

Number: TBD
EFFECTIVE DATE: November 13, 2000

PROCEDURE STATEMENT

Policy Area: Post-Release

Issue: Safety Procedures for Conducting Work with Offenders on and off CSOSA Premises

Action/Guidance: Staff Safety – Critical Incident Response

Context: Community Supervision Officer (CSO) and CSOSA staff safety centers around minimization of risk by controlling the physical setting of the office, establishing procedures for dealing with emergencies or disruptions, and training staff to work with offenders and the public.

Risk cannot be eliminated but it can be minimized. Minimization of risk to all CSO's and CSOSA employees is the goal of the agency's safety policies.

In the course of work with offenders, CSOSA personnel may be involved in critical incidents. These tend to be sudden and unexpected and can jeopardize a person's sense of self-control, disrupt his or her beliefs, values, and assumptions about how the world works, and may include an element of physical and/or emotional loss. Just as critical incidents come in all varieties, reactions to critical incidents are varied. In addition, reactions to critical incidents can involve a series of responses that start with the critical incident itself and may move through stages of disorientation, struggle, healing, coping, and a point of resolution.

CSOSA staff are not armed, trained or expected to utilize weapons or other means of force to respond to offender behavior. Despite these facts, this procedure contains language referring to incidents involving guns or other weapons. These guidelines are provided to enable the agency to deal with situations in which a weapon may have been used.

Critical incidents may result from a wide range of sources, such as fire, natural disasters, or human behavior. Agency policy in response to critical incidents is intended to provide the following support mechanisms:

- Protection from media;
- Compassionate notification of employee's next of kin regarding the event and the CSOSA employee's condition;
- Access to Employee Assistance Programs and Critical Incident Resource Team; and
- Competent, well-structured investigation, including public support if actions are justified.

I. **Definition:**

Critical Incident: Any situation that forces a person to face vulnerability and mortality; or that potentially overwhelms his or her ability to cope; or that pushes a person beyond his or her normal ability to deal with stress.

II. Critical Incident Protocol

A. Garrity Rule¹

1. The constitutional right to remain silent does not apply to departmental investigations.
2. The following statement should be written above any report a CSO or other employee is ordered to write by the agency. This insures that the report can only be used against the officer in internal investigations and not used later should criminal charges of any type follow.

“It is my understanding that this report is made for administrative, CSOSA purposes only and will not be used as part of an official investigation. This report is made by me after being ordered to do so by lawful supervisory officers. It is my understanding that by refusing to obey an order to write this report that I can be disciplined for insubordination and that the punishment for insubordination can be up to and include termination of employment. This report is made only pursuant to such orders and the potential punishment or discipline that can result for failure to obey that order.”

B. Critical Incident Report: upon being involved in critical incidents, SCSO’s or their immediate superiors or department heads shall instruct the person involved to complete the following form.

¹ *Garrity v. New Jersey*, 385 S. Ct. 493 (1967).

Critical Incident (CI) Information

Classification

- | | |
|---|--|
| <input type="checkbox"/> Anxiety Reaction | <input type="checkbox"/> Non-physical threat |
| <input type="checkbox"/> Death | <input type="checkbox"/> Serious Bodily Injury |
| <input type="checkbox"/> Hostage | <input type="checkbox"/> Use of Non-Deadly Force |
| <input type="checkbox"/> Minor Bodily Injury | <input type="checkbox"/> Use of Deadly Force |
| <input type="checkbox"/> Motor Vehicle Accident | <input type="checkbox"/> Other (Specify): |
| <input type="checkbox"/> Non-Injured Assault | |

Name of Officer(s) and/or Staff Involved in CI

- | | |
|----|----|
| 1. | 3. |
| 2. | 4. |

CI Location:

Numerical address:

Cross Street:

City:

State:

ZIP Code:

Incident Date:

Time of Occurrence:

CI Notification:

CI Notification Received by:

Notification
Date:

Time of
Notification:

Method of
Notification:

- Pager Phone Radio In person

III. Critical Incident Response Team ("CIRT")

A. Staging Protocol: The Critical Incident Officer ("CIO") [the Deputy Associate Director for Community Supervision Services designate one CIO per CSOSA office location] shall:

1. Determine nature, extent, and staff involved in possible CI.
2. Declare CI.
3. Determine the size of the CIRT needed.

4. Contact and assemble the CIRT.
5. Determine the staging area in proximity to the CI.
6. Contact and advise the Associate Director of Community Supervision Services (who in turn will contact and notify the Deputy Director and the Director of CSOSA).
7. Proceed to CI scene (if not in route).

