

Dignity of the Dead in Government Custody in the United States and on Online Platforms

June 2026

Memo to United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions

Prepared by:
Mattie Isaac
Mia Jolly
Sophie Miller
Kyler Zhou
Sophia Zuo

Princeton Policy Advocacy Clinic
Professor Udi Ofer

Table of Contents

Table of Contents **2**
About the Authors **5**
I. Executive Summary **6**
II. Introduction **11**
III. Methodology **13**
IV. The Dignity of the Dead in Government Detention in the United States **14**
A. Executive Summary 14
B. Chapter 1: Identification of Deceased, Including Consulate Notification 16
I. Executive Summary 16
II. Problem Statement 16
III. Policy Metrics 17
IV. Summary of Jurisdiction Performance 18
V. Best Practices 20
VI. Worst Practices 22
VII. Recommendations for Model Policy 23
VIII. Grid of All Jurisdictions and Key Metrics 25
C. Chapter 2: Preservation of Evidence 47
I. Executive Summary 47
II. Problem Statement 48
III. Policy Metrics 49
IV. Summary of Jurisdiction Performance 50
V. Best Practices 55
VI. Worst Practices 56
VII. Recommendations for Model Policy 57
VIII. Grid of All Jurisdictions and Key Metrics 59
D. Chapter 3: Family Notification, Including Information on Cause of Death 106
I. Executive Summary 106
II. Problem Statement 107
III. Policy Metrics 108
IV. Summary of Jurisdiction Performance 108
V. Best Practices 112
VI. Worst Practices 113
VII. Recommendations for model policy 114
VIII. Grid of all jurisdictions and key metrics 117
E. Chapter 4: Disposition and Return of Remains and Personal Property 145

I. Executive Summary....145
II. Problem Statement....145
III. Policy Metrics....146
IV. Summary of Jurisdiction Performance....147
V. Best Practices....160
VI. Worst Practices....162
VII. Recommendations for Model Policy....164
VIII. Grid of all Jurisdictions and Key Metrics....167
F. Chapter 5: Right to Autopsy....231
I. Executive Summary....231
II. Problem Statement....231
III. Policy Metrics....231
IV. Summary of Jurisdiction Performance....232
V. Best Practices....240
VI. Worst Practices....242
VII. Recommendations for Model Policy....244
VIII. Grid of all Jurisdictions and Key Metrics....246
G. Chapter 6: Respecting Religious and Cultural Practices....279
I. Executive Summary....279
II. Problem Statement....280
III. Policy Metrics....281
IV. Summary of Jurisdiction Performance....281
V. Best Practices....283
VI. Worst Practices....286
VII. Recommendations for Model Policy....287
VIII. Grid of All Jurisdictions and Key Metrics....289
H. Chapter 7: Independent Investigation and Oversight of Deaths....313
I. Executive Summary....313
II. Problem Statement....313
III. Policy Metrics....314
IV. Summary of Jurisdiction Performance....315
V. Best Practices....317
VI. Worst Practices....321
VII. Recommendations for Model Policy....323
VIII. Grid of All Jurisdictions and Key Metrics....325
I. Chapter 8: Public Notification of Deaths in Custody....364
I. Executive Summary....364
II. Problem Statement....365

III. Policy Metrics....365
IV. Summary of Jurisdiction Performance....367
V. Best Practices....371
VI. Worst Practices....372
VII. Recommendations for Model Policy....373
VIII. Grid of All Jurisdictions and Key Metrics....373
V. The Dignity of the Dead Online....406
A. Executive summary....406
B. Who controls the digital assets of someone who dies?....407
C. What Policy Platform Protections are in Place to Prevent and Respond to Exploitation of Digital Remains?....409
D. Recommendations for model policy to govern access to digital remains....421
E. Grid of all entities reviewed and key metrics....424

Appendix 1. Overall Death in Government Detention Metrics by Jurisdiction....435

About the Authors

This memorandum was produced by five undergraduate students of the Princeton School of Public and International Affairs' Policy Advocacy Clinic, a year-long intensive course dedicated to producing policy analysis and advocacy on pressing public issues. Professor Udi Ofer, the Founding Director of the Clinic, supervised, guided and edited this memorandum, assisted by undergraduate course assistants Aishwarya Swamidurai and Kate Voltz. We also received the guidance of Aala Abdullahi, Aaron Sankin, and Ivy Scott of The Marshall Project, Anita L. Allen-Castellitto, Henry R. Silverman Professor of Law at the University of Pennsylvania Carey Law School, Carl Öhman, Associate Professor at Uppsala University in Sweden, and Edina Harbinja, Associate Professor at University of Birmingham Law School in the United Kingdom. We are deeply grateful to those who made this memorandum possible, particularly Morris Tidball-Binz, the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, and Yasmin Ashraf, Human Rights Officer at the Office of the United Nations High Commissioner for Human Rights. The views reflected in this memo are of the people who worked on the memo, and not that of Princeton University.

A. Executive Summary

At least 26,345 people died in prisons and jails in the United States from 2020 to 2024,[1] and 10,818 of these deaths were attributed to unlawful, unnatural, or unknown causes.[2] Despite thousands of people dying every year in government custody in the United States, few have examined the policies and practices that dictate the government's response when a person dies in its custody.

Similarly, few have examined the policies that dictate what happens to the digital remains of people when they die. Questions about how online accounts are managed after death are becoming increasingly urgent as digital platforms become central to daily life. As digital spaces expand, the need for clear and consistent standards governing postmortem digital identity becomes increasingly important.

Contributing to the development of model guidelines by the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions for nations on protection of the dead, this memo bridges together research on policies surrounding (1) death in government custody in the United States and (2) postmortem privacy for all users of digital platforms. It assesses policies in all 50 U.S. states, six U.S. territories, three federal agencies, and 50 digital platforms through the lens of dignity. Overall, this memo finds that the dignity of the dead is not comprehensively protected in government detention nor on online platforms in the United States.

This memo contains an assessment of jurisdiction and platform policies through the construction of 65 metrics measuring key policy dimensions. We assess jurisdiction policies on deaths in government detention across eight issue areas: (1) identification of deceased; (2) preservation of evidence; (3) family notification; (4) return of remains and personal property; (5) right to autopsy; (6) respect of religious and cultural practices; (7) independent investigation and oversight of deaths; and (8) public notification of deaths in custody. We also analyze how the 50 most-used online platforms in the United States manage the digital remains of their users across five categories of digital platforms: (1) social networking services; (2) short messaging services; (3) e-mail service providers; (4) cloud-storage providers; and (5) artificial intelligence chatbots.

We find that protections of the dead in government custody are lacking in five ways: (1) dignity of a person's intrinsic value and rights; (2) respect for family rights; (3) respect for religious practices; (4) accountability for government failures; and (5) transparency.

Our key findings include:

---

[1] Bureau of Justice Statistics, Figure 1: Deaths by Location Type & Fiscal Year, https://bja.ojp.gov/program/dcra/reported-data.

[2] Bureau of Justice Statistics, Figure 2: Manner of Death by Fiscal Year, https://bja.ojp.gov/program/dcra/reported-data. The exact count per type of death category is: 789 by unlawful (includes homicide or force by law enforcement or corrections officer) causes; 5,288 by unnatural (includes accident, other, suicide) causes; and 4,741 from unknown (investigation pending) causes.

- **Disrespect of personhood in disposition decisions.** 81% of jurisdictions fail to explicitly recognize the deceased's wishes with regards to disposition, including cremation. At least 27 jurisdictions authorize cremation of unclaimed remains without explicit consideration of the deceased's beliefs. At least 14 jurisdictions (nearly 25%) allow for donation of unclaimed remains for medical or scientific purposes without explicit consent.

- **Disrespect of families.** 45% of jurisdictions do not provide a clear timeline for family notification of a death in custody. Only 36% of jurisdictions have concrete timelines for families to claim remains, with timelines varying widely from 24 hours after death notification in Puerto Rico to 60 days from death in Hawaii. The average time allowed for claiming physical remains was 12.3 days but the median time limit was just five days.

- **Disrespect of religion.** Less than half of jurisdictions address religious practices in notification, disposition, and burial. Only about 25% of jurisdictions consider religious objections to autopsies, and only 13 jurisdictions have a policy authorizing or respecting the religious need for burial, rather than cremation.

- **Lack of accountability.** Nearly 60% of jurisdictions lack internal mortality reviews and independent oversight bodies and nearly 73% of jurisdictions do not recognize a right to a private autopsy.

- **Lack of transparency.** Nearly 85% of jurisdictions don't require public reporting for deaths in custody.

This lack of protection in death extends to the digital world, where post-mortem privacy remains substantially underdeveloped, leaving digital remains across major platforms vulnerable to unauthorized replication and exploitation.

- **75%** of top platforms do not grant users pre-mortem control over digital remains.
- **44%** of top platforms do not reference digital remains in their policies.

Since these are among the most popular platforms, smaller or lesser-known platforms are likely even worse equipped to address the issue of digital remains. Where policies do exist, control over digital remains tends to be reactive and confined to the decedent's fiduciaries.

Figure 1 below and Table 1 in the Appendix illustrate a nationwide view of Department of Corrections (DOC) jurisdiction policies across all eight analyzed issue areas.[3] Based on 58 metrics, the highest scoring jurisdictions are California (49), New York (46), and New Jersey (44). Conversely, the lowest scoring jurisdictions are American Samoa (6), the U.S. Virgin Islands (9), and Wyoming and the Northern Mariana Islands (13).

[3] One metric was omitted (Public Notification; Authority) given that it is categorized as Not Required for jurisdictions with mandatory reporting requirements.

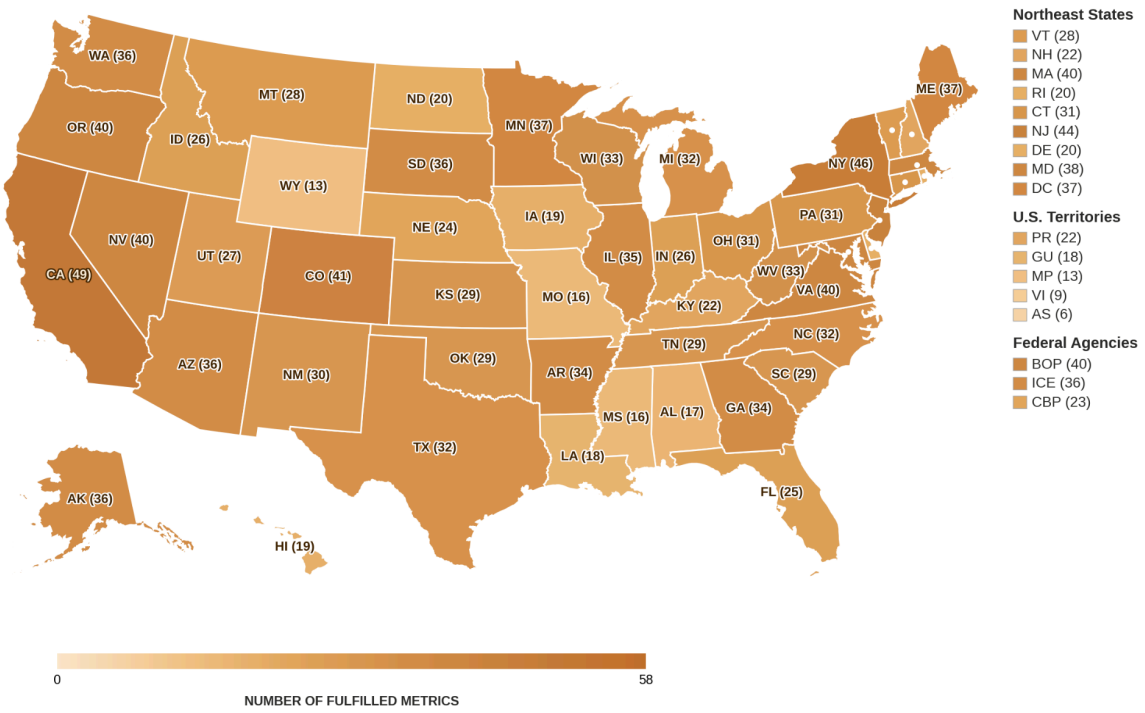


Figure 1. Overall Department of Corrections Jurisdiction Performance By Fulfilled Metrics[4]

The analysis reveals significant gaps in comprehensive protections of the dead in government custody and on online platforms. It is evident that there is a need for more detailed and protective policies regarding postmortem privacy and deaths in government custody.

Therefore, we present recommendations regarding dignity of the dead in government custody across all eight analyzed issue areas, from preventative systems and procedures through the processes immediately following a death in custody, and the subsequent processes, reviews, and investigations. Recommendations per issue area are summarized in Table 2 below.

Table 2. **Summary of Model Policy Recommendations**	
Deaths in Government Custody	
Identification of Deceased	• Detailed and prompt method of identification and consular notification • Thorough scientific identification processes to account for unique circumstances • Internal documentation of consular notification and identification

[4] Map illustrates the number of fulfilled metrics across all eight analyzed issue areas. See respective "Grid of Jurisdictions and Key Metrics" of respective Chapters for analysis and methodology. One metric was omitted (Public Notification; Authority) given that it is categorized as Not Required for jurisdictions with mandatory reporting requirements. See Table 1 in Appendix for a ranked list of jurisdictions inclusive of analyzed federal agencies.

Table 2. **Summary of Model Policy Recommendations**	
Preservation of Evidence	● Clear designation of responsible staff for evidence preservation ● Explicit evidence preservation procedures that safeguard investigative integrity on non-disturbance, packaging, sealing, labeling, storage, retention, and transfer
Family Notification	● Explicit designation of notification responsibility and notified parties ● Notification through telephone and written confirmation ● Descriptive and hour-based timelines for notification ● Internal documentation of notification efforts ● Explicit guidelines for professional and compassionate notification, disclosure of cause of death information and relevant processes in accordance with investigative authority
Return of Remains and Personal Property	● Explicit recognition of a right to self-directed disposition ● Adherence to wishes of decedent's burial preferences ● Clear, concrete, and communicated timelines and processes for claiming remains, account funds, and disposition of benefits ● Explicit responsibility for covering disposition expenses ● Directive to honor and facilities the execution of wills and testaments
Right to Autopsy	● Mandatory medical investigations for all deaths in custody, and detailed and prompt autopsies in the event of an unlawful death ● Legitimate authority for ordering, conducting, and objecting to autopsies to a number of parties instead of solely the medical examiner ● Consultation of the decedent's family prior to performing autopsy and consideration of the family in medicolegal investigations ● Thorough documentation of autopsy process and findings
Respecting Religious and Cultural Practices	● Establishment of Department manual regarding religious rights and practices that includes post-mortem rights and processes ● Recognition and adherence to familial religious or cultural practices regarding disposition and burial ● Family notification by clergyperson of the deceased's faith ● Family notification of autopsy prior to it occurring, including explicit processes for families to express a religious objection and consideration of any objections
Investigation of Deaths and Independent Oversight	● Mandatory internal mortality reviews for all deaths in custody ● Exigent notification of investigators following death ● Investigations of every death in custody, conducted by an internal mortality review committee and by an independent oversight body ● Investigative bodies that make recommendations for corrective actions, with requirements that responsible departments respond to recommendations with implementation plans

Table 2. **Summary of Model Policy Recommendations**	
Public Notification of Deaths in Custody	● Mandatory public notification following death of an individual in custody contingent upon family consideration ● Implementation of visible statistical reporting platform on department website
Platform Management of Digital Remains	
Publicly Accessible and Discoverable Digital Remains Policies	● Require platforms to maintain publicly accessible and discoverable policies on the treatment of digital remains, specifying: ○ The pre-mortem rights of users to direct the disposition of their digital remains ○ The rights of fiduciaries and immediate family members to delete or deactivate a decedent's account ○ The rights of fiduciaries and immediate family members to access a decedent's account ○ The timeline and conditions under which platforms retain the data of the deceased
Legacy Online Tools	● Encourage platforms to offer legacy online tools to grant users pre-mortem control over their digital remains ● Offer users granular control over their digital remains and allow them to differentiate between types of digital assets ● Prompt users at regular intervals (e.g., every 1-2 years) to review, update, or reaffirm their post-mortem preferences ● Users should be able to modify or revoke their preferences at any time without any procedural barriers
Fiduciary Right of Deletion for a Decedent's Account	● Allow fiduciaries of decedents to request the deletion of their online accounts through a streamlined mechanism on a platform's interface ● Condition deletion on reasonable verification requirements ● The right of deletion should not be contingent on obtaining a court order ● Require platforms to act on deletion requests within a defined timeframe
Prohibit unauthorized AI training on personally identifiable deceased	● Prohibit AI developers from intentionally using PII of deceased for model training without consent ● Establish safe harbor provisions for AI developers to incentivize use of de-identified datasets

Overall, model policy recommendations for deaths in custody include clear designation of procedural responsibility, specific time frames for processes (e.g. notification, return of remains and personal property, and investigative processes), clear documentation of processes, explicit

measures for processes in unique circumstances, and adherence to wishes of the decedent and their family, in accordance with investigative integrity and applicable laws.

Model policy recommendations for the management of digital remains center on four priorities: the creation of publicly accessible and discoverable platform policies; the extension of pre-mortem control mechanisms that allow users to direct the disposition of their digital remains during their lifetimes; the codification of post-mortem rights enabling fiduciaries and immediate family members to protect against the exploitation of a loved one's digital remains; and the prohibition of unauthorized AI training on the personally identifiable information of the deceased.

The dignity owed to a person does not end at death. Whether someone dies in state custody or leaves behind a digital presence online, the treatment of their body, memory, and remains reflects how fully we recognize their humanity. A meaningful human rights framework must therefore address both traditional settings, such as deaths in prison, and emerging contexts, such as digital remains on social media platforms.

B. Introduction

Life and death are the two constants that unite all people. Humans have long recognized the fundamental right to be honored and protected in death.[5] This right derives from multiple sources: philosophical and cultural traditions, practical necessity, and the emotional need of families and communities to care for their loved ones.[6]

Together, they give rise to the idea of dignity of the dead, which is the right of the deceased to have their remains treated in a way that is respectful of their memory and upholds their wishes.[7] While international criminal law and international humanitarian law recognize specific standards for protecting the dignity of the dead, international human rights law largely does not.[8] Outside of narrow contexts such as enforced disappearances, there is no comprehensive framework recognizing the rights and protections owed to deceased persons and their remains.[9] This gap

[5] Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Protection of the Dead, U.N. Doc. A/HRC/56/56 (Apr. 25, 2024). II.A.3. and II. B 1.7.
[6] Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Protection of the Dead, U.N. Doc. A/HRC/56/56 (Apr. 25, 2024).
[7] Int'l Comm. of the Red Cross, Guiding Principles for Dignified Management of the Dead in Humanitarian Emergencies and to Prevent Them Becoming Missing Persons, Principle 10 (2020).
[8] Helen Obregón Gieseken & Ximena Londoño, Dignity in Death: International Humanitarian Law and the Protection of the Deceased in War, 107 Int'l Rev. Red Cross 929 (2025) ("Geneva Convention III notes that the deceased's bodies "are to be treated honourably and with respect, their identities ascertained and their graves marked and respected.""); *See also* A/HRC/56/56: Protection of the dead, II.B.3; Geneva Convention III Relative to the Treatment of Prisoners of War art. 120, Aug. 12, 1949, 75 U.N.T.S. 135; Protocol Additional to the Geneva Conventions of 12 August 1949 (Protocol I), June 8, 1977, 1125 U.N.T.S. 3; International Convention for the Protection of All Persons from Enforced Disappearance art. 24(3), Dec. 20, 2006, 2716 U.N.T.S. 3.
[9] Ioannis Ktistakis, *The Protection of Dead Persons Under International Human Rights Law: Evaluating Gaps and Developing a Principles Framework*, Int'l Rev. of the Red Cross (Nov. 2025), https://international-review.icrc.org/articles/the-protection-of-dead-persons-under-ihl-929.

underscores the need for a clear, universal standard of dignity after death regardless of identity or circumstance.

Deaths in custody present a particularly serious risk to postmortem dignity. From 2001 to 2018, more than 67,730 deaths occurred in state and federal prisons in the United States.[10] During that period, the prison population increased by one percent while deaths rose by 44 percent.[11] Most recently, at least 26,345 people died in U.S. prisons and jails from 2020 to 2024.[12] Among these, 10,818 deaths were attributed to unlawful, unnatural, or unknown causes.[13]

While in custody, individuals are physically separated from their families and communities and rely on the state to assume responsibility for the respectful treatment and disposition of their remains, yet for the number of deaths that occur in custody, protections vary widely across jurisdictions, institutions, and individual circumstances, creating inconsistent gaps in care. These gaps are not abstract: they manifest in mishandled remains, in families who never receive answers, and in lasting harm to the image and legacy of those who died. Because postmortem processes are often opaque and difficult to scrutinize, these failures may go unnoticed unless brought to public attention during moments of heightened visibility, such as the COVID-19 pandemic or high-profile deaths. Protections should not depend on retrospective scrutiny, but instead be built into policy as a baseline obligation.[14]

In addition to physical bodies, individuals now leave behind extensive digital footprints when they die. Questions about how online accounts are managed after death are becoming increasingly urgent as digital platforms become central to daily life, including what role should online platform policy, legal enforcement, and families play in governing access to and distribution of digital remains. Policies on digital remains should strive to preserve the memory of the deceased in ways that respect their wishes as well as the interests of their families. Unlike deaths in custody, digital remains affect a far broader population. On social media platforms alone, tens of millions of accounts belong to deceased users, and this number is expected to grow significantly in the coming decades.[15] As digital spaces expand, the need for clear and consistent standards governing postmortem digital identity becomes increasingly important.

In many respects, the way we die outlasts the way we live. Our collective humanity, whether incarcerated or online, will never be fully recognized if we are not treated with respect when we

---

[10] Bureau of Justice Statistics, Mortality in Correctional Institutions, 2001–2018, https://bjs.ojp.gov/content/pub/pdf/msfp0118st.pdf (this figure excludes deaths in U.S. territories, deaths in privately contracted federal prisons, deaths uncounted by officials, and deaths not reported to the BJS).
[11] E. Ann Carson, Mortality in State and Federal Prisons, 2001–2018: Statistical Tables (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2021). p. 1. https://bjs.ojp.gov/content/pub/pdf/msfp0118st.pdf.
[12] Bureau of Justice Statistics, Figure 1: Deaths by Location Type & Fiscal Year, https://bja.ojp.gov/program/dcra/reported-data.
[13] Bureau of Justice Statistics, Figure 2: Manner of Death by Fiscal Year, https://bja.ojp.gov/program/dcra/reported-data. The exact count per type of death category is: 789 by unlawful (includes homicide or force by law enforcement or corrections officer) causes; 5,288 by unnatural (includes accident, other, suicide) causes; and 4,741 from unknown (investigation pending) causes.
[14] The H.R.2718 - Family Notification of Death, Injury, or Illness in Custody Act was introduced in April, 2025. It aims to provide a national standard on notification on the death, injury, illness or serious harm of an inmate.
[15] Carl Öhman and David Watson, "Are the dead taking over Facebook? A Big Data approach to the future of death online," Big Data & Society 6, no. 1 (2019): 5, https://doi.org/10.1177/2053951719842549

die. The right to dignity after death should be protected regardless of where death occurs, whether within the confines of a rural prison or on the largest social media platform in the world. Developing a comprehensive human rights framework requires attention to both familiar and emerging contexts of postmortem care. Protecting the dignity of the deceased is not a simple or uniform task: it requires balancing state and public interests in accurate investigation with cultural and religious practices surrounding death. This memorandum provides an overview of current protections related to deaths in custody and digital remains in the United States. Strengthening these protections is an ongoing responsibility, but one that is essential to ensuring dignity is preserved not only in life, but in death.

C. Methodology

This policy memo evaluates protections for the dignity of the dead in both death-in-custody and digital-remains contexts through a comparative review of 59 detention jurisdictions and 50 major digital platforms. The detention analysis covered all 50 states, five U.S. island territories, the District of Columbia, the Federal Bureau of Prisons, Immigration and Customs Enforcement, and Customs and Border Protection. The digital-remains analysis covered 50 platforms with more than 500 million monthly users each, including social media platforms, messaging services, email providers, and cloud storage services. Research was conducted by five Princeton University juniors between January and April 2026 under the supervision of Professor Udi Ofer.

For deaths in custody, the review examined eight issue areas: identification of the deceased; preservation of evidence; family notification; return of remains and personal property; right to autopsy; respect for religious and cultural practices; independent oversight and investigation; and public reporting. Four students researched death-in-custody policies, with each student responsible for two issue areas across all 59 detention jurisdictions. Research involved extensive review of more than 285 publicly available DOC policies and procedures, state statutes and administrative codes. Additionally, federal and state reports, litigation-related documents, and secondary sources were used to identify, contextualize, or clarify gaps in the primary materials. When key documents were not publicly available, 13 public records requests were submitted. All materials are current as of April 2026. Based on this research, the team developed 59 metrics across the eight issue areas to evaluate the existence, scope, and substance of relevant policies across jurisdictions.

Research on digital remains was conducted by one student and focused on 50 platforms, reviewing 50 terms of service, 50 end-user license agreements, 15 relevant federal and state laws, international regulations, and 20 secondary legal scholarship. Six metrics were developed to evaluate the 50 digital platforms.

The metrics were informed by international and professional standards, including guidance by the International Committee of the Red Cross (ICRC), the Minnesota Protocol on the Investigation of Potentially Unlawful Death, the Vienna Convention on Consular Relations, National Association of Medical Examiners guidance, and U.S. Department of Justice Guidance for Federal, State, Tribal, Local, and Territorial Law Enforcement Agencies on Best Practices for Providing Official Notification of Deaths in Custody, as well as recurring themes that emerged from the primary-source research itself. Because the policy landscape varied substantially across

issue areas and jurisdictions, the metrics were designed separately for each issue area rather than imposed through a single uniform framework. In other words, each set of metrics reflects the policy features that appeared most significant to that issue area and uses response categories tailored to the type of information being evaluated. This issue-specific approach allowed the grids to capture meaningful differences in policy substance while preserving a consistent comparative structure within each issue area. Results were then compiled into issue-area grids to identify broader patterns, highlight especially strong or weak policies, and develop model policy recommendations.

This methodology has several limitations. First, the memo evaluates the existence and substance of formal policy, not actual implementation or compliance in practice. Second, in some jurisdictions relevant materials were not publicly accessible, meaning that findings reflect the publicly available policies rather than necessarily the full internal policy landscape. Third, the death-in-custody research prioritized DOC- or incarceration-specific policies over generally applicable laws, because deaths in custody often involve distinct procedures and responsibilities. As a result, generally applicable state-law provisions were not counted unless their application to deaths in custody was clear on the face of the relevant materials. This approach helped preserve specificity and keep the project manageable, but it also means that some protections that may apply in practice were not captured in the grids. Finally, substantial variation in terminology, policy structure, and legal authority across jurisdictions limited standardization and required issue-specific judgment in both metric design and coding.

D. The Dignity of the Dead in Government Custody in the United States

A. Executive Summary

Chapters 1 through 8 of this report assess the policies that 59 jurisdictions across the United States have in place when an individual dies in government custody. The policies of these federal agencies, states, and territories are assessed across eight issue areas, in chronological order of the process that occurs when an individual dies in custody. Each chapter represents one issue area, and each issue area contains an executive summary, problem statement, policy metrics, a summary of jurisdiction performance, best practices, worst practices, and recommendations for model policy.

Chapters 1 through 4 outline the initial steps that occur within the jurisdiction's DOC facility following an in-custody death. Chapter 1, *Identification of Deceased, Including Consulate Notification*, finds that only 17 jurisdictions explicitly address consular notification, and 12 of those jurisdictions mention a timeline for that notification. In accordance with these findings, model policies are recommended that prioritize a detailed and prompt method of identification, as well as scientific thoroughness and multiple methods of identification to allow for flexibility when some methods may be unfeasible.

