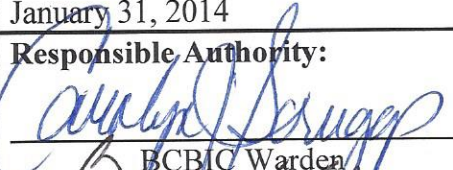
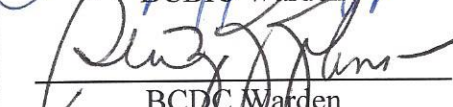



## Facility Directive



<b>Title:</b> Procedure for Handling Inmates' Death	<b>Facility Directive Number:</b> DPDS-270-0001
<b>Related MD Statute and Regulations:</b> Correctional Services Article §1-101; COMAR 10.07.11.01-1(B)(9)	<b>Supersedes:</b> CREG-270-0001 titled Procedure for Handling Inmates' Death dated January 31, 2014
<b>Related ACA Standards:</b> 1-CORE-4D-06; 1 CORE-4D-07	<b>Responsible Authority:</b>  _____ BCBIC Warden  _____ BCDC Warden
<b>Related MCCS Standards:</b> 02S; .02T	<b>Effective Date:</b> April 30, 2015
<b>Established Related Directives:</b> Death Penalty Manual; Religious Service Manual; Inmate Personal Property; Primary/Specialty Medical Services; Procedures for Handling Inmate Deaths; Funeral and Burial Expenses of Indigent Inmates; Crime Victim Services Manual	<b>Number of Pages:</b> 10



Kevin D. Patten  
Acting Commissioner



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**.01 Purpose.**

- A. To establish a procedure for handling the death of an inmate.
- B. To establish a procedure for the notification to next of kin, in the event of an inmate:
  - (1) Serious Illness;
  - (2) Serious Injury; or
  - (3) Death.

**.02 Scope.**

This directive is applicable to the Division of Pretrial Detention and Services:

- A. Baltimore Central Booking and Intake Center;
- B. Baltimore City Detention Center;
- C. Baltimore Pre-Release Unit;

**.03 Policy.**

- A. It is the policy of DPDS that in the event of an inmate's death, the staff shall ensure that the death is:
  - (1) Declared by certified medical personnel;
  - (2) Reported immediately to the Shift Commander and Managing Officials;
  - (3) Thoroughly investigated; and
  - (4) Efficiently and compassionately communicated to the inmate's designated next of kin via the Chaplain; and the inmate's property is processed and released in an orderly and timely fashion.
- B. "Individuals designated by an inmate are notified in case of serious illness, serious injury, or death, unless security reasons dictate otherwise" (1-CORE-4D-06).
- C. "Information about an inmate's health status is confidential. Nonmedical staff only have access to specific medical information on a "need to know" basis in order to preserve the health and safety of the specific inmate, other inmates volunteers, visitors, or correctional staff. The active health record is maintained separately from the confinement case record and access is controlled in accordance with state and federal laws" (1-CORE-4D-07).

**.04 Definitions.**

- A. In this directive, the following terms have the meanings indicated.
- B. Terms defined.
  - (1) "BCBIC" means Baltimore Central Booking and Intake Center;
  - (2) "BCDC" means Baltimore City Detention Center; and

- (3) "BPRU" means Baltimore Pre-Release Unit.
- (4) "Executive Director of Clinical Services Inmate Health" means an individual:
  - (a) Authorized by law to practice medicine in the State as stated in COMAR §10.07.11.01-1(B) (9); and
  - (b) Who serves in a medical and administrative capacity as head of the organized medical staff at the DPSCS Medical.
- (5) "IID" means the Internal Investigation Department;
- (6) "Inmate" has the meaning stated in § 1-101 of the Correctional Services Article of the Annotated Code of Maryland.
- (7) "Managing Official" means as stated in the Correctional Services Article §1-101, Annotated Code of Maryland and includes the:
  - (a) Warden;
  - (b) Assistant Warden;
  - (c) Facility Administrator; and
  - (d) Chief of Security.
- (8) "Next of Kin" means a family's relationship to include:
  - (a) Parent;
  - (b) Spouse;
  - (c) Child;
  - (d) Sibling; or
  - (e) Significant other.
- (9) "Serious Illness" means an abnormality determined by the medical director or designee, which could be:
  - (a) Life threatening; or
  - (b) Fatal.
- (10) "Serious Injury" means the result of an assault or accident to include a:

- (a) Severe wound;
- (b) Loss of limb; or
- (c) Prolonged unconsciousness.

