

<p style="text-align: center;"><b>STATE OF VERMONT</b></p> <p style="text-align: center;"><b>AGENCY OF HUMAN SERVICES</b></p> <p style="text-align: center;"><b>DEPARTMENT OF CORRECTIONS</b></p>	<p><b>Associated Policy #405</b></p>	<p><b>Page 1 of 19</b></p>
<p><b>Facility Incident Reporting Standard Operating Procedure</b></p>		
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# ***Facility Incident Reporting Standard Operating Procedure***

## **GENERAL PROCEDURES**

This document establishes procedures, including documentation and notification requirements, for the Vermont Department of Corrections' (DOC) policy on facility incident reporting.

### **A. Reporting of Incidents**

1. The DOC's approach to incident reporting is broad, to ensure that we have an accurate and thorough perspective of an incarcerated individual's history while in DOC custody.
2. The DOC uses incident reporting to document incidents pertaining to staff, contractors, visitors, volunteers, and other persons as necessary. This documentation assists the DOC in identifying training, work site, and other operational needs.
3. Staff shall document all instances of any person's behavior that meets the following criteria as an incident in the Offender Management System (OMS):
  - a. Affects the health, operation, safety, or security of:
    - i. Any person, including staff, visitors, contractors, and individuals under the custody or supervision of the DOC; or
    - ii. A correctional facility, office, or field site;
  - b. Violates policies and procedures of the DOC;
  - c. Disrupts the orderly operation of a correctional facility, office, or field site;
  - d. Violates, or is suspected to violate, state or federal law, including facilitating contraband, sexual harassment, and sexual abuse; or
  - e. Results in any occurrence, condition, or event which causes a disturbance in the day-to-day operations.
4. Staff shall document events that impact the physical structure in a way that affects operations or the safety and security of the correctional facility, field site, or office as an incident in OMS.
  - a. Examples of these types of events include:
    - i. Utility malfunction and/or failure;
    - ii. Life safety equipment malfunction, failure, loss, etc.;
    - iii. A breach or threat to the safety and security of the site; and
    - iv. Planned events used to test security procedures, such as fire drills, lockdowns, etc.

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- b. This documentation assists the DOC in identifying potential needs for resources allocation.
- c. Depending on the incident, additional reporting requirements may exist for the for Department of Building and General Services (BGS) or worker's compensation.

### **B. Incident Report Documentation**

1. Staff shall document incidents and complete incident reports in OMS prior to the end of their scheduled shift.
  - a. Whenever multiple staff members are documenting the same incident, they shall enter all the reports under the same incident number in OMS.
  - b. Each facility staff member involved in the incident shall include a complete narrative, which outlines the specifics of the incidents in a clear, concise, legible, and accurate manner. This narrative shall summarize the incident including persons involved, time, place, and outcomes.
  - c. Staff shall upload additional information, including supporting documentation, photos, video, and audio files, into the attachments section of the incident.
2. Upon completion of an incident report, the reporting staff member shall notify their direct supervisor.
3. The supervisor shall review incident reports for accuracy, completeness, and clarity, and instruct the reporting staff members to revise and resubmit any report found in need of additional information or clarification.

### **C. General Notification Requirements**

1. Anytime one of the events described [under the Notifications by Superintendent Heading](#), occurs in a facility, facility staff shall notify the Superintendent, or designee, within one hour. This requirement shall include notifying the Superintendent of all assaults within the facility, regardless of their severity.
2. In addition to the events described [under the Notifications by Superintendent Heading](#), facility staff shall notify the Superintendent, or designee, within one hour, of any incident that meets the following criteria:

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- a. In which a person's life may be in jeopardy;
  - b. That may have an impact on operations, safety, and security at more than one correctional facility;
  - c. In the community that may affect facility operations;
  - d. That might impact the community or victims/survivors; or
  - e. That may attract media attention.
3. For the purposes of this document, "immediate" notification shall mean as soon as practicable within the first hour.
  4. Whenever an incident occurs that falls into multiple categories, staff shall review the notification requirements for all relevant incident types, and ensure notifications are made within the shortest timeline specified.
  5. Whenever an incident occurs which requires notifications in a Supplemental Housing Correctional Facility (SHCF), staff shall notify the Facilities Operations Manager, or designee, who shall complete all the notifications typically required of the Superintendent, or designee.
  6. Whenever the Director of the Prison Rape Elimination Act (PREA) and Constituent Services, or designee, is notified about an incident related to sexual abuse, they shall make other notifications as required, in accordance with the appropriate sexual abuse incident reporting protocol.
  7. The Chief of Operations, or designee, shall be responsible for providing notification to the Commissioner, when appropriate.