Chapter 2, *Preservation of Evidence*, finds that only 26 jurisdictions fully require DOC facility staff to document the death scene and evidence, and only 21 jurisdictions fully establish explicit policies for evidence preservation, storage, or transfer. In accordance with these findings, recommendations for model policy include immediately assigning the responsibility for the death

scene and evidence preservation to a clearly identified facility employee, and that evidence connected to the death in custody should be preserved through clear rules on non-disturbance, packaging, sealing, labeling, storage, retention, and transfer.

Chapter 3, *Family Notification, Including Information on Cause of Death*, finds that only eight jurisdictions list explicit hour maximum limits for notification, ranging from 8 hours to 24 hours following an incarcerated individual's death.[16] In many states, the absence of a clear DOC-specific timeline leaves uncertainty regarding who is responsible for the deceased's remains–the family or the facility. Therefore, model policies include requiring notification to the next-of-kin and designated emergency contact of the deceased immediately, through both an initial telephone notification and written condolence letter.

Chapter 4, *Return of Remains and Personal Property*, finds that only 21 jurisdictions have concrete time limits in DOC-specific policies for when physical remains had to be claimed before being treated as unclaimed. Suggestions for model policies therefore include a timeline that clearly communicates the timeframe within which the next-of-kin or other designated individual must claim the deceased's remains. An additional timeframe should be established when a post-mortem examination is required following death, and this should be clearly communicated to the next-of-kin and other designated individual(s).

Chapters 5 through 8 outline additional steps that occur following an in-custody death, under the supervision of the DOC facility. Chapter 5, *Right to Autopsy*, finds that only 15 jurisdictions explicitly recognize a right to a private or independent autopsy. Therefore, model policies include allowing family members to be consulted prior to an autopsy, whenever possible, and allowing a representative to be present during the autopsy.

Chapter 6, *Respecting Religious and Cultural Practices*, finds that only 13 jurisdictions have a policy authorizing or respecting the religious need for burial, rather than cremation. This means that more than three-quarter of jurisdictions can forcibly cremate a body, even if it goes against the deceased's religious beliefs. Accordingly, model policies include making burial the department's default choice of disposition, while allowing cremation when requested by the deceased or their family.

Chapter 7, *Investigation of Deaths and Independent Oversight*, finds that only 23 of 59 jurisdictions have internal mortality reviews, and only 24 of 59 jurisdictions have independent oversight bodies. Therefore, model policies include requiring states to have an internal mortality review that investigates all in-custody deaths, as well as an independent body that provides oversight and accountability to DOC and the facility.

Chapter 8, *Public Notification of Deaths in Custody*, finds that only 10 jurisdictions have mandatory public \notification of deaths in custody, and only four jurisdictions require the release of specific information relevant to death.[17] Therefore, model policies include the public reporting of each individual death in custody under a listed timeline.

[16]ICE, AZ, KS, NV, NJ, OH, VT, DC. CBP is excluded from this list as the time mandate for notification is simply to coordinate with the consulate and not to deliver notification.
[17]CBP, ICE, BOP, AK, CA, HI, NV, NY, SD, DC.; ICE, AK, CA, HI.

B. Chapter 1: Identification of Deceased, Including Consulate Notification

I. Executive Summary

Accurate identification of individuals who die in custody and timely notification to foreign consulates when a noncitizen dies in government custody are foundational obligations of correctional systems, yet significant policy gaps leave both duties inconsistently fulfilled across U.S. jurisdictions. To assess existing practices, we analyzed publicly available policies across 59 jurisdictions using six metrics: the existence of a formal identification policy; death documentation requirements; specified identification methods; proactive versus presumptive identification language; consular notification procedures; and notification procedural details.

The findings reveal that most jurisdictions lack explicit policies on either obligation: 37 of 59 jurisdictions have no formal identification policy, and 42 of 59 have no explicit consular notification policy, despite the U.S. having ratified the Vienna Convention on Consular Relations in 1969, which obligates notification upon the death of a foreign national. Among jurisdictions with identification policies, fingerprinting (18), DNA (12), and dental comparison (10) were the most cited methods, though scientific rigor varied widely and many jurisdictions accepted less reliable indicators such as tattoos or scars. Consular notification timelines, where they existed, ranged from vague urgency language to specific deadlines of up to five days, with no standardization across jurisdictions.

II. Problem Statement

Accurate and timely identification of incarcerated individuals upon death is a foundational obligation of correctional systems. Identification, or the allocation of the correct name/identity to human remains, is the prerequisite for preserving the dignity of the deceased as it enables the legal and social rights of both the individual and their family.[18] Unlike deaths outside of custody, where identification is typically done by the deceased loved ones, the state is responsible for clearly identifying the deceased, which in comparison may require a stronger degree of scientific rigor in identification. Apart from identification being harder in custody, identifying the deceased is also crucial for subsequent criminal investigations in cases, including those of suspected homicide or violence. Proper identification ensures that next of kin are notified, property and postmortem wishes are honored, and religious practices are respected. Beyond these functions, identification restores individuality to those who die in custody and supports public accountability in correctional systems where invisible incarcerees are given names and stories as opposed to remaining in anonymity. Thus, failures in identification erode the dignity of the deceased and lead to compounding harms towards families and larger society.

Consulate notification is part of identification because it represents the first step in initiating a postmortem process for foreign nationals. Upon the death of a foreign national in U.S. detention, it is the duty of authorities to notify the appropriate consulate under the Vienna Convention on

[18] *Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016)*, (HR/PUB/17/4). E. Identification of Dead Bodies. 1. 115.

Consular Relations (VCCR), which the US ratified in 1969.[19] Under Article 37, "in the case of the death of a national of the sending State, to inform without delay the consular post in whose district the death occurred."[20] Without consulate notification, foreign nationals have little opportunity to receive protections, entitlements, and formal proceedings granted to them by their state, as well as the due process rights granted to them while in the United States.

i. Policy Metrics

***Table 3*. Identification of Deceased and Consulate Notification Metrics**	
Metric	**Metric Definition**
Agency/Department Identification	Does the agency/department have *explicit* policy regarding formal postmortem identification of an inmate?
Documentation	Does the agency/department require a formal postmortem report/record/certificate of death?
Method of Identification	What method(s) are used for identification? (i.e. DNA, dental, tattoos, visual identification, fingerprints)
Proactive or Presumptive	Is there a proactive or presumptive obligation for identification? (i.e. using "identify" or "confirm" identity)[21]
Consular Notification	Does the agency/department explicitly address consulate notification upon death of an inmate?
Method of Notification	What details are given, if any, regarding the procedure of consulate notification?

We evaluated identification policies across 59 jurisdictions using six metrics: (1) the existence of formal identification policy; (2) requirement of a death record, report, or certificate; (3) specified identification methods; (4) is there a proactive or presumptive obligation used in identification; (5) existence of consular notification procedures; and (6) procedural details, if any, for such notification. Metrics on the existence of policy, documentation of death, positive or presumptive

[19] *Vienna Convention on Consular Relations*, Apr. 24, 1963, 21 U.S.T. 77, T.I.A.S. No. 6820. Article 37- Information in cases of deaths, guardianship or trusteeship, (a). It is important to note that Article 37 applies to Mandatory Notification Countries. A Mandatory Notification Country is a country that has entered into a bilateral agreement with the United States requiring notification of consular officials in the event one of their citizens has been arrested/detained in a foreign country. There are 58 countries and jurisdictions (as of April 2026) that have a "mandatory notification" agreement with the United States regarding consular notification.

[20] *Vienna Convention on Consular Relations*, Apr. 24, 1963, 21 U.S.T. 77, T.I.A.S. No. 6820.

[21] While differences in rhetoric may seem inconsequential, a procedure to "confirm" identity presupposes an existing idea of identity that merely needs confirmation. Instead, the use of "identify" signals a proactive requirement to establish identity regardless of existing beliefs or understandings of who the deceased is. This can translate to a more rigorous identification process, and shape the choices of facility or medical staff during the postmortem process. *See* Christensen AM, Anderson BE. Methods of personal identification In: Tersigni-Tarrant MA, Shirley NR, editors. Forensic anthropology: an introduction. CRC Press; 2013. p. 397–420.

methods, and existence of consular notification were binary (answerable with a Yes or No), while metrics on methods of identification and notification required qualitative detail. The documentation metric serves as a proxy for minimal identification, where it indicates a form of identification through recordkeeping without necessarily specifying identification as an action and corresponding standards for identification. The Agency/Department Identification metric did not necessarily require a unique policy devoted to identification; rather, the mention of identification was also counted. Notably, jurisdictions could fail to have explicit policy on identification yet have existing statutes on general methods of identification on unidentified individuals or the deceased writ large.

IV. Summary of Jurisdiction Performance

Table 4. **Identification of Deceased and Consulate Notification Jurisdiction Performance**	
Agency/Department Identification	In **37 jurisdictions,** there is no explicit policy regarding postmortem identification of an inmate. In **19 jurisdictions**, explicit policy regarding postmortem identification of an inmate exists. In **three federal agencies**, postmortem identification of an inmate is deferred to local/state policy.
Documentation	In **48 jurisdictions**, a formal postmortem report/record/certificate is required.
Method of Identification	In **18 jurisdictions**, fingerprinting is listed as a method. In **12 jurisdictions**, DNA is listed as a method. In **11 jurisdictions**, photographs are listed as a method. The term "positive identification" was mentioned in **five jurisdictions.**
Proactive or Presumptive Identification	In **34 jurisdictions**, this obligation is unspecified. In **24 jurisdictions**, there is a proactive obligation to identify. In **3 jurisdictions**, there is a presumptive obligation to confirm identity.
Consular Notification	In **42 jurisdictions**, there is no explicit policy on consular notification. In **17 jurisdictions**, there is explicit policy on consular notification.
Method of Notification	In **12 jurisdictions**, a numeric dimension of time was included for consulate notification. In **ten** jurisdictions, an email, written letter, document, or fax was detailed as a method of consulate notification.

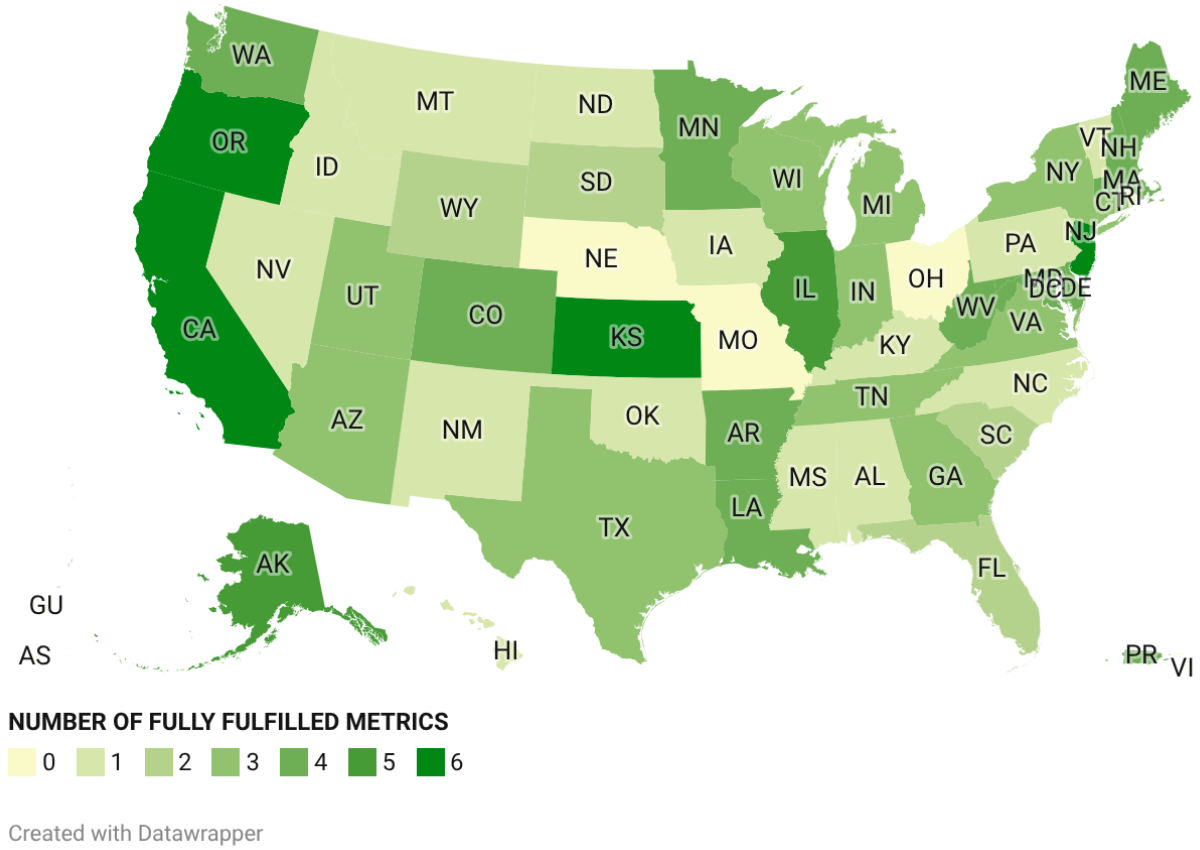


Figure 2. **Identification and Consulate Notification Policies by Fulfilled Metrics**

Substantial policy gaps and inconsistencies exist across jurisdictions, where an identification process is not standardized in time limitations or requirements of certain procedures, methodology, and even existence across correctional facilities. 41 of 59 jurisdictions lacked a policy that mentioned a postmortem identification process for deaths in custody, including federal agencies such as CBP, ICE, and the Federal Bureau of Prisons, which defer to state or local procedures. Among the jurisdictions with policies on identification, including those not specific for deaths in custody, most (24) used the language of "identifying" rather than two which used "confirm identity," reflecting a preference to positively establish identity over verifying a presumptive one. This preference for "positive identification," characterized by scientific comparison of antemortem and postmortem data, was strengthened in numerous jurisdictions' methods of identification.[22] Fingerprinting was the most commonly cited method (18), followed by DNA analysis (12) and dental comparison (10). Visual identification practices varied widely, and a minority of jurisdictions accepted less scientific indicators such as tattoos or scars.

[22] National Association of Medical Examiners, "Standard Operating Procedures for Mass Fatality Management," 2010, Section IV. III.A.1 & IV.III.C.1, p.34-5.
https://www.thename.org/assets/docs/31434c24-8be0-4d2c-942a-8afde79ec1e7.pdf

Consular notification requirements for foreign nationals were inconsistent. Only 17 jurisdictions explicitly addressed consular notification, and 12 referenced a timeline, ranging from unspecific words of urgency ("immediately," "promptly") to specific, hour or day measured deadlines ("the next working day" to up to five days).[23] CBP, ICE, and FBOP, despite deferring to state/local policy for the majority of metrics, have clear policies around consulate notification. Despite the United States having ratified the 1963 Vienna Convention on Consular Relations (VCCR), in which Article 37 obligates notification of foreign consulates upon death, only a small number of jurisdictions explicitly reference this requirement. Its implementation and acknowledgement at the state and local level remains unclear despite existing Federal administrative directives.[24] The VCCR does not reference repatriation to the deceased's home country.

V. Best Practices

Across the 59 jurisdictions, only seven had policies that met, or most closely met, all six metrics: Alaska, California, Illinois, Kansas, Maryland, New Jersey, and Oregon. Even then, meeting all six metrics does not imply the four states have policies worth replicating as "best practices," given the varying levels of detail, timeliness, and robustness within each metric that leave much room for policy improvement. Given this, Maryland, New Jersey, and CBP policies on identification are notable in their ability to balance clarity, scope, and scientific identification. As for consulate notification, the three federal agencies were notable in their robust policies which detailed an expected timeline and government stakeholder responsibilities during notification.

Maryland: Maryland's policy on in-custody identification of the deceased is outlined in Md. Code Regs. 12.12.21.01(D), where the code states: "After receiving clearance to do so by the appropriate investigating agency, Institution staff shall: (1) Immediately inventory and secure the deceased inmate's property; (2) Take the fingerprints of the deceased for the purpose of positive identification; and (3) Prepare a notice of death for the Federal Bureau of Investigation."[25] Here, Maryland's policy avoids unnecessary ambiguity by stating an explicit actor (institution staff), timeline (after receiving clearance by the investigating agency), and method of identification (fingerprints). It is worth noting that the code explicitly states the purpose of fingerprints as "positive identification," thereby acknowledging a scientific standard. Maryland is an example of state identification policy that is short and succinct while avoiding ambiguity.[26]

---

[23] For ambiguous terms, see the states of Minnesota and Maryland in the jurisdictional grid below. For hour/day consulate notification jurisdictions, see CBP, ICE, FBOP, California, and Georgia in the grid below.

[24] ICE, Maryland, New Mexico, Pennsylvania, Virginia all have acknowledged VCCR in a form of federal/state/local policy regarding consular notification. *See* Anne Arundel County Department of Detention Facilities. *Administrative Directive 06.05: Consular Notifications for Foreign Nationals*; U.S. Immigration and Customs Enforcement, Directive 10066.1: Consular Notification of Detained or Arrested Foreign Nationals. https://www.ice.gov/doclib/foia/policy/10066.1_ConsularNotifDetainedArrestedForeignNationals_02.13.2006.pdf.; 37 Pa. Code § 95.222; City of Rockville Police Department. 2025. *General Order 4-31: Foreign Nationals and Consular Access and Notification*.; Virginia Commonwealth University Police Department. 2018. *6-12 Procedure for Consular Notification of Foreign Officials*.

[25] Maryland Code of Regulations, 12.12.21.01, "Death of an Inmate."

[26] Moreover, data on consulate notification in Maryland was separated by county, rather than centralized in a state or department code. Findings across three counties all contained an acknowledgement of mandatory consulate notification upon inmate death, but did not specify the death of an incarcerated foreign national. Montgomery County Department of Police. n.d. *Function Code 520: Dealing with Foreign Nationals*; City of Rockville Police Department. General Order 4-31: Foreign Nationals and Consular Access and Notification, IV.

New Jersey: New Jersey Health and Vital Statistics law § 26:6B-10 requires a medical examiner to conduct a medicolegal investigation of all deaths in custody, jail, or correctional facility "to establish identity and the cause and manner of death."[27] Furthermore, section 4 of the same statute provides that the medical examiner or medicolegal death investigator shall be provided with an Originating Agency Identification Number (ORI), and access to the State's motor vehicle registries and fingerprint registries for identifying the remains of the deceased individual.[28] The ORI is a unique nine-digit number assigned to each police department and state agency that allows for the request of data, such as fingerprints and potential criminal history records.[29] Thus, New Jersey policy establishes a strong identification procedure by assigning an actor and listing at least three methods of identification that include positive identification and digital registry access. However, it lacks a timeline for identification. Finally, New Jersey is rare in that it has state law that explicitly covers consulate notification for death of foreign inmates. In N.J. Admin. Code § 10A:10-7.5, deaths of foreign inmates must have the correctional facility Center Control supervisor "immediately notify" the Administrator or designee and the Special Investigations Division, where the Administrator or designee then "shall immediately notify the appropriate consulate post, in writing, of the death of the foreign national inmate."[30] Here, policy assigns an actor for notification, references a timeframe (immediately), and a method of notification (in writing).

It is important to note that certain jurisdictions, despite not covering all criteria, still have notable policies on identification and consulate notification worth highlighting. An example of this is CBP and ICE policy on consulate notification. Not surprisingly, these jurisdictions have policies that are relatively robust on consulate notification given the frequency of foreign inmates and classification as a federal jurisdiction.

Customs and Border Protection: CBP policy directives mandates that within four hours of notification from the Field Office, Sector, or Air and Marine Branch, and upon establishment of foreign nationality/citizenship, "the EAC or Chief (or their designee) will confirm the applicable consulate has been contacted, confirm the consulate will notify the decedent's next-of-kin, and offer support as needed." Within 72 hours of the death, the CBP Office of International Affairs will provide additional telephonic or written notification to the appropriate foreign embassy. CBP policy is impressive for a couple of reasons, including the specificity of responsibility, actors, and timeline. There is an increased level of detail uncommon in other consulate notification policies, seen through the descriptions of notification, from "confirm[ing] the consulate will notify the next-of-kin" and "offer support as needed" to a follow up of "additional telephonic or written notification" within three days of inmate death. Lastly, four hours is an extremely short period of time in comparison to other jurisdictions. All these details point to strong CBP commitment to consulate notification of inmate death.

---

[27] New Jersey Revised Statute § 26:6B-10(a)12.
[28] New Jersey Revised Statute § 26:6B-10(c)(4).
[29] New Jersey State Police. Request for a Criminal History Record Information "FAQ; What is an ORI Number and how can I find the ORI Number?".
[30] New Jersey Admin. Code, Death of a foreign national inmate, §10A:10-7.5(a), https://www.law.cornell.edu/regulations/new-jersey/N-J-A-C-10A-10-7-5.

ICE: An ICE Policy Directive 11003.4 states that ICE must notify the appropriate foreign consulate as soon as possible, but no later than 24 hours after notification of detainee death. This notification must be documented.[31] No later than 48 hours after the next-of-kin's notification, a condolence letter should be sent to the next-of-kin and the applicable consulate by the FOD or Removal Division Deputy Assistant Directors.[32] ICE policy on consulate notification is strong because it provides explicit time deadlines alongside urgent language of "as soon as possible", mandates the digital documentation of notification for accountability, and also submits a follow up condolence letter within the following two days after next-of-kin notification.

VI. Worst Practices

Across 59 jurisdictions, seven jurisdictions did not meet any of the six metrics: Missouri, Nebraska, Ohio, American Samoa, Guam, Northern Mariana Islands, and the U.S. Virgin Islands. Within these jurisdictions, policies on deaths in custody omit both postmortem identification procedures and consular notification requirements for inmates. In these areas, omission itself constitutes a worst practice. Without clear procedures for identifying the deceased, facilities risk delays, misidentification, or, in the most severe cases, a complete failure to identify the individual—preventing all subsequent processes from being carried out for the correct person. Similarly, without a defined policy for consular notification, such notification may be neglected entirely or carried out inconsistently. In short, the absence of policy leaves both identification and consular notification vulnerable to inconsistency or inaction.

Beyond these seven jurisdictions, others illustrate problematic policies by outlining procedures that are ambiguous, incomplete, or potentially harmful to postmortem processes. The following examples highlight Alaska, Colorado, and Georgia.

Alaska: Alaska Department of Corrections Policy and Procedure 104.04 states that following the unexpected death of a prisoner, the Shift Supervisor shall "confirm the identity of the deceased prisoner using a photograph from ACOMS or the institutional file." ACOMS refers to the Alaska Corrections Offender Management System, a database covering individuals incarcerated in-state and out-of-state, as well as those in community residential centers, treatment facilities, and under electronic monitoring.[33]

Alaska's identification policy falls short in scientific rigor. While it clearly designates a responsible actor (the Shift Supervisor), reliance on a photograph from a database or institutional file introduces a risk of misidentification, including both false positives and false negatives. This risk is heightened by the potential for outdated or low-quality images, as well as human error or bias. The policy also fails to incorporate multiple methods of identification, limiting accuracy. Finally, the directive to "confirm" identity implies prior knowledge of the decedent's identity, which may not exist and could increase the risk of confirmation bias.

---

[31] ICE Directive 11003.4: Notification, Review, and Reporting Requirements for Detainee Deaths, (Dec. 2, 2020). 5.2. Notification to Consulate and Detainee's Next of Kin. (1).
[32] ICE Directive 11003.4: Notification, Review, and Reporting Requirements for Detainee Deaths, (Dec. 2, 2020). 5.2. Notification to Consulate and Detainee's Next of Kin. (2).
[33] Alaska DOC 2013 Offender Profile.

Colorado: Pursuant to statute §30-10-606 for deaths under noncriminal investigation, "the coroner, in cooperation with law enforcement, has the authority to collect, examine, and store, or request law enforcement to collect, examine, and store, any documents, evidence, or information, including information available in electronic devices such as phones or computers," subject to constitutional limitations.

This provision is overly broad and lacks specificity compared to established methods of positive identification, such as fingerprinting or dental examination. Moreover, the category of "documents, evidence, or information" fails to distinguish between methods of varying reliability—for example, prioritizing DNA sampling over photographic comparison or electronic files. Granting coroners expansive authority to access and analyze "any" documents or electronic data, limited only by constitutional constraints, creates unnecessary ambiguity and may lead to inconsistent practices. Additionally, the statute's limitation to "noncriminal investigations" leaves uncertainty regarding identification procedures in cases involving potential criminal conduct, as those situations are not addressed.

Georgia: Georgia meets three of the six metrics, including two related to consular notification. However, Georgia Department of Corrections Standard Operating Procedure 208.03 provides that upon the death of a foreign national, "the Warden or Superintendent or designee shall notify the G.D.C. General Counsel… on the next business day," and the General Counsel must notify the appropriate consulate in writing within five calendar days. Both notifications must be documented in the offender's institutional file.

Although the chain of notification is clearly defined and assigning responsibility to General Counsel may reflect diplomatic formality, the five-day notification window is comparatively long. Other jurisdictions, such as California, CBP, ICE, FBOP, and Virginia, establish shorter timeframes. Given the urgency and significance of an inmate's death for consular authorities and next of kin, Georgia's extended timeline represents a comparatively weak standard that should not be replicated.

VII. Recommendations for Model Policy

Following the death of an inmate, model policies on both identification and consulate notification should strive to include a detailed methodology and prompt notification that set clear expectations. These expectations should aim to balance a respect for the values of scientific accuracy, procedural consistency, while considering the urgent and emotional demands of family and government stakeholders during identification. Finally, model policy should include requirements for documenting both identification and consular notification efforts.

1. Detailed Method and Promptness of Identification

State statutes or Department of Corrections (DOC) policies should include explicit guidance on identifying deceased inmates. At a minimum, policies should specify: (1) the person responsible for identification, (2) the methods to be used depending on the circumstances of death (natural, unnatural, or potentially unlawful), and (3) a general timeframe for completing identification.

While it may not be realistic to impose a strict deadline in every case, policies should either provide a clear timeframe in hours or days or use language that emphasizes prompt action.

Policies should also address cases where identity cannot be confirmed with certainty. Even after using all available methods, some cases may result in only a probable identification. In these situations, involving family members can be important. The Minnesota Protocol notes that family engagement can both assist in the identification process and increase the likelihood that the result will be accepted, which is especially important in cases involving potential wrongdoing.[34]

2. Scientific Thoroughness and Range of Identification Method

Jurisdictions should strive to outline multiple methods of identification that allow for flexibility in cases where one method may be unavailable or infeasible. However, in cases of potentially unlawful deaths, identification methods should always prioritize scientifically reliable methods of positive identification such as dental examination, DNA samples, and fingerprinting.[35] Such methods are often referred to as "primary methods," as they can provide reliable and primary proof of identity.

Identification through physical characteristics (such as body deformities, scars or surgical prostheses, as visible on the body or as represented in X-rays) and personal effects are often referred to as "secondary methods." Secondary methods are viewed as a less sufficient method for identification, although in some cases they could, individually or collectively, approach the level of being uniquely identifying. Jurisdictions should avoid reliance on visual identification, irrespective if done by family members or facility staff. Both the Minnesota protocol and Interpol deem visual identification as unreliable and not qualifying as a form of positive identification.[36] Instead, secondary methods can be included as options to confirm or strengthen identification, but they should be explicitly deprioritized after primary methods. The results of the application of the selected methods to the deceased should be compared with the records (or with profiles from antemortem biological samples) of a known, named individual.[37]

3. Detailed Method and Promptness of Consular Notification

State statute or DOC policy should include an explicit policy on consular notification in the event of a noncitizen's death. This statute/policy should ideally mention the VCCR directly as means of respecting international treaty commitments. This policy should also include: (1) the known and named actor responsible for consular notification, (2) the method(s) of notification to be used, and (3) a timeframe by which the steps of notification should be completed. There is no preference for (1) and (2) given they may be tailored to facility organization or preference. However, the timeframe for notification should fall within the next working day or contain language that emphasizes urgency.

