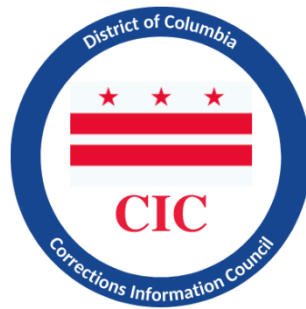


**District of Columbia
Corrections Information Council**



Procedures for Resident Deaths while in Custody

September 13, 2023

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Definitions¹

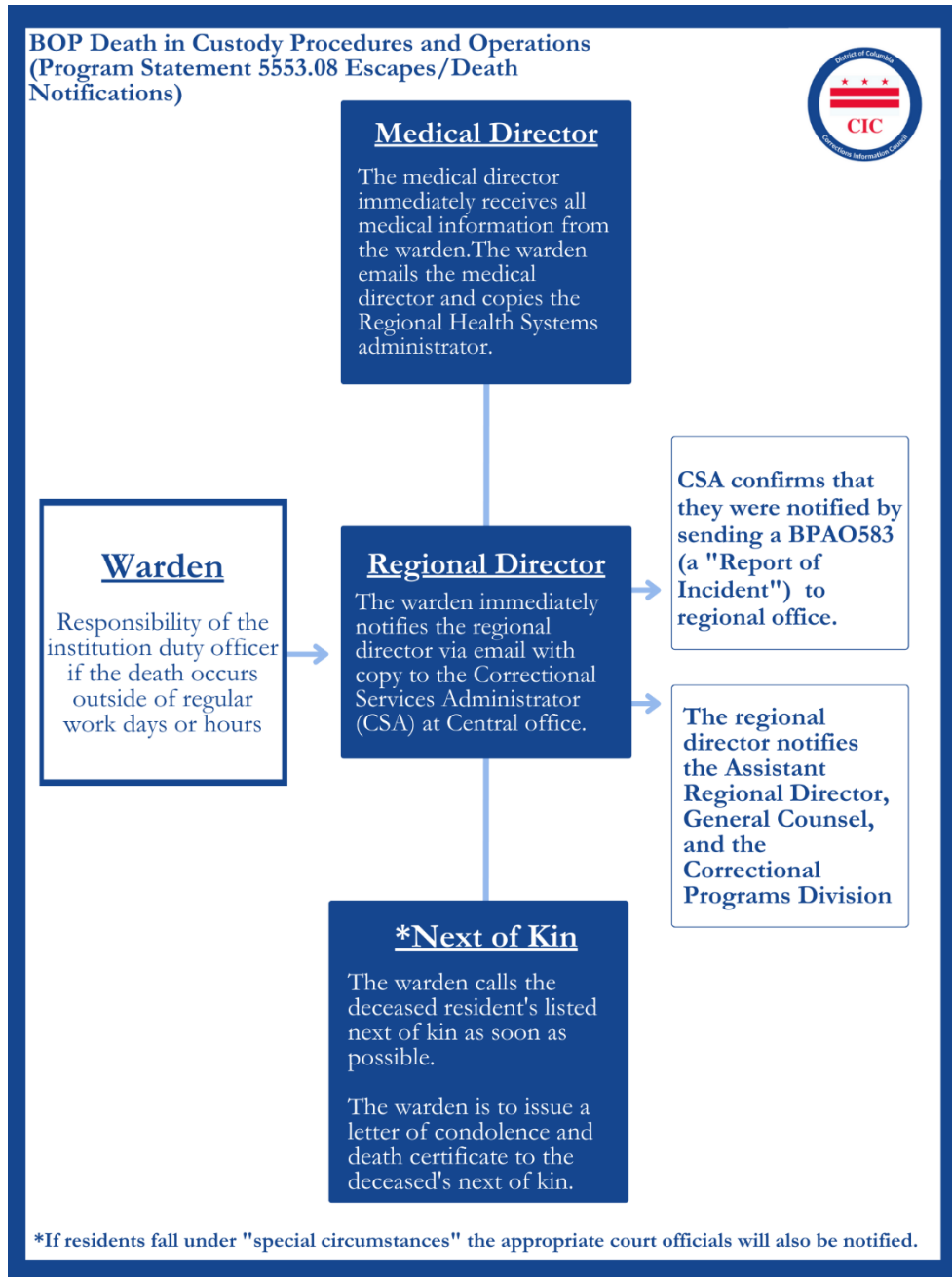
- BOP – Bureau of Prisons
- CDF – Central Detention Facility
- CTF – Correctional Treatment Facility
- Command Center – Department of Corrections hubs containing executive staff. There are two hubs located at the Central Detention Facility and the Correctional Treatment Facility, respectively.
- DOC – Department of Corrections
- Institution Duty Officer – The designee who, in the warden’s absence, will perform the Warden’s responsibilities.
- Next of Kin – Person who resident designates as their contact in case of death or emergency.
- Resident – Inmate in the custody of the Department of Corrections or Bureau of Prisons.
- RRC – Residential Reentry Center
- VWP – Victim -Witness Program
- WITSEC – Witness Security Program

