



PRISONER OPERATIONS

9.4 Prisoner Health

DEATH OF FEDERAL PRISONERS

- A. General:** If a prisoner in the custody of the USMS and housed in a contract jail detention facility dies, the USM must take steps to ascertain whether the death was from natural causes, the result of negligence or foul play, and to assure that the remains of the deceased are handled with dignity and in a manner consistent with prevailing community standards. Necessary contacts with relatives should be conducted in a professional, sympathetic, and helpful manner. Prisoners in the custody of BOP will be covered by that agency's policy and procedures.
- B. Procedures:** In the event of the death of a prisoner in USMS custody, the USM will:
1. Ensure that a physician's services have been obtained as appropriate for the situation.
 2. Notify the Assistant Director, POD, to include information regarding media attention or other sensitive issues, and the nearest relative(s) of the deceased prisoner. The death of an alien will also be reported to the nearest office of the Bureau of Immigration and Customs Enforcement (BICE) and to the appropriate consulate representative.
 3. Whenever a death is due to violence, accident surrounded by unusual or questionable circumstances, or, if death is sudden and the deceased had not been under immediate medical supervision, the coroner or medical examiner of the local jurisdiction will be called to review the case and submit a report to the USM.
 4. If the body is claimed by relatives, it shall be released to them. If relatives live at a distance and the body must be shipped, the Government will pay the express charges of the most direct route to the terminal of the common carrier nearest the residence of the surviving relatives. The expense of preparing the body for shipment, including embalming service, clothing as needed, casket, and necessary shipping container will also be paid by the Government. The family of the deceased will be required to bear the expenses of interment, including funeral services at destination. If the remains are not claimed by relatives, the body should be interred in the local potter's field at the expense of the Government.
 5. U.S. Marshals are authorized to negotiate for the lowest rate for funeral home services and transportation charges to the terminal of the common carrier nearest the residence of relatives claiming the remains. The USM will pay the necessary cost without advance approval. Refer to USMS Financial Management directive, *Federal Prisoner Detention*.
 6. In addition to reporting promptly that a death has occurred, the USM will, within a week, forward to the Assistant Director, POD, a complete report including the following information, as applicable:
 - a. Name, age, date of birth, Social Security Number (if known), last known residence, charges, arresting agency, next of kin, date of and basis for admission to detention facility, and name and location of detention facility.
 - b. Statement of institution officials reporting circumstances surrounding prisoner's illness, injury, or sudden death, including dates and hours when prisoner became ill or was injured, and when physician was notified, or if death was sudden, the time the body was found and the time the prisoner was last seen alive.
 - c. Date and time of removal to hospital if such occurred.
 - d. Statement of detention facility physician or other physician in attendance describing condition of prisoner when first seen, hours and dates of visits to detention facility or hospital, treatment given, and

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cause of death.

e. Report of coroner or medical examiner's findings, if called, and copy of report of autopsy, if conducted.

f. Name and address of relative to whom the body was released.

g. Name of funeral home, common carrier, and breakdown of total expenses incurred.

h. *Certificate of Death*