

# *Wisconsin Department of Corrections*

## *Staff Assaults and Injuries*

July 1, 2016 – June 30, 2017



Fiscal Year 2017

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# Staff Assaults and Injuries

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Fiscal Year 2017

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## Introduction

In 2012, the Wisconsin Department of Corrections' (DOC) Division of Adult Institutions (DAI), created a policy requiring employees to report and track assaults. This policy outlines the definition of an assault, an injury, establishes a new reporting system, and includes procedures for reporting assaults to law enforcement. In September 2012, the new reporting system came online to enhance collection, review, and analysis of assault and injury data. Each DAI incident is categorized as an attempted assault, completed assault, or staff injury.

In fiscal year (FY) 2014 the Division of Juvenile Corrections (DJC) began electronically recording staff assaults and injuries that occurred at Copper Lake School (CLS) and Lincoln Hills School (LHS), DOC's two juvenile correctional facilities. Staff assaults and injuries were reported on incident report forms; however, certain types of incidents were not reported in the electronic system in FY14, FY15, and part of FY16. These gaps appear for DJC assault and injury data in FY16.

In February 2016, the Division of Community Corrections (DCC) implemented a division-specific policy for reporting and tracking assaults and injuries. DCC reports both incidents with offenders as well as family members, associates of the offender, unknown suspects, or animals that result in a staff injury. For example, included in DCC staff injury reports are animal bites, scratches, or other actions by an animal that resulted in an injury.

This report includes four sections, one for each division and a section devoted to staff injuries, and includes data from FY17 (July 1, 2016 – June 30, 2017). The stand-alone injuries section is new in FY17. This section further breaks down differences between divisions in terms of the definition of staff injuries and highlights the impact such incidents have on staff.

DAI's section of this report includes attempted assaults, completed assaults, and injuries that occurred at one of the state's 36 adult facilities and at the Wisconsin Resource Center (WRC). WRC is administered by the Wisconsin Department of Health Services (DHS) in partnership with the Wisconsin DOC. WRC is a specialized inpatient mental health facility established as a prison under s. 46.056, Wisconsin Statutes. DCC's section of this report includes attempted assaults, completed assaults, and injuries in any of the eight DCC regions.

## Summary

This report examines the different factors associated with assaults against staff and staff who are injured near offenders. The analysis is based on incidents that occurred in FY17 in DAI, DCC, and DJC. The data address physical injuries, but are not intended to quantify any of the psychological effects of staff assaults. All staff involved in these incidents were offered peer support and/or referred to the Employee Services Program. Due to confidentiality requirements, it is not known how many individuals used these services. There were six workers' compensation claims made that required an overnight hospital stay due to an injury from one of the reported incidents.

In FY17, there were:

- 99 attempted assaults
- 381 completed assaults
- 121 injuries to staff

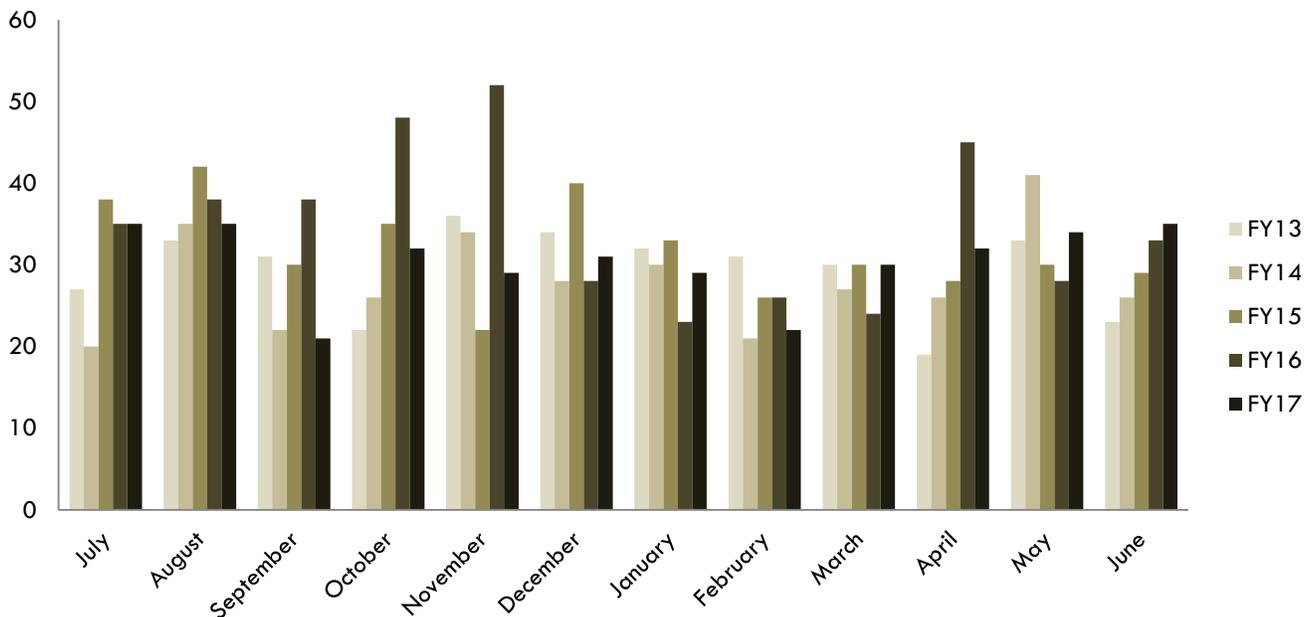
The total number of inmates, offenders, and youth involved was 326 and the total number of DOC staff involved was 558.

## I. Division of Adult Institutions

In FY17 there were 365 reported attempted assaults on, completed assaults on, and injuries to DAI staff. Of that number, 54 were attempted assaults, 263 were completed assaults, and 48 were injuries by contact. The overall number of assaults and injuries reported decreased from FY16 to FY17.

