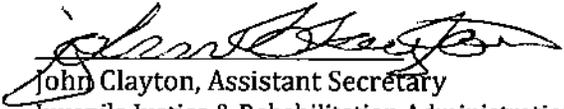


POLICY 1.31 (23) RESPONDING TO THE DEATH OF A JR YOUTH

Policy Committee Chair

Don Mead, Ed. D.
Superintendent, Echo Glen
Juvenile Justice & Rehabilitation Administration

Approved


John Clayton, Assistant Secretary
Juvenile Justice & Rehabilitation Administration
6/11/2014

Authorizing Sources

RCW 13.40
RCW 26.44
RCW 68.50
RCW 70.124
RCW 74.34
DSHS Administrative Policy 2.08
DSHS Administrative Policy 9.01
DSHS Administrative Policy 9.03

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Effective Date

6/25/2014

Sunset Review Date

7/1/2017

I. PURPOSE AND SCOPE

This policy establishes reporting and review requirements for the death of a youth under the jurisdiction of Juvenile Rehabilitation.

All staff, contractors, volunteers, and interns working in the Division of Institution Programs, Division of Community Programs and Parole, and the Division of Operations and Support Services are responsible for reviewing and complying with JR policies.

II. POLICY

- 1. In the event of a death, JR will respond in accordance with DSHS Administrative Policy and applicable RCW. Refer to Procedure 1.31.1, *Immediate Response Checklist*.**

YOUTH IN RESIDENCE:

- 2. The first responder to the scene must secure the area to preserve evidence.**
- 3. Notification procedures must begin immediately.**
 - 3.1. The Superintendent, Regional Administrator or designee must immediately report the death of a youth in residence to:
 - 3.1.1. Local Law Enforcement and
 - 3.1.2. Child Protective Services or Adult Protective Services (in accordance with Policy 5.91 (34), *Reporting Abuse and Neglect of JR Youth*)

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- 3.2. The Superintendent, Regional Administrator or designee must report the death of a resident to the appropriate Division Director within two hours of knowledge of the event if the resident's death appears to be unexpected.
 - 3.2.1. The verbal report must be followed up with a written Administrative Report of Incident (ARI) as soon as possible. The report must be completed no later than 24 hours after the verbal report was provided (in accordance with Policy 1.30 (26), *Reporting Serious and Emergent Incidents*).
- 3.3. If the Director is unavailable, the Superintendent or Regional Administrator acts as the Director's designee and reports per Section 4.
- 3.4. The Superintendent, Regional Administrator or designee makes other reports as needed to comply with state or federal requirements, as well as DSHS and JR policy.
4. **The Division Director or designee will notify the JJ&RA Assistant Secretary, the DSHS Chief Risk Officer and, if a law enforcement investigation is anticipated, the assigned JR program and torts division Assistant Attorney General.**
5. **The JJ&RA Assistant Secretary will notify the DSHS Chief of Staff, the Office of the DSHS Secretary, and the DSHS Communications Director per DSHS Administrative Policy 2.08, *Media Relations*.**
6. **The Superintendent, Regional Administrator or designee will:**
 - 6.1. Contact the youth's custodial parent or guardian by phone within two hours of knowledge of the incident.
 - 6.1.1. If attempts to contact the custodial parent or guardian are unsuccessful, law enforcement must be contacted for assistance in reaching the parent.
 - 6.1.2. If law enforcement is unsuccessful in reaching the custodial parent or guardian, notification will be sent via certified mail the next business day.
 - 6.1.3. Collateral contacts may be used to reach the custodial parent or guardian, if available.
 - 6.2. Confer with the JR Crisis Response Team within two hours of the incident.
 - 6.3. Report the death within 48 hours to the consulate of the country of a foreign national who dies during JR commitment in accordance with Policy 2.60 (38), *Managing Youth who are Foreign Nationals*.
 - 6.4. Ensure that the youth's case file (including the medical file), related documentation and personal property are gathered and secured as soon as possible.
7. **During an investigation, JR staff are expected to cooperate with requests made by law enforcement, the Coroner and tribal authorities consistent with agreement.**

YOUTH ON PAROLE

8. **In the event of death of a JR youth on parole supervision, the Regional Administrator or designee will initiate an Administrative Report of Incidents (ARI) in ACT.**
 - 8.1. All procedures for timely reporting will be followed.

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- 8.2. The ARI will summarize both the facts of the event and the JR response.
- 8.3. Notifications to the Division Director and Assistant Secretary will be made within two hours of JR learning of the death.

REQUIRED REVIEWS**9. Resident deaths will be investigated by an internal administrative review.**

- 9.1. The Division Director will initiate and direct a thorough internal review into the circumstances of the death within one working day of notification of the death.
 - 9.1.1. The review will be completed by a JR staff outside of the chain of command of the unit in which the death occurred, and must be completed as outlined in DSHS Administrative Policy 9.03, *Administrative Review – Death of a Residential Client*.
 - 9.1.2. The review report must be submitted to the Division Director within 30 days.

