

Effective Communication & Documentation

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International Association of Correctional
Training Personnel

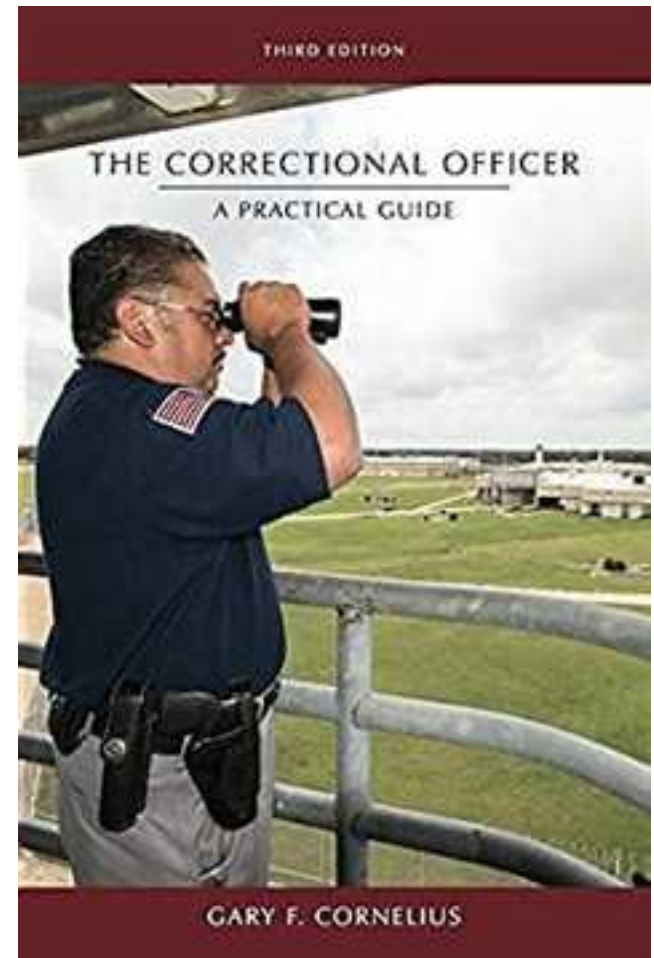
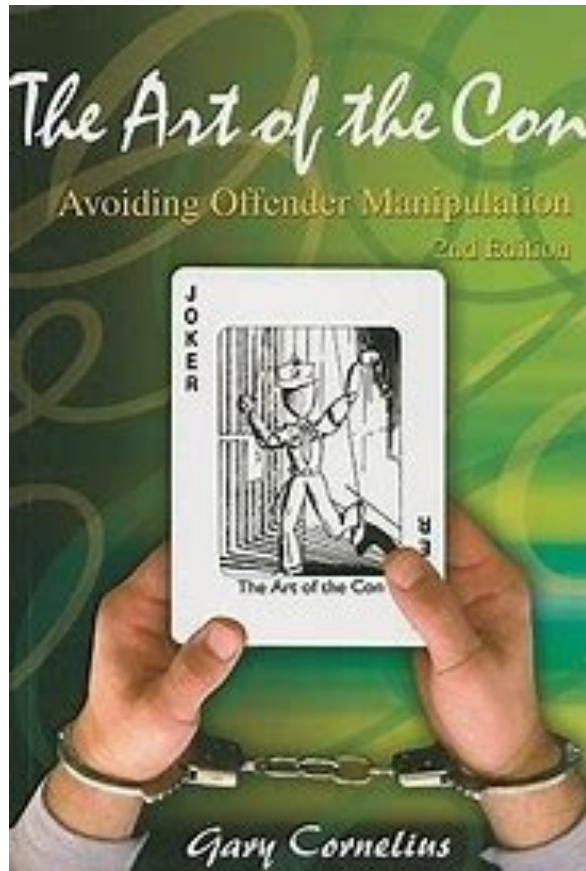
Welcome & Hello!!

- ▶ 1st Lt. Gary F. Cornelius, retired
- ▶ Over 27 years: Fairfax County Adult Detention Center
- ▶ Job assignments:



Confinement
Classification
Jail Programs
Work Release
Policies & Procedures





I. Goals

The corrections officer will:

- Be refreshed in understanding the importance of communication
- Learn the importance of written communication rather than verbal communication in critical matters
- Learn basic common sense rules about communication & documentation



II. To get along in life.....

- ▶ We must get our thoughts, feelings, knowledge and information to other parties.



Throughout history.....



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Who?

