

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE		EFFECTIVE DATE 02/08/2016	NUMBER 06.04.136
SUBJECT CRITICAL INCIDENT REPORTING – FIELD OPERATIONS ADMINISTRATION (FOA) AND REENTRY SERVICES		SUPERSEDES New	
		AUTHORITY MCL 791.203 – 791.206, MCL 791.208	
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POLICY STATEMENT:

Critical incidents shall be promptly reported to ensure the Department’s chain of command is informed and prepared to respond to the inquiries of the Executive Office, Legislators, family members and the media. Critical incidents are reviewed to ensure that staff responded as outlined in policy and procedure.

POLICY:

DEFINITIONS

- A. **CRITICAL INCIDENT:** An event which is likely to attract widespread adverse public attention and/or create potentially serious issues for the Department, as determined by the Field Operations Administration (FOA) Deputy Director or Reentry Administrator. Such events shall be reported as soon as they come to the attention of staff by the most expeditious means available at the time (in-person, telephone, e-mail, etc.).
- B. **MEDICAL TREATMENT:** Treatment administered by a physician or registered professional. This does not include minor first-aid treatment, even if provided by a physician or registered physician.
- C. **SERIOUS PHYSICAL INJURY:** Physical injury that requires hospital admission or inpatient care but does not include instances where only emergency room treatment is provided.

GENERAL INFORMATION

- D. For purposes of this policy, "employee" refers to Department employees, including contractual employees, unless otherwise specified.
- E. For the Absconder Recovery Unit (ARU) staff, reporting requirements shall be followed as outlined in PD 06.01.130 "Absconder Recovery Unit."
- F. Critical incidents shall not be completed on discharged offenders.
- G. Staff at the Detroit Reentry Center (DRC) and the Detroit Detention Center (DDC) shall follow the guidelines set forth in PD 01.05.120 "Critical Incident Reporting - Correctional Facilities Administration (CFA)" when reporting a critical incident. However, DRC and DDC staff shall submit the Critical Incident Report (CAJ-570) and the Critical Incident Participation Report (CAJ-571) through the FOA chain of command.

CRITICAL INCIDENTS

- H. The following critical incidents shall be reported immediately by telephone and reported in writing on a FOA/Reentry Services Critical Incident Notification form (CFJ-144) as set forth in this policy:
 - 1. The death of any on-duty FOA employee and the death of any offender or visitor in a field office or reentry facility, unless the death was expected due to a terminal illness. These incidents shall also be reported pursuant to PD 04.06.110 "Deaths: Natural, Accidental, Suicide, Homicide" when applicable. Any death of a foreign national must be reported in writing to the Office of Legal Affairs Administrator within 24 hours of death.
 - 2. The death of any person as a result of the actions of an offender or FOA employee.

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3. Serious physical injury of an on-duty employee, offender, or visitor in a FOA field office or reentry facility. These incidents shall not be reported if the offender was under the Department's jurisdiction but not in Department custody when the incident occurred.
4. Drawing/discharge of a firearm or electronic control device (ECD), or discharge of a chemical agent in the employee's performance of his/her duties, except as required during training, qualification or practice.
5. Escape or attempted escape from the Lake County Residential Reentry Program (LCRRP).
6. An unusual event not identified above.

CRITICAL INCIDENT REPORTING REQUIREMENTS

- I. Each employee who is a participant in or witness to a critical incident shall immediately verbally report the incident through the chain of command and complete a Critical Incident Participant Report - FOA form (CFJ-565). The completed report shall be submitted through the chain of command where the incident occurred within 24 hours.
- J. A FOA/Reentry Services Critical Incident Notification (CFJ-144) shall be provided through the chain of command to the FOA Deputy Director or Reentry Administrator as appropriate. The FOA Deputy Director or Reentry Administrator shall in turn notify the Director.
- K. Any job-related fatality of an employee must be reported to the Central Office Human Resource office and a FOA/Reentry Services Critical Incident Notification (CFJ-144) must be completed within eight hours of notification in accordance with the Department's Occupational, Safety and Health Manual.
- L. Any job-related injury to an employee, which requires medical treatment, must be reported to the Central Office Human Resource office within eight hours in accordance with the Department's Occupational, Safety and Health Manual.
- M. The LCRRP supervisor shall ensure all critical incidents are recorded in appropriate facility logbooks as applicable.

RELEASE OF CRITICAL INCIDENT INFORMATION

- N. Requests for critical incident information under the Freedom of Information Act (FOIA) shall be handled in accordance with PD 01.06.110 "Freedom of Information Act - Access to Department Public Records" and coordinated with the Central Office FOIA coordinator.

POST-INCIDENT REVIEW

- O. The Director shall determine the need to convene a Post Incident Review Committee and, as necessary, appoint a chairperson. In consultation with the FOA Deputy Director or Reentry Administrator and the Administrator of the Office of Legal Affairs, the chairperson of the Post Incident Review Committee shall designate the members of the Post Incident Review Committee.
- P. When a post-incident review is conducted, the review shall include:
 1. A copy of the FOA/Reentry Services Critical Incident Notification (CFJ-144).
 2. A detailed description of the sequence of events. The description shall include the date, time and location of all events and be accompanied by photographs and/or diagrams when available or appropriate. This section shall provide the names and titles of all participants and witnesses including employees, visitors and offenders.
 3. A detailed critique of the incident and how employees responded to the incident along with supporting documentation. Any changes in practice or procedure which were implemented or are planned to be implemented to correct a problem also shall be reported.

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4. All administrative rules, policy directives, operating procedures, and work statements applicable to the event shall be listed, accompanied by an explanation of compliance or non-compliance. This review also shall include an evaluation of training needs and any recommendations for change in policy directives, work statements or operating procedures.
 5. A plan of action, identifying deficiencies, if any, and providing a method of resolution. The plan will identify the staff responsible for the correction and the time frames for the completion of the recommended changes.
- Q. The appropriate Administrator shall submit the post incident report through the chain of command to the FOA Deputy Director or Reentry Administrator as soon as possible after the incident.
- R. The post incident report shall be reviewed by the FOA Deputy Director, the Reentry Administrator or their designees, to ensure it is complete, to evaluate staff response, and to determine if there are any violations of policy or procedure. The report shall then be forwarded to the Director for review.

DOCUMENTATION

- S. All documents, forms and videotapes related to critical incidents shall be retained as required by the Department's Record Retention and Disposal Schedule.

OPERATING PROCEDURES

- T. The FOA Deputy Director and the Reentry Administrator shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive within 60 days of its effective date.

AUDIT ELEMENTS

- U. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self-audit of this policy, pursuant to PD 01.05.100 "Self-Audits and Performance Audits."

APPROVED: HEW 12/24/2015