.