¹ See [CIC Terms and Acronyms](#) for additional information.

Bureau of Prisons (BOP)

Policies

When a resident dies, the Warden (or, if the death occurs outside of regular work days or hours, the institutional duty officer) immediately collects information on the following: the resident's name, register number, date of birth, type of offense, sentence, details surrounding the death (date, time, location, and cause of death), investigative steps performed, names and address of next of kin, any notifications, the status of any autopsy requests, and a brief medical summary related to death. The warden then acts according to the chart below.



Next of Kin Notification²

The Warden or the institution duty officer is to immediately contact the person named as the deceased's next of kin on the Acknowledgment of Inmate (Continuation Sheet) form (BP-A0408).³ The Warden must communicate the circumstances surrounding the death to the best of their knowledge. If a resident does not have a next of kin listed on the BP-A0408, staff must attempt to locate and notify the next of kin.

The Warden (or designee) mails a letter of condolence to the next of kin, which includes information surrounding the circumstances of the death.⁴

- a) In the case of a death by natural causes, a summary of the cause of death is given.
- b) If the death is accidental (not by foul play), a reference to the nature of the accident and the cause of death is appropriate.
- c) If the death occurred under suspicious circumstances or by foul play, the cause of death may be given. The statement on the cause of death will include a note that the death is under investigation, and, for that reason, extensive details may not be provided.

The next of kin will receive the remains of the deceased. When the Warden receives the death certificate, the Warden sends a copy of the Death Certificate to the individual who received the deceased's remains.

Autopsies⁵

The Warden is authorized to conduct autopsies without authorization from the Bureau of Prisons, the coroner, or the resident's next of kin. In the event of a suspected homicide, suicide, illness, or unexplained death, related scientific or medical tests can be performed on the deceased.⁶ Tests and autopsies are not ordered for every resident death. Usually, an autopsy or tests are ordered when the Warden deems necessary to detect a crime, protect the health or safety of other residents, remedy official misconduct, or defend the United States or its employees from civil liability arising from the administration of the facility. Once the Warden decides to conduct an autopsy, the Warden prepares a written document outlining why the autopsy was appropriate. While next-of-kin permission is not required for the Warden to decide to conduct an autopsy, BOP policy suggests the Warden makes an attempt to contact the next of kin. If the resident's next of kin is unreachable, the Warden will note the attempt in their statement regarding the death. If the next of kin states that they do not want the autopsy, the Warden takes these wishes into consideration.

² BOP Program Statement 5553.08 "Escapes/Deaths Notifications Section 4 §e, pg. 8 notes different notification processes according to "special status" including Military prisoners, state boarders, residents with Victim/Witness Program Assignment, ICE Detainees, Holdover residents, WITSEC cases, residents housed in a contract facility, and non-U.S. citizens. This section references notification procedures for standard residents.

³ BOP Program Statement 5553.08 "Escapes/Deaths Notifications" Section 4 §b, pg.5.

