



INMATE DEATH, INJURY AND ILLNESS

POLICY.

It is the policy of the Deschutes County Sheriff's Office – Adult Jail (AJ) to have a prompt and compassionate method to communicate an inmate's death or serious injury or illness to the inmate's designated emergency contact person or next of kin.

PURPOSE.

Members will support death or serious injury investigations and clinical review and take steps to prevent potential litigation.

OREGON JAIL STANDARDS:

- B-205 Intake Information
- E-601 Emergency Planning
- G-105 Emergency Notification

REFERENCES:

- ORS 146.090, Deaths requiring investigation.
- Death in Custody Reporting Act (PL. 106-297)
- DCSO *Policy No. 3.41, Major Incident Team*
- DCSO *Policy No. 7.01, Major Crime Scene Investigation*

PROCEDURES.

SECTION A: ADMINISTRATIVE ISSUES

A-1. Emergency Contact. At booking, deputies will ask the inmate for the name, address and telephone number of an emergency contact person. The emergency contact information will be entered into their Electronic Health Record (EHR) and the Jail Management System (JMS). An inmate may change this person at any time. In case of illness, serious injury or death, this information will be used to notify the listed contact person.

A-2. Special Interest File. The shift supervisor may assemble information related to a death for placement in a Special Interest File. Members will secure original copies of relevant information as either evidence for the Evidence Unit or as information for the file with the Corrections Administrative Lieutenant.

SECTIONS B: DEATH OR SERIOUS INMATE INJURY

- B-1. Death Scene.** Members will treat the scene of any inmate death as a crime scene and secure it, according to policy [CD-8-17, Criminal Acts](#) and *DCSO Policy 7.01 Major Crime Scene Investigation*. The corrections chain of command and Sheriff's Office Legal Counsel will be immediately notified. A shift supervisor will contact a patrol supervisor for assistance.
- B-2. Major Incident Team.** To support crime scene investigation, death or serious inmate injury, the Corrections Captain or Sheriff may request assistance from the Major Incident Team (M.I.T). See *DCSO Policy No. 3.41, Major Incident Team*. Corrections Division members will support investigation efforts.
- B-3. Investigation Support.** Investigators may need the following:
- a. Records contained in the Jail Management System (JMS).
 - b. Audio and video recordings from the AJ surveillance system.
 - c. Electronic Health Records (EHR).
 - d. Telephone and video visit records stored in the inmate phone system.
 - e. Fingerprints of the deceased inmate for Oregon State Police.

SECTION C: NOTIFICATIONS

- C-1. Means of Notification.** A supervisor may (in coordination with the M.I.T., *DCSO Policy 3.41, Major Incident Team*) go to the residence (if local) to make the emergency or death notification to the inmate's next of kin. Whenever possible, a Central Oregon Public Safety (COPC) chaplain will make the visit with the supervisor. A supervisor may call and talk directly to the next of kin or emergency contact when notifying for an illness or injury.
- C-2. Serious Injury or Illness Notification.** In case of an inmate's serious injury or illness, a supervisor must call the inmate's designated emergency contact or the next of kin if no one was named, unless the inmate objects to the notification. The supervisor will not release any protected health information without the inmate's consent or as allowed by law.
- C-3. Death Notification.** In case of an inmate's death:
- a. A shift supervisor will notify the Corrections Captain.
 - b. The Corrections Captain will contact the Sheriff, other captains, Sheriff's Office Legal Counsel, detectives and the District Attorney's Office.
 - c. Confirm the M.I.T. notified the medical examiner.
 - d. A COPC chaplain may assist with death notification.

- e. During a death notification, the supervisor will not engage in any speculation about the possible cause of death. Members will not release the cause of death until the death certificate has been signed.

C-4. Other Agency and Victim Notifications. In case of death or serious injury or illness, a shift supervisor, at the discretion of the M.I.T and District Attorney's Office, will call or ensure written notification (such as teletype, fax or e-mail) is sent to the following as applicable:

- a. Circuit Court;
- b. District attorney;
- c. Probation or parole officer;
- d. Issuing agency of any hold or detainer;
- e. Foreign consulate if the inmate's country of citizenship requires mandatory notification, or if the inmate asked for notification if it was optional.
- f. Victims of record (only in case of death) and with a warning that they will receive an automated telephone call on the inmate's status if they are registered for notification in the Victim Information Notification Everyday (VINE) system.

C-5. Documenting Reactions to Notifications. Members making a notification will use a Jail Incident Report (JMS), to document any statements the emergency contact, next of kin or visitor makes about the inmate's death or serious injury or illness and previous medical or behavioral health issues.

C-6. Department of Justice Notification. Within 30 days after the end of any quarter in which an inmate died in custody, the Corrections Administrative Lieutenant will submit a *Mortality in Correctional Institutions (DOJ/BJS Form CJ-9)* to report the death to the Department of Justice, Bureau of Justice Statistics.

SECTION D: TRAINING

D-1. Training of Notifiers. Supervisors and COPC chaplains should receive training in grief counseling, post-incident services to families, and critical incident protocols.

FORMS USED:

- *Mortality in Correctional Institutions, (DOJ/BJS Form CJ-9)*
- FBI Fingerprint Card (FD249)
- Jail Incident Report Form (JMS)