Type	FY13	FY14	FY15	FY16	FY17
Attempted	40	58	62	52	54
Completed	252	245	273	315	263
Injuries to Staff	59	33	48	51	48
<b>Total</b>	<b>351</b>	<b>336</b>	<b>383</b>	<b>418</b>	<b>365</b>

There were 235 inmates and 402 staff members involved. In FY17, the greatest number of reported assaults and injuries occurred in July 2016, August 2016, and June 2017. Compared to FY16, the months of October and November both showed the greatest change in number of assaults/injuries, decreasing by at least 10 incidents in FY17.



## ***A. Attempted Assaults on DAI Staff***

The numbers below include attempted assaults on staff. These incidents include direct actions from an inmate towards a staff member where a staff member was not assaulted and there was no physical injury.

Of the 54 attempted assaults reported, 68 staff and 44 inmates were involved.

### **Key Points:**

- 91% (49) of the attempts occurred at a maximum security facility
- 61% (33) of the attempts occurred in a restrictive housing area
- 57% (31) inmates involved were 29 years old or younger at the time of the attempt
- 76% (41) of the attempts occurred within the first 11 months of the inmate arriving at the facility

**Type of Assault:** Sixty-five percent (35) involved spitting or throwing a liquid or object at staff and 31% (17) involved an attempted battery by an inmate. An assault can be assigned to more than one category, as multiple actions could have occurred during an incident. For example, if the incident involved spitting as well as battery by prisoner, the attempted assault was assigned to both categories.

### ***Inmate Information***

**Age:** Fifty-seven percent (31) of the attempts involved inmates who were 29 years old or younger at the time of the incident. This is higher compared to FY16 when 46% (24) of the attempts involved inmates who were 29 years old or younger.

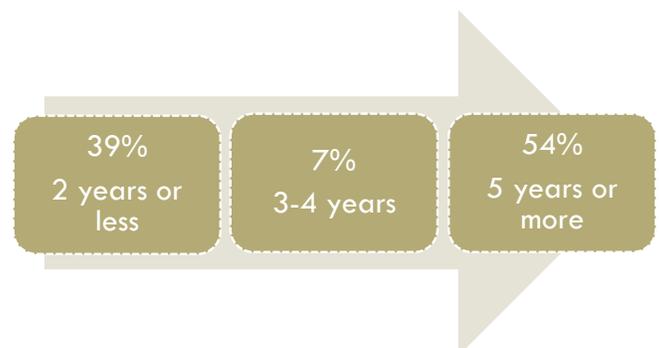
**Mental Health Status:** At the time of the attempt, 37% (20) of the attempts involved inmates who had a serious mental health condition (e.g., bipolar disorder, schizophrenia, personality disorder, or severe depression).

### ***Admission Date and Sentence Term:***

**Admission to Prison:** Fifty-six percent (30) of the attempts involved inmates who had been admitted to prison for one year or less prior to the attempted assault.

**Length of Stay at a Facility:** Fifty-nine percent (32) of the attempts involved inmates who had been at the facility where the assault occurred for six months or less.

**Sentence Term:** At the time of the attempted assault, 39% (21) of the inmates responsible were within two years of their release date. This is a similar pattern from previous fiscal years.



### *Inmate History:*

**Previous Institutional Experience:** Fifty percent (27) of attempts involved an inmate who had a previous episode of incarceration.

**Offense History:** Eighty-seven percent (47) of attempts involved inmates who were incarcerated for a violent offense (most serious offense). This includes offenses such as murder, sexual assault, and robbery. The remaining inmates' most serious offenses were property, drug, or public order offenses.

### *Location Information:*

**Facility Security Level:** The majority of attempts (91% or 49) occurred among inmates at maximum security facilities; the other 9% (5) occurred at a medium security facility.

**Restrictive Housing:** Sixty-one percent (33) of the attempted assaults took place in a restrictive housing unit or area. The remaining incidents occurred in a general population housing unit or area.

**Specific Location of the Attempt:** Eighty-five percent of attempts took place in the housing unit which includes restrictive housing. Specifically, 70% (38) occurred in the cell area. This includes attempts near the cell trap, during cell extractions, and when objects or substances were thrown from the cell, among others.

### *Staff Information*

**Seniority of Staff Involved in Attempts:** At the time of the attempted assault, 29% (20) of the attempts involved staff who had been working at the WI DOC for at least five years. In addition, 31% (22) of attempts involved staff who had been working for the WI DOC for at least 10 years.

### *Results:*

**Referred to Law Enforcement:** Over half (59% or 32) of the attempted assaults were referred to law enforcement. Counties may or may not prosecute attempted assaults based on their available resources.

## ***B. Completed Assaults on DAI Staff***

The numbers below include completed assaults on staff. These incidents were direct actions by an inmate toward a staff member where a staff member was assaulted and possibly injured.

Of the 263 assaults reported, 285 different staff and 180 inmates were involved.

### **Key Points:**

- 79% (209) of the completed assaults took place at a maximum security facility
- 68% (178) of the completed assaults occurred in a restrictive housing area
- 52% (136) of the completed assaults involved inmates who were 29 years old or younger at the time of the assault
- 69% (181) of the completed assaults occurred within the first year of the inmate arriving at the facility

**Type of Assault:** Sixty percent (159) involved spitting, or throwing a liquid or object at staff, 34% (90) of completed assaults involved battery by an inmate, and 2% (5) involved sexual assault. Both the number of overall assaults and assaults by battery reported decreased from FY16.

An assault can be assigned to more than one category, as multiple actions could have occurred during an incident. For example, if the incident involved spitting as well as battery by a prisoner, the assault was assigned to both categories.

### ***Inmate Information***

**Age:** Over fifty percent (136) of the completed assaults involved inmates who were 29 years old or younger at the time of the incident; 5% (13) of the completed assaults involved inmates who were 55 years old or older.

**Mental Health Status:** At the time of the completed assault, 39% (102) of the inmates involved had a serious mental health condition (e.g., bipolar disorder, schizophrenia, personality disorder, or severe depression). This is a decrease of eight percentage points from FY16.

**Assaults mainly involve inmates under the age of 29 and most often occur at maximum security facilities.**

**Most assaults occur within the first year of arrival at a new facility.**

### *Admission Date and Sentence Term:*

**Admission to Prison:** Forty-one percent (109) of the assaults involved inmates who had been admitted to prison for one year or less prior to the assault. Twenty-six percent (68) of the inmates involved had been in prison for five years or more.