⁴ BOP Program Statement 5553.08 "Escapes/Deaths Notifications", Section 4 §b, pg.6.

⁵ BOP Program Statement 6080.01 "Autopsies".

⁶ BOP Program Statement 6080.01 "Autopsies", Section 4 §549.80

BOP policy notes that views on autopsies differ across religions. If the Warden wishes to conduct an autopsy, the institution Chaplain should be consulted to advise the Warden of any religious issues or concerns.

Responsibilities for Next of Kin

Only the next of kin may determine what happens to the deceased's remains and property once the body is prepared to leave BOP custody and the Warden has or has not ordered an autopsy.⁷ The next of kin's decisions regarding arrangements (e.g. burial or cremation) for the deceased are communicated to the Case Management Coordinator. In accordance with the next of kin's wishes, the Case Management Coordinator organizes the shipping of the resident's remains with the Supervisory Contract Specialist.

Accommodations

If the next of kin cannot be contacted or does not wish to determine the outcome of the deceased's remains and property, the deceased is cremated or buried. The deceased is often moved to a funeral home in the facility's area who will make decisions surrounding the remains. All documentation, including autopsy results, is filed in section 6 of the resident's medical record.

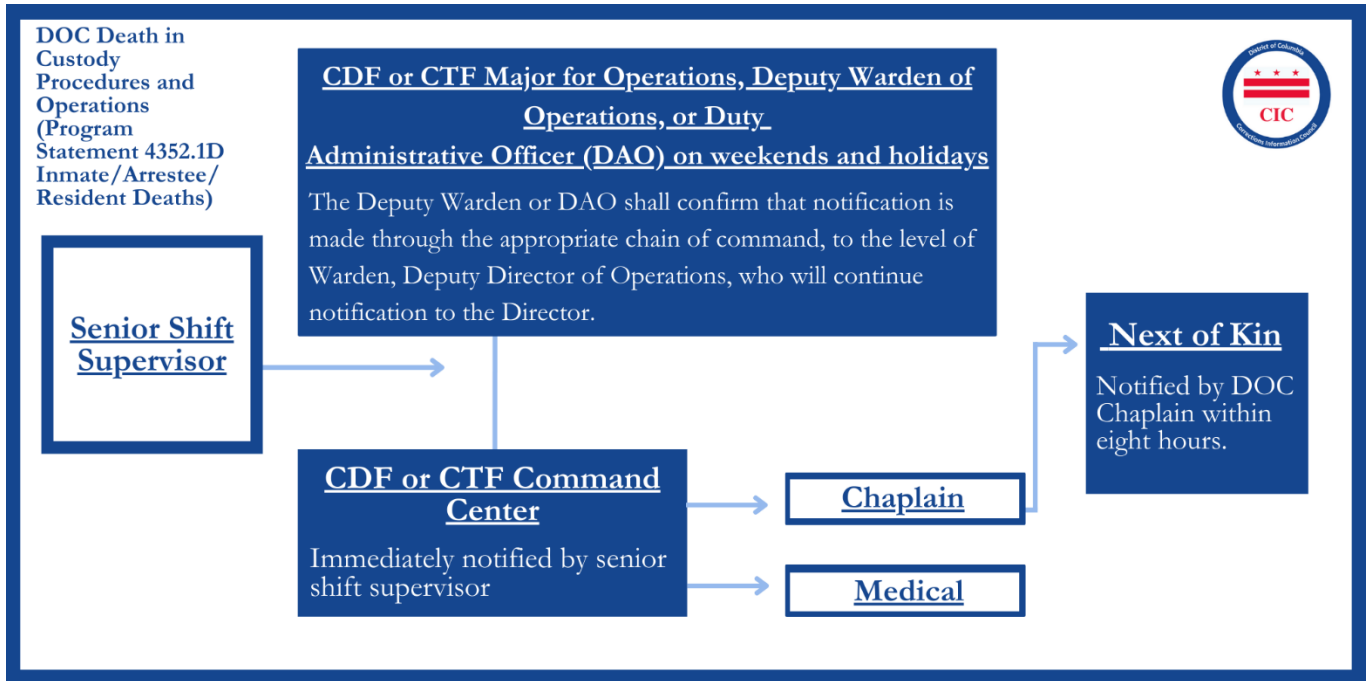
⁷ BOP Program Statement 5553.08 "Escapes/Deaths Notifications" § 4.b, pg.5.