B. Triage Protocol: If first on the scene:

1. Determine the existing level of threat and security of the environment.
2. Notify other law enforcement or medical personnel if necessary and if they have not already been called to the scene.
3. Secure immediate and surrounding area of any existing or potential threat.
4. Locate and determine the officers(s) involved.
5. Immediately advise Office of the Associate Director for Community Supervision Services of the exact location, the level of threat or secured environment and what personnel are at the scene.
6. Determine the type and extent of victimization/injury.
7. Immediately advise any medical personnel present or in route of the number of injured, their medical condition, and needs.
8. Begin first aid as required.
9. Initiate Weapons or/Shooting Protocol, if required.

C. On-scene Protocol: The CIO shall:

1. Identify his or her position and role to law enforcement, medical, or media personnel that may exist on the scene.
2. Ensure that all CIRT members are displaying identification and/or badge.
3. Identify staff who are most likely to have crisis reactions and suffer long-term stress reactions as a result of the CI. This shall include but not be limited to an individual who was the subject of an assault, who has used force, who has been held hostage, who has witnessed sudden injury or death, and/or who are close friends of any individual that falls into the aforementioned categories.
4. Assign a CIRT member to each staff person identified as being assaulted or have a potential for a crisis or stress reaction.
5. Assign a CIRT member to family members of victimized staff for the purpose of protecting them from news media and CI notification.

6. Order any staff member not a victim or a member of CIRT away from the immediate scene.

D. Media Protocol: The CIO shall:

1. Contact the Office of Legislative, Intergovernmental, and Public Affairs ("OLIPA") as soon as possible. Prior to their arrival the CIO shall act as media liaison to coordinate media relations with other law enforcement agencies and give regular briefings to the media.
2. The OLIPA representative assigned to the CI shall:
 - a) Arrange to meet with the media at least once a day.
 - b) Provide for the physical and technical needs of the media.
 - c) Assure that victims are not identified until their families have been notified.
 - d) Arrange to tape record news conferences, radio, and television newscasts.
 - e) Monitor newspaper and wire service reports.
 - f) Advise an emergency command center of significant reports.
 - g) Refuse to give any exclusive report on an important development.
 - h) Refuse to make off-the-record statements.
 - i) Be prepared to provide background information on the department's history, programs, and policies.
 - j) Refuse to answer questions if you don't know the answer. Find out the information if possible and report back.
 - k) Avoid about making statements that may be libelous or that could affect the future course of an investigation or civil/criminal proceeding.
 - l) Avoid about using inflammatory statements.
 - m) Avoid (as much as possible) in using confusing terminology or abbreviations.
 - n) Provide update reports for staff as well as the media.

E. Hospital Protocol: The CIO shall appoint a CIRT member to:

1. Accompany the injured/ill staff member to the hospital.
2. Provide escort and support to injured/ill staff members and family member(s).
3. Provide initial status report (hospital, phone number, etc.) and ongoing status reports to the CIO.

F. Family Notification Protocol:

1. The CIO shall advise the CSOSA representative to notify the family ("RNF") [usually the Associate Director of Community Supervision] of the name and location of the emergency contact person.
2. Make notification in person.
3. Unless directed to make contact with the family, the RNF should park in proximity to the residence or work site and protect the family from media intrusion.
4. Obtain as much information about the victimization and the event as soon as possible from the CIO: what happened, when did it happen, where did it happen, and how did it happen.
5. Get as much information about the person(s) to be notified as possible.
6. Try to ensure that the appropriate closest adult relative receives notification first.
7. Try to enter the home before giving information, making sure that everyone is first sitting down and comfortable.
8. Tell family members(s) simply and direct what happened. Do not prolong natural anxiety.
9. Do not allow any family member to go to the CI scene unless directed to do so by the CIO.
10. Be prepared to present confirming evidence about the event and its consequences in a clear and convincing fashion in the face of denial.
11. If there are children in the family, talk to the adult members about how they want to tell the children about the event.
12. Answer all questions tactfully but directly. Be prepared for a wide range of questions and concerns.
13. Focus on immediate needs of family members.
14. If others need notification, offer to help in the process.
15. Respect their need for privacy in a crisis, but ensure protection from media or the curious.
16. Do not leave family members alone in the aftermath of notification. Ask them to get a friend or relative for comfort. Brief them upon their arrival.
17. Give family members a specific plan that will be followed for providing updates on the CI through conclusion.
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19. Give family members permission to express any reactions and respond non-judgmentally.
20. Offer to arrange for child care, arrange for transportation, make necessary phone calls, and so forth. Be specific in making such offers so that they can simply respond with a "yes" or "no."
21. Upon the direction of the CIO, provide transportation to a hospital or other location.