**Length of Stay at a Facility:** Forty-two percent (111) of the assaults involved inmates who had been at the facility where the assault occurred for six months or less. Additionally, 81% (214) of the assaults happened within two years of the inmate being admitted to that facility.

**Sentence Term:** At the time of the assault, 49% (129) of the inmates responsible were within three years of their release date. Completed assaults involving inmates with life sentences increased slightly from 8% (24) in FY16 to 14% (37) in FY17.

### *Inmate History:*

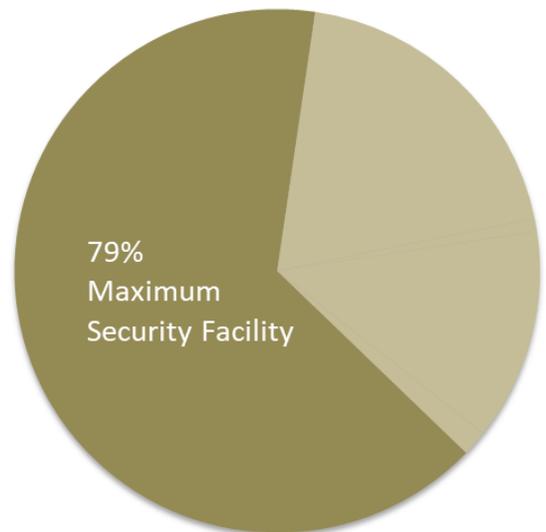
**Previous Institutional Experience:** Fifty-two percent (137) of the assaults involved inmates who had at least one prior episode of incarceration.

**Offense History:** Ninety-two percent (242) of the assaults involved inmates who were incarcerated for a violent offense (most serious offense). This includes offenses such as murder, sexual assault, and robbery.

### *Location Information:*

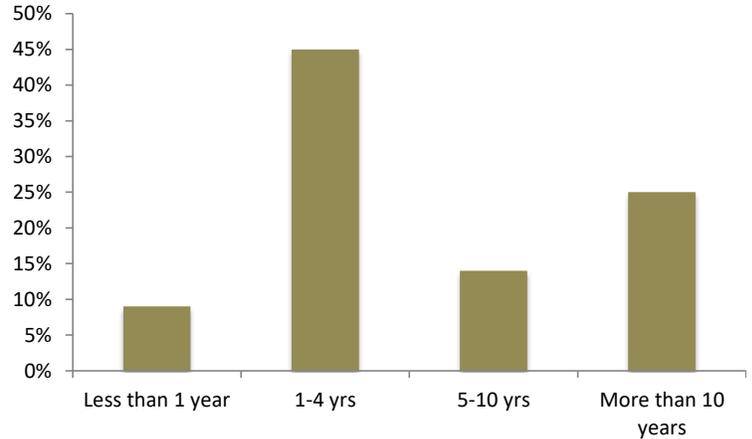
**Facility Security Level:** The largest numbers of completed assaults were committed by inmates at maximum security facilities (79% or 209); 20% (52) occurred at medium security facilities; and 1% (2) occurred at minimum security facilities.

**Restrictive Housing:** Sixty-eight percent (178) of the completed assaults took place in a restrictive housing unit or area. The remaining incidents occurred in a general population housing unit or area.



## Staff Information

**Seniority of Staff Involved<sup>1</sup>:** Fourteen percent (44) of the assaults involved staff who had been working at the WI DOC for at least five years prior to the assault. Twenty-five percent (81) of the assaults involved staff who had been working at the DOC for more than 10 years.



### Results:

**Referred to Law Enforcement:** Over sixty-five percent (175) of the completed assaults were referred to law enforcement. Law enforcement referrals are not made if the inmate is deemed incompetent due to mental health issues. It is the decision of local law enforcement and the district attorney to charge and prosecute any incidents reported to them.

**Injuries and Workers' Compensation Claims:** Staff sustained injuries of varying degrees of severity. Of the 263 assaults, 93 claims were filed and approved (as of 11/13/2017).

## C. Recommendations

### Restrictive Housing Reform

A primary focus for DAI has been to continue reducing the number of seriously mentally ill inmates who are placed in restrictive housing. The Department developed and implemented more dynamic misconduct diversion procedures and programs for inmates who are seriously mentally ill, with plans to include diversion units designed as alternatives to restrictive housing.

The DAI policy specifically references the use of alternative sanctions outside of restrictive housing when possible and appropriate. For inmates with serious mental illness who are placed in restrictive housing, facilities must provide additional out of cell time and programming where resources allow.

Any inmate with a serious mental illness who receives a disciplinary separation disposition of 60 days or more must have a Behavior Management Plan (BMP) developed within 10 days of their disposition. These plans are to ensure the well-being of inmates and set acceptable behaviors and actions needed for individuals to earn their way out of restrictive housing. These plans are based around appropriate behavior and individual program participation. In the same manner, inmates with a serious mental illness placed in administrative confinement also must have a BMP developed within 10 days.

<sup>1</sup> Contract employees for the State of Wisconsin do not have seniority dates; they and staff who do not work for the State of Wisconsin are excluded from all seniority data analyses.