10. Any death of a youth in residence will have a medical evaluation completed.

- 10.1. The Division Director or designee initiates a medical evaluation, under the supervision of the local appointing authority, of the circumstances surrounding ANY death of a youth in residence, within one working day of notification of the death.
 - 10.1.1. The medical review must be completed by a licensed physician, other than the youth's attending physician.
 - 10.1.2. The medical review must state whether the death was or was not expected.
 - 10.1.3. The medical report must be submitted to the Division Director within 30 days. The report must be included in an addendum to the Administrative Report of Incident.

11. Unexpected deaths of youth in residence will have an administrative review completed by an independent review team.

- 11.1. The JJ&RA Assistant Secretary initiates an independent review for the apparent UNEXPECTED death of youth in JR within one working day of notification of the death.
- 11.2. The final report will be submitted to the JJ&RA Assistant Secretary within 90 days.
- 11.3. The JJ&RA Assistant Secretary will appoint the members of the review team and the chair.
 - 11.3.1. The independent review team will consist of at least three members from relevant professions such as mental health, education, or social services or topical experts relevant to issues present.
 - 11.3.2. Independent Review Team members who are not employed by JR must sign a confidentiality statement (DSHS Form 03-374b) before reviewing JR records or documents.
 - 11.3.3. The qualification of the contractor, scope of work and the nature and contents of the report will be in accordance with the statement of work and as negotiated by the Division Director or as in a contract with DSHS.
- 11.4. The Division Director may assign a staff liaison to the independent review team who may:

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11.4.1. Facilitate the initial orientation meeting of the team,

11.4.2. Coordinate clerical support, and

11.4.3. Schedule staff interviews; site visits; access to documents, records and other materials; or assistance as requested by the review team chair.

12. The Superintendent, Regional Administrator or designee initiates corrective action, when warranted, and ensures that corrective action includes:

12.1. Identifying immediate corrective measures necessary to prevent a reoccurrence of identified circumstances that may have contributed to the death; and

12.2. Evaluating recommendations documented in the investigation reports and implementing remedial measures, as indicated.

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III. DEFINITIONS

Unexpected death: A death not resulting from a diagnosed terminal illness or other debilitating or deteriorating illness or conditions where death is anticipated.

Expected death: A death that is a direct result of a known medical condition or illness.

Independent Review Team: Qualified individual(s) or agency, outside and independent of Department of Social Health Services, contracted to conduct an independent review of the causes and circumstances surrounding the death of a youth in JR residential care.

Collateral Contacts: People who act as a source of information about a youth or family's situation and who may support information provided by a youth or be able to locate them in an emergency.

JR Crisis Response Team: A team of JR staff trained to assist employees who have experienced a traumatic event at work. The staff are on call and have agreed to respond to provide care for the traumatized employees within 24-72 hours after the incident. The Superintendent, Regional Administrator or Director may activate the team response.

IV. REFERENCES

NCCHC Y-A-12

NCCHC Y-A-10

V. PROCEDURES

PRO 1.31.1 – Immediate Response Checklist

VI. RELATED JR POLICIES

Policy 1.30 (26) - Reporting Serious and Emergent Incidents

Policy 5.91 (34) – Reporting Abuse and Neglect of JR Youth

Policy 2.60 (38) – Managing Youth who are Foreign Nationals

VII. FORMS AND DOCUMENTS

Document Title	Available In ACT	Link to Paper form
Agreement on Non-Disclosure of Confidential Information – Non-Employee		DSHS Form 03-374b

WASHINGTON STATE JUVENILE JUSTICE & REHABILITATION ADMINISTRATION

Procedure 1 – Policy 1.31 (23) – Responding to the Death of a Youth

Immediate Response Checklist

Authorizing Sources	Information Contact
JR Policy 13.1 (23)	Jennifer Zipoy, Policy & Planning Administrator Juvenile Rehabilitation Administration jrapolicy@dshs.wa.gov , Ph: 360-902-8092
Effective Date 6/25/2014	Sunset Review Date 6/25/2015

Action by:	Action
<i>Superintendent, Regional Administrator or designee</i>	1 Immediately report to: a. Local law enforcement b. Child Protective Services or Adult Protective Services
	2 Within two hours , report verbally to Division Director.
<i>Division Director</i>	3 Within two hours (during normal business hours), verbally notify: a. The Assistant Secretary b. Chief of Staff c. Chief Risk Officer d. Program and Torts AAGs (if law enforcement investigation anticipated) <i>If the incident occurs after normal business hours, it must be reported by 9am the next business day.</i>
<i>Assistant Secretary</i>	4 Within two hours (during normal business hours), verbally notify: a. Deputy Secretary b. DSHS Office of Secretary c. DSHS Director of Communications <i>If the incident occurs after normal business hours, it must be reported by 9am the next business day.</i>
<i>SUP/RA or designee</i>	5 Within two hours , begin attempts to contact parents/guardians
	6 Within two hours , confer with JR Crisis Response Team
	7 Within two hours , assign staff to assemble and secure youth's case file.
	8 Upon release from law enforcement , secure youth's personal property
	9 As soon as reasonable , report to foreign consulate if youth was foreign national