



ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 4.5.3400	Subject: OFFENDER DEATH
Reference: DOC 1.1.6; DOC 1.1.8; DOC 4.5.34; 46-4-122, MCA	Page 1 of 3
Effective Date: 10/21/14	Revision Dates:
Signature / Title: /s/ Pam Bunke, ACCD Administrator	

I. DIVISION DIRECTIVE:

Adult Community Corrections Division's facilities will follow established procedures to notify appropriate administrators, next of kin, and local authorities in the event of the death of an offender in the custody of the Department of Corrections.

II. DEFINITIONS:

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

ACCD-Adult Community Corrections Division Facility – Division facilities include the Missoula Assessment and Sanction Center (MASC); Treasure State Correctional Training Center (TSCTC); and the contracted facilities of Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment and Change Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Passages Assessment Sanction & Revocation Center (Passages ASRC), NEXUS Correctional Treatment Center (NEXUS), and Elkhorn Treatment Center (Elkhorn).

CSD-Clinical Services Division – The Department's division that administers health care services for adult and youth offenders.

Death – When an individual has sustained either irreversible cessation of circulatory and respiratory functions or irreversible cessation of all functions of the entire brain, including the brainstem. A determination of death must be made by a physician or coroner in accordance with accepted medical standards pursuant to §50-22-101, MCA.

Department – The Montana Department of Corrections.

Investigations Bureau – The bureau that oversees investigations for the Department.

Prerelease Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreements between the Department and prerelease centers: Alpha House PRC, Gallatin County Re-entry Program, Butte PRC, Great Falls Transition Center, Helena PRC, and Missoula PRC.

Treatment Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreement between the Department and ACCD contracted facilities: START, CCP, Passages, Elkhorn, NEXUS and WATCH.

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III. PROCEDURES:

A. Notifications and Reporting

1. An offender death will be reported as a Priority I incident, and the procedures set forth in *ACCD 1.1.600 RD Priority Incident Reporting* will be followed once the death has been confirmed through facility procedures.
2. An initial *DOC 1.1.6 (Attachment) Incident Report* will be completed and faxed to the MSP Command Post at (406) 846-2953, Investigations Bureau at (406) 846-2951 and to the Prerelease Facility or Treatment Facility Contract Manager (Contract Manager) at (406) 444-7909 within (1) hour of verbally reporting the incident. A supervisor is responsible to review the *Report* for accuracy, completeness and clarity before signing. The *Report* must include the following information:
 - a. time of death;
 - b. nature of death, i.e., accident, natural, suicide, or homicide;
 - c. circumstances surrounding nature of death;
 - d. treatment rendered (if any); and
 - e. persons notified of death.
3. All staff who witnessed the death will complete *Incident Reports* as soon as possible, but no later than the end of the shift.
4. The Contract Manager will notify the Facilities Program Bureau Chief; ACCD Administrator; Department Director, Deputy Director, and Communications Director; and CSD.
5. Unattended deaths and suicides will require a post-mortem examination. The CSD Administrator, or designee, will consult with the medical director and decide whether to request a post-mortem examination on all other cases.
6. A mortality review should be conducted and must include a review of the incident and facility procedures used; training received by involved staff; pertinent medical and mental health services or reports involving the inmate; and recommendations, if any, for change in policy, training, physical plant, medical or mental health services and operational procedures. For expected deaths, the incident report and post-mortem examination are sufficient documentation.

B. Release of Information

In all offender death cases, the facility administrator will notify the offender's next of kin prior to the release of information to the public or media.

Department and facility employees must not release information concerning an offender death to outside media, and all information releases will comply with *DOC Policy 1.1.8, Media Relations*.

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C. Review by Medical Examiner/Coroner

The medical examiner or coroner will review all offender deaths and subsequent reports.

IV. CLOSING:

Questions concerning this procedure should be directed to the Facility Administrator or CSD.

V. FORMS:

DOC 1.1.6 Attachment Incident Reporting Form