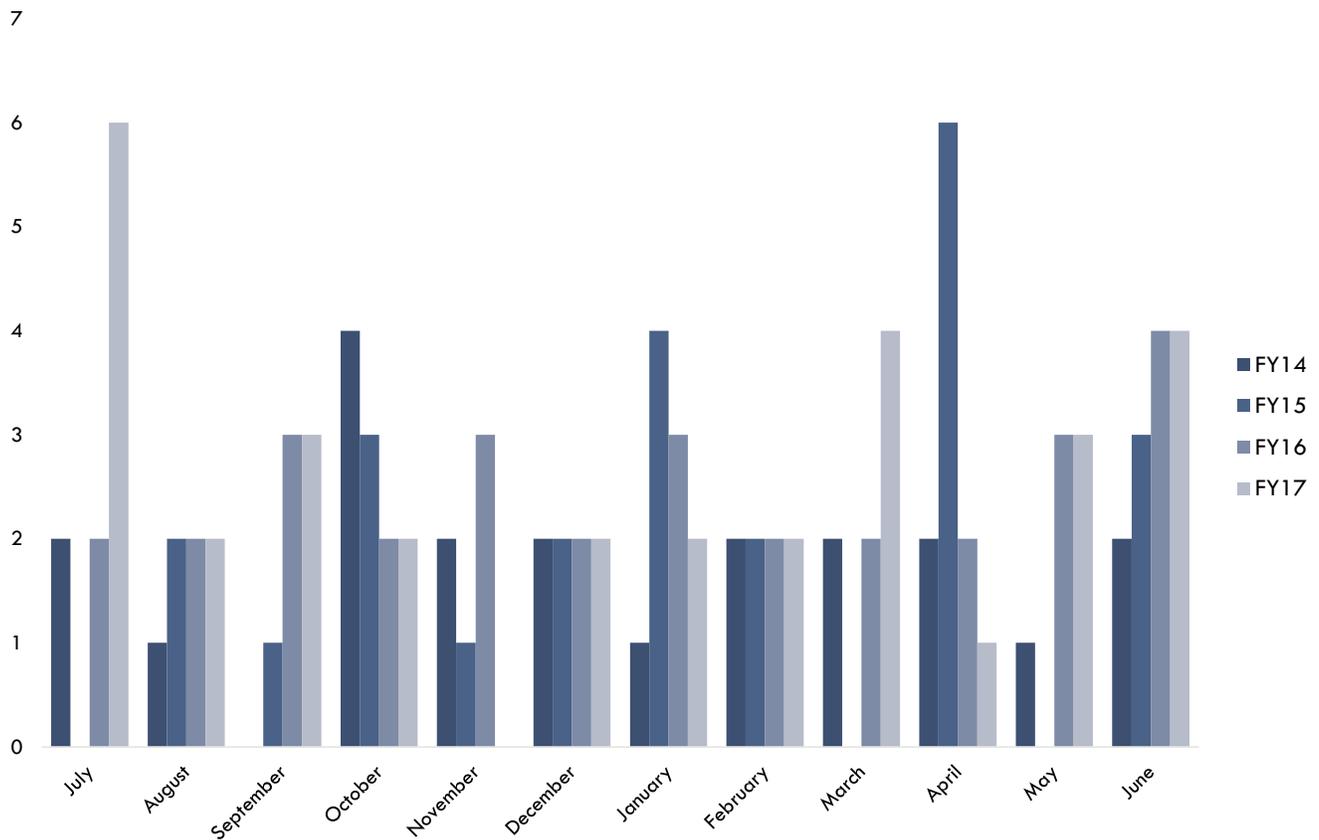
## II. Division of Community Corrections

DCC groups incidents into one of three categories: attempted assaults, completed assaults, and injuries.

In FY17, there were 31 incidents: 12 attempted assaults, 13 completed assaults, and six injuries by contact (one by offender contact and five animal-related incidents).

Type	FY14	FY15	FY16	FY17
Attempted	7	8	5	12
Completed	10	5	12	13
Injuries to Staff	4	11	13	6
<b>Total</b>	<b>21</b>	<b>24</b>	<b>30</b>	<b>31</b>

The largest number of incidents (six) occurred in July 2016. The number of incidents was relatively similar among the eight DCC regions. There was at least one incident in every region in FY17. Region 3 had the most incidents (19% or 6) followed by Region 4 (16% or 5) and Region 7 (16% or 5).



## A. Attempted Assaults on DCC Staff

The numbers below include attempted assaults on staff. These incidents include direct actions from an offender or an unknown actor towards a staff member, where the staff member was not assaulted and there was no physical injury.

There were 12 attempted assaults reported. Of the 12 attempts, 18 staff, 11 offenders, and one unknown actor were involved.

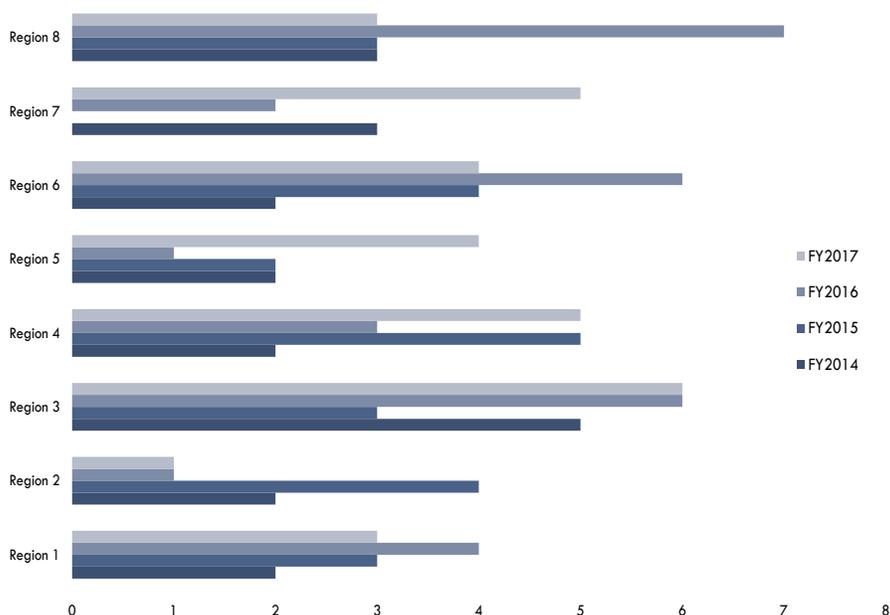
### Key Points:

- 42% (5) of the attempted assaults involved battery by an offender
- Half (6) of the attempted assaults occurred in a county jail
- All of the offenders involved were older than 30 years old

**Type of Assault:** Slightly less than half (5) of the attempted assaults involved battery by an offender, while the remaining attempts involved throwing an object at staff and property damage.

An assault can be assigned to more than one category, as multiple actions could have occurred during an incident.

