



Commission of Correction

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Chairman

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Commissioner

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Commissioner

CHAIRMAN'S MEMORANDUM

NO: 1-2023

DATE: April 4, 2023

TO: SHERIFFS, COMMISSIONERS OF CORRECTION, JAIL ADMINISTRATORS, and WARDENS.

RE: Revised *Reportable Incident Manual*

Please be advised that the New York State Commission of Correction has revised its [Reportable Incident Manual for County Jails and the New York City Department of Correction](#). Review of the revised manual will reveal new reporting categories and requirements related to segregated confinement and deprivation/limitation of essential services, the creation of an addendum form, and other minor revisions. A copy of the revised manual is available by clicking the "Manuals/Forms" tab of the Commission's website.

As a reminder, should the eJusticeNY Integrated Justice Portal be inaccessible for any reason, a facility must contact the Commission at (518) 485-2466 to report any incident otherwise required by the revised manual to be reported immediately.

If you have any questions regarding these changes, please contact my office.


Allen Riley, Chairman



**Commission of
Correction**

**Reportable Incident Manual for
County Jails and
The New York City Department of Correction**

2023

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Incident Reporting via the eJusticeNY Integrated Justice Portal

As directed more specifically below, all significant correctional facility incidents shall be reported to the Commission of Correction via the eJusticeNY Integrated Justice Portal. Faxed and mailed reports are not accepted. For assistance, online tutorials that demonstrate the process of electronically submitting reportable incidents have been published under the "Training/Tutorials" section of the Commission's website (www.scoc.ny.gov).

Provided an incident is reported via the portal, consistent with the requirements of this manual, telephone notification is not required. Nevertheless, should the eJusticeNY Integrated Justice Portal be inaccessible for any reason, a facility must contact the Commission of Correction at (518) 485-2466 to report any incident that is required by the manual to be reported immediately. Upon re-establishment of portal access, the incident report must then be submitted as normal.

For questions and issues regarding the eJusticeNY Integrated Justice Portal, please contact the CCC Center via e-mail (portalhelpdesk@ejusticenyny.gov) or telephone (844-891-1786).

If a Reportable Incident needs to be updated, facility staff must complete the SCOC RI Addendum Form and email the Addendum Form to triageunit@scoc.ny.gov. This form can be located under the "Manuals/Form" section of the Commission's website (www.scoc.ny.gov).

GENERAL INCIDENT CATEGORY: ASSAULT

DEFINITIONS: *Assault* shall mean an intentional or reckless infliction of physical injury upon another person.

Treatment shall mean any specific medical procedure used for the cure or improvement of a disease, injury or pathological condition (e.g. stitches, medicine, splints, sterile dressings, injections).

** Examination, evaluation (X-rays, blood tests, etc.) and diagnosis **DO NOT** constitute treatment.

REPORTABLE INCIDENT CATEGORIES:

1. Incar Ind/Incar Ind Assault - the perpetrator of the assault is one incarcerated individual and victim of the assault is one or more incarcerated individuals, or the incarcerated individual perpetrator and incarcerated individual victim are not clearly distinguishable.
2. Incar Ind/Personnel Assault - the perpetrator of the assault is one or more incarcerated individuals and victim is one or more facility personnel.
3. Incar Ind/Visitor Assault - the perpetrator of the assault is one or more incarcerated individual and the victim is one or more visitor.
4. Personnel/Incar Ind Assault - the perpetrator of the assault is one or more facility personnel and the victim is one or more incarcerated individuals.
5. Visitor/Incar Ind Assault - the perpetrator of the assault is one or more visitors and the victim is one or more incarcerated individuals.
6. Incar Ind Group Assault/Gang Assaults - The perpetrators of the assault are **two or more** incarcerated individuals and the victim of the assault is one or more incarcerated individuals.
7. Visitor Assault- an assault on a visitor by one or more personnel, visitors or incarcerated individuals.

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal within 24 hours of occurrence or discovery of:

1. any assault requiring treatment to one or more incarcerated individuals, personnel, or visitors at the facility medical unit, hospital or emergency room following the incident.

