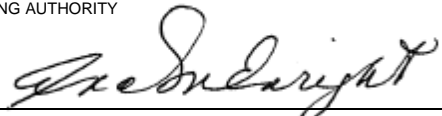
 <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE <b>Threat Documentation</b>		NO. 9730
			DATE 10/11/2018
SUPERSEDES DOP P&P Manual Item 9401.02	DISTRIBUTION A	PAGES PAGE 1 OF 3	DATE LAST REVISED
REFERENCES (Include but are not limited to) NYS Mental Hygiene Law Article 10; Directives #4960, #9430	APPROVING AUTHORITY 		

- I. PURPOSE:** The purpose of this directive is to establish a systematic procedure for gathering and reporting information of a threatening nature that may require the immediate attention of the Community Supervision chain of command. The “Threat Documentation Report” is the authorized method of reporting such information to the Community Supervision chain of command and the Office of Special Investigations (OSI).
- II. POLICY:** It is the policy of the Department of Corrections and Community Supervision (DOCCS) to maintain an internal reporting procedure for purposes of reporting, identifying, and processing information that has the potential of jeopardizing the safety and well-being of staff or the public. Threat Documentation Reports shall be completed by the Bureau Chief or the Bureau Chief’s designee. The Bureau Chief or designee will ensure the Threat Documentation Report is clear and concise and that the report includes only the facts surrounding the threat.

NOTE: Any reference to “parolee” in this directive is intended to refer to a person released to Community Supervision and presently under the jurisdiction of DOCCS, and for purposes of this directive, shall also include any NYS Mental Health Law Article 10 identified respondent who is presently under the jurisdiction of DOCCS.

### III. DEFINITIONS

- A. Public Officials: Include, but are not limited to, judges, district attorneys, assigned counsel, politicians, and law enforcement.
- B. Public Figures: Individuals who are easily recognized in the areas of politics, media, and organizations; those who have placed themselves at the forefront of a particular issue or controversy.

### IV. THREAT ASSESSMENT

- A. Community Supervision Staff
1. Upon receiving information which is perceived as threatening, staff will immediately gather all pertinent details from the source.
  2. Staff will immediately report the threat information through their chain of command and if the threat is imminent, to the local police.
  3. The Bureau Chief or designee will evaluate the threat information to assess the following:
    - a. Validity – is it really a threat or idle hostile gesture?
    - b. Seriousness – is the intended action grave and harmful as opposed to trivial?
    - c. Urgency – how much time is available to counteract the threat?

- d. Reliability of the information – does the informant have firsthand knowledge or is this based on conjecture, or hostile gesture?
4. The Bureau Chief or designee will conduct an investigation based on an assessment of the threat information.
5. The Bureau Chief or designee will determine if a Threat Documentation Report, Unusual Incident Report (UIR), and Point of Information Report are warranted, and if so, will first notify the chain of command by telephone, and then ensure the reports are completed and sent by way of the chain of command to the Deputy Commissioner and OSI.
6. If the information is determined NOT to be a threat, staff will record the findings in the chronological section of the folder/record and follow-up accordingly.

## V. THREAT CLASSIFICATION AND RESPONSE

### A. Threats Against Community Supervision Staff

1. Staff receiving information threatening the safety of another staff member will immediately contact the targeted person and that person's Bureau Chief.
2. Within two hours of receiving information of a threat, staff will complete both a Threat Documentation Report and UIR, and send copies to the targeted person's Bureau Chief and to the Office of Special Investigations (OSI) at: [OSIComplaint@doccs.ny.gov](mailto:OSIComplaint@doccs.ny.gov).
3. The OSI Investigator, the targeted person, and the Bureau Chief will establish a plan of action and document steps taken in a confidential threat file. The Bureau Chief will ensure copies are sent up the chain of command and will place a memo noting "Confidential Information" in the parolee's folder/record.
4. The Bureau Chief will ensure that an Unusual Incident Report is completed by staff, in accordance with Directive #9430, "Unusual Incident Report," and submitted through the chain of command to the Deputy Commissioner.
5. If the threat was made by a parolee, the Bureau Chief will forward information to the Regional Director for inclusion in the Regional Director's Workplace Violence Incident Log in accordance with Directive #4960, "Workplace Violence Prevention Program," Section III-K.

NOTE: If the Threat Documentation Report relates to an inmate, the report will be made available to the Board of Parole at the time of his or her Board appearance. If it is not available, the Board may postpone the case Three Months or Earlier (3 OE) for completion of records.

- ### B. Threats Against Public Officials/Public Figures/General Public: Community Supervision staff will immediately investigate the matter and upon completion of the investigation, send a Threat Documentation Report to OSI within two hours of receiving information of the threat.

NOTE: If an inmate makes the threat, facility staff will notify the Superintendent of the assigned facility. The assigned OSI Investigator will notify the targeted person and cooperate with police and other law enforcement agencies in establishing a plan of action.

## VI. THREAT DOCUMENTATION REPORT

### A. General Requirements

Staff will prepare the Threat Documentation Report in a narrative style in a memorandum format. The heading should contain the name, NYSID, and DIN, if available, of the person making the threat. The report shall include all of the following information:

1. A summary of the instant offense and sentence of the individual;
2. A summary of the individual's prior criminal history;
3. A summary of pertinent psychological and psychiatric reports of this individual, if available;
4. The specific nature of the threat, the name(s), telephone number(s), and address(s) of the person(s) being threatened;
5. The source of the threat and an evaluation of that source;
6. An evaluation of the threat itself, including the potential for, and probability of the threat being carried out; and
7. Any other information deemed relevant.

The Threat Documentation Report shall be marked as a Confidential Document for Internal Department Use Only.

- B. Distribution of the Threat Documentation Report: The report is to be sent to the Deputy Commissioner of Community Supervision, the respective Assistant Commissioner, Regional Director, and Assistant Regional Director, as well as the Bureau Chief where the threat originated, the Bureau Chief where the targeted person resides (if different), and OSI at: [OSIComplaint@doccs.ny.gov](mailto:OSIComplaint@doccs.ny.gov).

### VII. OFFICE OF SPECIAL INVESTIGATIONS: Upon receiving a Threat Documentation Report, OSI staff will investigate the matter and their findings will be reported to the Deputy Commissioner of Community Supervision, Assistant Commissioner, Regional Director, Assistant Regional Director, and Bureau Chief, pursuant to OSI policy.

NOTE: The Bureau Chief will review the findings of the investigation with the target of the threat. All reports to and from OSI are to remain confidential.