**Specific Location of the Attempt:** Half (6) of attempted assaults occurred in a county jail. There were five incidents at or near a DCC office. The remaining attempt involved a property assault in the community.



### Offender Information

**Age:** Forty-five percent (5) of the offenders involved in attempted assaults were over 50 years old at the time of the incident.

**Previous Supervision Experience:** Forty-five percent (5) of the offenders involved in attempted assaults were on their third episode of supervision. Two were on their first episode, two were on their second, one was on their fourth, and one was on their fifth.

**Supervision Type:** Over half of the offenders were on probation supervision and the remainder were on extended supervision or mandatory release.

**Offender Risk Level:** Two of the offenders involved were high risk, four were medium risk, and four were low risk. One offender's risk level was unknown as their case was transferred to the county level before an assessment was conducted. The offender's risk level represents a calculated likelihood of the risk to re-offend and is used in part to determine how closely offenders are supervised.



Only two of the offenders involved were high risk

#### *Admission Date and Sentence Term:*

**Admission to Supervision:** Ten of the involved offenders had been placed on supervision within the past two years.

**Sentence Term:** At the time of the attempted assault, 55% (6) of the offenders responsible were within one year of their discharge date. The other 45% (5) were within two to seven years of their discharge date.

#### *Staff Information*

**Seniority of Staff Involved in Attempts:** Thirty-three percent (6) of the attempts involved staff who had been working at the WI DOC for between one and four years. Twenty-two percent of the attempts involved staff members (4) who had worked at the WI DOC between five and 10 years. Slightly less than half (8) of the attempts involved staff who had been working at the WI DOC for more than 10 years.

**Type of Staff:** Of the 18 staff involved in attempted assaults, 15 were DCC agents.

#### *Results:*

**Referred to Law Enforcement:** Seventy-five percent (9) of the attempts were referred to law enforcement. It is the decision of local law enforcement and the district attorney to charge and prosecute any incidents reported to them.

## ***B. Completed Assaults on DCC Staff***

The numbers below include completed assaults on staff. These incidents were direct actions by an offender or an unknown actor towards a staff member, where a staff member was assaulted and possibly injured. There were 13 completed assaults reported during FY17. Of the 13 completed assaults reported, 19 different DOC staff members were involved. One of the 13 incidents resulted in injuries to staff. Additionally, seven offenders, five unknown actors, and one family member of an offender were involved.

### **Key Points:**

- 71% (5) of offenders were on probation supervision
- 69% (9) of completed assaults occurred either in or outside a DCC office
- 71% (5) of offenders involved were 30 years old or younger

**Type of Assault:** Almost twenty-three percent (3) of the completed assaults involved battery by an offender. Additionally, there were two throwing assaults, and nine property assaults.

An assault can be assigned to more than one category, as multiple actions could have occurred during an incident.

**Specific Location of the Assault:** Sixty-nine percent (9) of the assaults occurred in or outside a DCC office. Additionally, there were two incidents that occurred at a county jail, one in a transport vehicle, and one at the residence where the offender was living.

Seven of the 13 incidents involved an offender on supervision, one of the 13 incidents involved a family member of an offender, and five involved unknown actors.

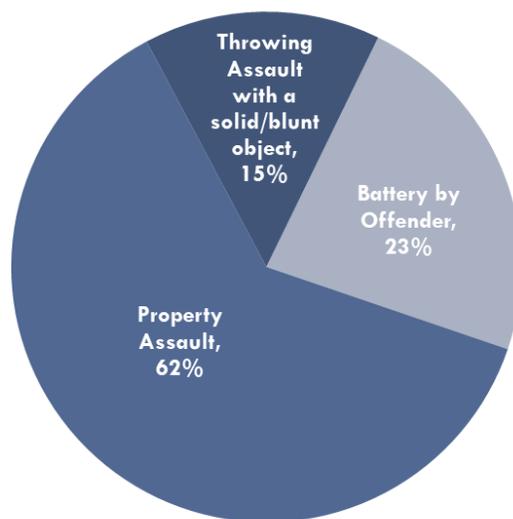
### **Offender Information**

**Age:** Seventy-one percent (5) of the offenders involved were under 30 years old at the time of the incident. None were over 50 years old.

**Previous Supervision Experience:** Two were on their first supervision term, two each were on their second and third, and one was on their fourth episode of supervision.

**Supervision Type:** Seventy-one percent (5) were on probation supervision and twenty-nine percent (2) were on parole or mandatory release.

**Offender Risk Level:** Forty-three percent (3) of the offenders involved were high risk, 43% (3) were medium risk, and 14% (1) were low risk. The offender's risk level represents a calculated likelihood of the risk to re-offend and is used in part to determine how closely offenders are supervised.



## Almost half of the staff involved had worked for DOC for at least five years

### *Admission Date and Sentence Term:*

**Admission to Supervision:** Twenty-nine percent (2) of the involved offenders had been on supervision for less than one year at the time of the assault. Additionally, 29% (2) had been on supervision for at least three years when the assault occurred. The remaining 43% (3) of offenders had been on supervision between one and three years.

**Sentence Term:** At the time of the assault, all of the offenders responsible had less than two years until their scheduled discharge date.

### *Staff Information*

**Seniority of Staff Involved:** Eleven percent (2) of the assaults involved staff who had been working at the WI DOC for less than one year, 16% (3) of the assaults involved staff who had been working at the WI DOC for between one and four years, 11% (2) of the assaults involved staff who had been working at the WI DOC for between five and 10 years, and 32% (6) of the assaults involved staff who had been working for the WI DOC for 10 years or more.

**Type of Staff:** Seventy-four percent (14) of the staff involved in the incidents were DCC agents.

### *Results:*

**Referred to Law Enforcement:** Sixty-nine percent (9) of the assaults were referred to law enforcement. It is the decision of local law enforcement and the district attorney to charge and prosecute any incidents reported to them.

**Injuries and Workers' Compensation Claims:** One staff member sustained an injury from handcuffs. No claims were filed.

## ***C. Recommendations***

### ***Protective Vest Purchase***

The Division's regions annually procure protective vests in an effort to maximize staff safety. Approved protective vests provide more personal safety for staff and can be worn for any task that is deemed to have the potential for danger. In FY17, DCC purchased 74 protective vests.