2. any assault which was terminated by the use of following:
 - a. impact weapons;
 - b. mechanical restraints other than for routine Incar Ind movement;
 - c. electronic devices;
 - d. chemical agents;
 - e. canines;
 - f. firearms; or
 - g. medication ordered by a physician, physician's assistant or nurse practitioner as an emergency intervention.

3. any Incarcerated Individual on Incarcerated Individual Group Assault or Gang Assault.

An update must be submitted via the SCOC RI Addendum Form to any Personnel/Incar Ind Assault Reportable Incident following any arrest related to the Reportable Incident. This update must be submitted to the Commission within 24 hours of the arrest.

GENERAL INCIDENT CATEGORY: SEX OFFENSE

DEFINITION: *Sex Offense* shall mean conduct constituting an offense as prescribed by Article 130 of the New York State Penal Law, including, but not limited to, any degree of rape, criminal sexual act, forcible touching, sexual abuse or sexual misconduct.

REPORTABLE INCIDENT CATEGORIES:

1. Incar Ind/Incar Ind Sex Offense - both the perpetrator and the victim are incarcerated individuals.
2. Incar Ind/Personnel Sex Offense - the perpetrator is an incarcerated individual and the victim is an employee, as that term is defined by Penal Law §130.05(3)(f).
3. Incar Ind/Visitor Sex Offense - the perpetrator is an incarcerated individual and the victim is a visitor.
4. Personnel/Incar Ind Sex Offense - the perpetrator is an employee, as that term is defined by Penal Law §130.05(3)(f), and the victim is an incarcerated individual.
5. Visitor/Incar Ind Sex Offense - the perpetrator is a visitor and the victim is an incarcerated individual.

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal within 24 hours of occurrence of:

1. a sex offense or initiation of an internal and/or criminal investigation into an alleged sex offense.

An update must be submitted via the SCOC RI Addendum Form to any Personnel/Incar Ind Sex Offense Reportable Incident following any arrest related to the Reportable Incident. This update must be submitted to the Commission within 24 hours of the arrest.

The Facility does not have access to Sex Offense Reportable Incidents via the Portal once they are submitted. Please contact the Commission's Office of Counsel if a copy of the incident is needed.

GENERAL INCIDENT CATEGORY: *CONTAGIOUS ILLNESS*

DEFINITION: *Contagious illness* shall mean an infectious illness or disease capable of being transmitted by environmental condition or human contact.

REPORTABLE INCIDENT CATEGORIES:

1. Incar Ind Contagious Illness - only incarcerated individuals have contracted the illness.
2. Personnel Contagious Illness - only personnel have contracted the illness.
3. Group Contagious Illness - a significant number of incarcerated individuals and personnel have contracted an illness as a probable result of being exposed to the ailment (e.g., flu, measles, mumps, hepatitis, meningitis, COVID).

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal within 24 hours of discovery or occurrence of:

1. all physician-confirmed cases of communicable diseases listed in 10 NYCRR section 2.1 and reportable to the NYS Department of Health pursuant to 10 NYCRR section 2.10.
2. any quarantine of a facility or portion of a facility by a physician or local, state or federal department of health or other agency.
3. any removal or relocation of an incarcerated individual or staff member for quarantine purposes by a physician or local, state or federal department of health or other agency.

The Facility does not have access to Contagious Illness Reportable Incidents via the Portal once they are submitted. Please contact the Commission's Forensic Unit if a copy of the incident is needed.

GENERAL INCIDENT CATEGORY: *CONTRABAND*

DEFINITION: *Contraband* shall mean any article or substance, the possession of which would constitute an offense under the New York State Penal Law or that is specifically prohibited by facility regulations.