DC Department of Corrections (DOC)

Policies

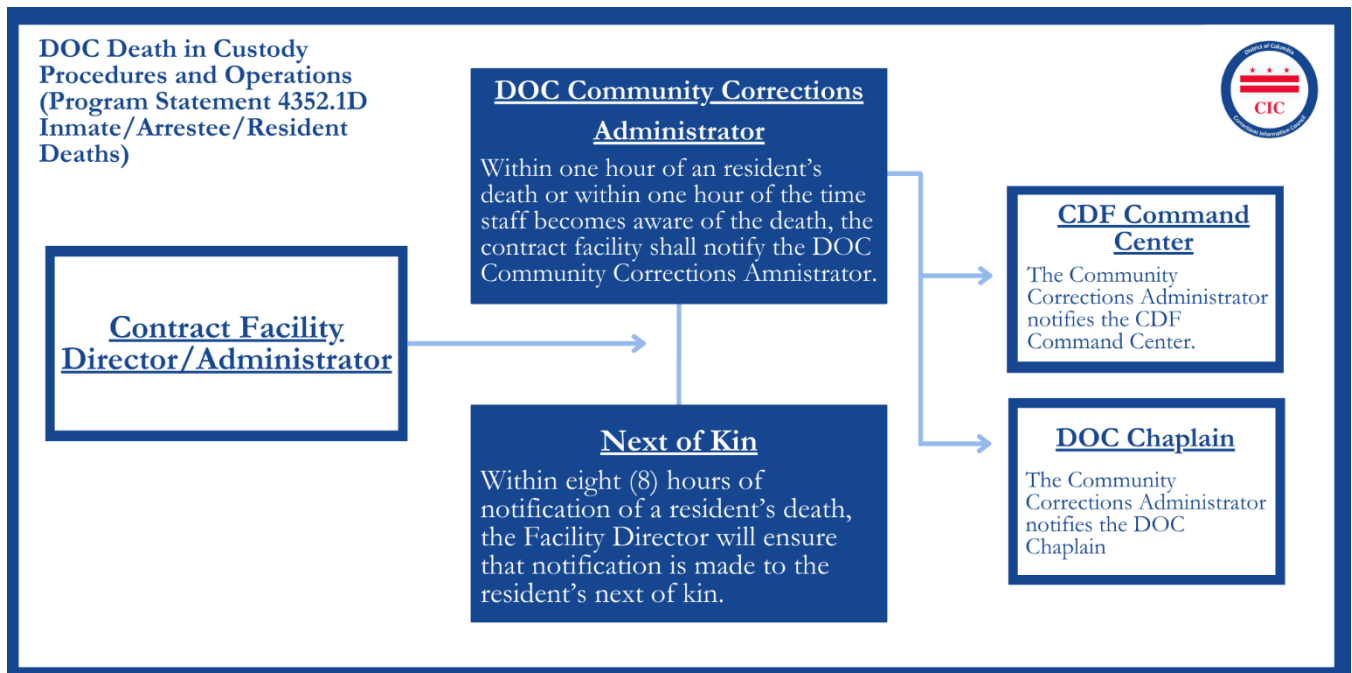
DOC policy varies by facility when a resident in custody dies. CDF houses the Command Center for CDF, CCB, and DOC contract-facilities. If the death occurs at the CTF, the CTF command center is notified by the senior shift supervisor. If the death occurs at the CCB or a contract facility, an executive staff member notifies the Command Center.

