

Chapter: Internal Reporting and Incident Response
Title: Staff Victims of Serious Assault

Effective Date: 7/1/11, T-109
Page: 1 of 2
New

ACA Standard(s): N/A

(a) **Policy.**

The Texas Youth Commission (TYC) will provide staff victims of serious youth assaults with information and access to programs and services in an effort to help staff victims to cope with the after-effects of a serious assault.

(b) **Applicability.**

This policy applies to assaults by youth causing serious bodily injury, as defined in GAP.95.3, to a staff member and sexual assaults of staff by youth.

(c) **Procedures.**

(1) **Medical Attention and Notification of Emergency Contacts.**

- (A) If the circumstances permit, the staff member's supervisor or another supervisor will offer to accompany the injured staff member to the medical provider.
- (B) If the staff member is unable to notify his/her emergency contacts, the staff member's supervisor, another supervisor, or the human resources administrator will immediately notify the staff member's emergency contacts.

(2) **Communication by Management.**

- (A) Within 24 hours after the incident, the superintendent or assistant superintendent will contact the staff member, or contact a family member if the staff member is unable to accept phone calls or visitors, to:
 - (i) check on the staff member's well-being;
 - (ii) provide assurance that:
 - (I) the superintendent or assistant superintendent will continue to be in contact with the staff member;
 - (II) the staff member will be contacted by the agency's victim liaison;
 - (III) the staff member's local human resources office will provide assistance in understanding available leave and workers' compensation benefits.
- (B) Within two workdays after the incident, the superintendent or designee will attempt to contact the injured staff member in person or by phone to:
 - (i) provide the injured staff member an opportunity to complete a victim impact statement;
 - (ii) explain that the victim impact statement will be used in developing the youth's treatment objectives and will provide the staff member with certain victim's rights in accordance with GAP.81.35;
 - (iii) explain how to submit the victim impact statement, if the staff member chooses to complete it;

- (iv) explain how the injured staff member may be involved in the Accident/Physical Restraint Review Board process; and
 - (v) explain that the following information will be provided to the staff member as soon as it becomes available:
 - (I) the outcome of the Level I or II due process hearing and any consequences imposed;
 - (II) whether the youth will be transferred to another facility;
 - (III) whether the case has been referred to the Special Prosecution Unit to pursue criminal charges;
 - (IV) whether the case has been accepted by the Special Prosecution Unit.
 - (C) If the superintendent or designee is not successful in contacting the injured staff member within two workdays, he/she will continue attempts until the staff member is contacted.
 - (D) The superintendent or designee will maintain regular, weekly communications with the staff member during his/her recuperation and keep the staff member updated on the status of any criminal proceedings until a final disposition is reached.
- (3) **Employee Assistance Program.**
- As soon as practicable after the incident, the victim liaison will attempt to provide the injured staff member with information on:
- (A) services provided through the agency's employee assistance program (EAP); and
 - (B) how to contact the EAP.
- (4) **Crime Victims' Compensation Program.**
- As soon as practicable after the incident, the victim liaison will contact the injured staff member to provide information on the Texas Crime Victims' Compensation Fund administered by the Texas Attorney General's Office.
- (5) **Leave and Workers' Compensation Benefits.**
- As soon as practicable after the incident, the human resources administrator or designee will contact the injured staff member to review documentation requirements for workers' compensation as established in PRS.23.03 and to coordinate the use of available leave as established in PRS.27.02.
-
-