REPORTABLE INCIDENT CATEGORIES:

1. Incar Ind-Introduced Contraband - when any incarcerated individual is found to be in possession of contraband, the ownership of it has been confirmed, or the incarcerated individual attempts to bring it into the facility.
2. Personnel-Introduced Contraband - when any personnel provides, or attempts to provide, contraband to one or more incarcerated individuals.
3. Visitor-Introduced Contraband - when any visitor deliberately brings contraband into the facility and provide, or attempts to provide, it to any incarcerated individuals and/or personnel.
4. Unknown Source-Introduced Contraband - when ownership or responsibility for contraband found within the facility, including incoming mail, cannot be determined or presumed.
5. Arrest of Security Staff/Civilian Staff/Volunteer Staff- when any person of authority within the facility is arrested and charged with violating sections 205.20 or 205.25 of the Penal Law.

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal within 24 hours of:

1. any discovery of the following contraband introduced by an incarcerated individual or visitor after the admission procedure has been completed:
 - a. a deadly weapon or dangerous instrument, as defined in Article 10 of the New York State Penal Law;
 - b. ammunition;
 - c. explosive substances and/or fireworks;
 - d. any quantity of drugs, legal or illegal, the possession of which would constitute an offense under the Penal Law, or which violates facility policy and procedure;
 - e. any quantity of alcohol; or
 - f. any other contraband capable of endangering the safety or security

of the facility or any person therein.

2. any discovery of contraband introduced by personnel.
3. any discovery of the following contraband within the facility, including mail, introduced by an unknown source:
 - a. a deadly weapon or dangerous instrument, as defined in Article 10 of the New York State Penal Law;
 - b. ammunition;
 - c. explosive substances and/or fireworks;
 - d. any quantity of drugs, legal or illegal, the possession of which would constitute an offense under the Penal Law, or which violates facility policy and procedure;
 - e. any quantity of alcohol; or
 - f. any other contraband capable of endangering the safety or security of the facility or any person therein.
4. the arrest of any staff member in relation to the discovery of contraband

An update must be submitted via the SCOC RI Addendum Form to any Unknown Source-Introduced Contraband Reportable Incident following any arrest related to the Reportable Incident. This update must be submitted to the Commission within 24 hours of the arrest.

GENERAL INCIDENT CATEGORY: *DEATH*

DEFINITION: *Death* shall mean the cessation of a person's life.

REPORTABLE INCIDENT CATEGORIES:

1. Incarcerated Individual Death - the deceased is an incarcerated individual.
2. Personnel Death - the deceased is a facility personnel member.
3. Visitor Death - the deceased is a visitor at the facility.
4. Newborn/Infant Death - the death or stillbirth of a child of an incarcerated individual.

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

The death of an Incarcerated Individual must be submitted to the eJusticeNY Integrated Justice Portal under "**Incar Ind Mortality Reporting**" tab **within six (6) hours of the incarcerated individual's death**, followed by **SCOC Form M-187**, which must be completed by facility health staff and submitted to the Commission within 10 days of an incarcerated individual's death. A report for an incarcerated individual's death should **NOT** be entered under the "Reportable Incident" tab.

Report submitted to the eJusticeNY Integrated Justice Portal, within 24 hours of:

1. any personnel death;
2. any visitor death, which occurs as a result of an act by any incarcerated individuals or by personnel, while on facility property, or in a temporary SCOC-approved facility, hospital or court detention area;
3. any stillbirth, or perinatal death experienced by an incarcerated individual, or the death of an infant who has been housed with its mother at the facility.

GENERAL INCIDENT CATEGORY: *MAINTENANCE/SERVICE DISRUPTION*

DEFINITION: *Major maintenance/service disruption* shall mean an occurrence which disrupts normal facility operations, or the delivery of incarcerated individual services required by Chapter I of Subtitle AA, Title 9 NYCRR (e.g., medical care, food services), or causes a substantial breakdown in the functioning of essential facility utilities and/or infrastructure. This does not include brief power outages scheduled by utility companies for routine maintenance or repair.

REPORTABLE INCIDENT CATEGORIES:

1. Major Maintenance/Service Disruption

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** if a major maintenance/service disruption occurs that results in any of the following:

1. physical injury requiring one or more incarcerated individuals, personnel or visitors to be **admitted** to a hospital; or
2. essential services or essential facility utilities or infrastructure interruptions are expected to or does extend beyond 8 hours in duration.