Central Detention Facility and Correctional Treatment Facility⁸

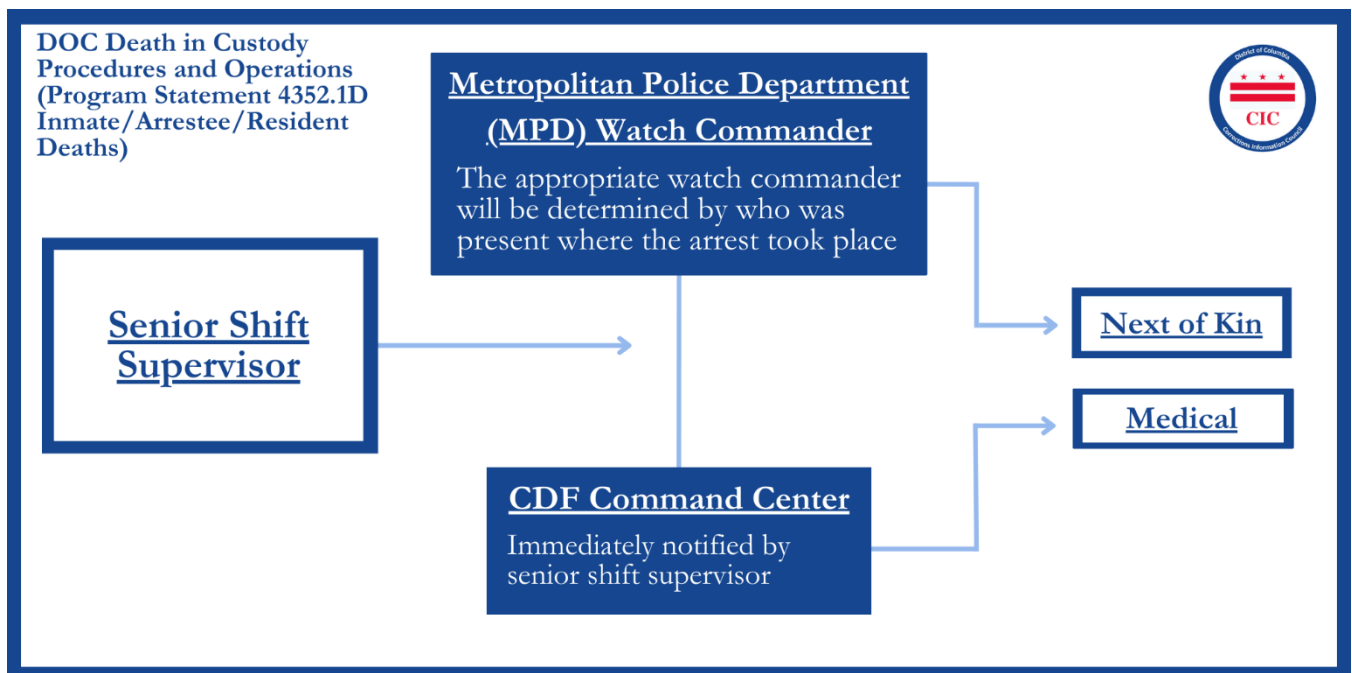


⁸ DOC Program Statement 4532.1D "Inmate/Resident/Arrestee Deaths", Section 12 §a, pg.7.

Contract Halfway House⁹



Central Cell Block¹⁰



⁹ DOC Program Statement 4532.1D "Inmate/Resident/Arrestee Deaths", Section 12 §b, pg.8.

¹⁰ DOC Program Statement 4532.1D "Inmate/Resident/Arrestee Deaths", Section 12 §c, pg.8..

All DOC facilities must complete a death report package containing vital documents including, but not limited to:

- a) the completed Next of Kin Notification form
- b) Report of Inmate Death memorandum
- c) a copy of the Extraordinary Occurrence Report
- d) copy of the resident's death certificate
- e) the coroner's report and/or any documents that verify the death or document the circumstances leading to the death of the resident
- f) copy of the fingerprint card
- g) photograph of the deceased
- h) copy of Face Sheets One and Two¹¹

The Records Office receives the finalized Death Notification packet. This packet is placed in the resident's file. Additionally, the Records Office Staff confirms that all charges or offenses in the Jail and Community Corrections System (JACCS) are released, and that all documentation is forwarded electronically to the appropriate Court or Agency to notify them of the death.

