DEPARTMENT OF CORRECTIONS

Policy Number: 300.300
Title: Incident Reports
Effective Date: 8/7/18

PURPOSE: To ensure a prompt, uniform procedure is followed in the reporting of all situations that could adversely impact department operations, employee safety, or that necessitate administrative review.

APPLICABILITY: Department-wide

DEFINITIONS:

Confidential report – an incident report containing sensitive information that, if distributed widely throughout the work place or released to the public, may jeopardize security or the safety of individuals or violate data practices policy (see Policy 106.210, "Providing Access to and Protecting Government Data."). Confidential reports may include, but are not limited to, those containing:

A. Information provided by an offender/resident about another offender/resident.
B. Information of a sensitive and/or serious nature that might jeopardize security.
C. Staff personal information including work related injury(s) or health condition(s).
D. Information that the writer feels is sensitive and/or embarrassing or offensive in nature.
E. Detailed and/or sensitive medical information about an individual.
F. Information regarding staff misconduct.

Crisis intervention team (CIT) Incident Report – a report completed by a certified CIT member containing information related to a CIT incident. If a CIT Incident Report (attached) is completed, it is unnecessary to complete a standard incident report. A CIT Incident Report may also be submitted as a confidential report.

Critical Incidents – See Minn. Rule 2960.0020, Subp. 24.

Incident Report – a report (attached) that documents occurrences that may adversely impact departmental operations, employee safety or that necessitate administrative review.

Restrictive Procedures – See Minn. Rule 2960.0020, Subp. 63.

PROCEDURES:

A. All staff must immediately document all occurrences that could adversely impact department operations, employee safety, or that necessitate administrative review on an Incident Report form (attached). Staff must record such information in addition to verbally advising the appropriate supervisors and/or the facility watch commander. Incident reports must contain factual and accurate information and must be submitted prior to the end of the reporting employee's work day. Each staff member involved in or observing the incident must write an incident report. A group report is unacceptable.

B. Staff must submit an incident report in the situations stated below. The following list is not all-inclusive. An incident report may also need to be submitted in other instances.

1. A security breach is suspected or known to have occurred, including contraband recovery.

2. Staff have employed the use of force (e.g., firearms, chemical agents, or physical force) or restrictive procedures other than the routine use of mechanical restraint.

3. An offender/resident remains in restraints at the end of the shift.

4. An offender/resident has escaped or has attempted to escape.

5. An injury or death of any person, under any circumstances, including homicide, suicide and assault, or attempted homicide, attempted suicide and attempted assault.

6. A violation of facility rules or offender/resident discipline regulations has occurred.

7. Loss or damage to property, or other situations, which may result in litigation or a monetary claim.

8. Non-routine conduct by offender(s)/resident(s), visitor(s), or other person(s).

9. As directed by a supervisor.

10. If a certified CIT team member utilizes CIT techniques in an interaction with an offender/resident in crisis, an Incident Report – CIT (attached) must be used.

C. When to submit an incident report – field services and central office

1. Field services and central office staff must submit a report whenever a situation or interaction presents a danger, risk or peril (including "near misses"), to report staff misconduct, and to report property loss or damage.

2. Staff must also submit a report when directed by a supervisor.

D. Completing an incident report

1. Staff may need to confer with a supervisor before making the final determination whether an incident report is required in a particular situation.

2. If an incident report is needed, it must be reviewed, signed and dated, including the time received, by the watch commander/supervisor and submitted prior to the end of the staff member's work day. The watch commander/supervisor must return incomplete or inaccurate incident reports to staff for revision.

3. An incident report that is of a confidential nature must follow Procedure D.

4. The watch commander ensures all incident reports are organized in a daily packet and sent to the warden's office to be retained in one storage area.

E. Confidential report

1. A confidential report must be submitted to the watch commander/field services or central office supervisor, unless the watch commander/field services or central office supervisor, captain, or an executive team member authorized the direct submission of the confidential report to the warden/superintendent/field services director/appropriate assistant commissioner.

2. Staff must immediately inform the watch commander/field services or central office supervisor if staff feel that the incident may impact the safe and secure operation of the workplace, staff safety, or public safety.

3. A staff person may also submit an incident report directly to the staff person's supervisor, an executive team member at the facility, or an assistant/deputy commissioner if the report contains sensitive information needing limited initial review.

4. Facility safety administrators must have access to confidential incident reports that include staff/offender/resident injuries and near misses.

5. PREA-related reports are considered confidential and are to be submitted only to the warden, associate warden of operations, associate warden of administration, office of special investigations, and human resource director.

F. Juvenile reports

1. A copy of the juvenile incident report must be placed in the juvenile's case record and reviewed by the facility administrator and/or central office.

2. Critical incidents of an unusual or serious nature that involve, or endanger the lives or safety of, facility staff or residents are documented on an incident report and reported to the DOC's Inspection and Enforcement Division within ten days.

G. Retention Schedule

Incident reports must be retained for a minimum of seven years.

INTERNAL CONTROLS:

A. Incident reports are retained at the facility.

B. Juvenile reports are retained in the juvenile case record and at the facility.

ACA STANDARDS: 4-4202, 4-4206, 4-4183, 1-ABC-3A-09, 1-ABC-3A-27, 1-ABC-3A-31, 4-JCF-2A-10, 4-JCF-2A-18, 4-JCF-2A-19, 4-JCF-2A-27, 4-JCF-2A-29, 2-CO-1C-05, 2-CO-3A-01

REFERENCES: Minn. Stat. § 241.01, subd. 3(f), (g) and (h)
Minn. Rules 2960.0080, Subp. 17; 2960.0270, Subp. 12; 2960.0570, Subp. 2; and 2960.0710
Policy 106.210, "Providing Access to and Protecting Government Data"
Policy 202.057, "Sexual Abuse/Harassment Prevention, Reporting and Response"
Policy 103.228, "Respectful Workplace"
Policy 103.300, "Discrimination–free Workplace"
Policy 103.225, "Employee Investigation and Discipline Administration"
Policy 105.125, "A Workplace Accident and Injury Reduction Program AWAIR)"
Policy 103.223, "Personal Associations Between Staff and Offenders"
Policy 301.081, "Use of Force and Restraints – Adult"
Policy 301.079, Juvenile Restrictive Procedures Plan"

REPLACES: Policy 300.300, "Incident Reports," 9/20/16.

All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Incident Report – General (300.300A)
Incident Report Form – Juvenile Facilities (300.300B)

APPROVALS:
Deputy Commissioner, Facility Services
Deputy Commissioner, Community Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Operations Support