GENERAL INCIDENT CATEGORY: *DISTURBANCE*

DEFINITION: *Major disturbance* shall mean an occurrence simultaneously and collectively caused by a group of incarcerated individuals or other individuals which results in a temporary loss of control of any correctional facility, or portion thereof, by the established authority.

Loss of control shall mean a disruption of routine facility activities and functions causing a lockdown of any part of a correctional facility, the vacating of mandated posts, or the necessity of additional responding staff to quell the disruption.

Minor disturbance shall mean an occurrence, caused by incarcerated individuals or other individuals acting in concert, which does not result in a loss of control by the established authority, but may threaten the safety, security and good order of a correctional facility. Acting in concert does not include assaults between incarcerated individuals.

Treatment shall mean any specific medical procedure used for the cure or improvement of a disease, injury or pathological condition (e.g., stitches, medicine, sterile dressings, and splints).

** Examination, diagnosis and evaluation (X-rays, blood test, etc.) **do not** constitute treatment.

Incarcerated Individual disturbance shall mean an occurrence during which a single incarcerated individual exhibits behavior that disrupts the normal operation of a correctional facility.

**** Assaults between incarcerated individuals are NOT to be reported as minor disturbances.**

REPORTABLE INCIDENT CATEGORIES:

1. Major Disturbance
2. Minor Disturbance
3. Incar Ind Disturbance

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** following any major disturbance

Report submitted to the eJusticeNY Integrated Justice Portal, within 24 hours of:

1. Any minor disturbance which results in any of the following:

- a. treatment provided to one or more incarcerated individuals, personnel or visitors at the facility medical unit, hospital or emergency room;
 - b. property damage that limits the use of a correctional facility, or portion thereof (must involve the closing of more than one cell);
 - c. intervention requiring the use of:
 - 1. impact weapons;
 - 2. electronic devices;
 - 3. chemical agents;
 - 4. canines;
 - 5. firearms; or
 - 6. medication ordered by a physician, physician's assistant or nurse practitioner as an emergency intervention.
2. Any individual incarcerated individual disturbance that results in one or more of the following:
- a. treatment provided to one or more incarcerated individuals, personnel or visitors at the facility medical unit, hospital or emergency room; or
 - b. intervention requiring the use of:
 - 1. impact weapons;
 - 2. mechanical restraints other than for routine incarcerated individual movement;
 - 3. electronic devices;
 - 4. chemical agents;
 - 5. canines;
 - 6. firearms; or
 - 7. medication ordered by a physician, physician's assistant or nurse practitioner as an emergency intervention.

GENERAL INCIDENT CATEGORY: *NATURAL/CIVIL EMERGENCY*

DEFINITION: *Natural or civil emergency* shall mean an occurrence, originating outside the facility, of a serious and urgent nature by natural forces or human action resulting in damage, loss, destruction, or injury that requires immediate attention and poses a direct threat to the safety, security, and good order of the facility (e.g., explosions, weather, bomb threats, gas leaks, aircraft accidents, nuclear accidents, assaults on the facility, fire originating outside the facility proper, etc.)

REPORTABLE INCIDENT CATEGORIES:

1. Natural/Civil Emergency
2. A declared county state of emergency
3. Evacuation-any portion of correctional facility

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** upon:

1. any natural/civil emergency;
2. any declared county state of emergency; or
3. an evacuation of any part of the facility.

**GENERAL INCIDENT CATEGORY: *ESCAPE / ABSCONDENCE / ERRONEOUS
RELEASE***

DEFINITIONS: *Escape* shall mean conduct constituting an offense as prescribed by sections 205.05, 205.10 and 205.15 of the New York State Penal Law.

Attempted escape shall mean conduct constituting an attempt to commit an offense as prescribed by sections 205.05, 205.10 and 205.15 of the New York State Penal Law.

Abscondence shall mean conduct constituting an offense as prescribed by sections 205.16, 205.17, 205.18 and 205.19 of the New York State Penal Law.

Erroneous release shall mean the discharge of an incarcerated individual in violation of a lawful securing order or commitment.

