



**DEPARTMENT OF CORRECTIONS
PROGRAMS AND FACILITIES BUREAU
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	PFB 6.2.403 INCIDENT REPORTING REQUIREMENTS
Effective Date:	10/01/2020 Page 1 of 4
Revision Date(s):	05/03/2021; 09/06/2021
Reference(s):	PFB 6.2.404; PFB 6.2.422RD; DOC 1.1.6; 2-15-112, MCA; 53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

This requirement is referenced as ACCD 1.1.600 Priority Incident Reporting in Section 1.J.1.a. Standard Contract Terms; Compliance with Laws; State, federal, and local laws; Prison Rape Elimination Act, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.

I. PURPOSE:

PFB contracted facilities will follow established requirements when reviewing and reporting incidents that jeopardize or have the potential to jeopardize staff, offenders, visitors, the security of a facility, or the safety of the community at large.

II. DEFINITIONS:

First Responder – A person, such as a law enforcement officer, firefighter, or an EMT, who is among those responsible for going immediately to the scene of an incident or emergency to provide assistance.

MSP Command Post – The location at Montana State Prison to which all Department divisions, facilities, and programs report Priority I incidents.

Office of Investigations – The office that oversees all criminal investigations for the Department.

PFB-Programs and Facilities Bureau – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

Programs and Facilities Contract Manager – The Department’s employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

Service Providers – This term includes contracted persons or other vendors providing service whose assignment is primarily on Department premises, e.g. facility or program office.

III. REQUIREMENTS:

A. GENERAL REQUIREMENTS:

1. Incidents will be designated as Priority I or Priority II by considering the following:
 - a. seriousness of the incident by evaluating safety, security, liability, damage to property, and monetary loss;
 - b. need for Department-specialized response;
 - c. public impact of the incident; and/or
 - d. media involvement.

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2. Priority I incidents are those that pose the highest risk to the Department, PFB, and/or the facility. Examples of Priority I incidents may include, but are not limited to:
 - a. use of force incidents resulting in death or injury to employees, service providers, or offenders;
 - b. safety or security breach due to loss or malfunction of facility keys;
 - c. escape, or serious escape attempt from a PFB facility – **see PFB 6.2.422RD Facility Escapes for reporting requirements;**
 - c. death of offender in a DOC placement or in the presence of DOC/contracted staff – **see PFB 6.1.209 Facility Offender Death for reporting requirement;**
 - d. serious injury, life-threatening accident, or life-threatening illness requiring transportation off facility grounds;
 - e. actual, suspected, or attempted hostage action;
 - f. on-site violent act committed by an employee, on-site volunteer or visitor that may result in criminal charges;
 - g. serious assaults either offender on offender or offender on staff resulting in injury;
 - h. a PREA allegation that law enforcement has responded to or for which an offender has been taken to a hospital for an examination – **see PFB 6.2.404 PREA Compliance and Reporting for reporting requirements;**
 - i. discovery of dangerous contraband, i.e., weapons;
 - j. suspected or actual introduction of illegal or controlled substances in a treatment or assessment center;
 - k. significant property damage resulting from man-made or natural, public or offender action;
 - l. evacuation of a building that is not a drill or exercise;
 - m. equipment, communication system or security system malfunction resulting in disruption to facility or office operation;
 - n. any event requiring a response from non-Department first responders;
 - o. major or prolonged disruption of operations due to power outages, riot or disturbance, arson, or sabotage;
 - p. medically advised reported or suspected illness from highly contagious diseases; and
 - q. any occurrence the appropriate Programs and Facilities Contract Manager (Contract Manager) or facility administrator believes may result in an unusual level of public attention.
3. Incidents not listed as Priority I may be categorized as Priority II incidents. Examples of Priority II incidents include, but are not limited to:
 - a. identified or suspected safety or security breaches (i.e. loss of facility tools, etc.); and
 - b. discovery of illegal or controlled substances within a prerelease center.
4. Designated authority within the chain of command will analyze the incident and, if it meets the criteria, may reclassify it as Priority I accordingly and provide notification as outlined below.
5. Each facility will establish policy/procedure on documenting and reporting priority I and II incidents that includes the following:
 - a. for all incidents except a PREA allegation or an escape, use *Section A of PFB 6.2.403(A) Priority Incident Report*:
 - 1) for all PREA allegations, use *Section B of PFB 6.2.403(A) Priority Incident Report* following the requirements set forth in *PFB 6.2.404 PREA Compliance and Reporting*; and

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- 2) for an escape, use *PFB 6.2.422(C) Escape Incident Report* following the requirements set forth in *PFB 6.2.422RD Facility Escapes*.
 - b. establish a permanent log using *PFB 6.2.403(B) Facility Incident Log* indicating the nature of the incident. **PREA allegations and Escapes are not to be included in this Log;**
 - c. quarterly submission of *Incident Log* to Contract Manager at coraccdreports@mt.gov. Email subject line should read "Facility; Incident Log Quarter "#"; and
 - d. maintain all original incident reports in a secure central filing system; and
 - e. copies of priority II incident reports will be submitted upon request of the Contract Manager.
6. A Contract Manager may reclassify the incident as a Priority I upon review of the *Incident Log*.

B. NOTIFICATIONS:**1. Priority I Incidents:**

- a. Notification of a suspected Priority I incident, other than a PREA allegation or an escape, will be made to the **PFB Bureau Chief at 406-580-7991, or designee within one (1) hour**. The Bureau Chief or designee will determine if MSP Command Post should be notified at this point. If Bureau Chief or designee cannot be spoken to, attempts to contact a Contract Manager should be made. If Contract Manager cannot be spoken to, contact the MSP Command Post.
- b. **If directed by Bureau Chief**, notification will be made to the **MSP Command Post at 406-415-6250**. Local law enforcement will be notified if warranted.
- c. **Within one (1) hour** of verbally reporting the incident, the initial written reports for all Priority I incidents will be:
 - 1) emailed to the **Contract Manager** at correquests@mt.gov with "Priority Incident" in email subject line;
 - 2) emailed to the **PFB Bureau Chief** with "Priority Incident" in email subject line; and
 - 3) emailed to the **Office of Investigations** at corie@mt.gov with "Priority Incident" in email subject line; and
 - 4) **if MSP Command Post was notified**, reports are also emailed to the MSP Command Post at CORMSPCommandPost@mt.gov.
- d. Facility staff is responsible to review all reports for accuracy, completeness, and clarity before signing the report and will return any insufficient reports to the reporting staff with correction instructions and guidance.
- e. The reporting supervisor will review the reports and distribute copies according to established requirements.

2. **Priority II Incidents:** Priority II incidents are reported through the established internal chain of command process and to a Contract Manager through the submission of *PFB 6.2.403(B) Incident Log*.

IV. CLOSING:

Questions regarding this requirement should be directed to the Programs and Facilities Bureau.

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V. FORMS:

- PFB 6.2.403 (A) Priority Incident Report
- PFB 6.2.403 (B) Facility Incident Log
- PFB 6.2.422 (C) Escape Incident Report