### **NOTIFICATIONS BY SUPERINTENDENT**

#### **A. Information Required for Notifications to the Facility Director**

Whenever notifying the Facilities Director, or designee, of an incident as required under this heading, the Superintendent, or designee, shall provide the:

1. Initial notification within the timeline set forth below; and
2. Following information as soon as practicable:
  - a. Type of incident;
  - b. Whether a weapon was involved;
  - c. Whether the local Vermont State Police (VSP) barracks was notified, if appropriate;

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- d. The following information for all incarcerated individuals involved in the incident:
  - i. Name;
  - ii. Date of birth;
  - iii. Whether they are designated as having a serious functional impairment (SFI) or being a delayed placement person (DPP);
  - iv. Any known medical conditions;
- e. The following information for anyone directly involved in the incident (not all staff responding), including contractors, volunteers, others:
  - i. Name; and
  - ii. Job title and rank, if appropriate;
- f. A brief description of the incident; and
- g. Any planned next steps.

### **B. Events Requiring Immediate Notifications**

For each of the following events, the Superintendent, or designee, shall make the following notifications:

**1. Serious assault, attempted assault, sexual abuse of a penetrating nature, or use of a weapon other than an explosive device or firearm on an incarcerated individual**

When the assault resulted in an injury to an incarcerated individual which appears life-threatening or poses serious risk of permanent impairment or disfiguration, was sexual abuse of a penetrating nature, or when a weapon other than an explosive device or firearm is used in the assault or attempted assault on an incarcerated individual the Superintendent, or designee, shall immediately notify the:

- a. Facilities Director, or designee; and
- b. Local VSP barracks.

For additional notifications, please see [Notifications Required by Facilities Director](#).

**2. Serious assault, attempted assault, sexual assault of a penetrating nature, or use of a weapon other than an explosive device or firearm on a staff member**

When an assault, attempted assault, sexual assault of a penetrating nature, or use of a weapon other than an explosive device or firearm, is

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on a staff member and appears to be serious in nature, the Superintendent, or designee, shall immediately notify the:

- a. Facilities Director, or designee; and
- b. Local VSP barracks.

For additional notifications, please see [Notifications Required by Facilities Director](#).

### **3. Presence of an unauthorized explosive device or firearm**

The Superintendent, or designee, shall immediately notify the:

- a. Facilities Director, or designee; and
- b. Local VSP barracks.

For additional notifications, please see [Notifications By Facilities Director](#).

### **4. Escape or attempted escape**

The Superintendent, or designee, shall immediately notify the:

- a. Facilities Director, or designee;
- b. Local VSP barracks; and
- c. Community, in the event of a completed escape.

For additional notifications, please see [Notifications By Facilities Director](#).

### **5. Emergency unit evacuation**

The Superintendent, or designee, shall immediately notify the Facilities Director, or designee.

For additional notifications, please see [Notifications By Facilities Director](#).

### **6. Facility-wide evacuation**

The Superintendent, or designee, shall immediately notify the:

- a. Facilities Director, or designee; and
- b. Local VSP barracks.

For additional notifications, please see [Notifications By Facilities Director](#).

### **7. Life-threatening or other significant medical condition or significant self-harm attempt**

The Superintendent, or designee, shall immediately notify the Facilities Director, or designee, the Director of Classification and Facility Designation, and the local VSP barracks, when appropriate, of any:

- a. Life-threatening or other significant medical condition resulting from injury in a correctional facility;
- b. Significant self-harm attempt; or
- c. Rapidly deteriorating condition or medical situation of an incarcerated individual.

For additional notifications, please see [Notifications By Facilities Director](#).



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### **8. Emergency activation of the local Special Response Team**

The Superintendent, or designee, shall immediately notify the:

- a. Facilities Director, or designee; and
- b. Local VSP barracks, when appropriate.

For additional notifications, please see [Notifications By Facilities Director](#).

### **9. Use of a restraint chair for more than two hours**

The Superintendent, or designee, shall immediately notify the Facilities Director, or designee.

### **10. Serious facility disturbance or significant fire**

The Superintendent, or designee, shall immediately notify the:

- a. Local fire department, when appropriate;
- b. Facilities Director, or designee; and
- c. Local VSP barracks.

For additional notifications, please see [Notifications By Facilities Director](#).

### **11. Suspected or alleged employee misconduct, including criminal acts, job actions, and willful misconduct**

The Superintendent, or designee, shall immediately notify the:

- a. Facilities Director, or designee; and
- b. Vermont Department of Human Resources (DHR).

For additional notifications, please see [Notifications By Facilities Director](#).