REPORTABLE INCIDENT CATEGORIES:

1. Escape/County Supervision - the escape of an incarcerated individual in the custody of a County Sheriff's Department, County Department of Correction personnel, or NYC Department of Corrections personnel.
2. Escape/Other Agency Supervision - the escape of an incarcerated individual while under the custody of an agency other than the one to which he/she is committed. (e.g., NYS Police, Municipal Police, Parole, Probation, etc.)
3. Attempted Escape
4. Abscondence
5. Erroneous Release
6. Capture/Return to Custody of escaped Incar Ind
7. Return of abscondence/erroneous release Incar Ind

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** following:

1. any escape.
2. any capture/return to custody following an escape.

Report submitted to the eJusticeNY Integrated Justice Portal, within 24 hours of:

1. any attempted escape;
2. any abscondence;
3. any erroneous release; or
4. a capture/return to custody following an abscondence or erroneous release.

GENERAL INCIDENT CATEGORY: *FIRE*

DEFINITION: *Arson* shall mean the intentional damaging of property by intentionally starting a fire or causing an explosion

REPORTABLE INCIDENT CATEGORIES:

1. Arson Fire
2. Non-Arson Fire
3. Unknown Source Fire

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** following any fire occurring within a correctional facility that results in any of the following:

1. treatment provided to any incarcerated individuals, personnel or visitors at the facility medical unit, hospital or emergency room;
2. a portion of the facility is deemed unusable by the appropriate authority;
3. transfer of incarcerated individuals within the facility; or
4. transfer of incarcerated individuals to another jail (requires substitute jail order).

GENERAL INCIDENT CATEGORY: *DISCHARGE OF FIREARM*

DEFINITIONS: *Discharge* shall mean the ballistic expulsion of any projectile from a firearm.

Firearm shall mean any pistol, revolver, shotgun having any barrels, rifle having any barrels, any weapon made from a shotgun or rifle whether through alteration or modification, or an assault weapon.

REPORTABLE INCIDENT CATEGORIES:

1. Discharge of Firearm

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** upon:

1. any firearm discharge occurring while any personnel are performing official facility-related duties, except those occurring during practice or qualification procedures; or
2. any other firearm discharge occurring on facility property.

GENERAL INCIDENT CATEGORY: *GROUP ACTION*

DEFINITION: *Incarcerated group action* shall mean a temporary stoppage of established activities by two or more incarcerated individuals acting in concert, for the purpose of disrupting the operation or good order of the facility or obtaining a change in the operation or services provided by a facility.

Personnel group action shall mean any action or inaction by two or more employees that interferes with or has the potential to threaten the routine operation of a correctional facility including, but not limited to, a temporary stoppage or slow-down of established job activities.

REPORTABLE INCIDENT CATEGORIES:

1. Incar Ind Group Action
2. Personnel Group Action

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal, within 24 hours of any Incarcerated group action

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** upon:

1. a personnel group action that threatens the safety, security and good order of the facility;
2. a personnel group action that results in the facility being unable to maintain minimum staffing levels as determined by the NYS Commission of Correction; or
3. a personnel group action that affects scheduled incarcerated individual programs and/or services (rescheduled, cancelled or otherwise modified from routine provision).

GENERAL INCIDENT CATEGORY: *HOSTAGE SITUATION*

DEFINITION: *Hostage situation* shall mean the unlawful abduction or restraint of any individual by another.

REPORTABLE INCIDENT CATEGORIES:

1. Hostage Situation

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal **immediately** upon any hostage situation, regardless of duration:

1. which occurs within a correctional facility; or
2. that involves an incarcerated individual committed to the facility and occurs outside the confines of a correctional facility for any reason, including, but not limited to court, work detail, medical or mental health treatment, transport to another facility, etc.

GENERAL INCIDENT CATEGORY: *PHYSICAL INJURY / HOSPITALIZATION*

DEFINITIONS: *Physical injury or injury* shall mean an impairment of physical condition or substantial pain.