### ***Prevention Planning***

DCC continues to direct staff to best practices of custody, search, escort, and transport of offenders in an effort to keep staff and offenders safe. DCC reviews all incidents where force was used, as well as other safety related incidents, to inform subsequent policy decisions and training initiatives for the next year.

### ***Training***

DCC continues to place emphasis on annual DCC Principles of Subject Control (POSC) training for staff in order to promote staff, offender, and community safety. DCC recently completed Oleoresin Capsicum (OC) training for all applicable staff. The training ensures all staff have the ability to carry OC according to the requirements outlined in policy.

### ***Office Layout***

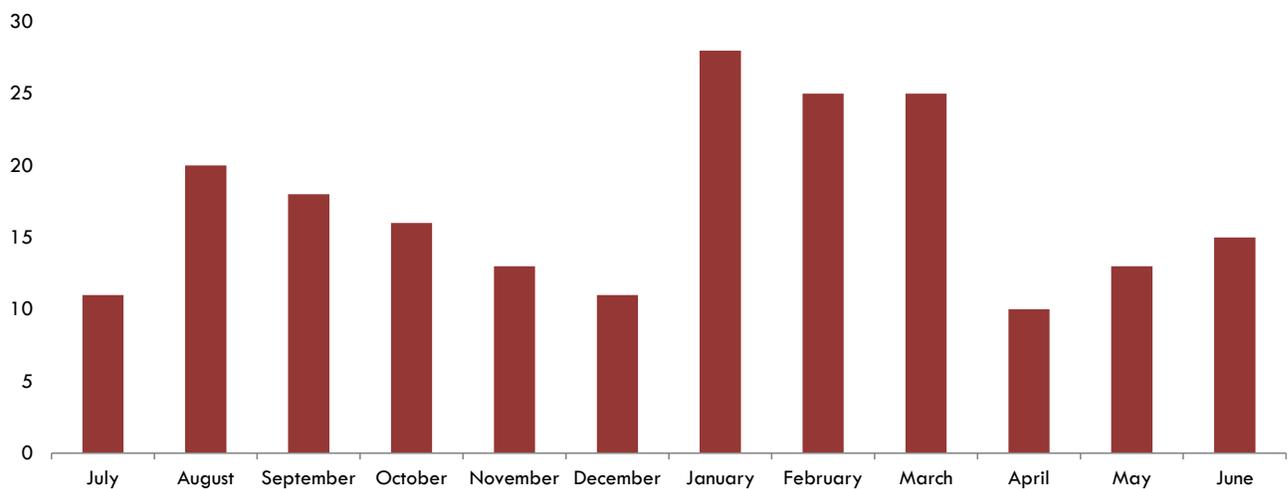
A review of DCC unit office floor plans is ongoing, with a focus on staff safety and security. Per the DCC Custody, Search, Escort and Transport training document, all offices utilize pre-determined custody staging areas, as deemed appropriate per a POSC trainer. All floor plans for new office space are designed with a goal of having a custody staging area and law enforcement assistance locations within the building.

### III. Division of Juvenile Corrections

In FY17 there were 205 reported attempted assaults on, completed assaults on, and injuries to DJC staff. Currently, DJC does not track assaults on staff that occur while youth are on supervision or injuries to DJC field staff.

Type	FY17
Attempted	33
Completed	105
Injuries to Staff	67
<b>Total</b>	<b>205</b>

The largest number of incidents (28) occurred in January 2017. Every month had at least ten incidents.



#### *A. Attempted Assaults on DJC Staff*

The numbers below include attempted assaults on staff. These incidents include direct actions from a youth towards a staff member, where the staff member was not assaulted and there was no physical injury.

There were 33 attempted assaults reported. Of the 33 attempts, 41 staff and 20 youth were involved.

#### Key Points:

- 45% (15) of the attempted assaults involved battery by a youth
- All attempted assaults occurred in a housing unit
- 18% (6) of attempts occurred at Copper Lake School

**Type of Assault:** Slightly less than half (15) of the attempted assaults involved battery by a youth; the remaining attempts (20) involved throwing an object, spitting, or physical injury by contact.

An assault can be assigned to more than one category, as multiple actions could have occurred during an incident.

### *Location Information:*

**Specific Location of the Attempt:** All incidents happened either in or around a youth's room.

**Restrictive Housing:** Seventy-three percent (24) of the attempted assaults took place in a restrictive housing unit or area; the remaining incidents occurred in a general population housing unit or area. Most of the spitting or throwing assaults occurred in restrictive housing.

### *Youth Information*

**Age:** Ninety-seven percent (32) of the attempted assaults involved youth who were younger than 18 years old at the time of the incident.

**Admission to Assault:** Seventy percent (23) of the attempted assaults occurred in the first six months after admission.

### *Staff Information*

**Seniority of Staff Involved in Attempts:** At the time of the attempt, well over half of assaults involved staff who had worked at the WI DOC for two years or more.

Attempted assaults in DJC frequently include staff who are involved in multiple assaults throughout the reporting period and therefore seniority date calculations change depending on the involvement date.

**Type of Staff:** All 41 staff involved in attempted assaults were DJC Youth Counselors.

**79% of attempts involved staff who had been working at WI DOC for between one and four years**

### *Results:*

**Referred to Law Enforcement:** Four of the 33 (12%) attempts were referred to law enforcement. It is the decision of local law enforcement and the district attorney to charge and prosecute any incidents reported to them.