4. Documentation of Identification and Consular Notification

All efforts of identification and consular notification, if applicable, of the deceased inmate should be documented within institutional records. Documentation should state the known, named

[34] Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) [ST/]HR/PUB/17/4, E.3.130. p.24.
[35] Ibid at p. 22.
[36] Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) [ST/]HR/PUB/17/4; Interpol, Disaster Victim Identification Guide, Interpol, Lyon, 2023.
[37] Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) [ST/]HR/PUB/17/4, E.5.128. p.23.

individual who completed each action, dates, and methods used. This is important, as clear documentation enables accountability for the deceased in ensuring that state mandated policies were upheld by the corresponding stakeholder.

VIII. Grid of All Jurisdictions and Key Metrics

Table 5. **Identification and Consular Notification**

Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
CBP	Defer to local policy.[40]	Yes.[41]	CBP does not appear to have a policy on a particular method to identify a person who dies in custody. In a specific case, identification may be handled by the local medical examiner to coroner under applicable jurisdictional procedures.	Unspecified.	Yes.[42]	Notification within 4 hours of notification from the Field Office, Sector, or Air and Marine Branch once foreign nationality has been established.[43] Within 72 hours, the CBP Office of International Affairs provides additional telephonic or written notification to the appropriate foreign embassy.[44]
ICE	Defer to	Yes.[46]	Defer to local	Unspecified.	Yes.[48]	Notification as

[38] Not necessarily methods specific to prison/in-custody identification. Some states' identification information is found under general practices for identification of unknown/unidentified decedents.
[39] Only policies from state-wide code or DOC policy were counted, despite certain jurisdictions having county-specific data available on consular notification. For these cases, details on county policy are mentioned in corresponding footnotes.
[40] U.S. Immigration and Customs Enforcement, Protocols for Official Death in Custody Notifications to Emergency Contacts, Next of Kin, or Extended Family Members, (2023), https://www.ice.gov/doclib/foia/policy/protocolsOfficialDeathCustodyNotifications.pdf.
[41] BOP Program Statement 5553.08 Page 5, Section 4.
[42] Department of Homeland Security U.S. Customs and Border Protection, Notification and Review Procedures for Certain Deaths and Deaths in Custody, August 31, 2023. p. 4.
[43] DHS CBP, Notification and Review Procedures for Certain Deaths and Deaths in Custody, August 31, 2023. p. 4.
[44] Ibid at p. 5.
[46] ICE Directive 11003.6 Policy on Notification, Review, and Reporting of Deaths in Detention (2025); Standard 4.6, 4. Death Certificate.
[48] ICE Directive 11003.5: Notification, Review, and Reporting Requirements for Detainee Deaths, (Dec. 2, 2020). https://www.ice.gov/doclib/detention/directive11003-5.pdf.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
	local policy.[45]		policy.[47]			soon as possible, but no later than 24 hours following a detainee death.[49] No later than 48 hours of the next of kin being notified, the FOD or Removal Division Deputy Assistant Directors must send a condolence letter to the next of kin and the applicable consulate.[50]
FBOP	Defer to state policy.[51]	Yes.[52]	General best practices.[53]	Unspecified.	Yes.[54]	The Warden notifies the appropriate consulate by telephone no later than the next work day and confirms notification by a letter explaining

[45] U.S. Immigration and Customs Enforcement, Protocols for Official Death in Custody Notifications to Emergency Contacts, Next of Kin, or Extended Family Members, (2023), https://www.ice.gov/doclib/foia/policy/protocolsOfficialDeathCustodyNotifications.pdf.
[47] ICE Directive 11003.6 Policy on Notification, Review, and Reporting of Deaths in Detention (2025); Standard 4.6, 4. Death Certificate.
[49] ICE Directive 11003.5: Notification, Review, and Reporting Requirements for Detainee Deaths, (Dec. 2, 2020). 5.2. Notification to Consulate and Detainee's Next of Kin. (1).
[50] ICE Directive 11003.5: Notification, Review, and Reporting Requirements for Detainee Deaths, (Dec. 2, 2020). 5.2. Notification to Consulate and Detainee's Next of Kin. (2).
[51] BOP Program Statement 6031.05 CN-2 Page 59-61, Section 23 SERIOUS ILLNESS, SERIOUS INJURY, AND DEATH PROCEDURES
[52] U.S. Department of Justice FBOP, Program Statement 6080.01: Autopsies, Authority to Order (1994), Part 5 Recordkeeping, 4. https://www.bop.gov/policy/progstat/6080_001.pdf; BOP Program Statement 5553.09, section 4.
[53] DOJ, Guidance for Federal, State, Tribal, Local, and Territorial Law Enforcement Agencies on Best Practices for Providing Official Notification of Deaths in Custody, Planning and Preparing for the Notification, (2023), p. 4. https://www.justice.gov/d9/2023-05/Sec%2011%28d%29%20-%20DOJ%20Guidance%20on%20Best%20Practices%20for%20Providing%20Official%20Notificaition%20of%20Deaths%20in%20Cu.pdf.
[54] U.S. Department of Justice, Federal Bureau of Prisons, Program Statement, 5553.09 "Inmate Escape and Death Notification procedures," section 4(e)(7), May 7, 2026.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
						the circumstances of the death.[55]
Alabama	No.[56]	Yes.[57]	Unspecified (local).[58]	Unspecified.	No.[59]	No.[60]
Alaska	Yes.[61]	Yes.[62]	Visual confirmation with a photo.[63]	Presumptive.	Yes.[64]	The Superintendent shall immediately notify the consulate.[65]
Arizona	No.[66]	Yes.[67]	Unspecified.	Unspecified.	Yes.[68]	The Warden, Deputy Warden, or designee shall notify the

[55] U.S. Department of Justice, Federal Bureau of Prisons, Program Statement, 5553.09 "Inmate Escape and Death Notification procedures," section 4(e)(7), May 7, 2026.
[56] In Alabama's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying the metric of identification.
[57] Alabama Code § 45-70-60; Alabama Code § 11-5-35 (Act 2006-581, p. 1527, §6). Alabama Code § 14-1-24 (2025).
[58] Within the issue area of postmortem identification, no explicit policy was found satisfying the metric on a state level. Jefferson County Coroner/ Medical Examiner's Office, "Visual identification at the location of death. Sometimes positive identification may be obtained by: fingerprint, dental, x-ray comparison, medical implants or devices, DNA, anthropology."
[59] In Alabama's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying the metric of consulate notification.
[60] Ibid.
[61] State of Alaska, Department of Corrections, Policies & Procedures, Policy Number 104.04(B)(1), "Death of Prisoner," https://doc.alaska.gov/pnp/pdf/104.04.pdf.
[62] Ibid at 104.04(A) and (B)(1), ("Prepare and complete the Death of a Prisoner Log, Form")
[63] Ibid at 104.04(B)(1)(c), ("Confirm the identity of the deceased prisoner using a photograph from ACOMS or the institutional file")
[64] Ibid at 104.04(G)(3)
[65] Ibid.
[66] In Arizona's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying the metric of notification timeline
[67] Arizona Department of Corrections Rehabilitation and Reentry, Department Order 711, "Notification of Inmate Hospitalization or Death," Procedure 3.9, December 8, 2023, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf.
[68] Arizona Department of Corrections Rehabilitation and Reentry, Department Order 711, "Notification of Inmate Hospitalization or Death," Procedure 3.6.4, December 8, 2023, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
						consulate.[69]
Arkansas	Yes.[70]	Yes.[71]	Forensic examination and scientific identification that may include fingerprinting, dental examination, DNA analysis, and entry into the National Missing and Unidentified Persons System database.[72]	Proactive.	No.[73]	No.[74]
California	Yes.[75]	Yes.[76]	Use fingerprints. If impossible, use photographs, scars, or other means.[77]	Proactive.	Yes.[78]	Written notification within 72 hours of the official notice of death to the consulate.[79] If the deceased inmate was undocumented, notify the local office of ICE and

[69] Arizona Department of Corrections Rehabilitation and Reentry, Department Order 711, "Notification of Inmate Hospitalization or Death," Procedure 3.6.4, December 8, 2023, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf.
[70] Arkansas County Coroners 2022 Procedures Manual 20-17-702– 3(b). "State Crime Laboratory".
[71] Arizona House Bill 2370 11-594.4 Powers and duties of county medical examiner.
[72] Arkansas County Coroners 2022 Procedures Manual 20-17-702– 3(b). "State Crime Laboratory".
[73] In Arkansas' analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying the metric of consulate notification.
[74] Within the issue area of consulate notification, no explicit policy was found satisfying the metric.
[75] California Department of Corrections and Rehabilitation (CDCR) Policy 51070.7, Identify Decedent.
[76] CDCR Policy 51070.8, Circumstance of Death Report and Distribution, "The highest ranking custodial officer or designee shall prepare and deliver within four hours of death a brief notice providing the decedent's name, number, time and place of death, and other pertinent facts"
[77] CDCR Policy, 51070.7.1, Identify Decedent.
[78] CDCR Policy 51070.10, Notification of Contact Listed, 51070.12.2 Notification of Death of Foreign Nationals.
[79] CDCR Policy, 51070.12.2, Notification of Death of Foreign Nationals.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
						the consulate.[80]
Colorado	Yes.[81]	Yes.[82]	Any documents, evidence, or information, including information available in electronic devices such as phones or computers.[83]	Proactive.	No.[84]	No.[85]
Connecticut	No.[86]	Yes.[87]	Fingerprints (unless unfeasible).[88]	Proactive.[89]	No.[90]	No.[91]
D.C.	Yes.[92]	Yes.[93]	Identification via fingerprint.[94]	Proactive.	No.[95]	No.[96]

[80] CDCR Policy, 51070.13, Responsibility of Correctional Counselor.
[81] Colo. Rev. Stat. § 30-10-606 (1)(f) "In the case of a noncriminal investigation, the coroner in collaboration with local law enforcement shall identify the deceased" .
[82] Colo. Rev. Stat. § 30-10-606 (4)(a).
[83] Colo. Rev. Stat. § 30-10-606 (1.2)(e).
[84] Within the issue area of postmortem identification, no explicit policy was found satisfying this metric.
[85] Ibid.
[86] In Connecticut's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying the metric of identification.
[87] Connecticut DOC Directive 8.2 Section 4.
[88] Connecticut Gen. Stat. § 19a-409 Issuance of death certificate.
[89] Connecticut Gen. Stat. § 19a-409 Issuance of death certificate.
[90] In Connecticut's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying the metric of notification.
[91] Within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[92] District of Columbia DOC P&P, Inmate/Arrestee Deaths 4352.1E, Section 9.
[93] District of Columbia DOC P&P, Inmate/Arrestee Deaths 4352.1E, Section 10.
[94] District of Columbia DOC P&P, Inmate/Arrestee Deaths 4352.1E, Section 9.
[95] In D.C.'s analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[96] In D.C.'s analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Delaware	Yes.[97]	Yes.[98]	DNA identification.[99] Any object or articles which, in the Medical Examiner's opinion, may be useful.[100]	Proactive.	No.[101]	No.[102]
Florida	No.[103]	No.[104]	Unspecified.	Unspecified.	Yes.[105]	The institution shall immediately notify the consulate.[106]
Georgia	No.[107]	Yes.[108]	Unspecified.	Unspecified.	Yes.[109]	The GDC General Counsel must then notify the consulate General within 5 days of the death.[110]

[97] Delaware Code, Title 29, §4706(e), "Investigation of deaths."
[98] Delaware Code, Title 29, § 4710(a). Records and reports; evidence.
[99] Delaware Code, Title 29, § 4713(g)(1), DNA analysis and data bank.
[100] Delaware Code, Title 29, § 4706, "Investigation of deaths."
[101] In Delaware's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[102] In Delaware's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[103] Ibid.
[104] Ibid.
[105] Fla. Admin. Code Ann. r. 33-602.112(1)(a)5 - Inmate Death Notification Process.
[106] Ibid.
[107] In Georgia's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[108] Georgia Administrative Code Rule 125-4-4-. 11.
[109] Georgia DOC Policy Number 208.03 IV E.
[110] Georgia DOC Policy Number 208.03 IV E.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Hawaii	No.[111]	Yes.[112]	Unspecified.[113]	Unspecified.	No.[114]	No.[115]
Idaho	No.[116]	Yes.[117]	Unspecified.[118]	Unspecified. [119]	No.[120]	No.[121]
Illinois	Yes.[122]	Yes.[123]	The facility Bureau of Identification will be notified.[124] Bureau of Identification staff shall fingerprint the deceased if no autopsy.[125]	Unspecified.	Yes.[126]	The consulate shall be sent a Consular Notification, DOC 0582.[127]

[111] In Hawaii's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[112] §353C- Correctional facility and community correctional center deaths; reporting. (2)(b).
[113] In Hawaii's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[114] Ibid.
[115] Ibid.
[116] In Idaho's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[117] Ibid.
[118] Ibid.
[119] Ibid.
[120] Ibid.
[121] Ibid.
[122] Illinois Department of Corrections, Administrative Directive 01.12.111, "Reporting of Deaths," Section II(E), https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/112111%20Reporting%20of%20Deaths.pdf.
[123] Ibid.
[124] Illinois Department of Corrections, Administrative Directive 01.12.111, "Reporting of Deaths," Section II(F).
[125] Illinois Department of Corrections, Administrative Directive 01.12.111, "Reporting of Deaths," Section II(F)(1)(d).
[126] Illinois Department of Corrections, Administrative Directive 01.12.111, "Reporting of Deaths," Section F(1)(6).
[127] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Indiana	Yes.[128]	No.[129]	Fingerprints, Dental examination, X-rays, Photo (Note: External scars or tattoos may be instrumental in identifying an unknown victim), Clothing.[130] Positive identification using at least one method: visual identification at the scene by an immediate family member, a photograph, implanted tracking device number, fingerprints, DNA, or dental analysis.[131]	Proactive.	No.[132]	No.[133]
Iowa	No.[134]	Yes.[135]	Unspecified.	Unspecified.	No.[136]	No.[137]
Kansas	Yes. [138]	Yes.[139]	Photographs of the human remains,	Proactive.	Yes.[141]	Prompt notification to the

[128] In Indiana's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[129] Ibid.
[130] Section 501.3 "Autopsy Protocol", Step 5: Victim Identification Procedures. p. 145.
[131] Indiana Code § 36-2-14-6.5 Sec. 6.5(d).
[132] In Indiana's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[133] In Indiana's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[134] Iowa Code § 331.802 (29, 0), 4.3.f.
[135] Iowa Code §331.802 (29, 0), 2a; 904.601 Records of inmates.1.
[136] In Iowa's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[137] Ibid.
[138] Kansas DOC Policy 01-114D Section III.
[139] Kansas Statutes § 9-1935. Death of prisoner in custody of city or county; investigation by Kansas bureau of investigation.
[141] Kansas DOC Policy 01-114D Section III (4)(a).

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			prior to an autopsy; dental or skeletal x-rays; photographs of items found with the remains; fingerprints from the remains, samples of tissue, whole bone or hair suitable for DNA typing.[140]			appropriate consular office/officer per provisions of the International Treaty Agreement. The initial notifications shall immediately be followed with a written incident report to Kansas Central Office staff.[142]
Kentucky	No.[143]	No.[144]	Positive identification.[145] In cases where the remains are disfigured, decomposed, or burned, advanced identification of fingerprint recovery, DNA analysis, or dental comparison.[146]	Unspecified. [147]	No.[148]	No.[149]

[140] Kansas Statutes § 75-712g. Report of unidentified person or human remains; duties of law enforcement agency and coroner; disposal of remains.(b)
[142] Kansas DOC Policy 01-114D Section VI (B)(4-6).
[143] In Kentucky's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[144] Ibid.
[145] Kentucky Coroner's Association, "FAQs: Why is establishing positive identification so important?" https://kentuckycoronersassociation.com/frequently-asked-questions/.
[146] Kentucky Coroner's Association, "FAQs: Why is establishing positive identification so important?" https://kentuckycoronersassociation.com/frequently-asked-questions/.
[147] In Iowa's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[148] Ibid.
[149] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Louisiana	Yes.[150]	Yes.[151]	First, by visual means, fingerprints, or other identifying data.[152] Then, dental examination. Then, dental examination and other identifying records forwarded to state and local law enforcement agencies.[153]	Proactive.	No.[154]	No.[155]
Maine	Yes.[156]	Yes.[157]	Fingerprinting.[158]	Presumptive.[159]	No.[160]	No.[161]
Maryland	Yes.[162]	Yes.[163]	Positive identification: Fingerprinting.[164]	Proactive.	No.[165]	No.[166]

[150] Louisiana Rev Stat 13 § 5717. B.
[151] LA Rev Stat 13 § 5717. B.
[152] LA Rev Stat 13 § 5717. B.
[153] LA Rev Stat 13 § 5713. H..
[154] In Louisiana's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[155] Ibid.
[156] Maine DOC Policy 18.21 (AF): Adult Resident Death. Procedure C. 8(c).
[157] Maine DOC Policy 18.21 (AF). Procedure C. 7.
[158] Maine DOC Policy 18.21 (AF). Procedure C. 8(c).
[159] Maine DOC Policy 18.21 (AF). Procedure C. 8(c).
[160] In Maine's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[161] In Maine's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[162] Code of Maryland Regulations, Title 12, Subtitle 2, Chapter 22, "Inmate Deaths," https://regs.maryland.gov/us/md/exec/comar/12.02.22.
[163] Code of Maryland Regulations, Title 12, Subtitle 2, Chapter 22.02, "Inmate Deaths," https://regs.maryland.gov/us/md/exec/comar/12.02.22.02
[164] Code of Maryland Regulations, Title 12, Subtitle 2, Chapter 22.02, "Inmate Deaths," https://regs.maryland.gov/us/md/exec/comar/12.02.22.02.
[165] In Maryland's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric; (Local) City of Ferguson Office of the Chief of Police, General Order 460.05, B.
[166] In Maryland's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric. "Notify the nearest consulate of his or her country immediately or as soon as reasonably possible. Notify by fax if possible, and by telephone if not."

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Massachusetts	Yes.[167]	Yes.[168]	Copies of fingerprints, personal descriptions and other identifying data, including the date and place of death. If unable to furnish prints of the 10 fingers of the deceased, prints or partial prints of any fingers with other identifying data shall be provided to state police.[169] Dental examination in any case where the deceased cannot be identified.[170]	Proactive.[171]	No (local).[172]	No.[173]
Michigan	No.[174]	Yes.[175]	"Ascertain the identity of the	Proactive.	No (local).[177]	No.[178]

[167] Massachusetts DOC Policy 103 DOC 622.07. 9(e); Massachusetts DOC Policy 103 DOC 402 (2025).
[168] Massachusetts DOC Policy 203 DOC 622.10. 5.
[169] Massachusetts Gen. Laws ch. 22A, § 5.
[170] Mass. Gen. Laws ch. 22A, § 5.
[171] Massachusetts DOC Policy 203 DOC 622.10. 5.
[172] In Maryland's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric; (Local) Scarborough Police Department, Policy and Procedure 1.20, II.D.
[173] In Maryland's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric; (Local) Scarborough Police Department, P&P 1.20, II.D.
and I. "General Considerations and Guidelines": "Police employees should treat foreign nationals as they would want an American citizen to be treated in a similar situation in a foreign country." Notification may be made by fax or telephone and should include at the minimum: name, address and date of birth, a brief description of the circumstances surrounding the person's death and passport number, date of issuance and place of issuance if known.
[174] In Michigan's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric
[175] Michigan Public Act 22 of 2025, Article 2, Section 608; Michigan Common Law (MCL) § 52.202.
[177] In Michigan's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric; (Local) Detroit Police Department Policy Directive 202.6, 202.6 -8.1 Deaths of Foreign Nationals.
[178] In Michigan's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			decedent and immediately and as compassionately as possible." Visual identification. If impossible, then fingerprints, dental records, DNA, or other identification procedures.[176]			
Minnesota	Yes.[179]	Yes.[180]	Unspecified.	Unspecified	Yes.[181]	Promptly notify the nearest embassy or consulate by faxing or e-mailing the suggested fax sheet from the U.S. Department of State's website.[182]
Mississippi	No.[183]	Yes.[184]	Unspecified.	Unspecified	No.[185]	No.[186]
Missouri	No.[187]	No.[188]	Unspecified.	Unspecified	No (local).[189]	No (local).[190]

[176] MCL Public Act 181 of 1953, MCL 52.20, Sec. 5. 5.
[179] Minnesota DOC Policy 203.230(2)(a); Minnesota DOC Policy 203.230(3)(b)
[180] Minnesota DOC Policy 203.230(2)(a); Minnesota DOC Policy 203.230(3)(b).
[181] Minnesota DOC 203.115: Consular Notification and International Prisoner Transfer, C.1.
[182] Ibid.
[183] In Mississippi's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[184] Mississippi Code § 41-61-63. 2(b).
[185] In Mississippi's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[186] Ibid.
[187] In Missouri's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[188] Ibid.
[189] In Kansas' analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric; we did find a KC police department guidance: Kansas City Police Dept. Procedural Instruction, Contact with Foreign Nationals.
[190] In Kansas' analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Montana	No.[191]	Yes.[192]	Unspecified.	Unspecified.	No.[193]	No.[194]
Nebraska	No.[195]	No.[196]	Unspecified.	Unspecified.	No.[197]	No.[198]
Nevada	No.[199]	Yes.[200]	Unspecified.	Unspecified.	No.[201]	No.[202]
New Hampshire	Yes.[203]	Yes.[204]	Identification at the place of death by a friend or family member or by comparison with a photo identification.[205] Photographic, dental, entomological, and collection and preservation of tissue and other samples of the	Proactive.	No.[208]	No.[209]

[191] In Montana's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[192] Montana State Prison Standard Operating Procedures Manual MSP HS A-09 PROCEDURES IN THE EVENT OF INMATE DEATH," B. Progress Notes and Incident Reports. p. 717.
[193] In Montana's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[194] Ibid.
[195] In Nebraska's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[196] Ibid.
[197] Ibid.
[198] Ibid.
[199] In Nevada's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[200] Nevada Administrative Regulations 420 Inmate Death or Serious Injury Procedure, 420.1 (5). p. 2.
[201] In Nevada's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[202] Ibid.
[203] New Hampshire. Admin. Code § Jus 2004.05(a).
[204] N.H. Admin. Code § Jus 2004.05(b).
[205] N.H. DOJ OCME, "FAQs: Do I need to come to the OCME for identification?".
[208] In New Hampshires' analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[209] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			remains.[206] In some instances, identification is established using facts gathered by the ADME together with individual, unique characteristics of the deceased (scars, tattoos, etc.).[207]			
New Jersey	Yes.[210]	Yes.[211]	Photographs of the human remains; dental or skeletal X-rays; photographs of items found with the human remains; fingerprints from the remains, if possible; samples of tissue suitable for DNA typing, if possible; samples of whole bone or hair suitable for DNA typing.[212]	Proactive.[213]	Yes.[214]	Immediate notification, in writing, of the death of the foreign national.[215]

[206] N.H. Admin. Code § Jus 2004.05(a) (c).
[207] N.H. Admin. Code § Jus 2004.05(a) (c). "Assistant deputy medical examiner (ADME)"
[210] New Jersey Administrative Code §8:70-6.1, “Medical examiner certification and amendments.”
[211] New Jersey Administrative Code §8:70-1.1, “Mandatory autopsies.”
[212] New Jersey Administrative Code §8:70-6.1(a), “Medical examiner certification and amendments: and New Jersey Administrative Code §52:17B-220(9b), “Responsibilities of county, intercounty medical examiner.”
[213] Union County New Jersey, Division of the Medical Examiner, “What is the Identification Procedure?”.
[214] N.J. Admin. Code § 10A:10-7.5 - Death of a foreign national inmate (a)2.
[215] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
New Mexico	No.[216]	Yes.[217]	Unspecified.	Unspecified.	No.[218]	No.[219]
New York	No.[220]	Yes.[221]	Unspecified.	Unspecified.	Yes.[222]	Contact the extradition specialist to obtain the name and telephone number for the appropriate consulate in NYC.[223]
North Carolina	No.[224]	Yes.[225]	Unspecified.	Unspecified.	No.[226]	No.[227]
North Dakota	No.[228]	Yes.[229]	Unspecified.	Unspecified.	No.[230]	No.[231]

[216] In New Mexico's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[217] New Mexico. Admin. Code § 7.3.2.13(B)(1).
[218] Department of Public Safety Policies & Procedures OPR 28, Foreign Nationals; Consular Notification and Access 1.0 Procedure.
[219] DPS P&P OPR 28, 1.0. "Once it is determined that notification shall be made, the notification shall be done without delay."
[220] In New York's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[221] N.Y. County Law § 674. Autopsy report produced.
[222] New York DOC Directive 4013, III. Notification procedure, C. 4.
[223] NYDOC Directive 4013, III. C. 4.
[224] In North Carolina's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[225] North Carolina DOC Policy Ch. F.4105(n).
[226] In North Carolina's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[227] Ibid.
[228] In North Dakota's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[229] North Dakota Century.Code § 23-02.1-19(4). Death Registration.
[230] In North Dakota's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[231] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Ohio	No.[232]	No.[233]	Unspecified.	Unspecified.	No.[234]	No.[235]
Oklahoma	No.[236]	Yes.[237]	Unspecified.	Unspecified.	No.[238]	No.[239]
Oregon	Yes.[240]	Yes.[241]	Positive Identification using identification cards.[242]	Proactive.	Yes.[243]	Designated staff member responsible for external notifications of the death shall also notify the nearest consular authorities of the inmate's country.[244]
Pennsylvania	No.[245]	Yes.[246]	Unspecified (county specific).[247]	Unspecified	No.[248]	No.[249]

[232] In Ohio's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[233] In Ohio's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric; Ohio Administrative Code Rule 5120:1-7-01.F. Mandated reporting, unclear if person specific.
[234] In Ohio's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[235] Ibid.
[236] In Oklahoma's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[237] Ibid.
[238] Ibid.
[239] Ibid.
[240] Oregon Administrative Rules 291-027-0030, Assessment and Security (3)(a).
[241] Or. Admin. R. 291-027-0030(3)(a).
[242] Or. Admin. R. 291-027-0030. (1)(a).
[243] Oregon DOC Policy: 40.2.10, II.F.
[244] Oregon DOC Policy: 40.2.10, II.F.
[245] In Pennsylvania's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[246] Pennsylvania DOC 01.01.05 Notification of Extraordinary Unexpected Death, C.1.h.; Pa. Code 37 § 95.246.
[247] Susquehanna County, County Coroner, "Duties of the Coroner."; Act of Aug. 9, 1955, P.L. 323, No. 130 (County Code).
[248] In Pennsylvania's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[249] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
Rhode Island	No.[250]	Yes.[251]	Unspecified.	Unspecified	No.[252]	No.[253]
South Carolina	No.[254]	Yes.[255]	Autopsy: tissue and fluid samples suitable for DNA identification, typing, and testing.[256]	Proactive.	No.[257]	No.[258]
South Dakota	No.[259]	Yes.[260]	DNA sample.[261]	Unspecified.	No.[262]	No.[263]
Tennessee	No.[264]	Yes.[265]	Copies of fingerprints on fingerprint cards or the equivalent digital image; prints	Proactive.	No.[267]	No.[268]

[250] In Rhode Island's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[251] Rhode Island DOC Policy No.18.09-3, "Death of Inmates under RIDOC Supervision". B.
[252] In Rhode Island's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[253] Ibid.
[254] In South Carolina's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[255] South Carolina Department of Corrections Policy/Procedure HS-18.04: Inmate Death "completing SCDC Form 8-2, "Death of Any Inmate in Jail or Prison"; (In accordance with South Carolina statutes, this form must be submitted within 72 hours of the inmate's death to the Division Director of Compliance, Standards and Inspections)".
[256] South Carolina Code Ann. § 17-725.
[257] In South Carolina's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[258] Ibid.
[259] Ibid.
[260] South Dakota Department of Corrections, Policy and Procedure, 1100-04(IV)(1)(G), https://www.doc.sd.gov/home/showpublisheddocument/1184/639196950783370000.
[261] South Dakota Codified Laws §§ 23-5A-17, 23-5A-5.
[262] In South Dakota's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[263] Ibid.
[264] In Tennessee's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[265] Tennessee. Code Ann. § 38-10-102(d), (e)(1).
[267] In South Dakota's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[268] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			or partial prints of any fingers; any forensic odontology report concerning the body; detailed personal descriptions; DNA results; and all other identifying data, including date and place of death.[266]			
Texas	No.[269]	Yes.[270]	All available fingerprints and palm prints, dental charts and radiographs (X-rays) of the person's teeth, frontal and lateral facial photographs, notation and photographs of a significant scar, mark, tattoo, or item of clothing or other personal effect found with or near the body, antemortem medical conditions. Observations pertinent to the estimation of time of death, the location of burial of the remains, full body radiographs	Proactive.	No.[272]	No.[273]

[266] TN Code § 38-6-125 (c) (2). This is general policy for unidentified decedents.
[269] Texas Legislature, Texas Code of Criminal Procedure, Article 49.25: Medical Examiners. Section 9(a).
[270] Texas Code of Criminal Procedure, Article 49.25: Medical Examiners. Section 9(a).
[272] In Texas'analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[273] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			(X-rays), and hair specimens with roots.[271]			
Utah	No.[274]	Yes.[275]	Identifying number created by the medical examiner that pertains to the body, record all information pertaining to the body in the file created.[276]	Proactive.	No.[277]	No.[278]
Vermont	No.[279]	Yes.[280]	Unspecified.	Unspecified.	No.[281]	No.[282]
Virginia	No.[283]	Yes.[284]	Unspecified.	Unspecified.	Yes.[285]	Notification to consular officials should be made as soon as practicable, no later than 72 hours after the death. Make efforts to contact consular officials outside of

[271] Texas Legislature, Texas Code of Criminal Procedure, Article 49.25: Medical Examiners, https://codes.findlaw.com/tx/code-of-criminal-procedure/crim-ptx-crim-pro-art-49-25/. Section 9(b)(c).
[274] In Utah's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[275] Utah Code § 26B-8-227, "Registry of Unidentified Deceased Persons".
[276] Utah Code § 26B-8-227 (1).
[277] In Utah's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[278] Ibid.
[279] In Vermont's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[280] 18 V.S.A. § 5205. (F).
[281] In Vermont's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[282] Ibid.
[283] In Virginia's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[284] Code of Virginia, §32.1-283(B), https://law.lis.virginia.gov/vacode/title32.1/chapter8/section32.1-283/.
[285] VADOC Operating Procedure 038.4. X. "Notification of the Death of a Foreign National".

