

**Core Competency 21:
Reduce jail-related liability risks**

Description:

Oversee risk management initiatives to reduce vulnerability and assure compliance with state/national standards and case law.

Rationale:

Jails are guided by Constitutional mandates and case law, and thus, can be fertile grounds for liability lawsuits and civil rights claims. Litigation is costly and time consuming, but can be reduced with well-designed policies and diligent operational oversight. This includes understanding current case law and industry standards, training staff accordingly, and assuring that organizational policies and procedures are in compliance.

| Requires knowledge of: | Requires skills in: | Requires ability to: |
|---|--|---|
| Current case law, relevant legislation, court orders, and state/ national standards, along with the jail’s existing policies and procedures | <p>Recognizing how legal/administrative standards apply to jail operations</p> <p>Assessing whether jail policies and procedures comply with such mandates; (if not, taking corrective action)</p> <p>Writing clear, concise policies that reflect current legal standards, especially in high-liability areas (e.g., use of force)</p> | <p>Analyze legal documents</p> <p>Make valid comparisons</p> <p>Translate legal concepts into operational practices</p> |
| How the jail can use risk reduction models, concepts, and techniques to proactively limit liability | <p>Applying conceptual models to operational practices</p> <p>Studying prior litigation to determine what can be learned from it</p> <p>Foreseeing vulnerability to liability claims</p> <p>Engaging employees in proactively envisioning how liability could be reduced</p> <p>Developing a process for documenting and following-up troublesome personnel actions</p> <p>Assuring that operational practices are aligned with organizational policy</p> <p>Encouraging staff and inmates to communicate openly with administrators</p> <p>Responding appropriately and in a timely manner to inmate complaints</p> | <p>Conceptualize</p> <p>Be forward-thinking</p> <p>Think creatively</p> <p>Remain alert and responsive</p> <p>Evaluate options and select best course of action</p> <p>Use proactive preparedness to reduce liability</p> |