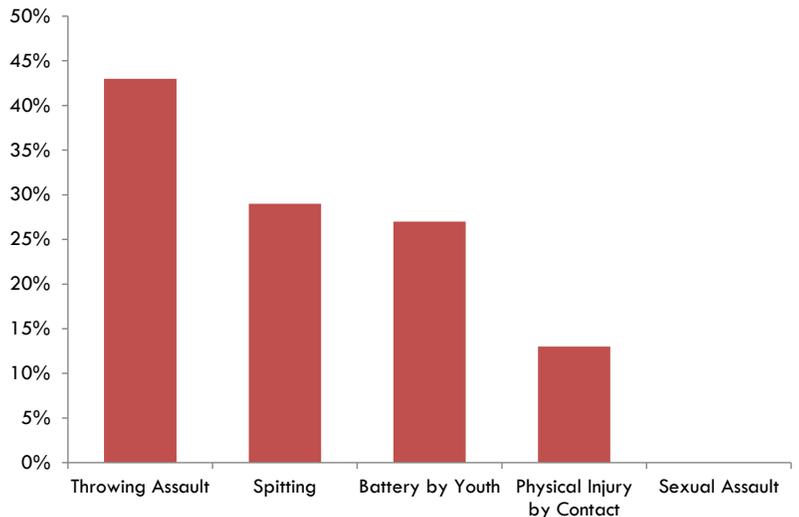
## ***B. Completed Assaults on DJC Staff***

The numbers below include completed assaults on staff at CLS and LHS. These incidents were direct actions by a youth toward a staff member where a staff member was assaulted and possibly injured. Of the 105 assaults reported, 78 different staff members and 50 youth were involved.

### **Key Points:**

- 10% (11) of the completed assaults occurred at Copper Lake School
- 90% (94) of the completed assaults occurred at Lincoln Hills School
- 74% (78) of the completed assaults involved youth who were 16 years old or older
- 75% (79) of the completed assaults occurred in restrictive housing

**Type of Assault:** Forty-three percent (45) of the completed assaults involved throwing a liquid or object at staff, 29% (30) involved spitting, and 27% (28) involved battery by a youth. There were no completed sexual assaults on staff in FY17. As previously noted, an assault can be assigned to more than one category, as multiple actions could have occurred during one incident.



### **Location Information:**

**Specific Location of the Assault:** Over 83% (87) of assaults happened within a housing unit.

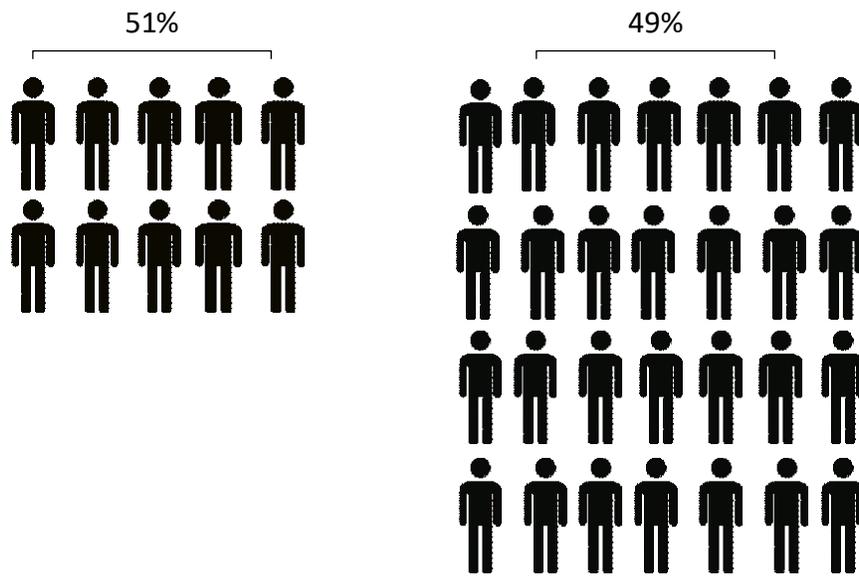
**Restrictive Housing:** Seventy-five percent (79) of the completed assaults took place in a restrictive housing unit or area; the remaining incidents occurred in a general population housing unit or area. Also, almost all of the spitting or throwing assaults occurred in restrictive housing.

### **Youth Information:**

#### **Age and Gender:**

Age at Assault	Female	Male
14	2	4
15	6	15
16	0	21
17	1	50
Over 17	2	4

**Repeat Offenders:** Ten youth had a combined 54 completed staff assaults, accounting for over half (51%) of the total completed assaults on staff.



*Admission Date and Sentence Term:*

**Facility Admission:** Seventy-five percent (79) of the completed assaults involved youth who had been admitted to the juvenile correctional facility one year or less prior to the assault.

**Sentence Term:** At the time of the assault 30% (31) of the assaults involved youth who were within six months of their scheduled release date. Additionally, 75% (79) involved youth who were within two years of their scheduled release date at the time of the assault.

75% of assaults involved youth who were within 2 years of their scheduled release date

### **Staff Information:**

**Seniority of Staff Involved:** At the time of the assault, well over half of involved staff had worked at the WI DOC for two years or more.

Completed assaults in DJC frequently include staff who are involved in multiple assaults throughout the reporting period and therefore seniority date calculations change depending on the involvement date.

**48% of completed assaults involved staff who had been working at WI DOC for between one and four years**

### **Results:**

**Referred to Law Enforcement:** Twenty-two percent of the assaults (23) were referred to law enforcement. It is the decision of local law enforcement and the district attorney to charge and prosecute any incidents reported to them.

**Injuries and Workers' Compensation Claims:** Staff sustained injuries of varying degrees of severity. Of the 105 assaults reported, 78 staff were involved and 31 claims were filed and approved (as of 11/13/2017).

## ***C. Recommendations***

### **Pre-Service Academy:**

DJC implemented a local Pre-Service Academy to train new Youth Counselors and provided those new staff with training that will prepare them to work with youth. This training includes subjects such as verbal de-escalation techniques, juvenile mental health considerations, adolescent brain development, and trauma-informed care.

### **PSU and HSU Changes:**

DJC hired a Psychology Director and a CLS/LHS Psychological Services Manager to increase capacity for providing mental health services to youth. Mental health services are crucial in preventing the types of incidents that can result in restrictive housing placements, use of incapacitating agents, and use of mechanical restraints. In November 2016, licensed health care staff (RNs and LPNs) began administering medication to youth, increasing safety by reducing errors and enabling trained medical professionals to counsel youth who might otherwise refuse or potentially misuse medications that are designed to help youth.

