



COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	FPB 6.1.209 FACILITY OFFENDER DEATH
Effective Date:	05/03/2021 Page 1 of 3
Revision Date(s):	04/24/2026
Signature/Title:	/s/ Scott Eychner, Rehabilitative and Enterprise Division Chief

I. PURPOSE

Community Corrections Facilities and Programs Bureau (FPB) contract facilities will follow established requirements for the notification of the death of an offender who is in the custody of the Department.

II. DEFINITIONS (see Glossary)

III. REQUIREMENTS

A. FACILITY NOTIFICATIONS UPON OFFENDER DEATH

1. Offender management system entries regarding the death of an offender will only be made by the Montana State Prison Records Department.
2. Death occurring at the facility: An offender's death while at a facility will be reported as follows:
 - a. immediately to the law enforcement agency of jurisdiction (LEAJ);
 - b. to the FPB Chief at 406-580-7991 within 1 hour; and
 - c. MSP Prison Base at 406-415-6250 within one 1 hour.
3. The facility administrator or designee will inform LEAJ that an autopsy is required for an offender's death while at the facility.
 - a. Autopsy reports received by the facility will be provided to the FPB Chief and HSB.
4. Death occurring at a medical facility: An offender's death while at a medical facility will be confirmed through FPB facility procedures and reported as follows:
 - a. to the FPB Chief at 406-580-7991, or designee within one 1 hour; and
 - b. MSP Prison Base at 406-415-6250 within 1 hour.
 - c. The facility administrator or designee will inform the medical facility staff that an autopsy is required for an offender's death while at the medical facility.
5. Death occurring at other off-site location: Once an FPB facility has been notified of an offender's death at a location other than the facility or a medical facility, it will be confirmed through the facility's procedures and then reported as follows:
 - a. if not already done, immediately to the law enforcement agency of jurisdiction (LEAJ);
 - b. to the FPB Chief at 406-580-7991, or designee within 1 hour; and
 - c. MSP Prison Base at 406-415-6250 within 1 hour;
 - d. Facility administrator or designee will inform LEAJ that an autopsy is required for an offender's unexpected death while off-site of the facility other than at a medical facility.
 - e. Autopsy reports received by the facility will be provided to the FPB Chief and HSB.
6. Death occurring while on escape status: Once an FPB facility is notified by law enforcement or other means of an offender's death while on escape status:
 - a. The death will be reported within 1 hour to:
 - 1) the FPB Chief at 406-580-7991, or designee,
 - 2) the MSP Prison Base at cormspcommandpost(at)mt.gov, and
 - 3) the Department Investigations at corie(at)mt.gov.

- b. An autopsy is required for an offender's death while the offender is on escape status.
- c. Autopsy reports received by the facility will be provided to the FPB Chief and to the Health Services Bureau (HSB).

B. FACILITY REPORTING OF OFFENDER DEATH

1. All facility staff who witnessed the death or any related activities or offender behavior will complete *FPB 6.2.403 (A) Priority Incident Report* as soon as possible, but no later than the end of the shift. Incident reports will be submitted to FPB at [corerequests\(at\)mt.gov](mailto:corerequests(at)mt.gov). The report must include the following information:
 - a. location and time of death;
 - b. circumstances surrounding death;
 - c. emergency medical procedures or treatment rendered (if any);
 - d. emergency contact or next of kin notified of death, including full contact information; and
 - e. LEAJ contact name and information and case number.
2. Prior to the release of information to the public and/or media regarding the death:
 - a. LEAJ should make the notification to offender's emergency contact or next of kin;
 - b. if LEAJ does not make the notification, the facility administrator will notify the offender's emergency contact or next of kin; and
 - c. if facility has no listed emergency contact or next of kin, the facility will contact the FPB Contract Manager.
3. Only information that is public record for an adult offender may be released by designated facility and/or Department staff (see *FPB 6.2.408 Offender Case Records Management*). Other facility or Department staff must not release information concerning an offender's death.

C. NOTIFICATIONS AND REPORTING BY FPB

1. Upon notification of an offender death, the FPB Chief will contact the Department Communications Director, Department Director, Deputy Director, and HSB Chief.
2. Through the LEAJ, the designee will:
 - a. verify the identity of offender;
 - b. confirm offender's death; and
 - c. confirm the emergency contact and/or next of kin notification(s) have been completed.
3. The FPB Chief or designee will notify the Montana State Prison (MSP) Records Manager of the death. The offender's offender management system record will be updated by MSP Records after next of kin notifications have been completed and confirmed.
4. The *FPB 6.2.403 (A) Priority Incident Report* is forwarded to the following with "Offender Death" in email subject line:
 - a. HSB;
 - b. MSP Records Manager;
 - c. Department Investigations staff at [corie\(at\)mt.gov](mailto:corie(at)mt.gov); and
 - d. other appropriate persons as determined by the FPB Chief.
5. After an offender's unexpected death occurs, the Contract Manager will coordinate a death review and/or debriefing with other FPB staff, HSB, and facility staff. The review will include:
 - a. any events leading up to offender's hospitalization and/or death;
 - b. pertinent medical and mental health services or reports involving the offender;
 - c. facility procedures used; and
 - d. identifying process improvement.
6. FPB staff will follow up on any recommendations when provided by HSB.

D. BURIAL OF OFFENDER

1. Offender remains will be released to the offender's family or emergency contact for services and burial.
2. If there is no family and/or contact, or the family and/or contact declines to receive the remains, the Department may provide burial at the Department's expense.

E. OFFENDER PROPERTY

1. Pursuant to *FPB 6.2.421 Offender Personal Property*:
 - a. All personal identifying documents left behind by an offender will be sent to the FPB Contract Manager at the Helena Central Office (PO Box 201301, Helena, MT 59620) within 5 days. Documents will then be forwarded to the responsible person designated by the offender to receive personal property on the offender's behalf.
 - b. For all other inventoried personal property items left behind by an offender, good faith efforts will be made within 30 days to notify the offender's designated person and have arrangements in place to return the remaining items unless the items are confiscated as evidence (for example, for an escape). If, after 45 days and good faith efforts have failed, these property items are considered as abandoned and may be donated or destroyed.
 - c. Within 15 days of an offender's death, debts incurred during offender's current placement may be deducted from the offender's monetary account as outlined in *FPB 6.2.421 Offender Personal Property*, and the remaining balance, as well as any wages or other money received after the offender's death, are forwarded to the offender's designated person.
2. The forms *FPB 6.2.421 (A) Disposition of Offender Personal Property Items* and *FPB 6.2.421 (B) Disposition of Offender Monetary Accounts* will be completed as directed in *FPB 6.2.421 Offender Personal Property*.

IV. CLOSING

Questions about this requirement should be directed to the Community Corrections Facilities and Programs Bureau.

V. REFERENCES

- A. §§ 2-6-1003; 46-4-103; 46-4-122; 46-4-201; 50-22-101, MCA
- B. DOC 1.1.8 Media Relations; DOC 4.5.34 Offender Death; FPB 6.2.403 Incident Reporting Requirements; FPB 6.2.408 Offender Case Records Management

VI. FORMS

- FPB 6.2.403 (A) Priority Incident Report*
- FPB 6.2.421 (A) Disposition of Offender Personal Property Items*
- FPB 6.2.421 (B) Disposition of Offender Monetary Accounts*