
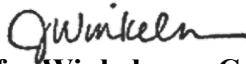


STATE OF ALASKA DEPARTMENT OF CORRECTIONS  POLICIES & PROCEDURES	SECTION: Administration		PAGE: Page 1 of 7
	CHAPTER: 100	NUMBER: 104.04	P&P TYPE: Public
	TITLE: Death of a Prisoner		
	APPROVED BY:  Jennifer Winkelman, Commissioner		DATE: 03/10/2023
ATTACHMENTS / FORMS: A. Death of a Prisoner Log B. Death Scene Access Record C. Chaplaincy Deceased Prisoner Notification Log D. Death Investigation Checklist		AUTHORITY / REFERENCES: AS 44.28.030 AS 33.30.011 AS 33.30.021 AS 12.65.005 22 AAC 05.155	

POLICY:

In the event of a prisoner death, the Department shall notify next of kin, promptly, provide the public with information regarding the death and conduct a confidential investigation to determine the cause and circumstances surrounding the death as well as any related deficiencies in policies, procedures, or practices. Additionally, in the event of an unexpected prisoner death, the Department shall facilitate any investigation conducted by law enforcement authorities and seek a review of the death by the State Medical Examiner.

APPLICATION:

This policy applies to all Institution employees.

DEFINITIONS:

As used in this policy, the following definitions shall apply:

Death Scene:

The immediate vicinity of the location of a prisoner's death.

Crime Scene:

The location where an altercation or event took place that led to the eventual death of a prisoner.

Death Scene Officer:

An officer assigned by the Shift Supervisor to oversee the security and integrity of a death scene.

Public Information Officer (PIO):

A Department official appointed by the Commissioner to communicate with the press.

Unexpected Death:

A sudden or unanticipated death of a prisoner caused by accident, homicide, suicide, illness, or unknown etiology.

Expected Death:

A death that has been anticipated by medical personnel due to a medical condition.

SUPERCEDES POLICY DATED:	07/29/14
THIS POLICY NEXT DUE FOR REVIEW ON:	03/10/28

SECTION:	Administration		PAGE:	Page 2 of 7	
CHAPTER:	100	NUMBER:	104.04	P&P TYPE:	Public
TITLE:	Institutional Inspections				

Lead Medical Staff:

The highest-level nurse or medical provider within the facility.

Alaska Corrections Offender Management System (ACOMS):

The electronic offender database for the Alaska Department of Corrections.

Procedures:

- A. Institutional Procedures Following the Anticipated Death of a Prisoner
1. The Shift Supervisor shall implement the following procedures in the event of an anticipated death:
 - a. Notify the Superintendent or designee of the death. The Superintendent or designee notifies the Alaska State Troopers (AST), the State Medical Examiner, and the Director of Institutions. The PIO shall follow all requirements for media notification in 104.04(C)(2)(a) – (c).
 - b. Secure and inventory all the deceased prisoner’s property stored in the prisoner’s cell as well as in the institution’s property area. The disposition of records and property will be followed according to 104.04(F).
 2. The lead medical staff shall:
 - a. Notify the medical provider on call who shall enter a final discharge summary in the prisoner’s Electronic Health Record.
 - b. Prepare a final entry in the deceased prisoner’s medical file.
 - c. Enter information into ACOMS indicating the prisoner is deceased.
 - d. Secure all non-electronic medical records.
 3. The Superintendent shall:
 - a. Notify the Statewide Chaplaincy Coordinator of the death and of the deceased prisoner’s next of kin contact information. The Chaplain shall follow all requirements listed in 104.04(C)(1) (a) – (f).
 - b. Ensure that the Death of a Prisoner Log, Form 104.04(A), is completed.
 4. The Chief Medical Officer shall:
 - a. At the direction of the Health and Rehabilitation Services Director, produce a report based on a review of the prisoner’s medical chart, autopsy report and other relevant records.
- B. Institutional Procedures Following the Unexpected Death of a Prisoner
1. The Shift Supervisor shall implement the following procedures in the event of an unexpected death of a prisoner:
 - a. Secure the death scene and the crime scene if applicable. Any cell mate(s) shall be removed from the cell and the cell shall be locked. If the deceased prisoner lived in dormitory housing the immediate living area shall be taped off with evidence tape and an officer shall be assigned to secure the living area until it is released by AST. All prisoners in the housing unit where the death occurred shall be locked down or removed to another unit. If the death occurred outside of the prisoner’s cell, or in a common area, the immediate area shall be taped off with evidence tape, all prisoners cleared from the area and an officer assigned to secure the area until it is released by AST.
 - b. Assign a death scene officer to maintain the security and integrity of the death scene.
 - c. Confirm the identity of the deceased prisoner using a photograph from ACOMS or the institutional file.
 - d. Notify the Superintendent or designee of the death. If the Superintendent is unavailable, the Shift Supervisor shall notify AST and the Director of Institutions.
 - e. Ensure lead medical staff notifies the medical provider on call. If there are no medical staff on shift, the Shift Supervisor shall notify the on-call providers.