### **Policies:**

DJC developed new Clinical Observation and Mechanical Restraints policies. Along with the new policies, facility procedures were developed and training was provided to health services units, psychological services units, and security staff.

## IV. Injuries to Staff

The numbers below include injuries to staff that resulted during an incident with or near an offender.

### *A. DAI*

An example of such an injury is when a staff member breaks up a fight between two inmates and, in the process, the staff member's foot is stepped on, resulting in a broken toe. In a manner similar to assaults, these types of incidents are reviewed each week. In FY17, there were 48 reported injury incidents involving 79 different staff members.

#### *Location Information:*

**Facility Security Level:** The majority of injuries reported occurred at medium security facilities (58%). Forty-two percent (20) occurred at maximum security facilities. There were no injuries at minimum security facilities in FY17.

**Restrictive Housing:** Thirty-five percent (17) of the injuries took place in a restrictive housing unit or area.

**Specific Location of the Incident:** Fifty-four percent (26) of injuries occurred in a cell in general and restrictive housing units. Incidents in a cell hall or housing unit constituted 85% (41) of injuries.

#### *Results:*

**Injuries and Workers' Compensation Claims:** Staff sustained injuries of varying degrees of severity and some incidents included situations with more than one staff member involved and possibly injured. Of the 48 injuries reported in FY17, 36 workers' compensation claims were filed and approved (as of 11/13/2017).

### *B. DCC*

An example of an injury is when a staff member is performing a home visit at the offender's house and the offender's dog bites or scratches the staff member. In FY17, there were six reported injury incidents. Five (83%) of the incidents involved an animal bite, scratch, or puncture wound. One (17%) of the incidents involved physical injury by contact with the offender during a custody or restraint situation.

#### *Location Information:*

**Specific Location of the Incident:** In FY17, one DCC assault occurred during an office visit with an agent.

#### *Results:*

**Injuries and Workers' Compensation Claims:** Injuries occurred with many levels of severity and often included situations where more than one staff member was involved. Of the six injury incidents, no workers' compensation claims were filed in FY17.

### ***C. DJC***

Similar to DAI, an example of an injury is when a staff member breaks up a fight between two youth and, in the process, the staff member's foot is stepped on, resulting in a broken toe. In a manner similar to assaults, these types of incidents are reviewed each week. In FY17 there were 67 reported injury incidents involving 58 different staff. These incidents included injuries to staff that resulted during an incident with or near a youth.

**Facility:** The majority of injuries reported (61) occurred at LHS. CLS had six injury incidents.

**Restrictive Housing:** Sixty-one percent (41) of the injuries took place in a restrictive housing unit or area.

**Specific Location of the Incident:** Incidents in a cell hall or housing unit constituted 52% (35) of the injury incidents.

#### ***Results:***

**Injuries and Workers' Compensation Claims:** Injuries occurred with varying degrees of severity. Of the 67 incidents, 40 workers' compensation claims were filed and approved (as of 11/13/2017).

## Appendix: Assault and Injury Definitions

The DAI policy language includes some of the following definitions. Understanding the definitions is critical to ensuring the Department is using the same terminology and understanding incidents the same way.

Active Resistance – Resistance from a subject which physically counteracts staff's attempts at control and which may create a risk of bodily harm to staff or to another.

Attempt – The essence of the crime of attempt is that the accused has failed to commit the act of the full offense, but has the direct and specific intent to commit that full offense. An offender is guilty of attempt to violate a DOC rule if either of the following is true: the offender planned to do something which would have been a rule violation if actually committed, or the offender did acts which showed a plan to violate the rule when the acts occurred.

Assault – Battery by prisoner, sexual assault and throwing assaults.

Specifically, each type of assault is defined as follows:

- A. Battery by a prisoner- As defined in Wisconsin Statutes s. 940.20. (1) BATTERY BY PRISONERS. Any prisoner confined to a state prison or other state, county or municipal detention facility who intentionally causes bodily harm or a soft tissue injury to an officer, employee, visitor or another offender of such prison or institution, without his or her consent.
- B. Throwing Assault- An assault by throwing substances such as blood, semen, waste, feces, chemicals, urine, or other substances. Wisconsin Statutes s. 946.43(2M)
- C. Physical Injury by Contact – Injury to a staff member, caused by a resistive offender action that may not result in offsite medical care.
- D. Sexual Assault – As defined in Wisconsin Statutes s. 940.225.
- E. Spitting – The act of forcibly ejecting saliva or other substances from the mouth.

Completed – The accused committed the act of the full offense of an assault.

DCC Hold – This is an offender who is admitted for a temporary stay in a WI DOC facility, and is under the supervision of the Division of Community Corrections.

Electronic Control Devices – Security equipment designated to stop, control or temporarily immobilize through the use of high voltage, low amperage electric shock.

Inmate – Any person who is under the supervision of the Department of Corrections, including juveniles, inmates, probationers, parolees or persons in a WI DAI facility.

Intentionally – As defined in Wisconsin Statutes s. 939.23 (3), means that the actor either has a purpose to do the thing or cause the result specified, or is aware that his or her conduct is practically certain to cause that result.

Offender – Any person who is under the supervision of the Department of Corrections, currently being supervised by DCC.

Passive Resistance – Resistance from a subject which does not physically counteract staff's attempts at control and which does not create a risk of bodily harm to the staff or to another.

Staff Member – An individual who is employed by the DOC on a full-time, part-time or contract basis or is an intern or a volunteer.

Weapon – A weapon may include a gun, sharp object (used to inflict cutting type injury), pointed object (used to inflict stabbing type injury), solid/blunt object (thrown or used to hit), or toxic or flammable fluids/substances.

Youth – Any person who is under the supervision of the Department of Corrections, housed in a WI DJC facility or in the community.

In addition each incident is assigned to one or more of the following categories:

1. Throwing assault
2. Battery by inmate/offender/youth
3. Physical injury by contact
4. Sexual assault
5. Spitting

These categories are reported to the Association of State Correctional Administrators (ASCA) as part of its Performance Based Measures System (PBMS). The PBMS was developed to establish correctional standards across states and to allow for the appropriate comparisons of performance measures across jurisdictions.