

Sixth District Department of Correctional Services POLICY	Issue Date 10/09/20	Effective Date 10/25/20	Policy Number 167-20
Subject <b>DEATH OF OFFENDER</b>		Review Month September	Author 0120 (CDE)
Rescinds 167-18	References DOC Policy AD-GA-06 <a href="http://docportal.doc.gov.state.ia.us/Docs/default.aspx?RootFolder=%2FDocs%2FDOC%20Policies%2FSection%201%20%2D%20Administration%20and%20Management%2FGeneral%20Administration&amp;FolderCTID=0x012000AD00A88C22299248AE5868EE5B26BD80&amp;View=%7B464667C2%2DA442%2D4C65%2D8A48%2DDDB12D49C3778%7D">http://docportal.doc.gov.state.ia.us/Docs/default.aspx?RootFolder=%2FDocs%2FDOC%20Policies%2FSection%201%20%2D%20Administration%20and%20Management%2FGeneral%20Administration&amp;FolderCTID=0x012000AD00A88C22299248AE5868EE5B26BD80&amp;View=%7B464667C2%2DA442%2D4C65%2D8A48%2DDDB12D49C3778%7D</a>		

**POLICY:**

The Director ensures there are procedures in place in the event of the death of an offender and guidelines to close the offender's file.

**PROCEDURE:**

1. An offender that is found to be unresponsive by staff is to be treated as a person in need of medical attention. Staff are to perform life saving measures until they are relieved by qualified responders or a licensed medical professional declares the offender receiving medical assistance to be dead.
  - A. A Supervisor is to be notified of the offender's condition. This is to be done at the earliest possible time.
  - B. The Sixth DCS High Risk Unit (HRU) Supervisor is notified. Any HRU currently on duty are notified of the death and asked to respond.
  - C. Local law enforcement is called to respond to the death. Local law enforcement will have jurisdiction in the death event. The Judicial District should consult with DOC Central office in those instances where the death occurs under suspicious circumstances or is believed to be a homicide.
  - D. Staff and Supervisor(s) on scene will assist local law enforcement with scene preservation; not disturbing the body.
  - E. Once an appropriate medical professional has declared an offender deceased, the Supervisor(s) involved are to immediately contact the District Director and Assistant Director.
  - F. An Iowa Department of Corrections Critical Incident Report (CIR) will need to be completed and submitted as soon as possible but no later than twenty-four (24) hours after the death.

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**PROCEDURE:** (continued)

- G. Staff are to contact the decedent's immediate family or next of kin informing them of the death event. This is to be done when the law enforcement approves our doing so.
2. Offender Case Closure:
- A. Upon learning of the death of an offender under supervision, staff obtains documentation verifying the defendant's death, which is scanned into ICON under Offender Attachments:
    - 1.) Source Type = Correspondence;
    - 2.) Date of Document = Date of Death;
  - B. Staff completes an incident summary in the Critical Incident Report module as soon as possible, but no later than twenty-four (24) hours after the incident (DOC Policy AD-GA-06). The incident date is the date of death.
  - C. Staff adds – "DECEASED" to the offender's middle name and deceased date to the Birth Information screen.
  - D. Prepare appropriate paperwork dependent upon type of supervision:
    - 1.) Probation - Staff utilize ICON Template forms to prepare the closure letter (Death of Offender - PB, RWS) for the Court (167A) and attaches the document referenced in Procedure 1A. Staff forwards the Offender Fee Waiver (138A), if applicable, to Administrative Officer or designee.
    - 2.) Pretrial Release With Supervision - Staff utilize ICON Template forms to prepare the closure letter (Death of Offender - PB, RWS) for the Court (167A) and attaches the document referenced in Procedure 1A. Staff forwards the Offender Fee Waiver (138A), if applicable, to Administrative Officer or designee.
    - 3.) Parole - If there is a pending revocation, the Parole Violation Review needs updated to No Hearing Requested. BOP registered victim(s) are notified. Staff forwards the Offender Fee Waiver (Death of Offender – IC, PA, WR, OWI), if applicable, to Administrative Officer or designee.
    - 4.) Work Release/OWI Continuum - BOP registered victim(s) are notified. Staff forwards the Offender Fee Waiver (Death of Offender – IC, PA, WR, OWI), if applicable, to Administrative Officer or designee.
    - 5.) Interstate Compact - For transfer in cases refer to Compact Rules. Staff forwards the Offender Fee Waiver (Death of Offender - IC, PA, WR, OWI), if applicable, to Administrative Officer or designee.

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**PROCEDURE:** (continued)

- 6.) IDAP (Iowa Domestic Abuse Program) – the respective Clerk of Court for county that ordered IDAP is notified. Staff forwards the Offender Fee Waiver to the Administrative Officer or designee.
- 7.) The Administrative Officer or designee scans the approved fee waivers into ICON offender attachments.
- E. All offender information is closed in ICON utilizing the Field/Residential – Closure Data Collection screen as of the date the offender died. Current Supervision Status and related Charges are closed with an End Reason of Death.
- F. The closure letter is electronically filed with the Court. A Discharge Report is not prepared. Note: A letter is not filed with the Clerk of Court if it was the court that informed the Department of Correctional Services (DCS) of the defendant's death.
- G. The case file is closed.
2. Upon learning of the death of an offender that was previously under supervision:
  - A. Documentation verifying the defendant's death is scanned into ICON under Offender Attachments. Staff adds – "DECEASED" to the offender's middle name and modifies the Birth Information screen by adding the Deceased Date in ICON.
  - B. If the Fee System indicates an outstanding balance to DCS a fee waiver is submitted by the agent, IDAP Coordinator, or designee to the Administrative Officer or designee.

BY ORDER OF:

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Bruce Vander Sanden, District Director