



Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Youth Services


Official Policy

Policy Name: Serious Incident Reporting to DYS CIC and through JJEMS

Policy #: 01.03.05(h) **Effective:** 7/1/23

Repeals: 01.03.05(g)

References: G.L. c. 119, §51A
Communication Information Center Protocol
Advisory re: Use of Youth and Staff Names in Reporting
Preventing and Responding to Sexual Abuse, Sexual Exploitation
and Sexual Harassment of Youth
JJEMS Incident Reporting Job Aid

Signature:  7/1/23
Cecely A. Reardon, Acting Commissioner

Applicability: This policy shall apply to DYS state employees, contracted providers, volunteers and interns.

Policy

It is the policy of the Department of Youth Services (“DYS”) that employees shall report incidents as defined by this policy immediately to the DYS Communication Information Center (“CIC”) and enter them into the DYS Juvenile Justice Enterprise Management System (JJEMS). Timely incident reporting assists in ensuring an appropriate response, including rapid communication, evidence preservation, and swift investigation.

The reporting requirements in this policy apply to incidents that take place at any DYS state or contracted provider location and/or that involve youth committed to the care (“detained”) or custody (“committed”) of DYS, Youth Engaged in Services (YES), and DYS state or contracted provider employees unless indicated otherwise.

Procedures

A. Definitions

1. The following definitions shall have the meanings assigned to them in this policy for purposes of interpreting this policy.

Addendum: Information that was previously omitted or inaccurately reported in an original JJEMS incident entry that can only be added by the Regional Director of

Operations or other specifically designated employee with this level of JJEMS access. Addendums are to be used to correct items including but not limited to inaccuracies in the date, narrative, name of a youth or employee, or other information that was entered incorrectly.

Business Day: Monday through Friday from 8:45 am to 5 pm.

Central Office On-Call Manager: Identified DYS Central Office senior manager designated to receive notice of serious incidents that occur after the close of business and on weekends/holidays and provide consultation as needed.

Communication Information Center (CIC): DYS Central Office Unit staffed twenty-four hours per day, seven days per week with responsibilities that include but are not limited to receiving reports of serious incidents, coordinating the issuance of warrants, making notifications to Executive leadership and senior managers, and performing other emergency-related tasks.

Fraud, Waste or Abuse: Fraud is a knowing misrepresentation of the truth or a deliberate concealment of important information that causes another to act and that results in harm, such as a monetary loss (i.e., time, billing, or procurement fraud).

Waste occurs when a government entity or official, or individuals or entities doing business with the government, take actions that have no benefit to the public. This can include unnecessary spending, taking unnecessary trips, approving costly office renovations, or overpaying an employee or vendor.

Abuse of public funds occurs when a person uses his or her public position or public resources for private benefit or in a manner that is illegal or inappropriate. Illegal activity includes theft, embezzlement, bribery, and bid-rigging. Other examples would be using one's public position to steer a government contract to a friend or family member, improperly sharing confidential information from a government database, using public resources (office space/supplies) for a private business.

High Priority Incidents: Serious Incidents identified in the CIC Protocol requiring additional immediate notifications to Executive Team and On Call Managers.

High Profile Incidents: Incidents that may generate interest from the press, media, local community or involve notice to law enforcement.

Regional On-Call Manager: Senior manager from a DYS region designated as the primary administrator to receive notice of incidents that occur after close of business and, on weekends and holidays and provide consultation as needed.

Reporter: Any DYS state or contracted provider employee who notifies CIC of an incident and/or enters the incident information into JJEMS.

Serious Incident – Includes the Non-Youth Related, Youth Related Incidents and Personnel Related Incidents listed below.