**.05 Procedures.**

**A. Inmate Death.**

(1) The Shift Commander shall obtain next of kin information through:

- (a) OCMS, Intake Records;
- (b) Case Management; or
- (c) Records Department.

**C. In the event of an inmate's death within a facility where the cause of death is unknown, the Shift Commander shall perform the following actions:**

- (1) Immediately notify the Managing Official;
- (2) Officially designate the location of an inmate's death as a crime scene, until determined otherwise;
- (3) Assign a supervisor to:
  - (a) Secure the scene;
  - (b) Notify IID; and
  - (c) Restrict access to the area until it is released by IID.
- (4) The assigned supervisor shall establish and maintain a log for the crime scene to include the:
  - (a) Specific location;
  - (b) Name of the victim;
  - (c) Time; and
  - (d) Names of people who entered or left the crime scene.
- (5) Other than the qualified medical personnel performing life-saving measures, no one is

allowed at the scene until the assigned:

(a) IID investigator; or

(b) Designated law enforcement investigator arrives.

(6) If life-saving measures are performed, the supervisor assigned to the scene shall:

(a) Document in detail the condition of the scene; and

(b) Changes that occurred as a result of providing medical assistance.

(7) The supervisor assigned to the scene shall preserve physical evidence such as:

(a) Clothing;

(b) Ligatures; and

(c) Weapons.

(8) The supervisor shall initiate the chain of custody forms, which is located in the Shift Commander's Office.

(9) Immediately notify the IID. When the assigned investigator arrives, they shall contact the Office of the Chief Medical Examiner and advise the Medical Examiner of the circumstances surrounding the death and the condition of the body.

(10) The assigned investigator shall also contact the Maryland State Police, who shall conduct an investigation if the death is believed to be a homicide.

(a) If the Medical Examiner determines the death will be examined as a medical examiner's case, the body shall get transported for autopsy.

(b) If necessary the Managing Official shall have the body removed to another location after release by the IID investigator, pending pickup by the medical examiner.

(c) If the Medical Examiner determines that the death will not be examined further, the IID investigator, before departing the facility, they shall release the body to the next of kin for disposition.

(11) The following staff shall receive notification of the death of an inmate:

(a) Executive Director of Clinical Services Inmate Health;

(b) Shift Commander;

- (c) Managing Official;
  - (d) DPDS Commissioner and Headquarters' Duty Officer;
  - (e) Case Managers; and
  - (f) Detention Chaplain, who contacts the next of kin.
- (12) The next of kin is notified by the Detention Chaplain in accordance with the Religious Services Manual before the end of the shift.
- (a) When a death occurs as a result of a suspected crime, a circumstance surrounding the death is not disclosed to the inmate's designated emergency contact person. The emergency contact person is advised that the death is being investigated.
  - (b) If the chaplain is unavailable, the Warden or Case Management Manager shall make the death notification to the inmate's designated emergency contact person.
  - (c) If the chaplain is unable to contact the inmate's designated emergency contact person, the Shift Commander or designee shall contact the state or local police to assist.
- (13) After receiving a clearance from the IID investigator, the deceased inmate personal belongings are:
- (a) Secured;
  - (b) Inventoried; and
  - (c) Handled in accordance with the provisions of the Inmate Personal Property Directive .270.0003 and 270.0005.
- (14) Forward the original medical records to the Executive Director of Clinical Services Inmate Health, DPSCS Office of Inmate Health Care Services (the last volume within one day following the death; the remaining volumes within three working days in accordance with Primary or Specialty Medical Services).
- (15) Release the medical file of the deceased inmate to the IID investigator for review upon request.
- (16) Staff with knowledge of the a circumstance surrounding the death shall prepare a detailed report, including the name of witnesses.
- (17) Submit the report prior to the staff leaving the institution. Give the original reports to the IID Investigator.