The appropriate Major or the Community Corrections Administrator forwards copies of the inmate/offender death report package to the Director, Deputy Director for Operations, and the DOC Office of Public and Government Affairs.

Next of Kin Notification

Within eight hours of the resident's death, the DOC Chaplain will attempt to contact the resident's designated next of kin.¹² If the next of kin would like to discuss arrangements regarding the deceased's remains, including requests for or against an autopsy, the Chaplain is available to assist. The Chaplain records all attempts to contact the resident's next of kin on a Next of Kin Notification Form. If there is no response to phone calls or overnight express mail, the Chaplain notifies the Deputy Warden for Programs and Case Management. The Chaplain also contacts the Office of Investigative Services (OIS). Subsequently, the OIS visits the address on record for the next of kin. The OIS investigator is authorized to investigate the location of the resident's next of kin. If the individual is located, the investigator delivers the Chaplain's letter. If the individual is not located, the investigator submits a report to the Deputy Director for Operations, which outlines all investigative efforts.¹³ If the next of kin cannot be located, decisions on conduction of an autopsy and arrangements for burial or cremation will be subject to the DOC's discretion.

Autopsies

When a death occurs at any DOC facility, it is required that the Office of the Chief Medical Examiner (OCME) is notified of a resident death. The Office of Investigative Services (OIS) ensures that OCME is notified by the OIS office or by the Metropolitan Police Department (MPD). OCME is responsible for conducting the autopsy of the individual per the DOC's discretion if the next of kin cannot be contacted. The DOC is not required to adhere to the next of kin's request for or

¹¹ DOC Program Statement 4532.1D "Inmate/Resident/Arrestee Deaths", Section 10 §a, pg.6.

¹² DOC Program Statement 4532.1D "Inmate/Resident/Arrestee Deaths", Section 12 §a, pg.7.

¹³ DOC Program Statement 4532.1D "Inmate/Resident/Arrestee Deaths", Section 12 §a, pg.8.

against an autopsy but will strongly consider the next of kin's request, especially in cases regarding religious preparations of the body.

Executive staff are notified of the facility holding the body throughout medical examinations.¹⁴ The facilities that may have possession of the deceased include a local DC hospital, the medical examiner's office or the morgue. The DOC obtains the fingerprints of the deceased and copies of any available documents, including the death certificate, needed to verify the death and compiles the documents to form the death report package.

Accommodations

At the conclusion of all medical examinations, the deceased is released to their identified next of kin. Next of kin or other persons in need of burial assistance are referred to the D.C. Department of Human Services, Burial Assistance Unit, at 202-698-4112.¹⁵ The Burial Assistance Program provides a maximum of \$1,000.00 towards the cost of a burial or \$650.00 towards the cost of a cremation. Assistance is provided if the deceased is determined eligible and the total cost of the burial or cremation is no more than \$2,000.00.¹⁶ Eligibility is determined by the money available to the deceased on the date of the death. This amount cannot exceed \$1,000.00 and includes any remaining money from banking and checking accounts, Social Security checks, final paycheck, the income and assets of their spouse or parents (if a minor child) will be considered.¹⁷ Additionally, the deceased must be a resident of the District of Columbia, even if death occurs outside of the District of Columbia.

Lastly, burial or cremation services must be arranged through a funeral home under contract with the District. In order to be eligible, the deceased's body must not have been released to a non-contract funeral home at the time of submission of the application. The District's contracted funeral home is D.L. McLaughlin Funeral Home located at 2518 Pennsylvania Ave, SE Washington, DC 20020.

¹⁴ DOC Program Statement 4532.1D "Inmate/Resident/Arrestee Deaths", Section 9, pg.5.

¹⁵ District of Columbia Department of Human Services, Office of Special Services, Burial Assistance Division, "Burial Assistance Program"

¹⁶ *Ibid.*

¹⁷ *Ibid.*