SUPERCEDES POLICY DATED:	07/29/14
THIS POLICY NEXT DUE FOR REVIEW ON:	03/10/28

SECTION:		Administration		PAGE:	Page 3 of 7
CHAPTER:	100	NUMBER:	104.04	P&P TYPE:	Public
TITLE: Institutional Inspections					

- f. Photograph the death scene from as many angles and perspectives as possible. Photograph all property removed by AST, including any documents such as suicide notes.
 - g. Place involved prisoners in a dry cell in segregation if it appears that the death was caused by another prisoner.
 - h. Identify all prisoner and staff witnesses to the death or anyone who may have information relevant to the death.
 - i. Secure all of the deceased prisoner's property stored in the institution's property area.
 - j. Identify and secure documentation of any individualized determinations and suicide precautions regarding the deceased prisoner.
 - k. Prepare timeline from a minimum of 24 hours prior up until the scene is released by AST.
 - l. Ensure that an inventory of the deceased prisoner's in-cell property is completed when the death scene or living area is released by AST.
 - m. Ensure that all staff involved with the death or death scene, including medical staff, complete an Incident Report (IR), Form 809.04(A), pursuant to Policy 809.04, prior to end of shift and before exiting the facility. The person with the most direct knowledge of the incident shall complete a Special Incident Report (SIR), Form 104.01(A), pursuant to Policy 104.01, prior to end of shift and before exiting the facility.
 - n. Prepare and complete the Death of a Prisoner Log, Form 104.04(A).
2. The Death Scene Officer shall:
 - a. Secure the death scene to ensure that authorized persons are allowed to enter the area and access potential evidence. Authorized persons include the Superintendent, Shift Supervisor, AST, the Medical Examiner, and other authorized by the Superintendent.
 - b. Prepare the Death Scene Access Record, Form 104.04(B), and log all scene activity.
 3. The lead medical staff at the death scene shall:
 - a. Notify the medical provider on call. The medical provider shall enter a final discharge summary in the prisoner's Electronic Health Record. If it appears the death may have been a suicide or occurred on a mental health unit, the lead medical staff shall notify the mental health provider on call.
 - b. Prepare a final entry in the deceased prisoner's medical file.
 - c. Enter information into ACOMS indicating the prisoner is deceased.
 - d. Secure all non-electronic medical records.
 4. The Chief Medical Officer shall:
 - a. At the direction of the Health and Rehabilitation Services Director, produce a report based on a review of the prisoner's medical chart, autopsy report, and other relevant medical records.
 5. The Superintendent shall:
 - a. Ensure that AST and the Director of Institutions are immediately notified of the death.
 - b. If not already present, travel to the institution as soon as possible.
 - c. Ensure the death scene is secured until released by AST and the Director of Institutions.
 - d. Confirm that AST has contacted the Medical Examiner's office.
 - e. Secure the institutional file, completed medical record from medical staff, master control log, segregation log if applicable, housing unit log, visitor log, telephone log of calls made by the deceased prisoner, property inventory and all duty rosters and training records of all officers directly involved with the death and all incident reports and the Special Incident Report pursuant to section (B) (1) (m) above. Copy all relevant ACOMS information regarding the prisoner including the Offender Basic Information Screen, booking record, custody level, current charges, legal status and bed/housing assignments, property inventory form and prisoner account statement. Ensure that copies of the above records are provided to AST upon request.

SUPERCEDES POLICY DATED:	07/29/14
THIS POLICY NEXT DUE FOR REVIEW ON:	03/10/28

SECTION: Administration		PAGE: Page 4 of 7
CHAPTER: 100	NUMBER: 104.04	P&P TYPE: Public
TITLE: Institutional Inspections		

- f. Immediately preserve all video recordings of the prisoner's death scene including all video evidence leading up to the death. At an absolute minimum, video must be preserved for 24 hours preceding the death until the time that the death scene is released by AST. The Superintendent must ensure that any evidence and/or video that is identified by the AST, Commissioner, or designee as relevant to the death or critical incident investigation is preserved indefinitely, or as directed by AST. Copies of all video evidence shall be provided to AST upon request, as well as the death investigation team.
- g. Ensure copies of all photographs taken by the Shift Supervisor pursuant to section (1) (f) above are secured and provided to AST upon request, as well as the death investigation team.
- h. Notify the Statewide Chaplaincy Coordinator of the death and of the deceased prisoner's next of kin contact information.
- i. Ensure the Death of a Prisoner Log, Form 104.04(A) and the Death Investigation Checklist, Form 104.04(D) are completed.
- j. Send a copy of the SIR to the Director of Institutions, Director of Health and Rehabilitation Services, and the lead Assistant Attorney General assigned to represent the Department.
- k. Contact the Chief Mental Health Officer to make arrangement for a Critical Incident Stress Debriefing.
- l. Collaborate with the Commissioner's designee to ensure all security, medical, and mental health recommendations have been addressed and completed within a reasonable timeframe.

C. Notification of the Death of a Prisoner

1. The Statewide Chaplaincy Coordinator or designee shall determine who shall notify the next of kin and shall complete the Chaplaincy Deceased Prisoner Notification Log, Form 104.04(C). This notification shall include:
 - a. The date and place of the prisoner's death and whether the death was from apparent natural causes or is under investigation.
 - b. That a review by the State Medical Examiner is taking place to determine the specific cause of death.
 - c. That every death is reported to AST, but in the case of an unexpected death, an AST investigation is taking place.
 - d. The procedures to secure the release of the deceased prisoner's personal property and monies on account.
 - e. That the next of kin can make arrangements with the Medical Examiner for the disposition of the remains. If the next of kin does not have the resources to make arrangements, the Chaplaincy Coordinator or designee will provide the process to apply for General Relief Burial Funds. The Department shall pay to have the remains shipped to the original place of arrest or to a place otherwise approved by the Director of Institutions if the cost is comparable to the original place of arrest.
 - f. In cases where no next of kin is noted in the prisoner's file, the Statewide Chaplaincy Coordinator shall make every effort to locate next of kin. This may include working with law enforcement agencies, medical providers, or others with knowledge of the prisoner.
2. Media Notification:
 - a. The Director of Institutions shall notify the PIO of the death.
 - b. After the deceased prisoner's next of kin are notified, and after it is determined by AST that the release of information will not affect an ongoing investigation, the Department of Public Safety (DPS) shall be responsible for issuing a press release. In addition, the DOC PIO shall publish a press release on the Department website which states the following:
 - i. Full name and age of the prisoner
 - ii. The facility where the prisoner was most recently housed
 - iii. Date of remand and criminal charges
 - iv. Whether the death appeared to be by natural causes or if a criminal investigation is pending
 - c. All media or public records inquiries regarding a prisoner death shall be referred to DPS.

SUPERCEDES POLICY DATED:	07/29/14
THIS POLICY NEXT DUE FOR REVIEW ON:	03/10/28

SECTION: Administration		PAGE: Page 5 of 7
CHAPTER: 100	NUMBER: 104.04	P&P TYPE: Public
TITLE: Institutional Inspections		

D. Department's Internal Death Investigation

1. The Director of Institutions and the Director of Health and Rehabilitation Services shall appoint a Death Investigation Team with a lead investigator whenever an unexpected death of a prisoner occurs. If the death appears to be a suicide or otherwise involve mental health issues, the team shall include the Chief Mental Health Officer or designee. The Director of Institutions shall notify the Deputy Commissioner of the death, who will subsequently notify the Commissioner's Office.
2. The Death Investigation Team shall:
 - a. Proceed to the institution as soon as possible to begin the investigation.
 - b. Review the Death Investigation Checklist, Form 104.04(D).
 - c. Inspect the death scene and take any additional photographs or video.
 - d. Review video and photographs secured by the Superintendent.
 - e. Review all incident reports, files, logs, and documents secured by the Superintendent.
 - f. Review all relevant ACOMS information regarding the prisoner.
 - g. Interview all witnesses and any staff member or prisoner who may have information relevant to the death. All prisoner interviews shall be recorded, and all staff interview notes shall be preserved.
 - h. Inspect all property of the deceased prisoner including in-cell property, hobby craft items, property inventory and prisoner account statement. Property in the possession of AST shall be inspected and photographed. The Statewide Chaplaincy Coordinator shall facilitate the release of any property not required to complete the investigation.
 - i. Provide a copy of the deceased prisoner's medical file, autopsy report and all other relevant reports to the Department's Chief Medical Officer for review.
3. The lead Department Investigator shall:
 - a. Brief the Department's Executive Team of the facts involving the death within the first 72 hours of the death.
 - b. Complete the Death Investigation Checklist, Form 104.04(D).
 - c. Contact AST to determine the status of the investigation and obtain and secure any documentation.
 - d. Ensure the Chief Medical Officer contacts the Medical Examiner to obtain any reports, including initial findings and final autopsy report.
 - e. Ensure the final Death Investigation Report is completed and distributed to the Commissioner's designee as well as to the Assistant Attorney General (AAG) who is the lead attorney assigned to represent the Department. The report shall be prepared as a memorandum to the attention of the AAG and shall be marked "Confidential – Attorney-Client Communication." This report is confidential, not considered part of a prisoner's records, and is not subject to further disclosure absent authority. The Death Investigation Report shall include sections as follows:
 - i. Overview. This section shall provide a brief overview of the circumstances surrounding the death.
 - ii. Offender History. This section shall include a summary of the prisoner's personal history, history of convictions and incarcerations, institutional history, and medica/mental health history.
 - iii. Summary of Investigation. This section shall include a summary of the time, manner and place of the investigation, and a summary of the interviews conducted.
 - iv. Timeline of Events. This section shall include a timeline of relevant events regarding the death.
 - v. Narrative of Security Response. This section shall include a factual summary of what security officers at the institution did upon arrival at the scene.

SUPERCEDES POLICY DATED:	07/29/14
THIS POLICY NEXT DUE FOR REVIEW ON:	03/10/28

SECTION: Administration		PAGE: Page 6 of 7
CHAPTER: 100	NUMBER: 104.04	P&P TYPE: Public
TITLE: Institutional Inspections		

- vi. Narrative of Medical Response. This section should include a factual summary of what medical staff at the institution did upon arrival at the scene.
 - vii. Summary of Notification of Next of Kin. This section shall include a summary of the notification of next of kin. The Chaplaincy Notification Log, Form 104.04(C) shall be attached.
 - viii. Summary of Property. This section shall include a summary of the property of the deceased prisoner to include in-cell property, property in storage, and funds in the prisoner account. The property inventory and prisoner account statement shall be attached.
 - ix. Medical and Autopsy Summary. This section shall include the Chief Medical Officer's report. Relevant medical documents should be attached.
 - x. Summary of Media and Other Releases. This section shall include copies of all media request and releases to other entities such as legislative officials, the Disability Law Center, or the State Ombudsman.
 - xi. Security Observations and Recommendations. This section shall include an analysis of the sufficiency of security staff actions and response related to the death, whether policies and procedures were followed, whether policies and procedures were sufficient to address the security issues which existed, recommendations regarding changes to policy and procedures and recommendations regarding personnel action.
 - xii. Medical and Mental Health Observations and Recommendations. This section shall include an analysis of the sufficiency of medical staff actions and response related to the death, whether policies, procedures, and protocols were followed, whether policies, procedures, and protocols were sufficient to address the medical issues which existed, and recommendations regarding changes to policy, procedures, protocols, and recommendations regarding personnel action.
 - xiii. Relevant Documentation. All relevant files, photographs, videos, logs, and related documents shall be attached to the Death Investigation Report.
- f. Submit all Security, Medical and Mental Health Observations and Recommendations to the Commissioner's designee.

E. The Commissioner's designee shall:

1. Contact the assigned AST investigator to obtain documentation of final determination.
2. Collaborate with the Director of Institutions or designee and the Superintendent of the facility where the death occurred to ensure all security, medical, and mental health recommendations have been addressed and completed within a reasonable timeframe.
3. Attach documentation from AST to the Final Death Report.

F. Disposition of Records and Property

1. The records of a deceased prisoner are considered confidential criminal justice information and subject to HIPAA (Health Insurance Portability and Accountability Act) and CJIS (Criminal Justice Information Services) standards. They may only be released outside of DOC pursuant to a court order or similar authority, or in accordance with Policy and Procedure 602.01 and 807.06.
2. The Statewide Chaplaincy Coordinator shall facilitate the release of the deceased prisoner's property pursuant to Policy and Procedure 811.05.

G. Special Circumstances

1. In the event of the death of a prisoner off institution grounds, the Superintendent shall complete all applicable procedures in Sections B, C and F above.

SUPERCEDES POLICY DATED:	07/29/14
THIS POLICY NEXT DUE FOR REVIEW ON:	03/10/28

SECTION: Administration		PAGE: Page 7 of 7
CHAPTER: 100	NUMBER: 104.04	P&P TYPE: Public
TITLE: Institutional Inspections		

2. In the event of the death of a prisoner while on furlough or in a Community Residential Center, the administrator of the program shall immediately notify the Superintendent of the facility overseeing the placement. The Superintendent shall complete all applicable procedures in Sections B, C and F above.
3. In the event of the death of a prisoner who is a foreign national, the Superintendent shall immediately notify that prisoner's consulate and the United States Department of State.
4. In the event of the death of a federal prisoner, the Superintendent shall immediately notify the United States Marshal Service.
5. In the event of the death of a prisoner held for a branch of the military, the Superintendent shall immediately notify the appropriate officials in that military branch.
6. In the event of the death of an out-of-state prisoner, detainee or fugitive from justice, the Superintendent shall immediately notify the appropriate jurisdiction.

SUPERCEDES POLICY DATED:	07/29/14
THIS POLICY NEXT DUE FOR REVIEW ON:	03/10/28