



**Commonwealth of Virginia**  
**Virginia Department of Criminal Justice Services**  
**Policy on Reporting Serious Incidents to DCJS**

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**Purpose**

To provide local agencies established under the Comprehensive Community Corrections Act (CCCA) or the Pretrial Services Act (PSA) with a consistent and uniform process for reporting to the Department of Criminal Justice Services serious incidents involving individuals investigated by pretrial services, individuals on supervision, or local agency staff.

**Authority**

The DCJS *Minimum Standards for Local Community-Based Probation* and *Minimum Standards for Pretrial Services*.

**Supersession**

This policy supersedes and replaces the *Procedure to Report Certain Serious Incidents to DCJS* dated 3/5/2021.

**Definitions**

*Serious incident* means any incident involving serious personal injury or attempted personal injury related to services provided by an agency established under the CCCA or the PSA. Serious personal injury includes acts allegedly attempted or committed against members of the public, local agency staff, or the individual under supervision by the local CCCA or PSA agency.

*Serious Incident Report* means the standardized form used to inform DCJS of a serious incident. This is not the same as a violation report to the court nor does this policy replace or supersede the local policy for reporting serious incidents to the local authorities.

**Policy**

Local pretrial and community-based probation agency directors, supervisors, unit managers, or coordinators shall report serious incidents to the administrative and fiscal agent of the agency, and to any other individual or agency required by local procedure. Serious incidents allegedly committed or attempted by or against an individual receiving services from a local agency established under the CCCA or PSA or an agency staff member must be reported to DCJS if one of the following applies:

1. The incident has been or will likely be reported in the media;
2. Pretrial services or local probation was or will likely be mentioned in the media;
3. The incident has the potential to harm the reputation of or negatively portray pretrial services or local probation;
4. The incident involved a law-enforcement officer discharging a weapon (firearm, taser, etc.) that resulted in a defendant or individual on supervision being injured or killed; or
5. The incident involved agency staff

And one of the following applies for **Defendant/Individual on Supervision Related Incidents**

1. The victim is the same person as the victim in the supervising offense;
2. The new offense is violent or involved a high-profile act that caused harm (i.e. high speed chase/crash); or
3. A high-profile position is involved (i.e. public official, law-enforcement officer, etc.).

For the purpose of this policy, suicides, overdoses, accidental death, unless there are extenuating circumstances, are not Serious Incidents. Contact your grant monitor if unsure the incident should be reported to DCJS.

If the incident will be reported to DCJS, call your grant monitor within one working day of learning of the incident. Complete and submit the "Serious Incident Report" form via email, including any media coverage or links, to your grant monitor within 3 working days of knowledge of the incident.

Or, if any of the following applies for **Staff Related Incidents**

1. The incident concerns or involves the agency director or coordinator, or
2. The incident concerns or involves any misuse of funds or financial issues, or
3. Any alleged offense committed by a staff against an individual under the supervision authority of the local CCCA or PSA agency, including but not limited to, violations of §§18.2-64.2 or 18.2-67.4, or any fraudulent activity perpetrated against an individual receiving services from an agency established under the CCCA/PSA, or
4. Any offense allegedly committed by staff that has been reported in the media and which links staff to the agency, or
5. Any incident involving the misuse of grant funds, or
6. Any incident or offense involving a violation of the public trust associated with that office or position including, but not limited to, revealing confidential information pursuant to §2.2-3714, forging, falsifying or destroying agency records pursuant to §§18.2-168 & 18.2-472, or
7. Any incident requiring intervention by law enforcement (i.e. an arrest) or the courts (i.e. a protective order).

If any of the above apply, contact your grant monitor immediately upon knowledge of the incident and advise if assistance is needed to comply with requests from outside agencies. Complete the "Serious Incident Report" form via email and submit to your grant monitor as soon as local personnel regulations allow. All information submitted to DCJS will remain confidential within the confines of the law.

**DO NOT include Social Security Numbers (SSNs) on the form or in the email.**