

ADMINISTRATIVE POLICY

JRA POLICY 45

SUBJECT: **Staff Assault Review and Reporting**

INFORMATION CONTACT: Don Mead, Ed. D.
33010 SE 99th Street
Snoqualmie, WA 98065 MS: B17-41
Phone: (425)831-2700
FAX: (425)831-2720

AUTHORIZING SOURCE: **RCW 13.40.280; RCW 13.40.460; and Chapter 388-745 WAC**

EFFECTIVE DATE: November 1, 2004

APPROVED BY: _____
Cheryl Stephani, Assistant Secretary
Juvenile Rehabilitation Administration

SUNSET REVIEW DATE: November 1, 2006

45-100 **PURPOSE**

This document establishes policy and procedure for review and law enforcement referral requirements for incidents where it appears a staff assault did or may have occurred.

45-200 **SCOPE**

This policy applies to JRA organizational units and contracted programs.

45-300 **DEFINITIONS**

- 1. Assault Review Committee:** A committee appointed by the Superintendent, Regional Administrator, or designee to review incidents where it appears a resident has or may have committed a staff assault. The Committee is chaired by a JRA facility Administrator or designee, and consists of the program manager or designee, the liaison to the court/law enforcement, the physically harmed or attempted to be physically harmed staff member(s) if they

choose, and their labor representative if requested. Other people may participate as determined by the chair, including, if a youth has been transferred, a representative from the transferring facility if needed.

2. **Residential Review Committee:** A committee appointed by a Superintendent or Regional Administrator to conduct an informal review per Policy 25, Transfer of Residential Youth Between the Department of Corrections and the Juvenile Rehabilitation Administration. An administrator at the Assistant Regional Administrator/Associate Superintendent level or above will chair the Residential Review Committee.
3. **Staff Assault:** Behavior by a youth that intentionally causes physical harm or, through an act of criminal negligence, results in an injury to State employees, contractors, volunteers, or interns.

45-400

POLICY

1. **JRA will refer incidents of staff assault to law enforcement.**
2. **JRA will conduct a review when a youth has caused physical harm to a staff or has engaged in behavior intended to cause physical harm to a staff.**

A. The Superintendent, Regional Administrator, or designee will ensure a review is initiated within 14 days of an incident involving a resident. An Assault Review Committee will conduct the review.

This Committee, as determined by the Superintendent or designee, may serve as the Residential Review Committee required for considering youth for transfer to the Department of Corrections per Policy 25. If this is the case, the review must be conducted as soon as reasonable so Policy 25 deadlines can be met (i.e., Administrative Review Board hearing, if needed, held within 14 calendar days of the incident).

B. Regional Administrators or designees will ensure a review is initiated within 14 calendar days of an incident involving an assault on non-residential regional staff.

- C. The review will determine if a law enforcement referral will be made and what internal sanctions and interventions should be initiated or continued.

The Assault Review Committee will consider if the resident should be transferred to another JRA program or facility. They may also recommend whether the resident should be considered for transfer to DOC due to behavior that presents a continuing and serious threat to the safety of others in the institution and JRA.

The Assault Review Committee will consider mitigating and aggravating factors related to the resident's behavior at the time of the incident in making their decisions. Mitigating and aggravating factors may include but are not limited to, mental health issues including psychotic episodes, self-defense, seriousness of injury, and behavior patterns.

- D. Results of reviews should be documented consistent with case management requirements.

3. JRA will refer incidents meeting certain criteria to local law enforcement.

- A. The Superintendent, Regional Administrator, or designee will refer the incident to local law enforcement if:
 - 1. Without review it is clear the behavior resulted in a staff assault;
 - 2. The staff against whom the actual or attempted assault was perpetrated requests a referral to law enforcement; or
 - 3. The review determines physical harm or the attempt to cause physical harm to staff was intentional. This includes if the physical harm was created by an act of criminal negligence, a condition of Assault in the Third Degree.
- B. The Superintendent, Regional Administrator, or designee, based on the results of the review, may initiate a law enforcement referral for reasons other than those described above if it appears there is a law violation.

4. **JRA will provide information to identified staff when there has been a law enforcement referral for staff assault or a youth has physically harmed the staff.**
 - A. If the Superintendent, Regional Administrator, or designee makes a law enforcement referral as described in 4-400(3)(A), a designated liaison will ensure the injured staff is given case status updates as information is received from local law enforcement or the court.
 - B. If a staff has been physically harmed by a youth, as a result of youth behavior, or as the result of a staff assault, the Superintendent, Regional Administrator, or designee will ensure the staff is provided with information regarding the review process, L & I claims, personnel policy on leave, Employee Advisory Services, and other relevant resources.

Attachment: Review Flow Chart