G. Weapon/Shooting Protocol:

(NOTE: The police jurisdiction shall have crime scene command and authority. however, a CIRT member shall assist an officer involved in a shooting situation by advising the officer in the following protocol.)

1. Place firearm down in the position as when fired.
2. Do not unload the firearm. Do not remove the cylinder/magazine.
3. Do not handle the firearm. Preserve fingerprints, especially if there was a struggle.
4. Make the evidence person(s) aware that a struggle occurred and that the victim may have touched the weapon.
5. Immediately demand to undergo a blood test for the presence of drugs and/or alcohol. NOTE: This should be done within one (1) hour of the shooting.
6. Do not wash hands.
7. Do not shake clothing.
8. Protect clothing for testing.
9. Provide a disposable jump-suit for the officer.
10. Take clothing off and hang it up (if possible) or place it in a paper bag. This includes shoes and socks. The clothing must be examined for evidence such as blood (officer's and/or the victim's) and/or powder residue from the firearm.
11. Request a neutron activation test. This examination is important to help determine the trajectory of the bullet(s) and the range of fire.
12. Have your hands photographed and have them tested for the presence of blood, powder residue, etc.
13. If first aid to the victim was rendered and pressure has been applied to the wound with something other than a hand, leave whatever was used at the scene. Advise the evidence person to examine the article used.
14. Do not cut through any clothing where there is a hole from a knife or bullet would.

15. Request medical personnel to remove, maintain, and preserve the victim's clothing for evidence and testing.
16. Do not move anything at the scene.
17. In the event of death, notify the coroner immediately.
18. Determine exactly how the victim was standing at the time of firing the weapon and how the officer was standing.
19. Determine if the victim was standing sideways or directly at the officer.
20. Determine the distance between the officer and the victim.
21. Determine if the victim's arm was extended.
22. Determine if the victim's arm was at the side or the hip.
23. Determine how the officer's arm was extended at the time of the firing.
24. Determine if there was anything between the officer and the victim. NOTE: If there was, it must be tested for powder residue and/or blood.
25. Determine what direction the shots were fired.
26. Determine what were the exact words used by the victim and what the officer said to the victim.
27. Determine the lighting conditions (i.e., lights on or off, shades drawn, etc.).
28. Determine if there was anyone else at the scene.
29. Identify the person(s).

IV. Statutory Authority: Section 11233(b)(2)(B) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (“Revitalization Act”), Pub. Law 105-33, 111 Stat. 712, D.C. Code § 24-1233(b)(2)(B) (1996 Repl., 1999 Supp.) (Director’s authority); D.C. Code § 24-103 (1996 Repl.) (Probation’s authority).

V. Procedural References/Supercedures:

▪ **References:**

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Maggio, Mark J. (1997). *Applied Officer Safety: In-District Facilitator’s Guide for Probation and Pretrial Services*. Washington, DC: Federal Judicial Center.

Kipp, Richard A. (1995). *Safety Awareness Workbook: Anticipating, Identifying, and Resolving the Potential Victimization of Probation and Parole Officers*. Washington, DC: United States Department of Justice, National Institute of Corrections.

Thorton, Robert L. and Shireman, John H. (1993). *New Approaches to Staff Safety*. Washington, DC: United States Department of Justice, National Institute of Corrections.

Virginia Department of Corrections. Division of Operations. Community Corrections. (1999). *Strategies, Training, Equipment, & Policy for Staff Safety*. Richmond, VA: Virginia Department of Corrections.

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- **Supersedes:** N/A