Attempted suicide shall mean an act during which an individual attempts to terminate one's own life by inflicting life-threatening injury upon oneself, or by placing oneself in a life-threatening situation, (e.g., by hanging, setting oneself on fire, ingesting poisonous chemicals or drugs, inflicting lacerations, etc.).

Self-inflicted injury shall mean an act by which an individual intentionally injures oneself which is not considered life threatening and does not represent a highly lethal attempt to terminate one's life. This shall include a refusal to consume food or fluids for a period of forty-eight (48) consecutive hours.

Accidental injury shall mean an injury resulting from an unexpected occurrence with no indication of direct intentional involvement of the victim or any other individual. This includes an accidental drug overdose.

Treatment shall mean any specific medical procedure used for the cure or improvement of a disease, injury or pathological condition (e.g. stitches, medicine, splints, sterile dressings, injections, administration of Narcan).

Examination, evaluation (X-rays, blood tests, etc.) and diagnosis **do not constitute treatment.

REPORTABLE INCIDENT CATEGORIES:

1. Incar Ind Attempted Suicide
2. Incar Ind Self-Inflicted Injury
3. Incar Ind Accidental Injury
4. Personnel Accidental Injury
5. Hospital Admission of Incar Ind
6. Release of Hospitalized Incar Ind from Custody

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal, within 24 hours of:

1. an attempted suicide by an incarcerated individual;

2. any self-inflicted injury requiring an incarcerated individual to receive medical treatment;
3. any accidental injury, to include drug overdose, requiring an incarcerated individual, employee, volunteer or visitor to be **admitted** to a hospital or facility medical unit as inpatient;
4. the custodial release of an incarcerated individual, while such incarcerated individual is admitted to, or otherwise presented for treatment in a hospital due to:
 - a. the revocation or amendment of a court securing order;
 - b. the posting of bail; or
 - c. the expiration of a sentence; or
5. the transfer or relocation of an incarcerated individual to a hospital, as defined by Article 28 of the Public Health Law, for the residential care, medical management or as an inpatient for a period of 24 hours or longer.

GENERAL INCIDENT CATEGORY: *DEPRIVATION/LIMITATION OF ESSENTIAL SERVICES*

DEFINITION: *Essential Service* shall mean any right, service, item or article guaranteed to an incarcerated individual by New York State Minimum Standards.

REPORTABLE INCIDENT CATEGORIES:

1. Deprivation/Limitation of Essential Service- the deprivation or limitation of any essential service required by NYS Minimum Standards to an incarcerated individual. This is to include the use of mechanical restraints when out of cell and the cancellation of outdoor exercise.
2. Reinstatement of Essential Service- the reinstatement of any essential service that was previously deprived or limited.
3. Denial/Limitation of Educational Services- when the presence of an eligible youth in the educational program presents a clear threat to themselves or the safety of others or an emergency situation exists which temporarily prevents or significantly interferes with the delivery of such educational services.
4. Incar Ind Toilet/Sink Access- the deprivation or limitation of an incarcerated individual's access to the toilet/sink.

COMMISSION OF CORRECTION REPORTING REQUIREMENTS

Report submitted to the eJusticeNY Integrated Justice Portal within 24 hours of occurrence of:

1. Any deprivation and/or limitation of an essential service that is required to an incarcerated individual for more than 7 days in any 30-day period. This includes any deprivation or limitation of correspondence, personal hygiene items, clothing, bedding, mattress, visitation, access to medial, religious programs, religious materials and/or items, packages, exercise, out of cell time, printed material or publications, or legal services to include legal reference materials.
2. Any reinstatement of an essential service to an incarcerated individual after it was deprived for more than 7 days in any 30-day period. This includes any deprivation or limitation of correspondence, personal hygiene items, clothing, bedding, mattress, visitation, access to medial, religious programs, religious materials and/or items, packages, exercise, out of cell time, printed material or publications, or legal services to include legal reference materials.
3. Any deprivation and/or limitation of educational services to an eligible youth for 2 or more consecutive school days.