Non-Youth Related Serious Incident:

- a. Contraband not associated to a specific youth
- b. Emergency response including fire, ambulance, or police to a DYS leased, owned or funded location including contracted provider location
- c. Evacuation from a location
- d. Facility or property damage over \$500
- e. Fire at a DYS leased, owned, or funded location
- f. Media presence at a DYS leased, owned, or funded location including contracted provider location
- g. Missing medication
- h. Missing program property over \$100
- i. Missing safety and security items
- j. Outside threats including from individual(s) or weather
- k. Security breach involving a youth's personal identification information
- l. Shelter in-place

Youth Related Serious Incident: Incidents that include:

- a. Alleged discrimination, harassment, or retaliation involving a youth as defined by DYS policy
- b. Alleged sexual boundary violation, sexual abuse, sexual exploitation, sexual harassment, and/or retaliation involving a youth as defined by DYS Policy
- c. Arrest or summons of a youth on a new charge grid level 4 or higher, including youth engaged in services (YES)
- d. AWOL/escape from residential placement or community-based option (CBO)
- e. Call for emergency psychiatric screening
- f. Contraband found or suspected that poses a safety or security risk
- g. Death of a youth
- h. Destruction of property when directed at state/contracted provider employee
- i. Emergency response including fire, ambulance, or police involving a youth in a DYS leased, owned, or funded location including a contracted provider location
- j. Group disturbance within any DYS leased, owned, or funded location including contracted provider location
- k. High profile incident involving a youth
- l. Injury or illness of a youth requiring treatment of more than first aid including treatment 'off-site' at a medical location
- m. Media presence at a DYS leased, owned, or funded location including a contracted provider location
- n. Medication occurrence requiring emergency medical treatment for a youth including treatment "off-site" at a medical location
- o. Physical assault of a youth, employee or any other person
- p. Room confinement for 12 or more consecutive hours defined by DYS Policy
- q. Security breach involving a youth's personal identification information
- r. Shooting or stabbing involving a youth
- s. Suspicious or unexplained medication loss
- t. Suspected substance use that requires call to emergency response services
- u. Theft by a youth from a DYS leased, owned or funded location including a contracted provider location
- v. Threat to person or property with notification to law enforcement

- w. Threatening or disruptive behavior by a visitor or member of the public
- x. Unauthorized access or use of a phone or internet
- y. Use of Naloxone Rescue Kit on a youth
- z. Use of medical interventions on a youth including AED, CPR, epi-pen
- aa. Work-related motor vehicle incident involving a youth
- bb. Alleged abuse or neglect including emotional abuse of a youth for which a 51A report is filed with the Department of Children and Families (DCF) and/or with the Disabled Persons Protection Commission (DPPC) against a DYS state or contracted provider employee or program

Personnel Related Serious Incident: Incidents that include:

- a. Death of a DYS state or contracted provider employee
- b. Injury or illness of a DYS state or contracted provider employee that occurred at a work location and requires medical attention on or off-site
- c. Use of Naloxone Rescue Kit on a DYS state/contracted provider employee
- d. Arrest or summons of a DYS state or contracted provider employee for any criminal offense
- e. Alleged discrimination, harassment, sexual harassment, or retaliation involving a DYS state or contracted provider employee as defined by DYS, EOHHS and/or HRD Policy
- f. Alleged workplace violence or domestic violence in the workplace involving a DYS state or contracted provider employee as defined by DYS, EOHHS and/or HRD Policy
- g. Fraud, Waste or Abuse by a DYS state or contracted provider employee

Serious Incident Report form: A standard paper form submitted electronically to CIC with information regarding a Personnel Related Serious Incident.

Shift: Work period within the 24 hours of the day. Typically shifts run from 7 am to 3 pm; 3 pm to 11 pm; and 11 pm to 7 am but can differ in the number of hours per shift and the actual start and end time of a shift.

Situation Report: Daily report from CIC notifying designated DYS employees and managers of the previous 24 hours agency-wide serious incidents.

Submitter: Individual responsible for reviewing incidents entered in JJEMS for accuracy and completeness prior to submission that include the Regional Director, Regional Director of Operations, Regional Director of Residential Service, Regional Clinical Coordinator, Regional Director of Community Services, Facility Administrator, District Manager, Program Director, and Assistant Program Director. *Reporter and Submitter should not be the same person for any incident.*

Youth Engaged in Services (YES): DYS Youth who voluntarily engages in services post discharge.

- b. Terms that are defined in Policy No. 01.01.04, "Policy Definitions" shall have the meanings assigned in that policy, unless a contrary meaning is intended.

- c. Terms not defined in Policy No. 01.01.04 or in this policy shall have the meanings assigned by accepted dictionary definitions of American English.