- ▶ Friends
- ▶ Family
- ▶ Spouses
- ▶ Neighbors
- ▶ People we do business with
- ▶ Teachers
- ▶ Pets
- ▶ Colleagues
- ▶ People we are responsible for
- ▶ Ourselves



III. Importance of Communication in the Corrections Facility

- ▶ Correctional officers and related staff rely on information
- ▶ Information must be accurate, clear and up to the minute
- ▶ Death, injury or liability occur if information is not transmitted or available.



No Excuse

- ▶ I did not know.
- ▶ I did not see.
- ▶ Nobody told me.
- ▶ I did not hear.
- ▶ Was I supposed to write it down?



Good communication skills.....

- ▶ Improves chances of promotion.
- ▶ Improves professional development
- ▶ Increases knowledge and efficiency
- ▶ Improves decision making
- ▶ Consistent enforcement of rules and policies
- ▶ Reduces liability
- ▶ Promotes professionalism

Source: *Correctional Officer Resource Guide, Fourth Edition*, by Peria Duncan, American Correctional Association, 2008.

IV. What We know About Communications

- ▶ Perception
- ▶ Expectations
- ▶ Demands
- ▶ Information
- ▶ Two Way is Good
- ▶ Examples: much better



Reference: *Supervising Police Personnel: The Fifteen Responsibilities, Sixth Edition*, by Paul M. Whisenand, Pearson Prentice Hall, 2007.

Information to:

- ▶ Fellow corrections officers
- ▶ Other facility/agency sections that we work with such as ___?__
- ▶ Other law enforcement agencies
- ▶ Courts, probation & parole
- ▶ Supervisors: performance evaluations
- ▶ Media??



V. How we communicate.....

- ▶ Oral
- ▶ Written
- ▶ Non verbal
- ▶ Electronic



Whisenand, 2007.



Oral

- ▶ Fast relay of information
- ▶ Immediate response
- ▶ Mistakes: easily corrected
- ▶ More people relayed through: distortion
- ▶ Information may be left out
- ▶ Not easily retrieved

Whisenand, 2007.



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Oral/Verbal

- ▶ Can be emotional
- ▶ Can be hurried
- ▶ Can be unclear
- ▶ Information can be omitted
- ▶ Can be misunderstood or taken the wrong way.

Whisenand, 2007.



Let's be clear!!!

- ❖ Maintain good comportment.
- ❖ Nod or verbally agree occasionally.
- ❖ Watch interruptions.
- ❖ THINK about the message: FOCUS.
- ❖ Do not display nervous habits.
- ❖ If you are not sure, get clarification–ask!
- ❖ Remember your report can show up in a lot of places.



Written

- ▶ Tangible: you can see and feel it.
- ▶ Stored & filed: Appropriate system by appropriate staff
- ▶ Illustrates problems clearly
- ▶ Enables us to think: who is doing what and when
- ▶ Permanent record
- ▶ Gives direction for further course of action



Written

- ▶ Act of documentation: what does it do?
- ▶ Relays information to_____?
- ▶ How many tasks and events do you handle in one shift?



Whisenand, 2007.



Non Verbal

- ▶ What we see says a lot about what we understand.
- ▶ Verbal intonation
- ▶ Body language
- ▶ Post appearance



Whisenand, 2007.



Electronic

- ▶ Many communicate mainly through texting, etc.
- ▶ Need for handwriting skills and the ability to take notes



Whisenand, 2007



VI. Directions

- ▶ Communications can be down: supervisors to line staff
- ▶ Communications can be up: line staff to supervisors
- ▶ Communications can be across: colleague to colleague, section to section



Examples: Lewis v. Parish

- ▶ In the case of *Lewis v. Parish of Terrebone*, 894 F.2d 142 (5th Circuit, 1990), an inmate threatened suicide and claimed that he had ingested a large quantity of pills. By order of the jail physician, he was taken to the local hospital.
- ▶ After pumping the inmate's stomach, the hospital doctor classified the inmate as suicidal and recommended further psychiatric treatment. The hospital doctor completed a report which was placed into a sealed envelope.
- ▶ The transporting jail officer, who did not know the contents of the sealed envelope, took the inmate and envelope back to the jail. The jail officer did not directly deliver the sealed envelope to a staff member, he simply left it on the booking desk.
- ▶ Later, the inmate assaulted a jail officer and tried to escape. The inmate was then placed into segregation. A short time after being placed into segregation, he killed himself.



Lewis v. Parish, contd.

- ▶ The sealed envelope was subsequently found on the booking desk and opened. Inside, the staff found the hospital psychiatrist report. It not only diagnosed the inmate as suicidal, it also recommended that the jail take suicide precautions.
- ▶ The inmate's family successfully sued the jail on the grounds of "deliberate indifference".

References: *Correctional Law for the Correctional Officer, 5th Edition* by William Collins, J.D., American Correctional Association 2010 & Documentation On Line Course, Northern VA Criminal Justice Training Academy, 2012.



Examples: Thomas v. Cook County

- ▶ A 32-year-old inmate was booked into a local jail, and the only medical problem at screening was elevated blood pressure. Over the first week, he became dizzy, began vomiting, and was unable to hold down any food. He could not talk to fellow inmates or walk. Several inmates claimed that they wrote several medical request forms for him. They claimed that the requests were not answered. They also said that they told correctional officers about the inmate's condition on several occasions. He was convulsing and then lay unconscious on the floor of his cell, directly in the sight of the officers. One April 30, 2004, the inmate's cellmate told the officer on duty that the inmate was unconscious, and a shift sergeant arrived 30 minutes later.

Examples: Thomas v. Cook County

- ▶ A paramedic was called, and he arrived 30 minutes after that. A delay occurred because the inmate's ID paperwork was not located. He was transported to the hospital, where he died from pneumococcal meningitis, a deadly form of the disease. The plaintiff alleged that the jail had inadequate medical staffing, broken video monitors, and no system in place to monitor inmate medical requests. Many medical staff did not have keys to the lockboxes where requests were placed, and were not turning in their daily [inmate] encounter forms. There was no system for informing jail supervisors when medical staff failed to make daily rounds. The jury agreed, and awarded the deceased inmate's mother over \$4 million.

Thomas v. Cook County, 588 F.3d 445 (7th Cir. 2009) & *Correctional Law Reporter*, Volume XXII, No. 4, December/January 2011.

Directions: Pass On

- ▶ It is 1820 hours and you are almost at the end of your shift. You are working booking and a 'rowdy' arrestee flooded cell B-3, and another was shouting profanities at the offender he came in with who is housed across the hallway. The sergeant says that a 'wagon' is rolling in with five gang members arrested in a bar fight and they have to be kept separate. We are down two COs due to a hospital run. Maintenance just put two cells off limits, B-17 and 18.....*and*

Class Exercise

- ▶ We just got a new one in the booking unit. His name is Joe Baker, age 23. He is on heroin and tried to kill his girlfriend, and then had a hostage standoff, waving a gun at police in the front door. He is also a diabetic and the family says that he is on anti depressants. He repeatedly kicked the cruiser window on the way over and he is not talking to anyone. He has a bandaged cut on his right thigh. He has refused to answer medical staff questions and has started vomiting. He stuffed up his toilet and has flooded the cell.

Questions

- ▶ Write up your pass-on. Oh, and the gang offenders have arrived.....and B2 inmate is banging on the door.....
- ▶ Where would we be without effective and clear communication?



VII. Purposes of effective communication/documentation

- ❖ CYA: Defends against complaints and litigation
- ❖ Answers any questions from the court
- ❖ Enhances up or down communications
- ❖ Supports agency/facility accreditation.

VIII. Litigation by inmate/family of inmate

- ▶ Event seems unforgettable, but our memory fades
- ▶ Scrambling when a suit is filed
- ▶ Staff testimony: without good notes, reports, etc., can look bad.



Litigation

- ▶ Use of force
- ▶ Documentation can decide special conditions of confinement, such as __?__
- ▶ Ammunition to counteract motions in court
- ▶ Trial proceedings can include documentation of an event.



Litigation

- ▶ Supervisors who ignore documentation can be found negligent
- ▶ Internal affairs: aid a neutral investigator to ascertain the facts, report them to decision making authority. What do they use _?_




IX. Critical Incidents / Reports

Defined as any incident that:
Jeopardizes the safety of any inmate, staff member
or visitor in the jail.



Events Requiring Documentation

- Assaults by inmates on staff or other inmates: both physical & verbal, any use of force on an inmate
- Possession or manufacture of contraband
- Any escape or reports of an escape plot
- Any irrational or unusual behavior exhibited by an inmate:  apparent mental illness, aggression, self destructive behavior, suicidal behavior, etc.
- Sexual misconduct: inmate on inmate, staff on inmate, harassment, etc.



Events Requiring Documentation

- Major and minor rule violations.
- Maintenance breakdowns, sanitation problems, fire safety issues & problems with services (food, laundry, canteen, etc.).
- Any act by inmates that jeopardizes the security of the jail, including unrest, disturbances, manipulation attempts, and events that could result in a riot, including verbal threats to staff and inmates.
- Any important information relayed to you by a confidential informant.
- Any medical problem with staff or inmate including injuries.
- All services and staff attention given to inmates in any type of segregation.

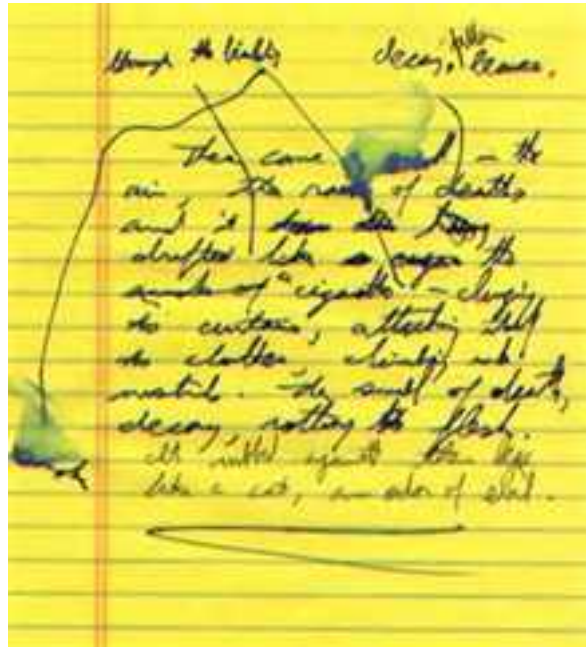
NVCJTA, 2012



The written word is one of the best tools that a correctional officer has.



Neatness.....



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Documentation Must be Properly

Written
Logged
Proofed by whom?
Reviewed and Forwarded
Filed for proper usage
Retrieved



X. Techniques of Good Critical Incident Documentation

- ▶ Logs, post sheets, pass on, etc., initial entries neatly and legibly, include badge #.
- ▶ Do not keep adding information to a “dog eared” form, transcribe legibly and neatly all information; file the old stuff.
- ▶ All cautions and instructions on a log should be initialed by a supervisor or qualified civilian staff.
- ▶ Record pass on information in writing: How??

Incident Reports

- ▶ Remarks from inmates heard or reported: put in quotes and be prepared to swear under oath that you heard the remarks.
- ▶ Witness statements after separate interviews, put down remarks in quotes and interviewer, including inmate interpreter.



Incident Reports

- ▶ Description of evidence, labeling, disposition
- ▶ Disposition of inmate participants: charged, seen by medical, segregated, etc.
- ▶ Chronological sequence of events: paint a clear picture

Paint a picture.....

- ▶ *A mentally ill segregated inmate is pacing about in his cell, talking to himself and shaking his head from side to side. You try to talk to him from outside the cell, but he does not acknowledge your presence in any fashion.*



Paint a picture.....

▶ You observe two inmates in a cellblock dayroom closely facing each other with fists clenched. Other inmates are laughing. Both inmates are breathing heavily; their chests are heaving. One inmate shouts to the other:

"My canteen is missing and I know you took it!"



XI. Tips: Reports

Never wait until the next day.

Get relief if necessary

Do not go home unless the paperwork is done.

Pinpoint time as specifically as possible.

Report facts only, not opinions.

Note taking: beneficial to have a chronological notebook on your person, do not rely 100% on memory.

Maintain a personal documentation file.

Avoiding Problems

- ▶ Jargon and short cuts
- ▶ Missing documents
- ▶ Falsifications
- ▶ No checking/proofing by supervisors
- ▶ Poor academy training

XII. Common Sense Rules

- ▶ ***Rule #1: People in jail can get hurt or die if staff does not have clear, accurate and timely information.***



Common Sense Rules

Rule #2:

What good is all of the information that is documented if no one can read it? Readable neatness!!!



Common Sense Rules

Rule # 3:

Proper documentation covers: you and the agency, protecting you from negative actions and consequences, and the agency from non compliance with standards.



Common Sense Rules



Rule #4:

***If something was not written down
and properly authorized, it did not happen.***

Common Sense Rules

Rule # 5: Write report as soon as possible after event.



Common Sense Rules

- ▶ *Rule #6: Remember the common sense rules of good communications:*
 - ❖ Listen more than talk.
 - ❖ Allow people to talk—give them space.
 - ❖ Ask questions.
 - ❖ Patience.
 - ❖ Ease up on war stories.



Common Sense Rules

▶ **Rule # 7: DO NOT TAKE SHORTCUTS**

They may save you time...in your view, but they will not save you from 'hassles' later on.



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INTERNAL
AFFAIRS





Wrap-Up!!



What are you going to do
differently???????

Thank you for your time and attention!!!

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