## **C. All Other Notifications**

For each of the following events, the Superintendent, or designee, shall make the following notifications:

### **1. All other assaults or attempted assaults on a staff member**

The Superintendent, or designee, shall notify the following within 24 hours of any other assaults or attempted assaults on a staff member:

- a. Facilities Director, or designee; and
- b. Local VSP barracks.

For additional notifications, please see [Notifications By Facilities Director](#).

### **2. Sexual abuse of a contact nature**

The Superintendent, or designee, shall notify the Facilities Director, or designee within 24 hours.

For additional notifications, please see [Notifications Required by Facilities Director](#).

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### **3. Sexual harassment**

The Superintendent, or designee, shall notify the Facilities Director, or designee within 24 hours.

For additional notifications, please see [Notifications Required by Facilities Director](#).

### **4. Events not otherwise described**

The Superintendent, or designee, shall notify the Facilities Director, or designee, when appropriate of any incident not described above.

For additional notifications, please see [Notifications By Facilities Director](#).

## **NOTIFICATIONS BY FACILITIES DIRECTOR**

### **A. Events Requiring Immediate Notifications**

Upon notification of the following events, the Facilities Director, or designee, shall make the following notifications:

#### **1. Serious assault, attempted assault, sexual abuse of a penetrating nature, or use of a weapon other than an explosive device or firearm on an incarcerated individual**

(For previous notifications see [Notifications By Superintendent](#).)

When an assault that resulted in an injury to an incarcerated individual which appears life-threatening or poses serious risk of permanent impairment or disfigurement, was sexual abuse of a penetrating nature, or when a weapon other than an explosive device or firearm is used in the assault or attempted assault on an incarcerated individual, the Facilities Director, or designee, shall ensure the following notifications:

- a. Chief of Operations, or designee, immediately;
- b. Peer Support Coordinator, or designee, when appropriate; and
- c. For sexual abuse of a penetrating nature:
  - i. Director of PREA and Constituent Services, or designee, as soon as practicable;
  - ii. General Counsel;
  - iii. Vermont Department for Children and Families (DCF), when appropriate;
  - iv. Vermont Department of Mental Health (DMH), when appropriate; and
  - v. When the perpetrator is a staff member:

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- a) Vermont Department of Buildings and General Services (BGS), to request that an access card be deactivated, in accordance with the policy on employee access cards and badges; and
- b) Business Applications Manager, to request that access to the Offender Management System be deactivated.

For additional notifications, please see [Additional Notifications for Sexual Abuse and Harassment](#) and [Notifications By Chief of Operations](#).

### **2. Assault, attempted assault, sexual assault of a penetrating nature, or use of a weapon other than an explosive device or firearm on a staff member**

(For previous notifications see [Notifications By Superintendent for serious staff assaults](#) and [all other staff assaults](#).)

The Facilities Director, or designee, shall immediately notify the following of assaults, attempted assaults, sexual assault of a penetrating nature, or uses of a weapon other than an explosive device or firearm, on a staff member:

- a. Chief of Operations, or designee, immediately;
- b. Peer Support Coordinator, or designee, within 24 hours; and
- c. Executive Director of Office of Professional Standards and Compliance (OPSC), immediately, in cases of sexual assault of a penetrating nature.

For additional notifications, please see [Notifications By Chief of Operations](#).

### **3. Presence of an unauthorized explosive device or firearm**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the following are notified:

- a. Chief of Operations, or designee, immediately; and
- b. Peer Support Coordinator, or designee, when appropriate.

For additional notifications, please see [Notifications By Chief of Operations](#).

### **4. Escape or attempted escape**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the following are immediately notified:

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- a. Chief of Operations, or designee; and
- b. Director of Victim Services, or designee.

For additional notifications, please see [Notifications By Chief of Operations](#).

### **5. Facility-wide evacuation**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the following are notified:

- a. Chief of Operations, or designee, immediately; and
- b. Community, when appropriate.

For additional notifications, please see [Notifications By Chief of Operations](#).

### **6. Serious facility disturbance or significant fire**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the following are notified:

- a. Chief of Operations, or designee, immediately;
- b. Peer Support Coordinator, or designee, when appropriate; and
- c. The local Division of Fire Safety (i.e., Fire Marshall's) office, within 24 hours of the conclusion of a fire incident.

For additional notifications, please see [Notifications By Chief of Operations](#).

### **7. Activation of Crisis Intervention or multiple Special Response Teams**

The Facilities Director, or designee, shall ensure the following are notified:

- a. Applicable Superintendents, or their designees, immediately;
- b. Chief of Operations, or designee, immediately;
- c. Peer Support Coordinator, or designee, when appropriate; and
- d. Local VSP barracks.

For additional notifications, please see [Notifications By Chief of Operations](#).

## **B. All Other Notifications**

For each of the following events, the Facilities Director, or designee, shall make the following notifications:

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### **1. Sexual abuse of a contact nature**

(For previous notifications see [Notifications By Superintendent.](#))

The Facilities Director, or designee, shall ensure the following are notified:

- a. Chief of Operations, or designee;
- b. Director of PREA and Constituent Services, or designee, as soon as practicable;
- c. General Counsel;
- d. Peer Support Coordinator, or designee, when appropriate;
- e. Vermont Department for Children and Families (DCF), when appropriate;
- f. Vermont Department of Mental Health (DMH), when appropriate;
- g. When the perpetrator is a staff member:
  - i. Vermont Department of Buildings and General Services (BGS), to request that an access card be deactivated, in accordance with the policy on employee access cards and badges; and
  - ii. Business Applications Manager, to request that access to the Offender Management System be deactivated.

For additional notifications, please see [Additional Notifications for Sexual Abuse and Harassment](#) and [Notifications By Chief of Operations.](#)

### **2. Sexual harassment, when the victim is an incarcerated individual**

(For previous notifications see [Notifications By Superintendent.](#))

The Facilities Director, or designee, shall ensure the following are notified:

- a. Chief of Operations, or designee;
- b. Director of PREA and Constituent Services, or designee, as soon as practicable;
- c. General Counsel, when appropriate;
- d. Peer Support Coordinator, or designee, when appropriate;
- e. Vermont Department for Children and Families (DCF), when appropriate;
- f. Vermont Department of Mental Health (DMH), when appropriate;
- g. When the perpetrator is a staff member and a decision is made to restrict their access:
  - i. Vermont Department of Buildings and General Services (BGS), to request that an access card be deactivated, in accordance with the policy on employee access cards and badges; and

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- ii. Business Applications Manager, to request that access to the Offender Management System be deactivated.

For additional notifications, please see [Additional Notifications for Sexual Abuse and Harassment](#) and [Notifications By Chief of Operations](#).

### **3. Suspected or alleged employee misconduct, including criminal acts, job actions, and willful misconduct**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the Chief of Operations is notified.

For additional notifications, please see [Notifications By Chief of Operations](#).

### **4. Emergency unit evacuation**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the Chief of Operations is notified.

### **5. Life-threatening or other significant medical condition or significant self-harm attempt**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the following are notified:

- a. Chief of Operations, or designee;
- b. The Director or Health Services, or designee;
- c. Peer Support Coordinator, or designee, when appropriate; and
- d. Defender General, whenever a suicide attempt or critical incident results in injury to an inmate from an assault, use of force, or accident in a correctional facility that requires more than 24 hours of emergency hospitalization, in accordance with 13 V.S.A. § 5259.

For additional notifications, please see [Notifications By Chief of Operations](#).

### **6. Emergency activation of the local Special Response Team**

(For previous notifications see [Notifications By Superintendent](#).)

The Facilities Director, or designee, shall ensure the Chief of Operations, or designee, is notified.

For additional notifications, please see [Notifications By Chief of Operations](#).

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### **7. Events not otherwise described**

(For previous notifications see [Notifications By Superintendent.](#))

The Facilities Director, or designee, shall notify the Chief of Operations, or designee, when appropriate of any incident not described above.

## **ADDITIONAL NOTIFICATIONS FOR SEXUAL ABUSE AND HARASSMENT**

### **A. Notifications By Director of PREA and Constituent Services**

(For previous notifications see [Notifications By Facilities Director.](#))

For all allegations of sexual abuse and harassment, the Director of PREA and Constituent Services, or designee, shall ensure the following notifications:

1. Executive Director of the Office of Professional Standards and Compliance (OPSC), or designee;
2. Director of Health Services, or designee, when appropriate; and
3. Vermont Office of Professional Regulation (OPR), when appropriate.

### **B. Notifications By Executive Director of OPSC**

For all allegations of sexual abuse, the Executive Director of OPSC, or designee, shall ensure clinical services are notified, when appropriate.

For additional notifications, please see [Notifications By Chief of Operations.](#)

## **NOTIFICATIONS BY CHIEF OF OPERATIONS**

### **C. Events Requiring Immediate Notifications**

Upon notification of the following events, the Facilities Director, or designee, shall make the following notifications:

- 1. Serious assault, attempted assault, sexual abuse of a penetrating nature, or use of a weapon other than an explosive device or firearm on an incarcerated individual**

(For previous notifications see [Notifications By Facilities Director.](#))

- a. When an assault on an incarcerated individual results in their hospitalization, the Chief of Operations, or designee, shall immediately notify the Commissioner.
- b. The Chief of Operations, or designee, shall, immediately notify VSP Command, when appropriate, of assaults that resulted in an injury

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to an incarcerated individual which appears life-threatening or poses serious risk of permanent impairment or disfiguration, was sexual abuse of a penetrating nature, or when a weapon other than an explosive device or firearm is used in an assault or attempted assault on an incarcerated individual.

### **2. Assault, attempted assault, sexual assault of a penetrating nature, or use of a weapon other than an explosive device or firearm on a staff member**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations shall immediately notify the following of assaults, attempted assaults, sexual assault of a penetrating nature, or uses of a weapon other than an explosive device or firearm, on a staff member:

- a. Commissioner, when the assault or use of a weapon appears serious in nature; and
- b. VSP Command, when appropriate.

### **3. Presence of an unauthorized explosive device or firearm**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure the following notifications:

- a. Commissioner, immediately; and
- b. VSP Command, when appropriate.

### **4. Escape or attempted escape**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure the following notifications:

- a. Commissioner, immediately; and
- b. VSP Command, when appropriate.

### **5. Facility-wide evacuation**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure the following are notified:

- a. Commissioner; and
- b. VSP Command, when appropriate.

### **6. Serious facility disturbance or significant fire**

(For previous notifications see [Notifications By Facilities Director.](#))



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The Chief of Operations, or designee, shall ensure the following notifications:

- a. Commissioner, immediately; and
- b. VSP Command, when appropriate.

### **7. Activation of Crisis Intervention or multiple Special Response Teams**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure the following are notified:

- a. Commissioner, immediately; and
- b. VSP Command, when appropriate.

## **D. All Other Notifications**

For each of the following events, the Facilities Director, or designee, shall make the following notifications:

### **1. Sexual abuse of a contact nature and sexual harassment**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure VSP Command is notified, when appropriate.

### **2. Suspected or alleged employee misconduct, including criminal acts, job actions, and willful misconduct**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure VSP Command is notified, when appropriate.

### **3. Life-threatening or other significant medical condition or significant self-harm attempt**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure VSP Command is notified, when appropriate.

### **4. Emergency activation of the local Special Response Team**

(For previous notifications see [Notifications By Facilities Director.](#))

The Chief of Operations, or designee, shall ensure the following are notified:

- a. Commissioner; and
- b. VSP Command, when appropriate.

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### **DEATH NOTIFICATIONS**

#### **A. Immediate Death Notification By Superintendent**

Upon notification of any death in a correctional facility, or an incarcerated individual's death outside a correctional facility, the Superintendent, or designee, shall immediately:

1. Notify the:
  - a. Facilities Director, or designee; and
  - b. Local VSP barracks; and
2. Ensure the notification of the following individuals, or their designees:
  - a. Incarcerated individual's designated emergency contact, when applicable; and
  - b. Person designated by a court to make decisions for the incarcerated individual, when applicable.

#### **B. Immediate Death Notifications by Facilities Director**

Upon notification, the Facilities Director, or designee, shall immediately:

1. Notify the following individuals, or their designees:
  - a. Chief of Operations;
  - b. Commissioner;
  - c. Deputy Commissioner; and
  - d. Director of Classification and Facility Designation; and
2. Ensure the notification of the Medical Examiner.

#### **C. Other Death Notifications by Facilities Director**

After completing the initial notifications in [Section B.](#) above, the Facilities Director, or designee, shall immediately email notifications to the following individuals, or their designees:

1. Director of Health Services;
2. Office of the Defender General;
3. Director of Victim Services; and
4. Peer Support Coordinator.

#### **D. Death Notifications by Chief of Operations**

The Chief of Operations, or their designee, shall ensure VSP Command is notified.

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### **E. Death Notifications by Director of Victim Services**

The Director of Victim Services, or designee, shall ensure the notification of the victim(s)/survivor(s) as soon as practicable, but always within three days.

### **F. Additional Death Notifications by Superintendent**

The Superintendent, or designee, shall also ensure the following individuals, groups, and entities, if appropriate or relevant, are notified no later than the next business day:

1. DOC Constituent Services;
2. Courts;
3. Parole Board Director;
4. District Manager of the individual's assigned Probation and Parole Office;
5. State's Attorney Victim Advocate, who then notifies the victim(s)/survivor(s);
6. Department for Children and Families;
7. Department of Mental Health;
8. Department of Aging and Independent Living;
9. Facility staff, in accordance with local procedure; and
10. Incarcerated individuals, in accordance with local procedure.