4. Any incident that requires an incarcerated individual to participate in exercise while in mechanical restraint for more than 2 days in any 30-day period.
5. Any cancelation of outdoor exercise for more than 3 days in any 30-day period.
6. Any deprivation or limitation of an incarcerated individual's access to a functioning toilet and/or sink while in a housing area that exceeds 24 hours in any 30-day period.

GENERAL INCIDENT CATEGORY: *SEGREGATED CONFINEMENT*

DEFINITIONS:

Segregation shall mean the involuntary confinement of an incarcerated individual to an individual occupancy housing unit, or to the sleeping area of a multiple occupancy housing unit for any duration. This **does not** include confinement during established sleep hours, for purposes of medical or mental health treatment, classification purposes, constant supervision, routine confinement for routine services (i.e. count, change of shift), or temporary confinement necessary to quell a disturbance or incident.

Segregated Confinement shall mean the confinement of an incarcerated individual to an individual occupancy housing unit, in any form, for more than seventeen (17) hours a day, other than in a facility-wide emergency or for the purpose of providing medical or mental health treatment.

Special Population shall mean any incarcerated individual:

1. 21 years of age or younger;
2. 55 years of age or older;
3. with a disability, as defined in section 292 of the Executive Law; or
4. who is pregnant, in the first eight (8) weeks of the post-partum recovery period after giving birth or caring for a child in the facility.

Residential Rehabilitation Unit shall mean a separate housing unit used for therapy, treatment, and rehabilitative programming of incarcerated individuals who have been determined to require more than fifteen (15) days of segregated confinement pursuant to facility proceedings.

Violent Felony Act (VFA) shall mean conduct of an incarcerated individual that constitutes:

1. causing or attempting to cause serious physical injury or death to another person or making an imminent threat of such serious physical injury or death if the person has a history of causing such physical injury or death and the chief administrative officer reasonably determines that there is a strong likelihood that the person will carry out such threat;
2. compelling or attempting to compel another person, by force or threat of force, to engage in a sexual act;
3. extorting another, by force or threat of force, for property or money;
4. coercing another, by force or threat of force, to violate any rule;
5. leading, organizing, inciting, or attempting to cause a riot, insurrection, or other similarly serious disturbance that results in the taking of a hostage, major property damage, or physical harm

- to another person;
6. procuring a deadly weapon or other dangerous contraband that poses a serious threat to the security of the facility; or
 7. escaping, attempting to escape or facilitating an escape from a facility or escaping or attempting to escape while under supervision outside such facility.

REPORTABLE INCIDENT CATEGORIES:

1. Segregated Confinement
2. Release from Segregated Confinement
3. Segregated Confinement-Special Population
4. Release from Seg Confinement-Special Pop
5. Residential Rehabilitation Unit Admission
6. Discharge from Residential Rehabilitation Unit
7. RRU Admission-Special Pop
8. Discharge from RRU-Special Pop
9. Commitment of VFA in Seg Confine or RRU

COMMISSION OF CORRECTION REPORTING REQUIREMENTS:

Report submitted to the eJusticeNY Integrated Justice Portal within 24 hours of occurrence of the following:

1. Any placement of an Incarcerated Individual in *Segregated Confinement* for more than 7 days.
2. Any release of an Incarcerated Individual who was placed in *Segregated Confinement* for more than 7 days.
3. Any placement or release of a *Special Population* Incarcerated Individual into or from *Segregated Confinement*.
4. Any incident of a Violent Felony Act committed by an Incarcerated Individual assigned to a Residential Rehabilitation Unit or placed in Segregated Confinement.
5. Any placement or discharge of an Incarcerated Individual into/from a *Residential Rehabilitation Unit*.
6. Any placement or discharge of a *Special Population* Incarcerated Individual into/from a *Residential Rehabilitation Unit*.

REPORTABLE INCIDENT ADDENDUM

Facility: _____

Date Addendum Submitted: _____

SCOC Incident Number: _____

Staff Name: _____

Change Incarcerated Individual DOB

Change Incarcerated Individual Role in Incident

Update Incident Summary

Additional Information

Addendum to Incident: