

## Policy Considerations: Absent Without Consent

The intent of this policy consideration is to evoke discussion within your jurisdiction regarding best practices and key elements to include in policies and procedures. Jurisdictions should consider these policies in the context of their unique juvenile justice system structure; state and local mandates; risk tolerance level; and other individual needs.

\*\*Throughout the policy considerations the acronym “PP” is used. This stands for “policy and/or procedure.”\*\*

**NOTE:** Some jurisdictions distinguish between Absent Without Consent (referred to as AWOL in this document) and an escape. Other jurisdictions do not. Some jurisdictions have separate policies for responding to a youth absconding from a secure facility versus a youth absconding from less secure community residential programs. Therefore, for the purposes of this checklist and to maintain focus on the content/policy considerations, the phrase Escape/AWOL will be used throughout. Agencies will need to decide which items apply to which situations specific to their system.

### General

- The PP has a clear statement that describes the importance and intent of the policy and/or procedure and/or how it relates/ties to the agency’s mission.
- The PP includes clear definitions of key concepts in the policy and/or procedure (i.e. can be understood, differences between related words/concepts are clear, etc.) – i.e. escape, runaway, AWOL, residential program, etc.
- The PP mentions how staff will be trained on relevant topic areas – i.e. mandatory new employee and ongoing training.
- The PP clearly describes an effective quality assurance process such as include quarterly case file reviews, annual onsite audits, regular performance evaluations from supervisors, staff skills assessments and training, etc.
- The PP includes a description of how the agency will use data to ensure it is meeting targets in the policy and/or procedure area (i.e. indicators of success, how often these data will be reviewed, how the data will be used and by whom, etc.).
- The PP will be available to staff for review.
- The PP reviewed for revision/modifications at least annually.

### Escape and/or AWOL Prevention

- The PP clearly defines an AWOL (Absent Without Consent) (*NOTE:* This definition is typically defined by state regulations – i.e. a youth is gone more than two hours).
- The PP explains the tools staff should use to prevent AWOLs (i.e. verbal de-escalation, calling the Crisis Intervention Team, etc.).
- The PP requires staff use force only when absolutely necessary and only as a last resort.
- The PP requires initial and annual training to all staff on appropriate tools to prevent AWOLs - i.e. AWOL policy; verbal de-escalation tactics; responsibilities when a youth AWOLs; warning signs a youth may AWOL (behavior cues); conducting an initial safety assessment and plan when youth returns, etc.

- The PP describes security of the perimeter through appropriate means to ensure youth remain within the perimeter.
- The PP requires security checks of facility, including perimeter, indicates the frequency of security checks (daily, weekly, etc.), and explains how to document the inspection.
- The PP requires system of accountability to track the number of youth and conduct a physical count youth at least once per shift.

### **AWOL Response**

- The PP distinguishes between AWOL (from a non-secure residential program) and escapes (from close custody/secure facility). If yes, the PP directs staff of their response and responsibilities in both circumstances.
- The PP directs which agency and facility staff to call immediately when AWOL occurs (i.e. Officer on Duty, Facility Superintendent, Division Director, etc.).
- The PP directs other individuals who staff must contact and by when – i.e. Committing judge; Probation Parole Officer; youth’s attorney; local police; etc.)
- The PP explains how to document that an AWOL has occurred and where to document this information (i.e. incident report, logbook, etc.).
- The PP clearly directs who is responsible for leading the search for youth (i.e. safety team) and describes staff roles in locating youth (i.e. specific actions to take to locate the youth – “diligent efforts”).
- The PP is clear at what point parents and/or legal guardians are alerted to the AWOL (i.e. within 2 hours of AWOL) and who makes this phone notification.
- The PP clearly explains what information must be provided when making specific notifications - i.e. address of location from where youth ran; what youth was wearing; violence or weapons history; current behavior patterns; gang activity or affiliations; possible destinations; family/peer/community contacts; sending photo youth to police, etc.
- The PP clearly explains what information must be included in the written incident report– i.e. where youth was at time of AWOL; events leading up to incident; youth behaviors prior to AWOL; interventions used to prevent AWOL; youth statements prior to leaving; witnesses to the event; staff positioning/location at the time; etc.
- The PP specifies how often family will be contacted and by whom if youth remains AWOL for more than 24 hours and where this contact will be documented.

### **Apprehending Youth (*if applicable*)**

- The PP provides clear direction/criteria/decision points for determining when it is safe to apprehend a youth and conversely, when law enforcement must be called to apprehend the youth instead.
- The PP directs staff on how to apprehend youth (i.e. number of staff members required in the process; staff to clearly communicate with one another about the strategy to apprehend; prohibiting the use of excessive force; employing de-escalation tactics, etc.).
- The PP provides clear direction on specific notifications to be made once youth apprehended (i.e. Facility Director, police, etc.) and expected timeframes for these notifications.

- The PP directs identified staff member or outside agency to interview the youth upon apprehension. During the interview, the individual shall ask the youth about his/her reasons for absconding and any issues occurring prior to leaving facility.

### **Critical Incident Review Including Physical Plant Safety Assessment**

- The PP requires a formal physical plant safety assessment/walk-through of the physical area by a designated person or team (i.e. safety team, physical plant, etc.) following an AWOL to identify physical breaches that may have facilitated the AWOL.
- The PP requires the formal physical plant safety assessment to occur within 24 hours of the AWOL, but as soon as feasible.
- The PP directs designated staff to document the findings from the immediate physical plant safety assessment including any breaches and immediate actions that will be taken.
- The PP requires the physical plant safety assessment findings report be sent to the Facility Superintendent and designated executive team member (i.e. Division Director) for review and analysis.
- The PP requires a formal review of the incident (Critical Incident Review Team – CIRT) to be completed within 5 days of the incident to assess whether staff actions (or non-action) contributed to the event; identify areas for improvement; corrective actions taken; and develop recommendations for action. During the formal review, include any youth comments gathered during interview.
- The PP commissions specific individuals to serve as the facility Critical Incident Review Team (CIRT) who will, in addition to participating in the physical plant safety assessment (or receiving information from the safety assessment), lead a closer review of incidents leading up to the AWOC.
- The PP requires at a minimum, the agency policy and procedure manager or designee to serve on the review team (or provide input during a call with the onsite CIRT) to determine if any violations were made to agency policies.
- The PP explains the process for conducting the critical incident review and specifies at a minimum the documents required to be reviewed (*only if this review will not interfere with a police investigation*) – i.e. mail logs in past 90 days; youth released within past 90 that had relationship with AWOL youth; youth’s current medication and last dose; youth’s journal; etc.).
- The PP directs the CIRT to draft a report or summary detailing findings (or enter this information into an electronic system)
- The PP requires the CIRT report to be submitted to designated individuals no later than five (5) business days of completing the review.

### **Staff Debrief**

- The PP requires the facility and/or unit staff to debrief as a team to determine what could have been done, if anything, to have prevented the AWOL and who will lead this debriefing.
- The PP sets forth a time frame for this staff AWOL debrief to occur – i.e. within 24 hours; before the end of the shift; etc.

- The PP outlines how the information about the AWOL will be appropriately communicated to staff coming onto shift and to other agency staff.
- The PP requires the formal staff AWOL debriefing process be documented on an agency form and/or electronic record and submitted to a higher-level manager and/or research/data team for ongoing analysis.

### **Actions Upon Youth Return**

- The PP requires a formal debriefing process with youth upon return to include an initial safety assessment and the development of an immediate safety plan.
- The PP indicates where/how to document this safety assessment/plan information (i.e. on an agency/facility form or in an electronic record).
- The PP indicates with whom this youth debriefing information (including the safety plan) should be shared and how this information should be conveyed/shared.
- The PP requires all youth returning from AWOL see a medical practitioner as soon as possible upon returning to the program.
- The PP specifically directs staff if youth appears to be intoxicated or in need of emergency care to take youth to the hospital immediately.
- The PP requires youth to see a mental health provider within 24 hours of return to the program to assess mental health status, discuss triggers, plan for future safety and support, etc.
- The PP explains notifications that must be made when youth returns to program – i.e. family, police (to vacate warrant), committing judge, etc.
- The PP outlines which acts known to have occurred during the youth's absence shall be reported to the local law enforcement agency (i.e. dangerous conduct).
- The PP requires the treatment team to convene within 24 hours of youth's return to discuss appropriate consequences and to update the case plan/treatment plan to ensure youth safety and youth treatment needs are met.

### **Quality Assurance and Data**

- The PP requires quarterly mock drills to ensure staff appropriately respond to AWOLs and make the required notifications in a timely manner and consistent with agency/facility expectations.
- The PP requires these mock drills be formerly documented and include areas for improvement and actions required
- The PP requires documentation of mock drills be submitted to facility and designated executive leaders upon completion.
- The PP requires Facility Directors to maintain data of all youth who escape or AWOL including name, date and time of escape, and other relevant information consistent with state regulations but for a minimum of 5 years.