B. Serious Incident Notification and Submission of Information

1. A Reporter shall notify DYS Central Office CIC by phone of a Serious Incident as soon as possible, but no later than the end of that shift or 5:00 pm that day (for nonresidential program location) and obtain a CIC log number.
2. If such incident is defined as a Personnel Related Serious Incident, the reporter shall complete an SIR Form and send it via email to CIC within 24 hours of the incident.
3. For Program and/or Youth Related Serious Incidents, the Reporter shall as soon as possible, but no later than the end of that shift or 5:00 pm that day (for nonresidential program location):
 - a) Enter all required information regarding the incident into the JJEMS Incident Group Folder including the CIC Log Number if a serious incident;
 - b) Assign the applicable roles for youth(s) and employee(s) by selecting the most prominent role for those involved:
 - i) *Alleged Violator* – the youth and/or employee who initiated the incident
 - ii) *Victim* – the youth and/or employee who is the recipient of the incident and/or affected by the incident
 - iii) *Witness* – the youth and/or employee who observes the incident
 - iv) *Self* – the youth who is not the alleged violator, victim or witness
 - v) *Reporter* – employee entering incident into JJEMS if that is their only role
 - vi) *Responder* – employee who responds/provides support during the incident
 - c) Save information entered so that it is ready for review.
 - d) If the incident occurs too close to the end of the shift or close of the day to complete the report, the reporter shall enter the information into JJEMS by the end of the next shift or next day.
 - e) In the narrative of the incident, the reporter shall only use the youths' initials and not their full names. When reporting about employees, the reporter shall use an employee's position and full name the first time and then the position and last name for subsequent references to that employee. See Naming Advisory.
4. Upon receiving the electronic report from JJEMS, the Submitter as defined by this policy (who is not the Reporter) shall by the end of the next business day:
 - a) Review and correct any inaccuracies on the original entry, such as date or names, as well as ensure that all necessary fields, such as role and/or categories of incidents have been completed and naming conventions are followed; and,
 - b) Submit the form through the JJEMS incident reporting system.

- c) If the submitter has additional information about the incident, then in the narrative section, the submitter shall enter, using capital letters: "ADDITION:" and insert information in the narrative without removing/altering the original entry.
 - d) If the reporting location is different than the location where the incident occurred, i.e. different program, the Submitter may contact the reporting location for further details prior to submitting and add an ADDITION to the narrative if they wish to add more information.
5. Any DYS state or contracted provider employee may consult with the DYS Director of Investigations or General Counsel regarding any incident for assistance in determining how to report an incident.
 6. The employee reporting may request to CIC that details of an incident be kept confidential. Upon this request, CIC will consult with the Central Office On Call Manager or member of the Executive Team to determine whether or how the incident will be reported on the Situation Report.

C. Notification of Additional Information to CIC and for ADDENDUM

1. The Location Manager or designee shall provide CIC with updated information for ongoing situations every shift or at the close of the day until the incident is resolved (for example, youth returns, or power is restored). Updates may be noted in JJEMS under the appropriate folder and/or e-file but do not require entry of a new incident.
2. New information regarding an incident may require submission of a new incident report under Section B. For example, a report may be submitted about an incident where a youth received an injury requiring medical treatment. If a decision was later made to file a report of abuse and neglect regarding the injury, that may require a submission of a new incident report.
3. Once submitted in JJEMS, addendums, as defined in this policy, can only be made by the DYS Commissioner, Deputy Commissioners, Assistant Commissioner of Support Services, Central Office Directors of Residential and Community Operations, Regional Director, or Regional Director of Operations.

D. Reporting by DYS Central Office CIC

1. After receiving a Serious Incident Report form or phone notification of a serious incident, CIC personnel shall enter the information into the CIC log.
2. For High Priority incidents, CIC will call the Central Office and Regional On-Call Manager within 10 minutes of receipt of the call made to CIC and email the Executive Team in accordance with the CIC Protocol. For updates, CIC personnel will call the Central Office and Regional On Call manager and and update the CIC log.
3. CIC shall report all serious incidents that occurred within the previous 24 hours (7am – 7am) via email by 7:30 am each morning to Regional and Central Office Senior Staff on the Situation Report in accordance with the CIC Protocol.