D. Death of an Inmate Housed at a facility, Out of State or Outside Hospital.

- (1) Handle the death of an inmate housed in an institutional hospital for an illness in accordance with the procedures in §.05C of this directive; and
- (2) Handle the death of an inmate housed at an out-of-state or outside hospital in accordance with the procedures in §.05C. (except C.1.) of this directive.

E. Fingerprinting of a Deceased Inmate.

- (1) Fingerprint a deceased inmate in a situation when the inmate's identity is in doubt.
  - (a) Obtain fingerprints after the autopsy has been completed and the Office of the Chief Medical Examiner has released the body.
  - (b) The facility identification officer located in Jessup and Baltimore shall respond to the Medical Examiner's Office to obtain fingerprints after the autopsy is completed.
- (2) When the deceased inmate's identity is not in doubt, facility staff shall copy the original set of inmate fingerprints and place the copy in the inmate's base file with a notation of the date that the originals were sent to the Criminal Justice Information System (CJIS). The managing official shall complete the Sample Form Memo of Fingerprint Transmittal to CJIS (Appendix B), verifying that the inmate is deceased, and sends it to CJIS with the original fingerprint card.

F. After the physician pronounces the death of the inmate and the required immediate actions are taken, notifications made, and the disposition of the body is turned over to the next of kin.

- (1) The next of kin shall arrange the release and disposition of the body.
- (2) If there is no next of kin, or if the inmate's designated emergency contact refuse to claim the body; arrangements are made with the Medical Examiners Office and the University of Maryland Mortuary, Anatomy Board for acceptance.
- (3) In accordance with Inmate Personal Property Directives 220.0001 and 220.0005, release the inmate's personal property and money to the inmate's designated emergency contact person, or advise the inmate's designated emergency contact person to contact the local Office of the Register of Wills for the procedures to follow.
- (4) Obtain a copy of the death certificate from the Division of Vital Records and place the original in the inmate's base file along with a photocopy of the Serious Incident Report.

If a copy of the death certificate is requested by the inmate's designated emergency contact person, staff is to advise them to obtain the document from the Division of Vital Records, 6550 Reisterstown Road, Baltimore, MD 21215.

G. The Shift Commander shall complete page one of Appendix A, Inmate Death Checklist, to document the time that each task was completed. Forward the checklist with the serious incident report to the Managing Official via the Chief of Security.

H. The Managing Official shall complete page two of Appendix A, Inmate Death Checklist, to document the date and time that each task was completed. The original Appendix A is included with the final serious incident report.

I. Notification When Serious Injury or Illness Occurs:

(1) The Medical Director shall provide notice and pertinent information to the Shift Commander when it has been determined that an inmate is seriously:

(a) Ill; or

(b) Injured.

(2) On learning of the serious illness or injury of a inmate, the Shift Commander shall:

(a) Notify the Detention Chaplain; and

(b) Provide pertinent information.

(3) The Detention Chaplain shall obtain the following next of kin information:

(a) Name;

(b) Address; and

(c) Telephone Number.

(4) Contact the next of kin by telephone to relay the nature of the serious illness or injury.

(5) In the event that telephone contact cannot be made within 4-8 hours, the chaplain shall contact the Shift Commander or designee.

(6) The Shift Commander shall then contact the appropriate police agency and request that a radio car be dispatched to the next of kin's address with a request to "contact the Shift Commander of the facility.

(7) This process shall not exceed a 24 hour period.

(8) Alert the Warden, and Assistant Commissioner that this action has been taken



and document accordingly.

- (9) Maintain copies of documentation and reports required to demonstrate compliance with this directive for annual management audits.

**.06 Attachment(s).**

Appendix A, Inmate Death Checklist

Appendix B, Sample Form Memo of Fingerprint Transmittal to CJIS

Appendix C, Summary of Notification Make to Next of kin

Appendix D, Chain of Custody Form

**.07 History.**

- A. This directive supersedes CREG-270-0001 Notification of Next to Kin, dated January 31, 2014.
- B. This directive supersedes provisions of existing DPDS communication with which it becomes in conflict.

**.08 Distribution.**

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