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
						normal hours. If a voice message is left on an answering machine, a follow-up call during normal business hours will be made to ensure that it was received. The voice message should only leave contact information and a request to return the call.[286]
Washington	Yes.[287]	Yes.[288]	Positively identify, which may require the fingerprints and photos of the deceased.[289]	Proactive.	No.[290]	No.[291]
West Virginia	No.[292]	Yes.[293]	Photographs; dental or skeletal x-rays, when possible; photographs of items found with the human remains; fingerprints from	Proactive.	Yes.[295]	No.[296]

[286] VADOC Operating Procedure 038.4. X.
[287] Washington State DOC Policy 620.200: Death of Incarcerated Individuals, II.B.
[288] WADOC Policy 620.200. III.
[289] WADOC Policy 620.200.
[290] In Washington's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[291] In Washington's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[292] In West Virginia's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[293] West Virginia Division of Corrections and Rehabilitation, Policy Directive 456.03: Death in Custody, 1.
[295] West Virginia DOCR Policy Directive: 331.01, III.
[296] In West Virginia's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			the remains, when possible; samples of tissue for DNA typing; samples of whole bone or hair, or both, when obtainable and suitable for DNA typing.[294]			
Wisconsin	No.[297]	Yes.[298]	Unspecified.	Unspecified.	Yes.[299]	The Warden/designee shall be responsible for contacting the appropriate Consulate in accordance with the US State Department Consular Notification and Access Manual and shall note the notification on DOC-2606.[300]
Wyoming	No.[301]	No.[302]	Scene Investigation, toxicology sample on the deceased,	Proactive.	No.[304]	No.[305]

[294] West Virginia Code §15-3D-7(a). A general policy.
[297] In Wisconsin's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[298] Wisconsin Department of Corrections, DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policy and Procedures. II.A.
[299] Wisconsin Department of Corrections, DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policy and Procedures. III. E.2.
[300] Wisconsin Department of Corrections, DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policy and Procedures. III. E.3 - 4.
[301] In Wyoming's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[302] Ibid.
[304] Ibid.
[305] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			inventory of property, evidence, and medications, photographs, external exam, and a DNA sample.[303]			
American Samoa	No.[306]	No.[307]	Unspecified.	Unspecified.	No.[308]	No.[309]
Guam	No.[310]	No.[311]	Unspecified.	Unspecified.	No.[312]	No.[313]
Northern Mariana Islands	No.[314]	No.[315]	Unspecified.	Unspecified.	No.[316]	No.[317]
Puerto Rico	Yes.[318]	Yes.[319]	General and specific photographs shall be taken, and such studies for identification and	Proactive.[321]	No.[322]	No.[323]

[303] 015-6 Wyoming Code R. § 6-4 - "Investigations"; WY Statute § 7-4-104.
[306] In American Samoa's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[307] Ibid.
[308] Ibid.
[309] Ibid.
[310] In Guam's analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[311] Ibid.
[312] Ibid.
[313] Ibid.
[314] In Northern Mariana Islands' analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[315] Ibid.
[316] Ibid.
[317] Ibid.
[318] Puerto Rico DOC Administrative Order AC-2005-04 (IV)(A)(4).
[319] Puerto Rico DOC Administrative Order AC-2005-04 (IV)(B).
[321] 34 L.P.R.A. § 3018.
[322] In Puerto Rico's analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[323] Ibid.

Table 5. **Identification and Consular Notification**						
Jurisdiction	Agency/ Department Identification	Documentation	Methods[38]	Proactive or Presumptive Obligation	Consular Notification [39]	Method of Consular Notification
			of any other nature that may be performed on the scene.[320]			
U.S. Virgin Islands	No.[324]	No.[325]	Unspecified.	Unspecified.	No.[326]	No.[327]

b. Chapter 2: Preservation of Evidence

A. Executive Summary

Deaths in custody are rarely investigated on the basis of complete, reliable evidence and existing evidence preservation policies are a significant reason why. Evidence preservation policies exist to govern the critical window before outside investigators arrive or cause of death is determined, establishing the evidentiary foundation that families, courts, and subsequent investigators will depend on to advance accountability, justice, and truth around deaths.

To assess existing evidence preservation policies, we analyzed publicly available policies across 59 jurisdictions using 8 metrics: public availability; policy applicability; assigned facility personnel responsibilities; chain of custody; collection of multiple evidence types; preservation and storage procedures; scene security; and evidence-specific documentation. The findings reveal a significant gap between policies that make evidence merely available and policies that ensure the evidence is reliable, traceable, and usable.

While 46 of 59 jurisdictions had at least one publicly available policy relevant to evidence preservation, the median jurisdiction fully or partially fulfilled six of eight metrics but fully

[320] Puerto Rico Institute of Forensic Sciences Act [13-1985], Section 18. — Notes on the Preliminary Investigation. (34 Laws of Puerto Rico Annotated § 3018).
[324] In the U.S. Virgin Islands' analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[325] In the U.S. Virgin Islands' analyzed policies within the issue area of postmortem identification, there is no explicit policy satisfying this metric.
[326] In the U.S. Virgin Islands' analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.
[327] In the U.S. Virgin Islands' analyzed policies within the issue area of consulate notification, there is no explicit policy satisfying this metric.

satisfied only four. Only one jurisdiction, Oregon, fully satisfied all eight metrics. Most jurisdictions required scene security and evidence collection, yet far fewer established what happens to evidence afterward. Specifically, only 26 jurisdictions fully required staff to document the scene and evidence, only 21 established preservation and storage procedures, and only 11 required a formal chain of custody. Moreover, only one-third of jurisdictions apply evidence preservation policies to all deaths; most condition more rigorous evidence preservation procedures on the initial classification of deaths as suspicious or unexpected. This means that the thoroughness of evidence preservation policies, and therefore the reliability of subsequent investigations, often depends on an initial judgement about the death made before most facts are known.

B. Problem Statement

Thorough and clear evidence preservation policies can help clarify the circumstances of the death, prosecute criminally culpable parties, prevent future deaths, and reduce family trauma. While deaths in custody typically trigger medicolegal investigations involving a coroner or medical examiner depending on the jurisdiction, ICRC Guidelines for Investigating Deaths in Custody and the Minnesota Protocol both emphasize that the detaining authority has an immediate duty that exists before and alongside any subsequent medico-legal or outside investigation.[328] Thus DOC-specific evidence preservation policies are necessary because correctional staff are typically the first actors at the death scene and must have clear, mandatory procedures to preserve scene and evidence integrity before any outside investigation begins.

ICRC Guidelines recommend that death scenes should be treated as a crime scene and promptly secured by correctional staff, evidence should be thoroughly documented, and a chain of custody should be established to preserve the integrity of evidence.[329] Furthermore, the Minnesota Protocol underscores the importance of collecting all materials at the death scene as potential evidence including documentary evidence, physical evidence, biological evidence, and digital evidence.[330]

Evidence preservation policies are not just procedural requirements; they are crucial safeguard to upholding the dignity of the dead because they promote accountability and truth. By ensuring that deaths in custody are investigated on the basis of complete and reliable evidence, these policies promote justice and accountability for wrongdoing, advance transparency about how and why a person died in custody, and protect family rights by reducing uncertainty, preventing avoidable evidentiary gaps, and supporting families' ability to seek answers, contest official narratives, and pursue legal redress.

---

[328] International Committee of the Red Cross, Guidelines: *Guidelines for Investigating Deaths in Custody* (2013), Objectives, 8, https://www.icrc.org/sites/default/files/external/doc/en/assets/files/publications/Icrc-002-4126.pdf

[329] International Committee of the Red Cross, Guidelines: *Guidelines for Investigating Deaths in Custody* (2013), 3.1. Death scene: Plan of action, 15, https://www.icrc.org/sites/default/files/external/doc/en/assets/files/publications/Icrc-002-4126.pdf.

[330] United Nations Office of the High Commissioner for Human Rights, Manual: *The Minnesota Protocol on the Investigation of Potentially Unlawful Death: The Revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions* (2016), B. The Investigation Process (1) – (2), p.13, https://www.ohchr.org/sites/default/files/Documents/Publications/MinnesotaProtocol.pdf.

C. Policy Metrics

To evaluate policies on preservation of evidence for deaths in custody, we developed the following eight metrics:

Table 6. **Evidence Preservation Evaluation Metrics**	
Metric	**Metric Definition**
Publicly Available DOC Specific Policy	Is there a DOC specific policy relevant to evidence preservation for deaths in custody? For a policy to be considered relevant to evidence preservation for deaths in custody it must fulfill **at least** one of the subsequent seven metrics.
Policy Applicability	Do the analyzed policies apply to all deaths in custody or for specific causes or manners of death?
Initial Facility Personnel Responsibility	Within the analyzed policies, are specific DOC facility personnel assigned responsibility over the death scene and evidence collection prior to the arrival or in conjunction with outside investigators?
Chain of Custody	Do the analyzed policies include an explicit requirement to maintain a chain of custody or chain of evidence form?
Collection of Multiple Types of Evidence	Do analyzed policies explicitly require the collection of multiple categories of evidence such as physical, biological, documentary, digital, photographic, video, logs, clothing, ligatures, medications, or trace evidence?
Evidence Preservation/Storage/Transfer	Do analyzed policies establish policies related to one or more of the following: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority?
Scene Security	Do analyzed policies explicitly require DOC facility staff to secure, isolate, cordon off, guard, or control access to the death

Table 6. **Evidence Preservation Evaluation Metrics**	
	scene?
Evidence Specific Documentation	Do analyzed policies explicitly require DOC facility staff to document the death scene and or evidence itself through scene logs, evidence inventories, evidence forms, photo logs, witness statements? An incident report is not enough if it is unclear whether that incident requires specific evidence documentation.

D. Summary of Jurisdiction Performance

Table 7. **Preservation of Evidence Jurisdiction Performance**	
Publicly Available DOC Specific Policy	In **33 jurisdictions**, all identified relevant policies are publicly available. In **13 jurisdictions,** some identified relevant policies are publicly available.
Policy Applicability	In **18 jurisdictions**, all evidence preservation policies applied to all deaths in custody. In **7 jurisdictions**, some evidence preservation policies apply to all deaths in custody, with stronger provisions for certain deaths.
Initial Facility Personnel Responsibility	In **25 jurisdictions,** a specific facility member is assigned primary responsibility over the death scene and evidence collection. In **14 jurisdictions**, there is a mention of general staff responsibility, but no specific individual is designated.
Chain of Custody	In **12 jurisdictions,** there are explicit chain of custody procedures. In **1 jurisdiction**, there is an evidence receipt form but not rigorous or explicit chain of custody procedures.
Collection of Multiple Types of Evidence	In **35 jurisdictions,** there are explicit requirements to collect multiple types of evidence. In **4 jurisdictions**, evidence collection requirements either only include one type of evidence or do not specify any categories (ie. “evidence”).
Evidence Preservation/Storage	In **21 jurisdictions**, there are evidence preservation, storage or transfer procedures to be followed by DOC staff.

Table 7. **Preservation of Evidence Jurisdiction Performance**	
/Transfer	In **10 jurisdictions**, the aforementioned procedures only apply to specific types of evidence or are not explicitly the responsibility of DOC staff.
Scene Security	In **32 jurisdictions**, DOC facility staff are required to secure the death scene. In **3 jurisdictions**, scene security is referenced but specific details are unclear.
Evidence Specific Documentation	In **26 jurisdictions**, DOC facility staff must document the death scene or evidence in writing. In **3 jurisdictions**, documentation is either completed by an entity other than DOC facility staff or does not clearly include documentation of evidence.

While 46 of 59 jurisdictions had at least one publicly available DOC-specific policy relevant to evidence preservation for deaths in custody, the broader trend revealed uneven and cursory procedural guidance.[331]

[331] 33 jurisdictions (CBP, ICE, AK, AZ, AR, CA, CO, CT, D.C., IL, KS, KY, MD, MA, MI, MN, MT, NV, NJ, NM, NY, ND, NC, OK, OR, SC, SD, TN, TX, UT, VT, VA, WV) earned a full Yes for the first metric. 13 jurisdictions (FBOP, GA, ID, ME, MO, NE, NH, OH, PA, WA, WI, Guam, NMI) earned a partial Yes. 8 jurisdictions (AL, DE, FL, HI, IN, MS, RI, PR) earned a No and 5 jurisdictions (IA, LA, WY, American Samoa, U.S. Virgin Islands) were coded as N/A. Note that all 13 jurisdictions coded as No or N/A in the first metric were automatically coded as N/A in the subsequent seven metrics and thus will not be listed in subsequent footnotes discussing findings.

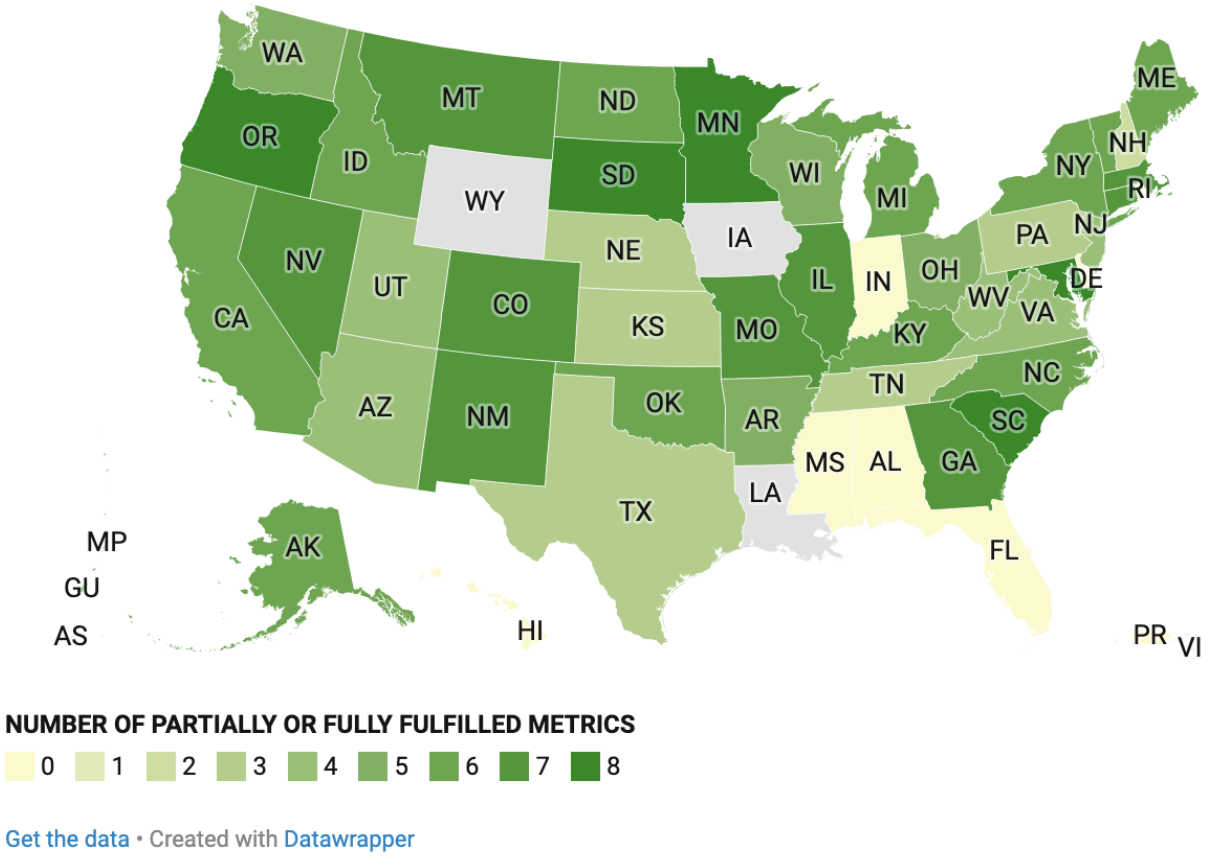


Figure 3. Evidence Preservation Policies by Fully or Partially Fulfilled Metrics
Note: This graph counts a metric as fulfilled if it received a full or partial Yes. Jurisdictions that received N/A values for every metric were coded with N/A and shaded in grey. Jurisdictions that received No for the first metric and N/As for subsequent metrics were coded as fulfilling 0 metrics. See Grid of All Jurisdictions and Key Metrics for respective jurisdiction notes and analysis strategy.

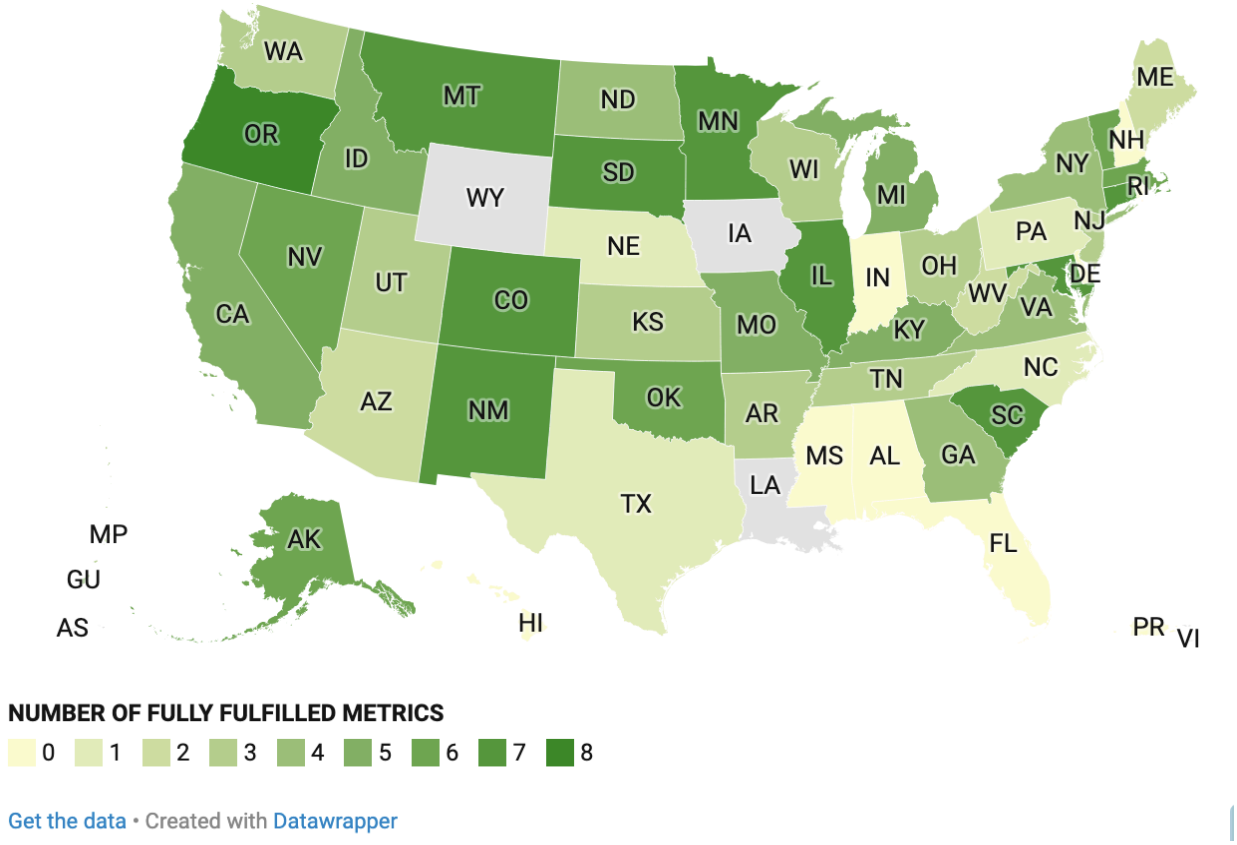


Figure 4. Evidence Preservation Policies by Fully Fulfilled Metrics
Note: This graph counts a metric as fulfilled if it received a full or partial Yes. Jurisdictions that received N/A values for every metric were coded with N/A and shaded in grey. Jurisdictions that received No for the first metric and N/As for subsequent metrics were coded as fulfilling 0 metrics. New Hampshire is coded as fulfilling 0 metrics in this map despite fulfilling 2 in Figure 3 because New Hampshire only partially fulfilled two metrics and did not fully fulfill any. See Grid of All Jurisdictions and Key Metrics for respective jurisdiction notes and analysis strategy.

Figure 3 shows the number of metrics each jurisdiction fully or partially fulfilled while Figure 4 only includes the number of metrics each jurisdiction fully fulfilled. The median number of metrics fully or partially fulfilled by each jurisdiction was five; however, the median number of metrics fully fulfilled by each jurisdiction was four. For example, five jurisdictions– Maryland, Minnesota, Oregon, South Carolina, and South Dakota– fully or partially fulfilled all eight metrics, but only one jurisdiction– Oregon– fully fulfilled all eight metrics. This gap suggests that many jurisdictions have some evidence preservation provisions, but fewer have robust or comprehensive policies that fully satisfy the relevant metrics.

In only 30% of jurisdictions did all available evidence preservation policies apply to all deaths in custody; far more commonly, evidence preservation policies were triggered only for select categories of death, such as unexpected deaths, unattended deaths, unnatural deaths, suspicious

deaths, or suicides or homicides.[332] The result is that stringency and comprehensiveness of evidence preservation duties, and consequently the integrity of evidence available for subsequent investigations, often depends on the initial classification of death, even if that classification may be uncertain or contested in the immediate aftermath of a death.

The most common evidence preservation procedure was an explicit requirement to collect multiple types of evidence such as physical evidence, forensic evidence, photographs or video footage.[333] However, jurisdictions were much less consistent regulating the handling and documentation of evidence after it was identified. Only 26 jurisdictions fully required DOC facility staff to document the death scene and evidence,[334] only 21 jurisdictions fully established explicit policies for evidence preservation, storage, or transfer,[335] and only 11 fully jurisdictions fully required maintenance of an evidence chain of custody record.[336] These findings reveal a misalignment between mechanisms that merely make evidence available versus mechanisms that ensure evidence is reliable, traceable, and usable for later review or investigation.

A similar gap exists between scene control and institutional accountability. Although more than 50% of jurisdictions explicitly required DOC facility staff to secure, isolate, cordon off, guard, or control access to the death scene,[337] only 25 jurisdictions explicitly designated particular DOC facility staff members or roles as responsible for overseeing the death scene and evidence collection before or alongside outside investigators.[338] Common staff roles listed shift supervisors or commanders, the first employee at the death scene, or specialized personnel such as staff members designated as evidence custodian or FBOP's Evidence Recovery Teams. Policies that require death scenes to be secured but do not clearly state who must do so risk confusion, diffusion and evidentiary loss during the critical moments after a death.

---

[332] 18 jurisdictions (CBP, ICE, FBOP, AZ, AR, CA, D.C., MD, MN, NE, NJ, ND, OR, UT, VT, WA, WI, Guam) earned a full Yes for the second metric. 7 jurisdictions (MO, NV, OH, SC, SD, NY, NC) earned a partial Yes. 21 jurisdictions (AK, CO, CT, GA, ID, IL, KS, KY, ME, MA, MI, MT, OK, PA, TN, TX, VA, WV, NMI, NH, NM) earned a No.

[333] 35 jurisdictions (CBP, ICE, FBOP, AK, AR, CA, CO, CT, D.C., GA, ID, IL, KS, KY, ME, MD, MA, MI, MN, MO, MT, NV, NJ, OK, OR, SC, SD, TN, VT, VA, WA, Guam, NMI, NM, NY) earned a full Yes for the fifth metric. 4 jurisdictions (ND, TX, WI, NC) earned a partial Yes. 7 jurisdictions (AZ, NE, OH, PA, UT, WV, NH) earned a No.

[334] 26 jurisdictions (FBOP, AK, AR, CO, CT, D.C., GA, ID, IL, KS, KY, ME, MD, MA, MI, MN, MO, MT, NV, OH, OK, OR, SC, SD, TN, NM) earned a full Yes in the eighth metric. 3 jurisdictions (CBP, ICE, WV) earned a partial Yes. 17 jurisdictions (CA, NE, ND, PA, TX, UT, VT, VA, WA, WI, Guam, NMI, NJ, NY, NC, NH, AZ) earned a No.

[335] 21 jurisdictions (FBOP, AK, CO, CT, ID, IL, MD, MA, MN, MO, MT, NV, ND, OK, OR, SC, SD, VT, WI, Guam, NM) earned a full Yes for the sixth jurisdiction. 10 jurisdictions (CBP, CA, GA, KY, ME, MI, NE, NMI, NY, NC) earned a partial Yes. 15 jurisdictions (ICE, AZ, AR, D.C., KS, OH, PA, TN, TX, UT, VA, WA, WV, NH, NJ) earned a No.

[336] 11 jurisdictions earned a full Yes for the fourth metric (CO, CT, IL, MD, MA, MT, ND, OR, SC, SD, NM). 2 jurisdictions (GA, MN) earned a partial Yes. 33 jurisdictions (CBP, ICE, FBOP, AK, AZ, AR, CA, D.C., ID, KS, KY, ME, MI, MO, NE, NV, OH, OK, PA, TN, TX, UT, VT, VA, WA, WV, WI, Guam, NMI, NH, NJ, NY, NC) earned a No.

[337] 32 jurisdictions (AK, CA, CO, CT, GA, ID, IL, KY, ME, MD, MA, MI, MN, MO, MT, NV, OH, OK, OR, PA, SC, SD, UT, VT, VA, WA, WV, WI, Guam, NMI, NM, NY) earned a full Yes for the seventh metric. 3 jurisdictions (AZ, TX, NC) earned a partial Yes. 11 jurisdictions (CBP, ICE, FBOP, KS, NE, ND, TN, NH, NJ, AR, D.C.) earned a No.

[338] 25 jurisdictions (ICE, FBOP, AK, CA, CO, CT, GA, ID, IL, KY, MN, MO, MT, NV, OH, OK, OR, SC, SD, VT, VA, Guam, NMI, NM, NY) earned a full Yes for the third metric. 14 jurisdictions (AZ, AR, ME, MD, MA, MI, ND, PA, UT, WA, WV, NH, NJ, NC) earned a partial Yes. 7 jurisdictions (CBP, D.C., KS, NE, TN, TX, WI) earned a No.

E. Best Practices

Oregon: Oregon's policies provide a detailed DOC framework for preserving evidence after deaths in custody by treating death scenes as crime scenes and assigning clear staff responsibilities from the outset, regardless of the category of death. Under OAR 291-027-0030, the first security employee at the scene must secure the area, identify those present, disperse unauthorized individuals, and notify the officer-in-charge, who then designates a staff member to maintain scene security, initiates a crime scene contamination log, and ensures that nothing in the death-scene area is moved unless it poses an immediate security threat. If something must be removed, it must first be photographed and documented, including who seized it and how custody was maintained.[339] Under DOC Policy 70.1.3, all crime scenes and evidence are to be handled uniformly to preserve the chain of evidence: the scene must be secured and photographed or videotaped before anything is moved, and an evidence custodian is designated to recover, package, seal, and secure evidence. Each item must be separately labeled and tracked on a Property Report Form, supplemental reports must document recovery and transfers, and evidence must be stored in secure Oregon State Police, SIU, or administrative evidence lockers with separate registers recording entry and disposition. The policy also gives detailed packaging rules for fingerprint, biological, narcotics, sharp-object, and liquid evidence, and requires witnesses' unsolicited statements to be promptly documented.[340]

Minnesota: Minnesota's DOC Policy 203.230 "Death of an Incarcerated Person" establishes centralized comprehensive procedures covering several aspects of evidence preservation for deaths in custody. Upon the death of any incarcerated person, the facility watch commander assigns a death scene officer to maintain the security and integrity of the death scene, ensures the completion of death procedure checklists and death scene logs to document the identities of everyone who enters and exits the scene, and facilitates the initial investigation by assisting the Office of Special Investigations (OSI) investigating responder and forensic pathologist.[341] By also specifying the duties of the death scene officer, the OSI first investigating responder, and the forensic pathologist, DOC Policy 203.230 creates a clearer and more coordinated investigative process by reducing ambiguity over responsibility, minimizing procedural gaps, strengthening accountability through role-specific duties, and ensuring that each actor's work supports the next stage of the investigation. Additionally, Minnesota requires multiple layers of evidence documentation. In addition to the death procedure checklist and death scene log, the first investigating responder must document information such as names of possible witnesses or phone records within the Augmented Criminal Investigation Support System (ACISS).[342] DOC Policy 203.230 is less robust, however, with respect to chain of custody and downstream evidence handling: it does not include explicit chain-of-custody requirements, and its provisions

[339]Oregon Department of Corrections, OAR 291-027-0030: Assessment and Security (2011), Section 291-027-0030(1)–(5), https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37594.
[340]Oregon Department of Corrections, Policy 70.1.3: Criminal & Administrative Evidence Handling (2014), Section III, https://www.oregon.gov/doc/rules-and-policies/Documents/70-1-3.pdf
[341] Minnesota Department of Corrections, Policy 203.230: Death of an Incarcerated Person (2025), Section B, pp.2–, https://drive.google.com/file/d/14AEfptxAFw8rMmJzzzq38IZUzcVtswFi/view?usp=sharing.
[342]Minnesota DOC, Policy 203.230, Section B, p.2.

governing evidence preservation, storage, and transfer are less comprehensive than its scene-security and documentation procedures.

Colorado: Colorado AR1150-07 Crime Scene Management and Criminal Evidence Handling is strong because it establishes rigorous procedures for the full life cycle of evidence in concrete detail from the moment evidence is found through packaging, sealing, logging, storage, transfer, testing, and eventual disposal. After confirmed unexpected or unattended deaths, AR1150-07 has specific directions regarding the non-disturbance of the body and death scene: bodies will be left in place, not covered with sheets or other items, medical artifacts will be left in place, and post-mortem photographs and fingerprints will be collected. AR1150-07's subsection E, Major Crime Scene Evidence Handling, requires that only DOC staff technically trained to collect and handle evidence are permitted to take control of evidence. The policy specifically notes that "It is a criminal offense to conceal, destroy, or alter any physical evidence that may aid in a discovery, detection, apprehension, prosecution, corrective, or disciplinary action."[343] DOC staff are required to document the type, time, and exact location of evidence, photograph evidence before moving it, package items separately, seal them with evidence tape and initials, attach a chain-of-custody form, and either transfer the evidence to an investigator or place it in a temporary evidence box with notice to Office of the Inspector General within 24 hours. The policy prioritizes accountability by making the finder responsible for evidence until it is properly turned over, requires the lead investigator or evidence custodian to sign for and secure evidence, mandates an OIG evidence log for criminal cases, and carefully documents both destruction and release of evidence.[344]

F. Worst Practices

New Hampshire: New Hampshire presents a weak public framework for death in custody evidence preservation policies. The only publicly available DOC policy relevant to evidence preservation for deaths in custody is NHDC PPD 503.3 NOTIFICATION TO DESIGNATED INDIVIDUALS IN CASE OF RESIDENT SERIOUS ILLNESS, INJURY, AND DEATH. While NHDC PPD 358, "Crime Scene Investigations" is referenced in PPD 503.3 for procedures in cases of suspected foul play, PPD 358 is itself not publicly available, thus leaving the state's operative evidence-preservation procedures largely inaccessible.[345] While shift commanders are required to notify outside investigators for deaths where foul play is suspected and secure the deceased's personal property, PPD 503.3 does itself clearly assign a DOC evidence collector or scene manager.[346] PPD 503.3 establishes no explicit requirements for maintaining a chain of custody, collection of specific types of evidence, evidence storage and preservation policies, scene security, or evidence or scene documentation. As a result, New Hampshire's publicly available policies provide only a minimal and incomplete basis for ensuring evidentiary integrity in death-in-custody investigations.

---

[343] Colorado Department of Corrections, Administrative Regulation 1150-07: Crime Scene Management and Criminal Evidence Handling, ch. Investigations (2025), Section IV(E)(1), 7, https://drive.google.com/file/d/1eWyHFxoS9hZ4tA_ighD7mgTZLrXWu3Hh/view.

[344] Colorado DOC, AR 1150-07, Section IV(J) – (K), p 9–11.

[345] New Hampshire Department of Corrections, Policy and Procedure Directive 503.3: Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death (2021), Section D(9), 2, https://drive.google.com/file/d/1bVo2lJqCtnuiIb64of72DgUqNxRP7m4i/view?usp=sharing.

[346] New Hampshire DOC, PPD 503.3, Section D(9), 3.

Pennsylvania: Pennsylvania presents another one of the weakest examples of DOC-specific evidence preservation policy. Because Department policy 6.3.1 "Facility Security" is not publicly available, Pennsylvania's remaining §13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior" provides a partial and incomplete picture of Pennsylvania's approach to evidence preservation for deaths in custody. The policy requires that "immediate action…(be) taken to secure the scene as a crime scene" for deaths not occurring from medical causes under medical supervision, however it does not clearly identify which staff member or role is responsible for doing so.[347] Moreover, there are no explicit requirements for maintaining a chain of custody, collection of specific types of evidence, evidence storage and preservation policies, scene security, or evidence or scene documentation. Consequently, Pennsylvania's publicly available framework provides only a thin and incomplete basis for ensuring evidentiary integrity in death investigations.

G. Recommendations for Model Policy

1. *Evidence Preservation for All Deaths in Custody, Regardless of Initial Suspicions*

Evidence-preservation policies should apply to all deaths in custody, regardless of the initially suspected cause or manner of death. Policies should not be limited only to suspicious, violent, unattended, or suicidal deaths, because the need to preserve reliable evidence exists before the cause of death is conclusively known. The policy should make clear that all deaths are to be treated as requiring preservation measures at the outset, with additional procedures available for deaths that later appear criminal or otherwise high risk.

2. Clearly Assigned Initial Responsibilities for Specific Facility Personnel

Policy should assign immediate, role-specific responsibility for the death scene and evidence preservation to clearly identified facility personnel prior to and alongside the arrival of outside investigators. At minimum, this should include the first responding staff member, a supervising officer such as the shift commander or watch commander, and a designated evidence custodian or similarly trained staff member. The first responding staff member should be responsible for securing the immediate area, restricting unauthorized access, protecting any visible evidence from disturbance, identifying and separating witnesses where appropriate, and promptly notifying the supervising officer. The supervising officer should then assume command responsibility by confirming scene security, assigning staff to maintain control of the area, initiating required logs or checklists, and contacting the appropriate investigative unit, outside law enforcement agency, coroner, or medical examiner. In addition, the policy should designate a facility staff member with training in evidence handling, such as an evidence custodian, to begin initial evidence preservation and collection in accordance with established protocol, including photographing, documenting, packaging, and safeguarding evidence until it can be formally

[347]Pennsylvania Department of Corrections, Procedures Manual 13.1.1: Management and Administration of Health Care, Section 9(D), "Investigation of an Inmate Death" (2025), 9-2, https://www.pa.gov/content/dam/copapwp-pagov/en/cor/documents/about-us/doc-policies/13.01.01%20Management%20and%20Administration%20of%20Health%20Care.pdf.

transferred. Structuring responsibility in this way reduces confusion, limits evidentiary gaps, strengthens accountability, and helps ensure that the facility's initial response supports rather than disrupts later outside investigation.

3. *Formal Chain of Custody System Tracking Evidence from Initial Collection to Final Disposition*

Policy should require a formal, uninterrupted chain-of-custody system for all evidence connected to a death in custody, beginning at the moment an item is identified and continuing through its final disposition. At minimum, staff should be required to document the nature of the item, the precise place and time it was found, the identity of the person who discovered and collected it, and every subsequent transfer, storage action, examination, release, or destruction. Evidence should be photographed in place before it is moved whenever feasible, packaged separately when appropriate, sealed in a manner that shows tampering, labeled with identifying information, and accompanied by a standardized chain-of-custody form or receipt. The staff member who first takes control of the evidence should remain responsible for it until it is formally transferred to an investigator, evidence custodian, or secure evidence storage location, and each handoff should require the signature, date, and time of both the transferring and receiving party. Policy should also require a centralized evidence log and secure storage register so that custody can be reconstructed from discovery through testing, courtroom use, return, or destruction. A detailed chain-of-custody system helps ensure that evidence is not merely collected, but remains reliable, traceable, and defensible throughout the entire investigation.

4. *Explicit Requirement to Collect of Multiple Types of Evidence*

Policies should explicitly require collection and preservation of multiple categories of evidence, not merely "evidence" in general. At minimum, this should include physical evidence, biological evidence, forensic evidence, documentary evidence, photographs, video footage, witness information, weapons, clothing or ligatures where relevant, medical records, and other digital or institutional records such as phone logs, surveillance footage, and movement logs. This ensures that evidence preservation is comprehensive rather than dependent on staff discretion.

5. *Clear Procedures for Evidence Preservation, Storage, and Transfer*

Policy should require that evidence connected to a death in custody be preserved through clear rules on non-disturbance, packaging, sealing, labeling, storage, retention, and transfer. Evidence should not be moved, altered, or cleaned up unless necessary for emergency reasons, and any such action should be documented. Different categories of evidence should be preserved in ways appropriate to their nature—for example, biological evidence, clothing, sharp objects, liquids, video, or documentary records should not all be handled identically. Each item should be separately packaged where appropriate, sealed against tampering, labeled with identifying information, and placed in a designated secure evidence location with limited access. Policies should also provide for temporary storage where immediate transfer is not possible, while requiring prompt notification to the responsible investigator or evidence custodian. When evidence is transferred, the handoff should be documented, limited to authorized personnel, and accompanied by any necessary logs, forms, or receipts. All preservation, storage, and transfer

policies should operate in conjunction with chain of custody policies to ensure evidence retention rules and procedures for testing, courtroom use, return, release, or destruction so that evidence remains traceable and protected from the moment of collection through its final disposition.

6. Responding Staff Member Immediately Secures Death Scene

Policies should require immediate scene security measures for all deaths in custody. Any potential threats to the safety of other incarcerated people or staff members should be addressed. The first responding staff member or designated scene officer should secure the area, establish a perimeter, and ensure that unauthorized persons do not enter or disturb the scene. The secured area should be broad enough to include any location where relevant evidence may be found, not merely the exact place where the body was discovered. The policy should direct staff to leave the body, surrounding objects, medical devices, ligatures, clothing, bedding, and other potential evidence in place unless movement is required for emergency reasons, and to document any necessary disturbance before or as soon as possible after it occurs. Moreover, staff should also be required to identify all persons present, separate witnesses where appropriate, and maintain a scene access log recording who entered the area, when, and for what purpose. Access should be restricted to specifically authorized personnel, and the scene should remain secured until it is released by the appropriate investigative authority, medical examiner, or other designated official. These measures help ensure that evidence is not lost, altered, contaminated, or undermined before a full investigation begins.

7. Detailed Written Documentation of Death Scene and Evidence

Policy should require DOC facility staff to create detailed, standardized documentation of the death scene and all related evidence, rather than relying solely on a general incident report. At minimum, policy should require a death scene access log identifying every person who enters or exits the scene, an evidence inventory describing each item recovered and where it was found, documentation of photographs or video taken at the scene, witness statements or staff memoranda where relevant, and a written chronology of key staff actions from the discovery of the death through transfer of the scene and evidence to investigators or other authorities. Documentation should also record any movement, disturbance, removal, or alteration of the body or other potential evidence, including the reason for that action and the identity of the person responsible. Where possible, policy should require use of standardized forms, checklists, or electronic systems to reduce omission and inconsistency. A model policy should treat evidence-specific documentation as essential to preserving facts and allowing later investigators, courts, oversight bodies, and families to understand what evidence was collected and reconstruct whether it remained reliable over time.

VIII. Grid of All Jurisdictions and Key Metrics

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]

[348] **Yes fully**: All identified policies applicable to evidence preservation for deaths in custody are publicly available. **Yes partially**: Some applicable policies are publicly available but other operational details appear to be in an identified nonpublic policy. **No**: All potentially relevant policies are nonpublic **and/or** all publicly available policies do not satisfy any of the metrics **N/A**: No identified DOC specific policy for deaths in custody and evidence preservation for deaths in custody

[349] **Yes fully**: all evidence preservation policies apply to all deaths in custody. **Yes partially**: some evidence preservation policies apply to all deaths in custody but there are stronger provisions for certain deaths. **No**: evidence preservation policies only apply to specific deaths (eg. unattended, suspicious, suicides, homicides). **N/A**: There were no available, identified, or relevant policies within this jurisdiction to evaluate this metric.

[350] **Yes fully**: A specific facility member is assigned primary responsibility over the death scene and evidence collection (eg. shift supervisor/commander, evidence custodian, first responding officer). **Yes partially**: The policy mentions general DOC staff responsibility for the death scene and evidence collection but no specific individual is mentioned. **No**: There is no designation of responsibility for the death scene and evidence collection. **N/A**: There were no available, identified, or relevant policies within this jurisdiction to evaluate this metric.

[351] **Yes fully**: An explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence. **Yes partially**: Policies have requirements like evidence receipt forms but have no evidence of stringent or explicit chain of custody policies. **No**: No explicit requirement for chain of custody or equivalent policies. **N/A**: There were no available, identified, or relevant policies within this jurisdiction to evaluate this metric.

[352] **Yes fully**: Explicit requirement to collect multiple (at least two) types of evidence. One type must be more specific than general "evidence." **Yes partially**: Explicit requirement to collect evidence but no specific categories of evidence are named or only one category of evidence is required to be collected (eg. blood). **No**: No explicit requirement to collect any kind of evidence. **N/A**: There were no available, identified, or relevant policies within this jurisdiction to evaluate this metric.

[353] **Yes fully**: Requires one or more of the aforementioned methods by DOC facility staff. **Yes partially**: Requires one or more of the aforementioned methods by an entity outside DOC staff **or** is unclear **or** only applicable to specific types of evidence. **No**: No requirement of any of the aforementioned methods. **N/A**: There were no available, identified, or relevant policies within this jurisdiction to evaluate this metric.

[354] **Yes fully**: Requires DOC facility staff to secure the death scene. **Yes partially**: References scene being secured but is unclear about specific details such as whether DOC facility secure the scene. **No**: No requirement to secure the scene. **N/A**: There were no available, identified, or relevant policies within this jurisdiction to evaluate this metric.

[355] **Yes fully**: Requires DOC facility staff to document the death scene or evidence through aforementioned methods. **Yes partially**: Reference to another entity within the jurisdiction documenting the death scene or evidence, but not the DOC staff themselves **or** the policy refers to other documents or data related to the death but these documents do not clearly require evidence documentation. **No**: No explicit requirement for DOC staff or another entity to document death scene or evidence through aforementioned methods. **N/A**: There were no available, identified, or relevant policies within this jurisdiction to evaluate this metric.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
CBP	Yes fully—public[356]	Yes fully–all reportable deaths[357]	No[358]	No[359]	Yes fully –"interviewing relevant witnesses, reviewing records, reviewing, and preserving video and audio evidence, and obtaining relevant information from medical personnel including autopsy results"[360]	Yes partially–refers to OPR preserving "preserving video and audio evidence"[361]	No[362]	Yes partially[363]

[356]U.S. Customs and Border Protection, Memorandum: *Notification and Review Procedures for Certain Deaths and Deaths in Custody* (2023), https://www.cbp.gov/document/foia-record/notification-and-review-procedures-certain-deaths-and-deaths-custody is the only identified policy for evidence preservation policies for deaths in custody.
[357]CBP, *Notification and Review Procedures*, "Definitions: Reportable Deaths," 2.
[358]CBP, *Notification and Review Procedures*, "Case Review Process," 8 requires the Office of Professional Responsibility to initiate a review documenting the facts and circumstances surrounding a death, but the policy does not clearly specify what initial on-scene personnel must do to secure or preserve the scene before OPR assumes review responsibilities.
[359]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[360]CBP, *Notification and Review Procedures*, "Case Review Process," 8.
[361]CBP, *Notification and Review Procedures*, "Case Review Process," 8 refers to OPR preserving video and audio evidence, but OPR are not CBP facility staff.
[362] No– within publicly available policies, there is no explicit requirement of CBP staff to secure, isolate, cordon off, guard, or control access to the death scene.
[363]CBP, *Notification and Review Procedures*, "Case Review Process," 8. BP requires OPR to document the facts and circumstances of the death by interviewing witnesses, reviewing records, preserving video and audio evidence, and obtaining medical information, including autopsy results. However, this responsibility is assigned to OPR rather than initial CBP facility staff.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
ICE	Yes fully public[364]	Yes fully"[365]	Yes fully– ERO Field Officer Directors[366]	No[367]	Yes fully– various records, documents, information, videos, and any other evidence "[368]	No[369]	No[370]	Yes partially[371]

[364]U.S. Immigration and Customs Enforcement, *2025 National Detention Standards* (2025), "2A. Standards and Procedures: Written Policy and Procedures," 36, https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf; U.S. Immigration and Customs Enforcement, Directive 11003.6: *Policy on Notification, Review, and Reporting of Deaths in Detention* (2025), p 2–5, https://www.ice.gov/doclib/foia/policy/11003-6.pdf.
[365]ICE, Directive 11003.6, Section 1 applies to all detainee deaths and sets ICE's policy for notification, review, and reporting after a death in detention.
[366]ICE, Directive 11003.6, Section 4.3, p 2–3 assigns ERO Field Office Directors responsibility for collecting available records, documents, information, videos, and other materials related to the deceased and sending them to the Assistant Director for Custody Management. Because ERO field officers work in ICE facilities, this appears to assign evidence-collection responsibilities to facility-level ICE personnel.
[367]ICE, *2025 National Detention Standards*, "Requirements for Close Observation," 48 reference chain of custody only in the context of suspected contraband ingestion or concealment, not deaths in custody.
[368]ICE, Directive 11003.6, Section 4.3(3), 3.
[369]ICE, *2025 National Detention Standards*, Section 2.11(M)(1), 89; No—ICE's 2025 National Detention Standards impose evidence- and scene-preservation duties on the first security staff member in sexual-abuse or assault cases, but not specifically in deaths in custody.
[370]ICE, *2025 National Detention Standards*, Section 2.11(M)(1), 89; No—ICE's 2025 National Detention Standards impose evidence- and scene-preservation duties on the first security staff member in sexual-abuse or assault cases, but not specifically in deaths in custody.
[371]ICE, Directive 11003.6, Section 5.1–6, p 5–9. ICE requires collection of broad death-review records, including correspondence, medical and investigative reports, detention and medical files, death certificates, toxicology reports, and autopsy reports. However, the directive does not clearly require evidence-specific documentation such as scene logs, evidence inventories, photo logs, witness statements, or records of evidence movement or transfer.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
FBOP	Yes partially Public[372]	Yes fully[373]	Yes fully– BOP Evidence Recovery Teams (ERT)[374]	No[375]	Yes fully –Interviews, Evidence Recovery Logs, Fingerprinting, Photograph, Crime Scene sketches[376]	Yes fully[377]	No[378]	Yes fully[379]

[372]Federal Bureau of Prisons, Program Statement 5510.14: *Crime Scene Management and Evidence Control* is not publicly available but referenced in the following documents: DOJ OIG, *Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions* (2024); Colette S. Peters, *Statement Before the Senate Judiciary Committee at a Hearing Entitled "Examining and Preventing Deaths of Incarcerated Individuals in Federal Prisons"* (2024).

[373]Colette S. Peters, *Statement Before the Senate Judiciary Committee at a Hearing Entitled "Examining and Preventing Deaths of Incarcerated Individuals in Federal Prisons"* (2024), 8. BOP requires Evidence Recovery Teams to collect evidence after all deaths in custody, regardless of cause.

[374]Colette S. Peters, *Statement Before the Senate Judiciary Committee at a Hearing Entitled "Examining and Preventing Deaths of Incarcerated Individuals in Federal Prisons"* (2024), 8; DOJ OIG, *Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions* (2024), 41. BOP mobilizes Evidence Recovery Teams for all deaths in custody. The DOJ OIG report confirms that ERTs are composed of BOP staff and are part of BOP's critical-incident response framework.

[375]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[376] Colette S. Peters, *Statement Before the Senate Judiciary Committee at a Hearing Entitled "Examining and Preventing Deaths of Incarcerated Individuals in Federal Prisons"* (2024), 8; DOJ OIG, *Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions* (2024), 41.

[377]Colette S. Peters, *Statement Before the Senate Judiciary Committee at a Hearing Entitled "Examining and Preventing Deaths of Incarcerated Individuals in Federal Prisons"* (2024), 8; DOJ OIG, *Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions* (2024), 41. BOP trains Evidence Recovery Teams in preserving and processing incident scenes. The DOJ OIG report further indicates that ERT protocols include standardized evidence collection and documentation, including mass interviews, staff memoranda, evidence recovery logs, fingerprints, photographs, and crime-scene sketches.

[378] No– within publicly available policies, there is no explicit requirement of FBOP staff to secure, isolate, cordon off, guard, or control access to the death scene.

[379]Colette S. Peters, *Statement Before the Senate Judiciary Committee at a Hearing Entitled "Examining and Preventing Deaths of Incarcerated Individuals in Federal Prisons"* (2024), 8; DOJ OIG, *Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions* (2024), 41. BOP requires initial staff responders to document deaths in a memo. The DOJ OIG report states that this memo is attached to the BP-583 Report of Incident prepared for each inmate death by the warden or designee, which summarizes the death location, involved inmates, and incident description, and may include photographs, fingerprints, staff memoranda, medical assessments, and inmate or staff rosters.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Alabama	No[380]	N/A[381]	N/A[382]	N/A[383]	N/A[384]	N/A[385]	N/A[386]	N/A[387]
Alaska	Yes–fully public[388]	No–applicable only to unexpected inmate deaths[389]	Yes– Shift Supervisor, Death Scene Officer[390]	No[391]	Yes fully– Photographs, property removed by AST, suicide	Yes fully[393]	Yes fully[394]	Yes fully[395]

[380]Alabama DOC, AR 338, *Inmate Property*, Section IV(B), 4. No–Alabama DOC references AR 306, *Contraband and Evidence Management*, in its inmate-property regulation, but AR 306 does not appear to be publicly available. Alabama does not appear to have other publicly available policies specifically governing evidence preservation in deaths in custody.
[381]N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[382] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[383] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[384] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[385] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[386] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[387] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[388]Alaska Department of Corrections, Policy 104.04: *Death of a Prisoner* (2023), https://doc.alaska.gov/pnp/pdf/104.04.pdf.
[389]Alaska DOC, Policy 104.04, Section B, 2. No—Alaska DOC's evidence-preservation procedures apply specifically to the unexpected death of a prisoner, rather than all deaths in custody.
[390]Alaska DOC, Policy 104.04, Section B(1)(a)–(n), B(2)(a)–(b).
[391] No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[393]Alaska DOC, Policy 104.04, Section B(1)(i)–(l). Alaska DOC requires preservation of any evidence identified by authorized personnel, including the Alaska State Troopers or Commissioner, as relevant to the death investigation. The Shift Supervisor is responsible for ensuring that such evidence is preserved indefinitely unless otherwise directed by the Alaska State Troopers.
[394]Alaska DOC, Policy 104.04, Section B(1)(a), B(2), 2. Yes—fully. Immediately after a prisoner's death, the shift supervisor must secure the death scene with evidence tape and assign an officer to maintain scene security. The assigned death scene officer must prevent access to the scene and potential evidence except by authorized personnel, such as the superintendent, shift supervisor, Alaska State Troopers, or medical examiner.
[395]Alaska DOC, Policy 104.04, Section B(1)(m), B(2)(b). Alaska DOC requires detailed death-scene documentation, including a Death Scene Access Record, Incident Reports from involved staff, a Special Incident Report from the person with the most direct knowledge, a Death of a Prisoner Log, a Death Investigation Checklist, a timeline from at least 24 hours before death until AST releases the scene, and an inventory of in-cell property after release of the scene.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					notes, video for 24 hours prior to death[392]			
Arizona	Yes–fully public[396]	Yes-fully–All inmate deaths[397]	Yes–partially[398]	No[399]	No[400]	No[401]	Yes–partially[402]	No[403]
Arkansas	Yes–fully	Yes–partially	Yes–partial	No[407]	Yes– fully-	No[409]	No[410]	Yes-fully[411]

[392]Alaska DOC, Policy 104.04, Section B(1)(a)–(n), B(2)(a)–(b), 2.

[396]Arizona Department of Corrections, Rehabilitation and Reentry, Department Order 711: *Notification of Inmate Hospitalization or Death* (2023).

[397]ADCRR, DO 711, Section 3.0, 4. Yes—fully. DO 711 states that its procedures apply "in the event of an inmate death," indicating that the policy applies broadly to inmate deaths.

[398]ADCRR, DO 711, Section 3.3, 4. Yes—partially. DO 711 treats the inmate's cell and/or body location as a crime scene until released by the Criminal Investigations Unit and prohibits staff from collecting evidence without CIU authorization. However, it does not clearly assign evidence-collection or scene-management duties to specific facility staff.

[399] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[400] No– ADCRR, DO 711, Section 3.3, 4. states DOC staff may not "collect evidence" but do not identify categories like photographs, video, biological evidence, clothing, ligatures, logs, or records.

[401] No– within publicly available policies, none of the following are explicitly mentioned: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.

[402] Partially–ADCRR, DO 711, Section 3.3, 4 prohibits unauthorized staff from entering the inmate's cell or body location while it is being treated as a crime scene, which strongly suggests a requirement to control and secure the scene.

[403] No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

[407] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence

[409] No– within publicly available policies, none of the following requirements are addressed: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.

[410] No– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.

[411]Arkansas DOC, AR 0855, Section 2(E), 2 requires an investigation report that includes clinical notes or findings, the initial scene investigation, and either a description of materials found at the scene or available toxic-substance samples.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	public[404]	All deaths– but stronger evidentiary and investigative requirements for certain deaths[405]	ly[406]		copy of initial investigation at the scene, "materials found at the scene or, if available, samples of any or all toxic substances."[408]			
California	Yes–fully public[412]	Yes– fully- All inmate deaths[413]	Yes–fully- Senior custody staff or	No[415]	Yes-fully Pertinent material including	Yes–Partially[417]	Yes-fully[418]	No[419]

[404]Arkansas Department of Corrections, Administrative Regulation 0855: *Investigation and Transportation of Deceased Inmates* (2018), https://media.ark.org/doc/AR-0855-Investigation-and-Transportation-of-Deceased-Inmates.pdf.

[405]Partially–Arkansas DOC, AR 0855, Section II(B)(1)–(7), 1 requires investigation or forensic medical examination for several categories of inmate deaths, including violent, suspected non-natural, unexpected, unexplained, unusual, suspicious, public-health-related, or non-physician-attended deaths, as well as deaths for which the DOC Director or designee requests forensic examination.

[406]Partially–Arkansas DOC, AR 0855, SectionII(D), 2. AR 0855 requires the investigating agency to obtain information and materials from the scene, but it does not clearly assign initial on-scene responsibility to a specific DOC staff member before the investigating agency acts.

[408]Arkansas DOC, AR 0855, Section II(E), 2. Yes—fully. AR 0855 requires an investigation report that includes clinical notes or findings, the initial scene investigation, and either a description of materials found at the scene or available toxic-substance samples.

[412] CDCR, DOM Section 51070.10 – .17

[413] CDCR, DOM Section 51070.3(a) refers to "a possible death" and doesn't make specifications for specific types of deaths for evidence preservation policies.

[415] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[417]CDCR, DOM Section 51070.1(a)(3)(A). In suspected homicide cases, CDCR requires each hand to be wrapped in a paper container by medical staff or the institutional investigator, and requires fingerprint cards or affidavits to be forwarded to Classification & Parole. However, this provision does not establish broader evidence-handling rules for packaging, storage, sealing, or transfer logs.

[418]CDCR, DOM Section 51070.7(a)(2)

[419]CDCR, DOM Section 51070.9(d**).** CDCR requires brief notice of the time, place, and pertinent facts of death, and the CME/MOD must prepare an Initial Inmate Death Report or Initial Inmate Suicide Report describing the circumstances of the death. However, the policy does not clearly require these reports to document evidence specifically.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
			watch commander[414]		personal property, visiting information, mail card; fingerprints, photographs[416]			
Colorado	Yes- fully public[420]	No– applicable only to Unexpected or Unattended deaths[421]	Yes– fully-Trained DOC staff members (OIG)[422]	Yes-fully[423]	Yes– physical evidence; fingerprints; DNA; hairs, and fibers clothing and other materials removed from a victim or witness or suspect; dangerous drugs / controlled	Yes-fully[425]	Yes-fully[426]	Yes-fully[427]

[414]CDCR, DOM Section 51070.7(a)(1), (3).
[416]CDCR, DOM Section 51070.7(a)(1), (3).; CDCR, DOM Section 51070.7.1.
[420]Colorado DOC, AR 1150-07, *Crime Scene Management and Criminal Evidence Handling*.
[421]Colorado DOC, AR 1150-07, Section IV(C)(1), 5 only refers to unexpected or unattended deaths.
[422] Colorado DOC, AR 1150-07, Section IV(C) –(E), 6.
[423] Colorado DOC, AR 1150-07, Section IV(J), 9 lists a detailed chain of custody procedure.
[425]Colorado DOC, AR 1150-07, Section IV(C) –(E), p 6–7 states that staff must identify, preserve, package, secure, and store evidence; keep major crime-scene evidence undisturbed absent emergency circumstances; and follow procedures for packaging, sealing, labeling, temporary storage, cataloguing in evidence tracking software, and transfer to designated OIG evidence storage areas.
[426]Colorado DOC, AR 1150-07, Section IV(C) –(E), p 6–7 states after life-safety issues are addressed, and if directed by the OIG investigator, the scene must be isolated, cordoned off, and secured. The secured scene must be large enough to include all areas where potential evidence may be found. Sufficient DOC employees must guard the scene, witnesses must be separated, and no one may enter without approval of the lead investigator or designee. In suspected deaths, obviously dead persons are left in place and staff are told not to touch or cover the body, and to leave all medical artifacts in place.
[427]Colorado DOC, AR 1150-07, Section IV(E), 6 refers to Form 1150-07A, Receipt for Property and Chain of Custody; Form 1150-07B, Receipt for Property Supplemental Report; Form 1150-07E, OIG Evidence Log; Form 1150-07G, Crime Scene Access Log; Form 1150-07F, Death Scene Checklist; incident reports by anyone involved in discovery or supervision of the crime scene; supplemental reports if new information later becomes available.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					substances; suspected alcohol; photographs of the deceased[424]			
Connecticut	Yes– fully public[428]	No–applicable only to unexpected deaths[429]	Yes– fully Discovering staff member[430]	Yes-fully[431]	Yes- fully– "Physical Evidence. Anything including, but not limited to, a written record, videotape/dis	Yes-fully[433]	Yes-fully[434]	Yes-fully[435]

[424] Colorado DOC, AR 1150-07, Section IV(J), 9.

[428]Connecticut Department of Correction, Administrative Directive 1.10: *Investigations* (2020), https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0110pdf.pdf?la=en; Connecticut Department of Correction, Administrative Directive 8.2: *Offender Death* (2021), https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf; Connecticut Department of Correction, Administrative Directive 6.9: *Collection and Retention of Contraband and Physical Evidence* (2017), https://portal.ct.gov/-/media/doc/pdf/ad/ad0609pdf.pdf?rev=1d78c14d866f4537ae1b2cab4529b91b&hash=B69D93353C3208566C77AFDF87C346F1.

[429]Connecticut DOC, AD 8.2, Section 6, 2.

[430]Connecticut DOC, AD 6.9, Section 7(A), 3.

[431]Connecticut DOC, AD 6.9, Section 6, p 2–3 requires use of CN 6901, the Contraband/Physical Evidence Tag and Chain of Custody form. Each time evidence is retained, handled, inventoried, removed, or returned from storage, the activity must be documented on the form and in the relevant log. Before evidence is transferred to State Police or another outside agency, the receiving official must sign the original CN 6901.

[433]Connecticut DOC, AD 6.9, Section 6, p 2–3. AD 6.9 requires evidence items to be separately packaged, with paper bags used for fingerprint or body-fluid evidence; tagged with CN 6901; and placed directly in criminal physical evidence storage or transferred to State Police. It also creates separate secure storage areas for criminal, administrative, video, and photographic evidence, limits access to designated personnel, and requires separate logs for video and photographic evidence.

[434]Connecticut DOC, AD 6.9, Section 7(A), 3. When a crime is suspected, including in all unexpected deaths, the discovering staff member must notify a supervisor and secure the suspected crime scene. Staff must avoid disturbing the scene or physical evidence unless necessary to address an immediate threat or prevent evidence from disappearing, and only authorized personnel may enter the area.

[435]Connecticut DOC, AD 6.9, Section 6, p 2–3; Connecticut DOC, AD 1.10, Section 4, 2. AD 6.9 requires multiple evidence-documentation tools, including CN 6901 chain-of-custody tags, contraband and criminal-evidence logs, video and photographic evidence logs, CN 6601 incident reports, and CN 6904 photographic evidence forms attached to incident reports. AD 1.10 also requires investigative files to include incident reports, written statements, interview transcripts, photographs, and other supporting documentation.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					c, digital image, photograph, audio recording, any tangible item(s) or substance(s) and biological, or forensic material that may assist to substantiate or refute any criminal, administrative, charge(s) or allegation(s)to include potential litigation."[432]			
D.C.	Yes- fully	Yes– All	No[438]	No[439]	Yes– fully	No[441]	No[442]	Yes-fully[443]

[432]Connecticut DOC, AD 6.9, Section 3(E), p.1.

[438]No– publicly available policies do not assign or specify a facility level evidence lead. For deaths at DOC facilities. P 4352.1E ("Inmate-Arrestee Deaths" only refers to Metropolitan Police Department (MPD) or the Office of Investigative Services (OIS) duties, not facility staff (4).

[439] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence

[441] No– The Mayor must adopt regulations governing the handling of evidence in the Chief Medical Examiner's possession, including how it is transferred to law enforcement or the U.S. Attorney's Office and how long it must be retained. The regulations must also ensure that toxicology and histology specimens are preserved in accordance with National Association of Medical Examiners accreditation requirements.((2) (a) § 5–1408. Possession of evidence and property . The two policies support making the body and related evidence available to OCME and forwarding the original fingerprint card and death package to the IRO, but they do not clearly set out packaging, sealing, storage, retention, or evidence-transfer procedures.

[442] **No**– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.

[443]Yes-fully Employees must complete and submit the DCDC Form 1, Employee Report of Notable Incident/Significant Incident/Extraordinary Occurrence, which includes specific questions on evidence collection, to their supervisor for review within one-hour of verbally notifying their supervisor of the death and before they leave the facility. (7-8, 15-18 PP 1280.2J ("Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences").)

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	public[436]	inmate deaths[437]			Forensic, Physical, Biological, Evidence, Photograph, Video[440]			

[436]District of Columbia Department of Corrections, Policy and Procedure 4352.1E: *Inmate-Arrestee Deaths* (2026), https://doc.dc.gov/node/1813271; District of Columbia Department of Corrections, Policy and Procedure 1280.2J: *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences* (2022), https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PP%201280.2J%20Reporting%20and%20Notification%20Procedures%20for%20Significant%20Incidents%20and%20Extraordinary%20Occurrences%2003-28-2022.pdf; District of Columbia Municipal Regulations, 28 DCMR Section 5002: *Deaths—Notification; Penalties for Noncompliance*, Section 5002, https://dcrules.elaws.us/dcmr/28-5002 ; District of Columbia Municipal Regulations, 28 DCMR Section 5003: *Possession of Evidence and Property*, Section 5003, https://dcrules.elaws.us/dcmr/28-5003 ; District of Columbia Code, D.C. Code Section 5-1408: *Possession of Evidence and Property* (2026), Section 5-1408, https://code.dccouncil.gov/us/dc/council/code/sections/5-1408

[437]D.C. DOC, PP 1280.2J, Section 10(c), 5. Yes—fully. PP 1280.2J is incident-general, but it applies to deaths in custody because inmate deaths are categorized as significant incidents or extraordinary occurrences subject to DOC reporting and notification procedures.

[440]D.C. DOC, PP 4352.1E, Section 9, 5; 28 DCMR Section 5003.1; D.C. Code Section 5-1408(a)(2); D.C. DOC, PP 1280.2J, p 15–18. D.C. DOC policy requires OCME fingerprinting for identification. At medicolegal death scenes, including deaths in custody, the medical examiner, medicolegal investigator, or law enforcement may collect objects or articles useful to determine cause of death and hold them as evidence. D.C. law also requires regulations governing OCME evidence handling, transfer, retention, and preservation of toxicology and histology specimens under NAME accreditation standards. DOC's Extraordinary Occurrence form further documents whether evidence was secured, who recovered it, whether video was used and by whom, and whether photographs were taken and by whom.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Delaware	No[444]	N/A[445]	N/A[446]	N/A[447]	N/A[448]	N/A[449]	N/A[450]	N/A[451]
Florida	No[452]	N/A[453]	N/A[454]	N/A[455]	N/A[456]	N/A[457]	N/A[458]	N/A[459]

[444] No– existing policies do not meaningfully address any of the subsequent metrics. Delaware Department of Correction, Policy 11-A-09: *Procedure in the Event of an Offender Death or Incident of Self-Directed Violence* (2023), https://doc.delaware.gov/assets/documents/policies/policy_11-A-09.pdf does not address evidence collection, scene preservation, evidence documentation. Delaware Department of Correction, Policy 8.32: *Contraband: Search, Seizure, and Disposition* (2024), https://doc.delaware.gov/assets/documents/policies/policy_8-32.pdf exists but does not address deaths in custody.

[445] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[446] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[447] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[448] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[449] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[450] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[451] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[452] No– existing policies do not meaningfully address any of the subsequent metrics. Florida Administrative Code, Fla. Admin. Code r. 33-602.112: *Inmate Deaths*, https://www.law.cornell.edu/regulations/florida/Fla-Admin-Code-Ann-R-33-602-112. does not address evidence collection, scene preservation, evidence documentation.

[453] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[454] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[455] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[456] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[457] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[458] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[459] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Georgia	Yes–partially public[460]	No–applicable only to "Deaths under Unusual Circumstances"[461]	Yes–fully-Officer at the scene posted by Warden or Superintendent[462]	Yes–partially[463]	Yes– fully Photographs, videotapes,[464]	Yes–partially[465]	Yes-fully[466]	Yes-fully[467]

[460] Georgia Department of Corrections, Standard Operating Procedure 208.03: *Death of an Offender* (2015), https://public.powerdms.com/GADOC/documents/105692 ; Georgia Department of Corrections, Standard Operating Procedure IIA10-0001 (208.03), Attachment 1: *Warden/Superintendent Emergency Notification List: Death of an Offender Under Unusual Circumstances or Natural Death* (2015), https://public.powerdms.com/GADOC/documents/105691 ; Georgia Rules and Regulations, Ga. Com R. & Regs. r. 125-2-4-.20: *Death and Interment*, https://rules.sos.ga.gov/gac/125-2-4-.20 ; Georgia Department of Corrections, Standard Operating Procedure 103.10: *Evidence Handling and Crime Scene Investigations* is not publicly available but cited in Georgia DOC, SOP 208.03: *Death of an Offender* (2015), 1, https://public.powerdms.com/GADOC/documents/105692.

[461]Georgia DOC, SOP 208.03, Section F(3), 8.

[462]Georgia DOC, SOP 208.03, Section F(3), 8.

[463] Partially– Georgia DOC, SOP 208.03, Attachment 1, 1 requires staff to obtain a police receipt for any property removed as possible evidence, indicating some documentation of evidence transfer, but the attachment does not establish broader chain-of-custody procedures.

[464]Georgia DOC, SOP 208.03, Section F(3), 8–9.

[465] Partially– Georgia DOC, SOP 208.03, Section F(3), p 8–9 requires that for deaths under unusual circumstances, the death scene to be secured and left undisturbed until the warden/superintendent and investigating authority authorize cleanup or removal. The policy also requires medical records and death documents to be sent for administrative and Health Services review and allows medical records to be provided to the GBI Crime Lab upon request. However, it does not provide detailed packaging or storage rules for physical evidence.

[466]Georgia DOC, SOP 208.03, Section F(3), 8; Georgia DOC, SOP 208.03, Attachment 1, 1.. Georgia DOC requires staff to secure the death scene as a possible crime scene, including the initial scene if the body was moved during revival efforts; assign at least one employee to monitor the scene until investigators release it; secure offenders present away from the death scene when possible; and identify non-offenders present for debriefing and questioning.

[467]Georgia DOC, SOP 208.03, Section F(1), (3), p 8–9 requires incident reporting for all offender deaths. For deaths under unusual circumstances, it also requires an initial written report with statements from everyone involved before they leave the facility, as well as a written log of each person entering and leaving the crime-scene area.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Hawaii	No[468]	N/A[469]	N/A[470]	N/A[471]	N/A[472]	N/A[473]	N/A[474]	N/A[475]
Idaho	Yes-partial public[476]	No–applicable only when "Death Appears to be by Other than Natural Cause"[477]	Yes fully – Shift Supervisor posts a staff member to secure the scene[478]	No	Yes fully– "object or potential evidence," photographs, diagrams, "any property that is seized as evidence or for forensic	Yes fully[480]	Yes fully[481]	Yes fully[482]

[468] No– Hawaii Department of Corrections and Rehabilitation, Policy COR.10.A.09: *Procedure in the Event of an Inmate Death* (2024), https://dcr.hawaii.gov/policies-and-procedures/pp-cor/ is listed as confidential.
[469] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[470] Ibid.
[471] Ibid.
[472] Ibid.
[473] Ibid.
[474] Ibid.
[475] Ibid.
[476] Partially – Idaho Department of Correction, Policy 312.02.01.001: *Death of an Inmate* (2024), https://forms-idoc.idaho.gov/WebLink/0/edoc/281431/Death%20of%20an%20Inmate.pdf; Idaho Department of Correction, Standard Operating Procedure 504.02.01.001: *Investigations and Intelligence Program*, cited in Idaho DOC, Policy 312.02.01.001: *Death of an Inmate* (2024), 4, https://forms-idoc.idaho.gov/WebLink/0/edoc/281431/Death%20of%20an%20Inmate.pdf but is itself not publicly available.
[477] Idaho DOC, Policy 312.02.01.001, Section 2, table 2-1, 4 refers to death that appears to be by other than natural causes.
[478] IDOC policy 312.02.01.001 2. Process Steps: When a Death Occurs. Table 2-1: Death Appears to be by Other than Natural Cause https://forms-idoc.idaho.gov/WebLink/0/edoc/281431/Death%20of%20an%20Inmate.pdf.
[480] Idaho DOC, Policy 312.02.01.001, table 2-1, 4. If an item must be removed from the death scene for safety or security reasons, staff must photograph and diagram its location, remove it preferably with gloves, place it in an evidence bag, and either secure it in an evidence locker or immediately transfer it to law enforcement. The policy also requires facility MOUs with coroners or funeral homes to address transport and handling protocols, and requires property to be inventoried and secured after the scene investigation is complete.
[481] Idaho DOC, Policy 312.02.01.001, Section 2, table 2-1, 4. For deaths appearing to be by other than natural causes, Idaho DOC requires the shift commander or designee to secure the scene and contact law enforcement under SOP 504.02.01.001, *Investigations and Intelligence Program*.
[482] Idaho DOC, Policy 312.02.01.001, Section 2, table 2-1, 5. For deaths appearing to be by other than natural causes, Idaho DOC requires shift commanders to identify and document witnesses, obtain staff Information Reports, complete a 105 Incident Notification Report, and document any property or evidence taken by law enforcement if no receipt is obtained.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					testing"[479]			
Illinois	Yes–fully public[483]	No– applicable only to homicides, suicides, or unknown cause[484]	Yes–fully first employee on the scene, facility investigators[485]	Yes-fully[486]	Yes fully– Fingerprints, "the hands of the deceased individual in custody shall be covered with a paper bag for evidence preservation purpose," photographs,	Yes fully	Yes fully[489]	Yes fully[490]

[479]Idaho DOC, Policy 312.02.01.001, Section 2, table 2-1, p 4–5.

[483]Illinois Department of Corrections, Administrative Directive 01.12.111: *Reporting of Deaths* (2024), https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/112111%20Reporting%20of%20Deaths.pdf ; Illinois Department of Corrections, Administrative Directive 01.12.112: *Preservation of Physical Evidence* (2026), https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/112112%20Preservation%20of%20Physical%20Evidence.pdf.

[484] No– Illinois DOC policy 01.12.111 F. Requirements 1. Deaths Occurring at a Department Facility or Office (f) (page 3)

[485]Illinois DOC, AD 01.12.111, Section II(F)(1)(h)(3), p.2 ; Illinois DOC, AD 01.12.112, SectionII(E), 1. Yes—fully. The first employee on the scene must secure and control the area, prevent contamination, contain involved persons, maintain an entry/exit log, remain available as a resource, and submit a DOC 0434 before leaving. AD 01.12.112 further provides that facility investigators collect, preserve, and protect physical evidence if the ISP Crime Scene Unit is not contacted, while the Chief of Investigations and Intelligence determines whether ISP Crime Scene will be involved.

[486]Illinois DOC, AD 01.12.112, Section II(E), p 1–2 requires evidence to be handled only by the collecting employee and limits chain of custody by requiring transfer to the Major Contraband Custodian, or the Shift Supervisor in that person's absence, for processing under the relevant directive. It also requires evidence to be released only to authorized persons and documented by receipt.

[489]Illinois DOC, AD 01.12.111, SectionII(F)(1), p 3–4. For apparent homicide or suicide deaths, Illinois DOC requires the area to remain undisturbed and uncontaminated. The first employee on scene must immediately seal and control the area, request assistance cordoning it off if needed, contain involved persons, keep an entry/exit log, and remain at the scene as a resource person.

[490]Illinois DOC, AD 01.12.111, Section II(F)(1), p 3–4. Illinois DOC requires death-related documentation including DOC 0569 death-notification checklists, DOC 0434 incident reports from the first employee on scene and all employees directly involved or witnessing the incident before leaving the facility, an entry/exit scene log, documentation of the body's location, position, clothing, and surrounding items if moved, and forwarding of investigative reports, autopsy reports, death certificates, coroner proceedings, and relevant medical information to designated officials.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					[487] large items from which a sample may be cut, such as a blood-stained piece of mattress, identifying details such as serial numbers, trade names, and unusual marks.[488]			
Indiana	No[491]	N/A[492]	N/A[493]	N/A[494]	N/A[495]	N/A[496]	N/A[497]	N/A[498]

[487]Illinois DOC, AD 01.12.111, Section II(F)(1)(k), 5.
[488]Illinois DOC, AD 01.12.112, Section II(E), p 1–2.
[491]No–Indiana DOC, Policy and Administrative Procedure 01-03-101: *Religious Services* (2018), 27, https://www.in.gov/idoc/files/01-03-101-Religious-Services-1-1-2018.pdf refers to Indiana DOC's death-specific Directive 1.16, *Procedure in the Event of the Death of an Offender* but Directive 1.16 is not itself publicly available. Indiana DOC, Policy and Administrative Procedure 02-03-114: *Incident Reporting, Monitoring, and Mapping* (2019), https://www.in.gov/idoc/files/02-03-114-Incident-Monitoring-4-1-19.pdf does not address evidence preservation.
[492]N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[493] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[494] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[495] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[496] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[497] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[498] N/A– In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Iowa	N/A[499]	N/A[500]	N/A[501]	N/A[502]	N/A[503]	N/A[504]	N/A[505]	N/A[506]
Kansas	Yes–fully public[507]	No–applicable only to deaths that are required to be documented in an incident	No[509]	No[510]	Yes fully–Fingerprints, "Description Of Weapon Or Evidence Found" photograph,	No[512]	No[513]	Yes–fully[514]

[499]N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[500] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[501] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[502] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[503] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[504] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[505] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[506] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[507]Kansas Department of Corrections, Internal Management Policy and Procedure 01-114D: *Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident* (2025), https://drive.google.com/file/d/1-BfzRbDB14vDzSeRCSm_b81oOSDAxg-f/view?usp=sharing ; Kansas Department of Corrections, Internal Management Policy and Procedure 01-113D: *Incident Reports and Immediately Reportable Incidents* (2017), https://drive.google.com/file/d/1i4m0jWO1148tQdvffvSrVmse0HHQVda7/view?usp=sharing.
[509]No– within publicly available policies, there is no designation of DOC facility staff responsibility for the death scene and evidence prior to the arrival of outside investigators.
[510]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[512]No– within publicly available policies, none of the following requirements are addressed: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority..
[513]No– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.
[514]Kansas DOC, IMPP 01-113D, Attachments A–B, p 6–9. Yes—fully. Kansas requires incident reports to document weapons or evidence found, searches, photographs, video, and where evidence was turned over. The policy also requires attached reports or narratives from all observing staff, routing/logging/filing of incident reports, imaging and retention of reports and photo evidence, and documentation of emergency-notification efforts.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
		report[508]			video[511]			
Kentucky	Yes–fully public[515]	No–applicable only to use-of-force related or suspicious deaths[516]	Yes fully –Warden or Duty Officer[517]	No[518]	Yes fully– Photo, video[519] physical evidence, circumstantial, interviews[520]	Yes partial[521]	Yes fully[522]	Yes fully[523]

[508] 01-114D ADMINISTRATION: Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident applies to all inmate deaths but does not address evidence collection. 01-113D ADMINISTRATION: Incident Reports and Immediately Reportable Incidents addresses evidence collection for "Any incident that results in death or physical injury or threatens the safety of any employee, volunteer, visitor, member of the public, or offender/parolee" (1) but I'm unsure if this means all inmate deaths.
[511]Kansas DOC, IMPP 01-114D, Section IX(B), 7 ; Kansas DOC, IMPP 01-113D, Attachment A, 7.
[515]Kentucky Department of Corrections, Corrections Policies and Procedures 8.7: *Notification of Critical Incident* (2025), https://corrections.ky.gov/About/cpp/Documents/08/CPP%208.7%20Effective%202025%20-%202-4-25.pdf ; Kentucky Department of Corrections, Corrections Policies and Procedures 3.23: *Internal Affairs Operations* (2025), https://corrections.ky.gov/About/cpp/Documents/03/CPP%203.23%20Effective%202025%20-%202-4-25.pdf sets evidence policies for certain deaths (use of force, firearm discharge).
[516]No– CPP 3.23 INTERNAL AFFAIRS OPERATIONS (4) sets evidence policies for certain deaths (use of force, firearm discharge).
[517]Kentucky DOC, CPP 8.7, Section II(A), 1; Kentucky DOC, CPP 3.23, Section II(A), 2. Yes—fully. Pending Kentucky State Police arrival, the warden or duty officer must preserve the location as it appeared during the alleged offense, protect relevant physical property, and obtain written staff reports. CPP 3.23 further designates Internal Affairs Officers to conduct, direct, and coordinate investigations under uniform standards for documentation, investigative procedures, and evidence collection.
[518] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[519]Kentucky DOC, CPP 8.7, Section II(A)(5), 2.
[520]Kentucky DOC, CPP 3.23, Section II(J), 7.
[521] Partially– Kentucky DOC, CPP 8.7, Section II(A)(1), 1 requires staff to preserve the location as it appeared during the alleged offense, identify and protect physical property for use as evidence, and photograph or videotape the scene if it may be disturbed. However, it does not publicly detail packaging, sealing, storage, locker, or evidence-transfer procedures.
[522]Kentucky DOC, CPP 8.7, Section II(A)(1), 1 requires the warden or duty officer to preserve the scene's condition and identify and protect potential evidence, including clothing or weapons, pending Kentucky State Police arrival.
[523]Kentucky DOC, CPP 8.7, Section II(A)(2), 1; Kentucky DOC, CPP 3.23, Section I, 2. Yes—fully. CPP 8.7 requires written reports from all institutional personnel with relevant knowledge before they leave the facility and requires photographic or video documentation if the scene may be disturbed. CPP 3.23 defines the Report of Investigation as documenting investigative actions, interviews, and evidence collection, and requires occurrence reports detailing what occurred, when, where, and who witnessed it. This provides substantial documentation requirements, though not a dedicated scene-log or evidence-inventory system.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Louisiana	N/A[524]	N/A[525]	N/A[526]	N/A[527]	N/A[528]	N/A[529]	N/A[530]	N/A[531]
Maine	Yes–partial public[532]	No–applicable only to unnatural	Yes partially[534]	No[535]	Yes fully–Fingerprints, property located in	Yes partially[537]	Yes fully[538]	Yes partially[539]

[524] No identifiable DOC/inmate specific policies on evidence preservation for deaths in custody or any of the metrics.
[525] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[526] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[527] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[528] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[529] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[530] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[531] N/A– no DOC/inmate specific policies for deaths in custody or evidence preservation for deaths in custody were identified.
[532]Maine Department of Corrections, Policy 18.21: *Adult Resident Death*, https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/Policy%2018.21%20%28002%29.pdf; Maine Department of Corrections, Policy (AF) 14.16: *Preservation of Evidence*, cited in Maine DOC, Policy 18.21: *Adult Resident Death*, 8, but is not publicly available.
[534]Maine DOC, Policy 18.21, Section B(8), 3 requires the shift commander to confirm the resident's identity through fingerprints, after authorization to move the body from Maine State Police or the Attorney General's Investigation Division when applicable. However, this provision does not identify an initial lead for evidence preservation or scene security.
[535] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[537] Partially–Maine DOC, Policy 18.21, Section B, p 3–4. If a death may not have been from natural causes, Maine DOC requires the death scene and body to remain undisturbed. The policy also requires a printed health care record to be sealed, secured, and delivered to the Chief Administrative Officer or designee, with later-discovered health care documents labeled and forwarded. However, it does not establish packaging, storage, or transfer rules for physical evidence.
[538]Maine DOC, Policy 18.21, Section B(7), 3. If the death may have been by suicide or otherwise not from natural causes, Maine DOC requires that the death scene and body remain undisturbed and that the area be treated as a potential crime scene under Departmental Policy (AF) 13.9, *Emergency Situations, General Guidelines*.
[539]Partially– Maine DOC, Policy 18.21, Section B(14), 4. Medical staff must document in the electronic health record the evidence supporting death, the time and circumstances of death, emergency measures taken, and apparent cause if possible. However, the policy does not require specific documentation of evidence collected at the scene.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
		deaths[533]			potential crime scene[536]			
Maryland	Yes-full public[540]	Yes–All incarcerated-individual deaths[541]	Yes partially[542]	Yes fully[543]	Yes fully– physical evidence digital evidence testimonial evidence medical records facility documents video footage / video recordings witness interviews and	Yes fully[545]	Yes fully[546]	Yes fully [547]

[533]No– DOC policy 18.21 - *Adult Resident Death* Procedure B: Death of an Adult Resident in the Physical Custody of Department Staff 7. (page 3)
[536]Maine DOC, Policy 18.21, Section B(8), F(2), p 3, 8.
[540]Maryland Code of Regulations, Md. Code Regs. 12.12.21.02: *Funeral and Burial Expenses of Indigent Inmates*, Section 12.12.21.02, https://www.law.cornell.edu/regulations/maryland/COMAR-12-12-21-02 ; Maryland Department of Public Safety and Correctional Services, Department of Corrections, Policy IID.270.0001: *Death Notification and Investigation* (2025), https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=4637.
[541]Maryland DPSCS/DOC, Policy IID.270.0001, Section .03(A), 1 states the policy applies to all incarcerated-individual deaths.
[542]Partially–Maryland DPSCS/DOC, Policy IID.270.0001, Section .05(C), 6 states the IID Watch Center Police Communication Officer must instruct the reporting facility to preserve the death scene and safeguard evidence, but the policy does not specify which facility staff member is responsible for carrying out those duties.
[543]Maryland DPSCS/DOC, Policy IID.270.0001, Section .06(3), 9.
[545]Maryland DPSCS/DOC, Policy IID.270.0001, Section .05(A), 4 requires IID leadership to ensure investigative actions and evidence preservation comply with policy, law, and accepted standards. It also requires the detective lieutenant to ensure proper handling, storage, and retention of investigative materials; the assigned detective to document, store, and transfer evidence properly; and the Director to ensure secure retention, archiving, and management of investigative files.
[546]Maryland DPSCS/DOC, Policy IID.270.0001, Section .05(C), 6 states the ID Watch Center PCO must instruct the reporting entity to preserve the death scene and safeguard potential evidence, and the detective lieutenant is responsible for directing the immediate scene response.
[547]Maryland DPSCS/DOC, Policy IID.270.0001, Section .05(C)–(D), 6 requires RMS entry of the death, assignment of an IID case number, documentation of all initial-response actions, notifications, and decisions, and scene documentation through photographs, video, diagrams, investigative notes, case files, and related records.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					statements[544] photographs, video, diagrams, and other scene documentation			
Massachusetts	Yes– full public[548]	No– applicable only to unattended deaths[549]	Yes– Partially[550]	Yes fully[551]	Yes fully–contrab and physical evidence photographs video / videotape monetary evidence controlled substances	Yes fully[553]	Yes fully[554]	Yes fully[555]

[544]Maryland DPSCS/DOC, Policy IID.270.0001, Section .05(C), 6.
[548]Massachusetts Department of Correction, Policy 103 DOC 506: *Search Policy* (2023), https://www.mass.gov/doc/doc-506-search-policy/download.
[549]Massachusetts DOC, 103 DOC 506, attachment E, Section 6(III), p 32–33.
[550]Massachusetts DOC, 103 DOC 506, Section 506.11(A), 22 refers to an evidence custodian for seizure of contraband or evidence that could be used in a criminal prosecution. However, attachment E, Section 6(III), p 31–32, the specific provision on unattended deaths, does not identify an evidence custodian or designate a specific staff member responsible for carrying out scene or evidence-preservation duties.
[551]Massachusetts DOC, 103 DOC 506, attachments D–E, p 30–31 requires evidence documentation through an Evidence Custody Form, end-of-shift disciplinary or incident reports, a bound evidence log, a separate controlled-substances log, entries documenting chain of custody, disposition, and storage location, and receipts for custody transfers. It also requires crime-scene documentation, including records of persons entering and leaving the scene and staff notes on scene conditions and observations.
[553]Massachusetts DOC, 103 DOC 506, Section 506.11(A), 22 requires seized evidence to be sealed in an evidence bag, tagged with an Evidence Custody Form, transferred to the Evidence Officer, and logged into designated storage. It also establishes separate secure-storage rules for general evidence, controlled substances, and certain weapons or devices, including protections against water and fire damage, double-lock storage for controlled substances, fixed steel drop boxes when the Evidence Officer is unavailable, chronological storage, and quarterly audits.
[554]Massachusetts DOC, 103 DOC 506, attachment E, Section 2, 6(III), p 31, 33.
[555] Massachusetts DOC, 103 DOC 506, attachments D–E, p 30–31 require an Evidence Custody Form; a disciplinary report or incident report by end of shift; a bound evidence log; a separate controlled substances in/out log; log entries for chain of custody, disposition, and storage location; receipts for change of custody; accurate records of people arriving and leaving the scene; staff notes about scene conditions and observations.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					and paraphernalia firearms/ammunition chemical agents electronic control devices specialty impact devices the noose (if available) as evidence.[552]			
Michigan	Yes– full	No–Unexpect	Yes	No[559]	Yes fully–	Yes fully[561]	Yes fully[562]	Yes fully[563]

[552] Massachusetts DOC, 103 DOC 506, attachment E, Section 6(III), p 32–33.
[559] No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[561] PD 01.05.120 requires that all relevant physical evidence and video be included with the CAJ-570 Critical Incident Report, and that all documents, forms, photographs, and video recordings related to critical incidents shall be retained. PD 01.01.140 requires the investigator to maintain an investigatory file and, upon completion, forward the complete investigative packet, all digital recordings and video, and the original packet to Internal Affairs, which maintains the official case file.
[562] PD 04.06.110 "EVIDENCE E. The scene and other appropriate areas shall be sealed off to allow the gathering of evidence and to prevent loss or contamination of evidence." (2)
[563]Michigan DOC, PD 01.05.120, Section J, 2; Michigan DOC, PD 01.01.140, § R, 3. PD 01.05.120 requires relevant physical evidence and video to be included with the CAJ-570 Critical Incident Report and requires retention of related documents, forms, photographs, and video recordings. PD 01.01.140 requires the investigator to maintain an investigatory file and, after completion, forward the full investigative packet, including digital recordings and video, to Internal Affairs, which maintains the official case file.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	public[556]	ed deaths[557]	partially[558]		photographs video, witness statements, physical evidence[560]			
Minnesota	Yes–full public[564]	Yes–All deaths[565]	Yes fully–Death	Yes partiall	Yes fully–logs	Yes fully[569]	Yes fully[570]	Yes fully[571]

[556]Michigan Department of Corrections, Policy Directive 04.06.110: *Deaths and Disposition of the Remains* (2021), https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-04-Institutional-Operations/PD-0406-Medical-and-Mental-Health-Services/04-06-110-Deaths-and-Disposition-of-the-Remains-effective-06-28-21.pdf?rev=0644554f593a4c9d9bdcf89d18cb24ee ; Michigan Department of Corrections, Policy Directive 01.05.120: *Critical Incident Reporting: Correctional Facilities Administration (CFA)* (2018), https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-01-Administration-and-Organization/PD-0105-Inspections-Auditing-and-Reporting/01-05-120-Critical-Incident-Reporting-Correctional-Facilities-Administration-CFA-effective-07-01-18.pdf?rev=d4b6910e7569426e9ae59e8ff6dfae70 ; Michigan Department of Corrections, Policy Directive 01.01.140: *Internal Affairs* (2018), https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-01-Administration-and-Organization/PD-0101-Organization-and-Responsibility/01-01-140-Internal-Affairs-effective-07-01-18.pdf?rev=96b3dec6bc2640f48a5aaa639440e63f.

[557] Michigan DOC, PD 01.01.140, Section J(4), p.2.

[558]Michigan DOC, PD 01.01.140, Section N, p 2–3. For Internal Affairs–monitored investigations, the investigation is conducted by an inspector or higher-level employee; for Internal Affairs investigations, it is conducted by an Internal Affairs investigator. It is unclear whether the "higher-level employee" necessarily refers to facility staff.

[560]Michigan DOC, PD 01.01.140, Section R–S, p 3–4.

[564]Minnesota DOC, Policy 203.230.

[565] Minnesota DOC, Policy 203.230, Section B, p 2–3.

[569] Minnesota DOC, Policy 203.230, Section B, p 2–3 requires the incident area to be treated as a crime scene regardless of condition, requires the death scene officer to maintain the security and integrity of the death scene, requires the first investigating responder to collect and save records in ACISS, requires the forensic pathology specialist to maintain death reports in ACISS and maintain all recorded video, audio, and photos in Genetec Clearance according to the retention schedule

[570] Minnesota DOC, Policy 203.230, Section B, p 2–3 requires the incident area be treated as a crime scene regardless of the incarcerated person's condition. The watch commander must assign a death scene officer to maintain the security and integrity of the scene, and the death scene officer must secure the scene so no one is allowed to enter the area or access potential evidence. The first investigating responder must ensure the scene has been properly determined and secured.

[571] Minnesota DOC, Policy 203.230, Section B, p 2–3 requires a death procedure checklist; a death scene log; an access to death scene record;staff incident reports; a complete investigative report in ACISS.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
			Scene Officer and First investigating responder[566]	y[567]	electronic files visiting lists, and history living and working assignments phone records names of possible witnesses staff reports, video, audio, and photos[568]			
Mississippi	No[572]	N/A[573]	N/A[574]	N/A[575]	N/A[576]	N/A[577]	N/A[578]	N/A[579]

[566] Minnesota DOC, Policy 203.230, Section B, 2.
[567] Minnesota DOC, Policy 203.230, Section B, p 2–3 does not use the phrase "chain of custody," but it does establish controlled custody and transfer rules: the death scene officer controls access to the scene, the first investigating responder collects and saves records in ACISS, health services must obtain and maintain custody of medical and behavioral health files, and the property officer assumes responsibility for personal property only after release by the forensic pathology specialist..
[568] Minnesota DOC, Policy 203.230, Section B, p 2–4.
[572] No publicly available MDOC policies on death except MS Code § 47-5-151 provides no information about evidence preservation.
[573] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[574] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[575] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[576] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[577] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[578] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[579] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability** [349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody** [351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation** [355]
Missouri	Yes partially[580]	Yes–partially[581]	Yes fully–Facility Staff[582]	No[583]	Yes fully–Interviews, 24- hour Video Footage[584]	Yes fully[585]	Yes fully[586]	Yes fully[587]

[580] MODOC SOP/D1-8.5 Offender Death – Notification and Organ Donation is partially referred to in pages 21-22 of UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MISSOURI JEFFERSON CITY DIVISION but is not itself publicly available.

[581]The Appeal, "Families Search for Truth in Missouri Prison Deaths" (2026); Missouri DOC, SOP/D1-8.5: *Offender Death—Notification and Organ Donation* (Directive effective 2021; SOP effective 2022), cited in *Reed v. Missouri Department of Corrections*, Complaint, No. 2:24-cv-04152-BCW (W.D. Mo. Sept. 5, 2024), p 21–22; **partially.** In a 2026 interview with *The Appeal*, MODOC's Communications Director stated that all deaths are investigated by MODOC's investigations unit and described local staff as sealing the death area, interviewing witnesses, and gathering scene evidence. However, the publicly available reference to MODOC SOP/D1-8.5, *Offender Death—Notification and Organ Donation*, only clearly identifies evidence-related procedures for unexpected deaths, including an unexpected-death checklist and securing 24 hours of video footage for transfer to storage under evidence procedures.

[582] The MDOC Communications Director stated in a 2026 interview with The Appeal that as a part of the investigation mandated for all deaths in custody, "the area where the death occurred is sealed off and any [witnesses] are interviewed and evidence [is gathered] on the scene by the local staff." https://theappeal.org/missouri-prison-death-records-secrecy/

[583] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[584] The MDOC Communications Director stated in a 2026 interview with The Appeal that as a part of the investigation mandated for all deaths in custody, "the area where the death occurred is sealed off and any [witnesses] are interviewed and evidence [is gathered] on the scene by the local staff." https://theappeal.org/missouri-prison-death-records-secrecy/ Does not specify what is encompassed within "evidence" ; MODOC SOP/D1-8.5 Offender Death – Notification and Organ Donation, parts of which are referred to in https://storage.courtlistener.com/recap/gov.uscourts.mowd.178983/gov.uscourts.mowd.178983.1.0_1.pdf page 21-22 said that for "unexpected deaths," shift supervisors must secure 24-hours of video footage and transfer it to a storage location.

[585]Missouri DOC, SOP/D1-8.5, *Offender Death—Notification and Organ Donation*, cited in *Reed v. Missouri Department of Corrections*, Complaint, No. 2:24-cv-04152-BCW, p 21–22. For unexpected deaths, MODOC requires shift supervisors to secure 24 hours of video footage and transfer it to storage under evidence-preservation procedures.

[586]EJ Haas, "Secrecy, Inaccurate Records Stymie Families' Search for Truth in Missouri Prison Deaths," *The Appeal* (2026). The MDOC Communications Director stated that, in death investigations, local prison staff generally seal off the area where the death occurred, interview witnesses, and gather scene evidence.

[587]Missouri DOC, SOP/D1-8.5, *Offender Death—Notification and Organ Donation*, cited in *Reed v. Missouri Department of Corrections*, Complaint, No. 2:24-cv-04152-BCW, p 21–22. MODOC requires prison staff to immediately begin a chronological log documenting emergency-response actions and submit it to the shift supervisor by the end of the shift. For unexpected deaths, staff must also complete an unexpected-death checklist. The Chief Administrative Officer must submit a serious-incident report describing known circumstances of the death to divisional leadership by the end of the next working day.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Montana	Yes–full public[588]	No–applicable only to deaths where staff believes crime was committed[589]	Yes fully–Initial staff responder, Temporary Evidence Custodian[590]	Yes fully[591]	Yes fully–physical evidence, audio/video tapes, photographs, sketches, dying declaration, impression evidence[592]	Yes fully[593]	Yes fully[594]	Y[595]

[588] Montana Department of Corrections, Policy Directive DOC 4.5.34: Offender Death (April 19, 2021); State of Montana, Department of Corrections, Policy Directive DOC 3.1.28: Crime Scene and Physical Evidence Preservation (October 9, 2015), https://cor.mt.gov/DataStatsContractsPoliciesProcedures/DataDocumentsandLinks/DOCPolicies/Chapter3/3.1.28-Crime-Scene-and-Physical-Evidence-Preservation.pdf; DOC 4.5.34 does not include evidence-preservation provisions; DOC 3.1.28 applies when staff believe a crime occurred.

[589] Montana DOC, Policy Directive DOC 3.1.28, Sections IV(A).

[590] Montana DOC, Policy Directive DOC 3.1.28, Sections IV(B) and (D).

[591] Montana DOC, Policy Directive DOC 3.1.28, Section IV(D).

[592] Montana DOC, Policy Directive DOC 3.1.28, Sections III and IV(B).

[593] Montana DOC, Policy Directive DOC 3.1.28, Section IV(D). Evidence must be stored in a secure locker with access limited to authorized personnel. Disposal must be documented, and destruction of evidence, drugs, or contraband requires a prosecutor petition and court order.

[594] Montana DOC, Policy Directive DOC 3.1.28, Sections IV(B) and (D). Staff must respond "expeditious[ly] and methodical[ly]" to preserve the scene with minimal contamination, establish boundaries and barriers, protect evidence, document movement of persons or items, maintain entry/exit logs, exclude unauthorized personnel, separate suspects and witnesses, remove bystanders, and control the scene until investigators or law enforcement arrive and staff are relieved.

[595] Montana DOC, Policy Directive DOC 4.5.34, Section IV(B), 2; Montana DOC, Policy Directive DOC 3.1.28, Sections IV(B) and (D). After all inmate deaths, witnessing staff must submit incident reports by shift end, a contemporaneous incident report must be maintained, and the original health record secured. For suspected crime scenes, staff must document scene observations, physical conditions, statements, and staff actions in an incident report to the Office of Investigations.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Nebraska	Yes partially[596]	Yes fully–when a death in custody triggers the grand-jury / criminal-investigation process which occurs for all deaths in custody[597]	No[598]	No[599]	No[600]	Yes partially[601]	No[602]	No[603]

[596]Nebraska Department of Corrections, Policy 115.13: Serious Illness or Injury, Advance Directives & Death (2025) was obtained via a FOIA request but is not technically publicly available; Nebraska Revised Statutes, Neb. Rev. Stat. § 29-1401: *Grand Jury; When Called; Death While Being Apprehended or in Custody; Procedures* (2026), https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401.

[597] Policy 115.13 Serious Illness Or Injury, Advance Directives & Death V. PATIENT DEATH (ACI-6C-16, ACRS-7D-15) G. Neb. Rev. Stat. § 29-1401 (4) (a)
Nebraska DOC, Policy 115.13 Section V(G) p.5; Neb. Rev. Stat. § 29-1401(4)(a

[598]Nebraska DOC, Policy 115.13, Section V(G), 5 only refers to law enforcement from the jurisdiction where the death occurred but no facility staff specific requirements; Neb. Rev. Stat. § 29-1401 (4) (a)

[599]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[600]No– within publicly available policies, there is no explicit requirement to collect any kind of evidence.

[601] Nebraska DOC, Policy 115.13, Section V(G), 6 states NDCS must hold any personal property belonging to a deceased patient pending completion of the required grand-jury investigation or written authorization from the prosecuting attorney but does not specify storage of other types of evidence aside from personal property (6); Neb. Rev. Stat. § 29-1401 (4) (a) states the matter must remain open and ongoing until all assembled evidence, reports, and relevant materials have been transferred to the prosecuting attorney.

[602] No– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.

[603]No– Nebraska DOC, Policy 115.13, Section V(G), 6 states reports are generated and transferred to the prosecuting attorney but no details on who writes the reports, required information, or a timeline.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Nevada	Yes – fully public[604]	Yes–partially. All deaths, but more detailed procedures for suspicious deaths or suicides[605]	Yes fully – Shift Supervisor, Associate Warden, Evidence Officer[606]	No[607]	Yes– Photographs, Videos, Biological Evidence, Ligature in Hanging Cases[608]	Yes[609]	Yes[610]	Yes[611]

[604]Nevada Department of Corrections, Administrative Regulation 420: *Inmate Death or Serious Injury Procedure* (2017), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20420%20%20-%20Inmate%20Death%20or%20Serious%20Injury%20-%20Final%20-%2003072017.pdf ; Nevada Department of Corrections, Administrative Regulation 458: *Crime Scene Preservation and Investigation*, (2014), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20458%20-%20091614.pdf.

[605] AR 420 ("Inmate Death or Serious Injury Procedure") for all deaths, but special provisions for suspected suicides or suspicious deaths; AR 458 ("Crime Scene Preservation and Protection") but AR 458 notes that more detailed procedures are contained in a confidential manual and implemented through institution-level Operational Procedures.

[606]Nevada DOC, AR 458, 1 states the Associate Warden of each institution is responsible for preserving, gathering, and disposing of crime scene evidence and designating an Evidence Officer.

[607] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[608] Nevada DOC, AR 420, Section 420.1(2), 2.

[609] Nevada DOC, AR 420, Section 420.1(1) –(9), p 1. –3, Section 420.03 (2), 5 requires staff to take "every precaution" to protect evidence in inmate death or serious injury cases, including securing the immediate area, restricting entry, leaving the scene undisturbed, photographing and videotaping the scene, and securing relevant institutional records. It also requires that removed ligatures must be placed in a secure location.

[610]Nevada DOC, AR 458, 1; Nevada DOC, AR 420, Sections 420.01(2), 420.03 (3), p 1, 3, 5. AR 458 makes each institution's Associate Warden responsible for ensuring crime-scene protection. AR 420 assigns the Institutional Warden or Facility Manager responsibility for securing the crime scene, while also giving the Shift Supervisor primary responsibility for ensuring complete scene preservation and preventing evidence from being moved or tampered with before investigators and the coroner arrive. In suspected hanging cases, staff must cut the person down immediately if life-saving efforts are possible; if the person is already deceased, the ligature must remain in place, the scene must be secured, access restricted, the body attended, and nothing moved from the secured area.

[611]Nevada DOC, AR 420, Section 420.01(5), 2. The discovering staff member must complete a comprehensive report, approved by the Shift Supervisor, before leaving the institution and enter it into NOTIS. The report must identify the discoverer, deceased inmate, cellmate, and any witnesses, and document the time of discovery, body and scene conditions, actions taken, body release or removal time, and investigator arrival time.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
New Hampshire	Yes–partial[612]	No– applicable only to deaths where foul play is suspected[613]	Yes partially[614]	No[615]	No[616]	No[617]	No[618]	No[619]
New Jersey	Yes– fully	Yes fully[621]	Yes	No[623]	Yes–Photogr	No[625]	No[626]	No[627]

[612] New Hampshire Department of Corrections Policy and Procedure Directive 503.3, NOTIFICATION TO DESIGNATED INDIVIDUALS IN CASE OF RESIDENT SERIOUS ILLNESS, INJURY, AND DEATH, (2021), https://drive.google.com/file/d/1bVo2lJqCtnuiIb64of72DgUqNxRP7m4i/view?usp=sharing; NHDC PPD 358, "Crime Scene Investigations," is referenced on NHDOC 503.3(d)(9) 2, but is not publicly available.
[613]New Hampshire DOC, PPD 503.3, Section D(9)(a)(1), 2.
[614] New Hampshire DOC, PPD 503.3, Section D(9), p 2 – 3 states that in cases where foul play is indicated or suspected, requires the shift commander to notify Investigations under PPD 358 before family notification. The criminal investigation team leader is then responsible for ensuring family notification and coordinating disposition of the body with facility leadershi The policy also requires the shift commander to secure the deceased resident's personal property pending investigation, but it does not clearly identify a DOC evidence collector or scene manager.
[615]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[616] No– within publicly available policies, there is no explicit requirement to collect any kind of evidence.
[617] New Hampshire DOC, PPD 503.3, Section D(9)(a)(1), 2 states that the shift commander shall secure the deceased resident's personal property pending any investigations pursuant to PPD 358.
[618]No– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.
[619]No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.
[621] N.J.A.C. 10A:16-7.3 refers to security procedures upon the death of an inmate, thus can be assumed to apply to all inmate deaths.
[623]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[625] No– within publicly available policies, none of the following requirements are addressed:evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority..
[626] No– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.
[627] No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	public[620]		Partially[622]		aphs, fingerprints[624]			
New Mexico	Yes–full public[628]	No–applicable	Yes fully –Evidence	Yes fully[631]	Yes fully–Physical,	Yes fully[633]	Yes fully[634]	Yes fully[635]

[620] Note that all New Jersey Corrections policies are promulgated through the NJ Administrative Code TITLE 10A. CORRECTIONS ; New Jersey Administrative Code, N.J.A.C. 10A:16-7.3: *Security Procedures upon the Death of an Inmate*, Section 10A:16-7.3, https://advance.lexis.com/api/document/collection/administrative-codes/id/5XKV-PWC1-F81W-20TT-00008-00?cite=N.J.A.C.%2010A%3A16-7.3&context=1000516. ;
; NJ Rev Stat § 26:6B-10 as a separate statute for medicolegal death investigations which deaths in custody fall under (a (12)).
[622]N.J.A.C. 10A:16-7.3(b). Before a body is released from the correctional facility, hospital, or medical examiner, Special Investigations Division staff must obtain photographs and fingerprints for the record. However, because SID staff are not facility-level staff, the regulation does not clearly identify facility-level evidence-preservation responsibilities.
[624] N.J.A.C. 10A:16-7.3 (b).
[628] New Mexico Corrections Department, CD-090300: *Institutional Evidence/Contraband Control, Tracking and Disposal* (1985), https://www.cd.nm.gov/wp-content/uploads/2023/12/CD-090300.pdf likely only explicitly applies to deaths being treated as potentially criminal (3); New Mexico Corrections Department, CD-031800: *Office of Professional Standards (OPS), Personnel Investigations and Staff Misconduct Reporting* (1984), https://www.cd.nm.gov/wp-content/uploads/2023/12/CD-031800.pdf classifies "misconduct related to any inmate death" as a Level-1 matter that must be reported through OPS;
[631]New Mexico Corrections Department, CD-090300, Procedure: Sections A–B, p 4–6 requires a documented chain of custody through an Inventory/Chain of Custody form that follows the evidence through final disposition and records all handlers, dates, times, and storage locations, while also placing the designated Evidence Custodian in charge of collection, tracking, storage, and disposal.
[633] New Mexico Corrections Department, CD-090300, Procedure: Sections A–B, p 4–6 requires that evidence be preserved when an inmate is suspected of a new crime, limits staff activity to preserving the evidence and crime scene until investigators or law enforcement assume jurisdiction, and sets out concrete storage rules, including prompt transfer to the designated Evidence Custodian or evidence area, notation of where evidence was stored, use of sharps containers for sharp contraband, paper bags for blood- or bodily-fluid-soiled evidence, and retention in approved secure evidence locations. It also recommends that the number of persons handling evidence be kept to a minimum (3-6).
[634] New Mexico Corrections Department, CD-090300, Policy: Sections F, 3 instructs staff to do no more than preserve the evidence and crime scene until investigators or law enforcement take jurisdiction.
[635] New Mexico Corrections Department, CD-090300, Procedure: Sections A–B, p 4–6; New Mexico Corrections Department, CD-031800, Form CD-031801.A, 30. CD-090300 requires NMCD staff to log and track evidence on an Inventory/Chain of Custody form, record all handlers, dates, times, and storage locations, and document the evidence's category, origin, and disposition. According to CD-031800, when an inmate death triggers an OPS misconduct investigation the Standard Investigation Format requires documentation of photographs or videotape, identification of who collected evidence and when, establishment of a chain of evidence, inclusion of the chain-of-evidence form in the investigation packet.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
		only to deaths treated as criminal[629]	Custodian[630]		Biological Evidence, Photographs, Video, Interviews[632]			
New York	Yes– full public[636]	Yes partially– All incarcerated-individual deaths, with strongest evidence/scen	Yes fully– Watch Commander designates staff member[638]	No[639]	Yes fully– the decedent's cell/property[640], "evidence, records, documentatio	Yes partially[642]	Yes fully[643]	No[644]

[629] New Mexico Corrections Department, CD-031800 only applies to crimes.
[630]New Mexico Corrections Department, CD-090300, Definitions D, 2 defines the Evidence Custodian as the warden-designated employee primarily responsible for collecting, tracking, storing, and disposing of contraband found or confiscated within an institution or state vehicle.
[632]New Mexico Corrections Department, CD-090300, Definitions B, H, Procedures A–B, p 2–5; New Mexico Corrections Department, CD-031800, Form CD-031801.A, 30. CD-090300 defines physical evidence and establishes handling procedures for contraband and specific evidence types, including weapons, narcotics, needles, tattoo guns, sharp instruments, blood- or bodily-fluid-soiled evidence, alcohol, illegal drugs, and non-prescribed pharmaceuticals. CD-031800's investigation report format also requires documentation of investigative actions.
[636] New York State Department of Corrections and Community Supervision, Directive 4013: *Incarcerated Individual Deaths—Administrative Responsibility* (2025), https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf ; New York State Department of Corrections and Community Supervision, Directive 0700: *Office of Special Investigations (OSI)* (2025), https://doccs.ny.gov/system/files/documents/2025/05/0700.pdf.
[638]NY DOCCS, Directive 4013, Section III(B), 2; NY DOCCS, Directive 0700, Section IV(C), 4. Directive 4013 assigns notification responsibilities to the Watch Commander after an incarcerated individual's death, while Directive 0700 provides that OSI investigates deaths.
[639] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[640]NY DOCCS, Directive 4013, Section III(B), 2 requires the Watch Commander to designate a staff member to secure the cell and property until the crime scene is released or the investigation is complete, after which property is processed under Directive 4934. However, it does not provide detailed procedures for evidence packaging, sealing, labeling, storage lockers, or transfer.
[642]NY DOCCS, Directive 4013, Section III(B)(2), 2. Directive 4013 requires the Watch Commander to designate a staff member to secure the cell and property until the crime scene is released or the investigation is complete, after which property is processed under Directive 4934. However, it does not detail evidence packaging, sealing, labeling, storage, or transfer procedures.
[643]NY DOCCS, Directive 4013, Section III(A), 1. For homicide, suicide, accident, or suspicious deaths, the body may not be moved without permission from the Coroner or Medical Examiner and District Attorney, and the Watch Commander must ensure the cell and property are secured until the scene is released or the investigation is complete.
[644] No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
		e provisions for homicide, suicide, accidental, or suspicious deaths and unattended deaths[637]			n, and data"[641]			
North Carolina	Yes full public [645]	Yes– all inmate deaths but with special provisions for suicides or suspicious deaths[646]	Yes partially[647]	No[648]	Yes partially–medications in cases of suspected suicide or otherwise suspicious deaths[649]	Yes partially[650]	Yes partially[651]	No[652]

[637]NY DOCCS, Directive 4013, Section III(B), 2; NY DOCCS, Directive 0700, Section IV(C), 4.
[641]NY DOCCS, Directive 0700, Section I, p.1.
[645] North Carolina Department of Adult Correction, Division of Institutions, Policy and Procedure Chapter F.4100: *Offender Death Procedures* (2023), https://drive.google.com/file/d/1ff-TPRSxWQIQcOrTgz5s2Tzg0SyQZqIr/view?usp=sharing.
[646]North Carolina DAC, Policy Chapter F.4100, Section III(A), (C), p 1, 4. The policy applies broadly "upon the death of an offender," but contains specific evidentiary provisions for suspected suicides or otherwise suspicious deaths, when the deceased person's medication must be collected and treated as investigatory evidence.
[647]North Carolina DAC, Policy Chapter F.4100, Section III(C), 4. The policy requires the Facility Health Authority or designee to collect the deceased person's medication, which is treated as evidence in suspected suicides or otherwise suspicious deaths. However, it does not identify other categories of evidence for collection.
[648]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[649]North Carolina DAC, Policy Chapter F.4100, Section III(C), 4 requires the Facility Health Authority or designee to collect the deceased person's medication, which is treated as evidence in suspected suicide or otherwise suspicious deaths. It does not mention collection of other evidence types.
[650]Partially– North Carolina DAC, Policy Chapter F.4100, Section III (A), 1 states that no one should be authorized to disturb the body upon a death. However, none of the following policies are required: evidence non-disturbance aside from the body, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.
[651]Partially– North Carolina DAC, Policy Chapter F.4100, Section III (A), 1 that no one should be authorized to disturb the body upon a death. However, it does not otherwise require or lay out procedures for securing the death scene.
[652] No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
North Dakota	Yes– full public[653]	Yes fully–All inmate deaths[654]	Yes partially–Correctional Facility Staff[655]	Yes fully[656]	Yes partially–evidence[657]	Yes fully[658]	No[659]	No[660]
Ohio	Yes–partial	Yes partially–All inmate	Yes fully–Shift	No[664]	No[665]	No[666]	Yes fully[667]	Yes fully[668]

[653]North Dakota Department of Corrections and Rehabilitation, *Correctional Facility Standards*, Standard 29: *Preservation of Evidence and Request for Independent Investigation* (2026), 11, https://www.docr.nd.gov/sites/www/files/documents/jails/Jail%20Standards/2026%20Correctional%20Facility%20Standards.pdf.

[654]North Dakota DOCR, *Correctional Facility Standards*, Standard 29, 11.states the investigation policy applies to any in-custody death of an inmate (11).

[655]North Dakota DOCR, *Correctional Facility Standards*, Standard 29, 11 requires correctional facilities to collect and store evidence under evidence-collection and chain-of-custody procedures and to preserve in-custody death or crime scenes for law-enforcement investigation. However, it does not designate a specific staff member responsible for those duties.

[656]North Dakota DOCR, *Correctional Facility Standards*, Standard 29, 11 requires correctional facilities to collect and store evidence under evidence-collection and chain-of-custody procedures and preserve in-custody death or crime scenes for law-enforcement investigation.

[657]North Dakota DOCR, *Correctional Facility Standards*, Standard 29, 11 requires evidence collection after an incident but does not identify specific categories or types of evidence to be collected.

[658]North Dakota DOCR, *Correctional Facility Standards*, Standard 29, 11 requires correctional facilities to collect and store all evidence under evidence-collection and chain-of-custody procedures and preserve in-custody death or crime scenes for law-enforcement investigation.

[659]No– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.

[660]No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

[664] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[665] No– within publicly available policies, there is no explicit requirement to collect any kind of evidence.

[666] ORDC staff is required to preserve the crime scene prior to OSHP arrival but there is no explicit mention of evidence preservation, storage, or transfer procedures in publicly available resources

[667] Ohio DRC, Policy 66-ILL-02, Section VI(D), 2 states the shift captain or designee is responsible for securing the scene for investigation, contacting investigators, initiating a log sheet, and logging all calls and attempted calls, to include the date, time, phone number and the name of the person(s) contacted.

[668]Ohio DRC, Policy 66-ILL-02, Section VI(D), 2 Ohio requires the shift captain or designee to initiate a log, document all calls and attempted calls, and ensure completion of a Special Incident Report. Although ODRC Policy 310-SEC-13 is not publicly available, the Ohio OIG report indicates that it requires the facility shift supervisor to document the incident, involved persons, injuries or property damage, and actions taken to preserve the crime scene.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	public[661]	deaths, stronger when crime is suspected[662]	Captain[663]					
Oklahoma	Yes– full public[669]	No–applicable only to suspicious or unexpected death, or apparent	Y–Facility personnel, to include a crime scene recorder [671]	No[672]	Yes fully–unit logs, electronic files, DNA, phone records names of	Yes fully[674]	Yes fully[675]	Yes fully[676]

[661] Ohio DRC, Policy 66-ILL-02; Ohio Office of the Inspector General, Report of Investigation 2015-CA00043: *State of Ohio, Office of the Inspector General* (2016), https://theswissbay.ch/pdf/Reports/Report%20of%20Investigation%202015-CA00043%20-%20State%20of%20Ohio%2C%20Office%20of%20the%20Inspector%20General.pdf; ODRC Policy 66-ILL-02 applies to all in-custody deaths, while Policy 310-SEC-13 governs crime-scene protection when OSHP determines that further investigation is warranted. Policy 310-SEC-13 does not appear to be publicly available, but portions are discussed in the Ohio OIG's 2015 investigation report.

[662]Ohio DRC, Policy 66-ILL-02, Section VI(D), 2; Ohio OIG, *Report of Investigation 2015-CA00043*. ODRC Policy 66-ILL-02 applies to all in-custody deaths and establishes baseline evidentiary requirements. If the Ohio State Highway Patrol determines that further investigation is warranted, ODRC applies Policy 310-SEC-13, *Protection of Crime Scene*.

[663]Ohio DRC, Policy 66-ILL-02, Section VI(D), 2; Ohio OIG, *Report of Investigation 2015-CA00043* (2016), 45. In suspected-crime cases, ODRC staff must preserve the scene and notify OSHP, which determines whether further investigation is warranted. The Ohio OIG report further indicates that OSHP, rather than ODRC staff, collects evidence in such investigations.

[669]Oklahoma Department of Corrections, OP-140111: *Inmate Death, Injury and Illness Notification and Procedures* (2026), https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf ; Oklahoma Department of Corrections, OP-040117: *Investigations* (2022), https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-04/op040117.pdf.

[671]Oklahoma DOC, OP-040117, Section V(A), 8.

[672] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[674]Oklahoma DOC, OP-040117, Section V(D), 10 requires all physical evidence to be preserved pending adjudication of any criminal charge.

[675]Oklahoma DOC, OP-140111, Section I, 1; Oklahoma DOC, OP-040117, Section V(A), 8. For suspicious or unexpected deaths, or apparent homicides or suicides, Oklahoma DOC requires the death scene to remain undisturbed except as necessary for resuscitation. OP-040117 further requires facility heads to ensure facility personnel preserve the crime scene, including by assigning a crime-scene recorder to log all entries and exits and control inmate movement.

[676]Oklahoma DOC, OP-040117, Section III(D), 10 requires investigative work products and affidavits submitted to the prosecuting authority to describe the physical, testimonial, and documentary evidence obtained during the investigation.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
		homicide or suicide[670]			possible witnesses physical evidence testimonial evidence documentary evidence[673]			
Oregon	Yes–full public[677]	Yes fully– All inmate deaths[678]	Yes fully–first employee at scene not a part of rescue efforts, Officer in charge who	Yes fully[680]	Yes fully– Photographs; diagrammed; fingerprints; blood; biological evidence; fragment evidence;	Yes fully[682]	Yes fully[683]	Yes fully[684]

[670] Oklahoma DOC, OP-140111, Section I, 1; Oklahoma DOC, OP-040117. For suspicious or unexpected deaths, or apparent homicides or suicides, Oklahoma DOC requires the death scene to remain undisturbed except as necessary for resuscitation. Evidence preservation must follow OP-040117, *Investigations*.

[673] Oklahoma DOC, OP-040117, Sections IV(E), V(A), VI(A), VII(A), p 6, 8, 10, 12.

[677] Oregon Department of Corrections, OAR 291-027-0030 : *Assessment and Security* (2011), Section 291-027-0030; Oregon Department of Corrections, Policy 70.1.3: *Criminal & Administrative Evidence Handling* (2014), https://www.oregon.gov/doc/rules-and-policies/Documents/70-1-3.pdf is a publicly available general evidence-handling policy that applies to deaths.

[678] Oregon DOC, OAR 291-027-0030 (1) refers to "suspected inmate death," indicating the policy applies to all inmate deaths.

[680] Oregon DOC, Policy 70.1.3, Section III(C) – (D), p 2–4.

[682] Oregon DOC, Policy 70.1.3, Section III(A), III(C) – (E), p 1–5. Policy 70.1.3 requires staff to secure crime scenes, preserve evidence integrity, avoid touching evidence before it is photographed, and recover, package, seal, document, and secure evidence in designated OSP or SIU evidence lockers.

[683] Oregon DOC, OAR 291-027-0030(1)–(7); Oregon DOC, Policy 70.1.3, Section III(C), p 2–4. Oregon requires the first uninvolved security employee at the scene to secure the area, identify those present, disperse unauthorized individuals, and preserve the scene until investigators arrive. The officer-in-charge must maintain scene security, start a contamination log, prevent items in the death-scene area from being moved or touched absent an immediate security threat, and notify the State Police and medical examiner. If State Police respond, they assume control of the scene and secure property that may constitute evidence.

[684] Oregon DOC, OAR 291-027-0030(3)–(9); Oregon DOC, Policy 70.1.3, Section III(C), p 2–4. Oregon requires death scenes to be treated as crime scenes and documented through a contamination log, Unusual Incident Report, and Oregon State Police case number affixed to related documents and evidence. Once secured, staff must photograph the scene before anything is moved and may videotape or sketch it when needed. DOC staff generally may not interview witnesses or suspects unless directed by State Police, but must document unsolicited statements in a memo forwarded to the officer-in-charge.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
			designates an evidence custodian[679]		material however microscopic; solid, liquid, or gaseous; interviews; electronic and paper records, correspondence; other information storage devices[681]			
Pennsylvania	Yes–partial public[685]	No–applicable only to deaths not occurring under medical supervision from medical	Yes partially[687]	No[688]	No[689]	No[690]	Yes fully[691]	No[692]

[679] Oregon DOC, OAR 291-027-0030(1) –(3)
[681] Oregon DOC, OAR 291-027-0030(4)(b); Oregon DOC, Policy 70.1.3, Section III(C), p 2–9.
[685] Pennsylvania DOC, Procedures Manual 13.1.1, § 9, *Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior*, p 9-1–9-10, (2024). Department policy 6.3.1 "Facility Security" referred to on 9–2 but not publicly available
[687] Pennsylvania DOC, Procedures Manual 13.1.1, § 9(D), 9-2 requires all non-natural or non-medically supervised deaths to be immediately secured as crime scenes under Department Policy 6.3.1 before State Police arrive, but this provision does not specify which staff member is responsible for doing so.
[688]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[689]No– within publicly available policies, there is no explicit requirement to collect any kind of evidence.
[690] No– within publicly available policies, none of the following requirements are addressed:evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority..
[691] Pennsylvania DOC, Procedures Manual 13.1.1, § 9(D), 9-2 states immediate action must be taken to secure the area as a crime scene before PSP arrives in non-natural deaths.
[692] Pennsylvania DOC, Procedures Manual 13.1.1, § 9 (A), 9-1 requires the CHCA/designee to complete a DC-509 Report of Inmate Death and a DC-121 Report of Extraordinary Occurrence, but it's unclear whether this requires actual documentation of physical evidence.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
		causes[686]						
Rhode Island	No[693]	N/A[694]	N/A[695]	N/A[696]	N/A[697]	N/A[698]	N/A[699]	N/A[700]
South Carolina	Yes–full public[701]	Yes partially–All deaths, with specific	Yes fully–Discovering Staff	Yes fully[704]	Yes fully–device/weapon if	Yes fully[706]	Yes fully[707]	Yes fully[708]

[686] Pennsylvania Department of Corrections, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-3 D. Investigation of an Inmate Death states "Every inmate death shall be reported to the Pennsylvania State Police (PSP).3 The PSP shall be requested to investigate every death, with the exception of those that occur under medical supervision and/or by natural causes." (87)

[693] Rhode Island Department of Corrections (RIDOC), *Policy Number 18.09-4 DOC: Death of Inmates Under RIDOC Supervision* (2025), https://doc.ri.gov/media/3516/download?language=en does not address evidence. "9.16 DOC, Procedure for Protecting, Gathering, and Preserving Evidence" exists but not publicly available

[694] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[695] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[696] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[697] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[698] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[699] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[700] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[701] South Carolina Department of Corrections, Policy/Procedure HS-18.04: *Inmate Death* (2008), https://www.doc.sc.gov/sites/doc/files/Documents/policy/HS-18-04.pdf ; South Carolina Department of Corrections, Policy/Procedure OP-22.35: *Contraband Control* (2004), https://www.doc.sc.gov/sites/doc/files/Documents/policy/OP-22-35.pdf.

[704] South Carolina DOC, Policy/Procedure OP-22.35, Sections 4.5, 14, p 5, 11.

[706] South Carolina DOC, Policy/Procedure OP-22.35, Sections 8–10, 13–14, p 7, 11. OP-22.35 requires evidence to be containerized when possible, labeled, logged, transferred to the proper officer, and stored in secure designated locations. It also imposes added safeguards for controlled substances, including double-lock storage, drop boxes, and a separate in/out log, and requires criminal-case evidence to remain secured until OII assumes custody.

[707] South Carolina DOC, Policy/Procedure HS-18.04, Section 1.1, 1.

[708] South Carolina DOC, Policy/Procedure HS-18.04, Section 1.4.4, 3; South Carolina DOC, Policy/Procedure OP-22.35, Sections 4.5, 14, p 5, 12. HS-18.04 requires death-related documentation including a Management Information Note, SCDC Form 8-2, SCDC Form 26-8, and routing of death-certificate and autopsy-related records. OP-22.35 requires evidence documentation through a Contraband Logbook, S-23 Chain of Custody form, Form 19-79 for controlled substances, receipt numbers, and bound-log entries recording the case number, date/time, location found, finder, description, quantity, and test results.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
		provisions for suspected homicides or suicides[702]	member[703]		applicable, videotapes, compact discs, thumb drives, hard drives, Fire Sticks.[705]			
South Dakota	Yes–full public[709]	Yes partially–All inmate deaths, but specific provisions where cause of death may be of public interest[710]	Yes fully–Incident commander/scene commander[711]	Yes fully[712]	Yes fully–physical evidence, potential witnesses, fingerprints, blood, and fragment evidence, dangerous drugs / controlled substances, weapons, alcohol, and other	Yes fully[714]	Yes fully[715]	Yes fully[716]

[702]South Carolina DOC, Policy/Procedure HS-18.04, Sections 1, 6, p 1, 5.
[703]South Carolina DOC, Policy/Procedure HS-18.04, Section 6, 5. For all inmate deaths, the staff member who discovers the body must immediately secure the area and notify the security supervisor.
[705]South Carolina DOC, Policy/Procedure HS-18.04, Section 6, 5; South Carolina DOC, Policy/Procedure OP-22.35, Section 10, 8.
[709]South Dakota Department of Corrections, Policy 300-20: *Death of an Offender* (2025), https://www.doc.sd.gov/home/showpublisheddocument/650/638854053563770000 ; South Dakota Department of Corrections, Policy 1100-04: *Crime Scene Management and Criminal Evidence Handling* (2025), https://www.doc.sd.gov/home/showpublisheddocument/1184/638896513963630000.
[710]South Dakota DOC, Policy 300-20, Section 2(A), 2; South Dakota DOC, Policy 1100-04, Section IV(1)(B), 2.
[711] South Dakota DOC, Policy 300-20, Section IV(2)(B), 2.
[712]South Dakota DOC, Policy 300-20, Section IV(2)(B), 2; South Dakota DOC, Policy 1100-04, Section IV(1)(H), p 4–5.
[714]South Dakota DOC, Policy 1100-04, Section IV(1)(H), p 4–5.
[715]South Dakota DOC, Policy 300-20, Section IV(2)(A)–(B), 2.
[716]South Dakota DOC, Policy 300-20, Sections IV(2)–(3), p 2–3; South Dakota DOC, Policy 1100-04, Section IV(B), p 2–3. Policy 300-20 requires a Death of an Offender Checklist, incident or major-incident reporting, scene entry/exit logs, control-room arrival/departure records, and documentation of witness identities. Policy 1100-04 further requires documentation through OMS incident reports, property and chain-of-custody receipts, Inspector General evidence logs, evidence disposal and release forms, crime-scene logs, and reports documenting any emergency scene entries.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					criminal evidence, location-recovered information, model/serial numbers, and identifying marks on evidence forms[713]			
Tennessee	Yes–full public[717]	No–applicable only to deaths that may lead to criminal prosecution[718]	No[719]	No[720]	Yes fully–Physical evidence, weapons, video recordings, witness statements[721]	No[722]	No[723]	Yes fully[724]

[713]South Dakota DOC, Policy 300-20, Section IV(2)(B), 2; South Dakota DOC, Policy 1100-04, Section IV(1)(D), 3.
[717]Tennessee Department of Correction, Administrative Policy 103.02: *Incident Reporting* (2020), https://www.tn.gov/content/dam/tn/correction/documents/103-02.pdf ; Tennessee Department of Correction, Administrative Policy 511.03: *Release Procedures* (2020), https://www.tn.gov/content/dam/tn/correction/documents/511-03.pdf.
[718]Tennessee DOC, Policy 103.02, Section VI(A), 4. Deaths that may lead to criminal prosecution must be reported immediately by the Shift Commander to the Warden/Superintendent and the Director of Investigations and Compliance.
[719]Tennessee DOC, Policy 103.02, Section V(5)–(7), 4. Deaths that may lead to criminal prosecution must be reported immediately by the Shift Commander to the Warden/Superintendent and the Director of Investigations and Compliance, but the policy does not clearly designate a death-scene evidence collector.
[720]No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[721]Tennessee DOC, Policy 103.02, Incident Report form, p 16–17. The attached incident report requires staff to document physical evidence, including where it was found and a description of the evidence.
[722]No– within publicly available policies, none of the following requirements are addressed: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.
[723]No– within publicly available policies, there is no explicit requirement of DOC staff to secure, isolate, cordon off, guard, or control access to the death scene.
[724]Tennessee DOC, Policy 103.02, Incident Report form, p 16–17. The attached incident report requires staff to document physical evidence, including where it was found and a description of the evidence.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Texas	Yes–full public[725]	No–applicable only to "Deaths other than Natural or Unattended by a Physician or Registered Nurse"[726]	No[727]	No[728]	Yes partially–blood[729]	No[730]	Yes partially[731]	No[732]
Utah	Yes-full	Yes fully– All	Yes	No[736]	No[737]	No[738]	Yes fully[739]	No[740]

[725]Correctional Managed Health Care, Policy Manual A-11.1: *Procedure to Be Followed in Cases of Inmate Death* (2025), https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf ; Texas Government Code, Tex. Gov't Code § 501.055: *Report of Inmate Death* (2025), https://law.justia.com/codes/texas/government-code/title-4/subtitle-g/chapter-501/subchapter-b/section-501-055/ ; Texas Code of Criminal Procedure, Tex. Code Crim. Proc. art. 49: *Inquests upon Dead Bodies*, https://statutes.capitol.texas.gov/?tab=1&code=CR&chapter=CR.49&artSec=.

[726]CMHC, Policy Manual A-11.1, Section II(A)(b), 2.

[727]No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[728]No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[729]CMHC, Policy Manual A-11.1, Section II(A), 2. CMHC policy permits medical personnel to collect a blood specimen as part of the death investigation, but does not address collection of other evidence by facility staff.

[730]No– within publicly available policies, none of the following requirements are addressed: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.

[731]CMHC, Policy Manual A-11.1, Section I, 1. In apparent hanging suicides, accidents, or homicides, medical personnel must determine death before the area is secured for investigation, but the policy does not provide more detailed scene-security procedures.

[732]Tex. Gov't Code § 501.055(a) requires the justice conducting the inquest to make written copies of evidence taken during the inquest and provide copies to TDCJ's director and a district judge in the county of death. However, this provision does not require DOC staff to document the death scene or evidence.

[736] No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[737] No– within publicly available policies, there is no explicit requirement to collect any kind of evidence.

[738] No– within publicly available policies, none of the following requirements are addressed: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.

[739] Utah DOC, Policy FI14, Procedure 03.02(A), 2 requires the death scene to be secured, preserved, and maintained until released by the on-call UDC investigator in cooperation with the Medical Examiner's investigator. However, it does not specify which staff member is responsible for securing the scene or address evidence collection/preservation.

[740] No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the aforementioned methods.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	public[733]	inmate deaths[734]	partial[735]					
Vermont	Yes–full public[741]	Yes fully– All inmate deaths[742]	Yes fully–Correctional Facility Shift Supervisor assign staff member[743]	No[744]	Yes fully–Photograph, video[745]	Yes fully[746]	Yes fully[747]	No[748]
Virginia	Yes– full	No–	Yes fully–	No[752]	Yes	No[754]	Yes fully[755]	No[756]

[733] Utah Department of Corrections, Policy FI14: *Disposition of Deceased Inmate Remains* (1991), https://drive.google.com/file/d/1ojzXubKSR3If_39bGEhI6V2rfIgO5MVW/view?usp=sharing.
[734] Utah DOC, Policy FI14, Procedure 01.02, 1. Policy FI14 refers to cases in which "an inmate dies while incarcerated," so it appears to apply broadly to all inmate deaths.
[735] Utah DOC, Policy FI14, Procedure 03.02(A), 2 requires the death scene to be secured, preserved, and maintained until released by the on-call UDC investigator in cooperation with the Medical Examiner's investigator. However, it does not specify which staff member is responsible for securing the scene or address evidence collection/preservation.
[741]Vermont Department of Corrections, Policy 353: *Death Response and Review* (2024), https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf.
[742] Vermont Department of Corrections. Death Response and Review Policy. Policy No. 353. Agency of Human Services B. Death of an Incarcerated Individual in a Vermont Facility does not specify whether provisions only apply to specific types of deaths, thus we are assuming this policy applies to all inmate deaths (3).
[743]Vermont DOC, Policy 353, Section B, 3.
[744] No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[745]Vermont DOC, Policy 353, Section B, 3.
[746] Vermont DOC, Policy 353, Section B, 3.
[747]Vermont DOC, Policy 353, Section B, 3.
[748]Vermont DOC, Policy 353, Section D, 5. Vermont requires facilities to gather and provide all pertinent documentation to the CIU for an independent death investigation, but the policy does not specify whether that documentation includes evidence or evidence descriptions.
[752]No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[754]No– within publicly available policies, none of the following requirements are addressed: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.
[755]Virginia DOC, OP 038.4, Section VI, 9.
[756]No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	public[749]	applicable only to "unnatural death; homicide, accident, or suicide and/or death by unknown causes"[750]	Facility Unit Head or or Administrative Duty Officer[751]		fully–Personal property, Fingerprints, MX908 Handheld Mass Spectrometer[753]			
Washington	Yes–partial public[757]	Yes fully–All inmate deaths[758]	Yes partially–Employees/contract staff[759]	No[760]	Yes fully–First-hand information, fingerprints,	No[762]	Yes fully[763]	No[764]

[749]Virginia Department of Corrections, Operating Procedure 038.4: *Notification of Serious Injury, Illness, or Death* (2025), https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4.pdf.
[750]Virginia DOC, OP 038.4, Section VI(F), 10.
[751]Virginia DOC, OP 038.4, Section VI, 9. After a death is verified, the Facility Unit Head, or the Administrative Duty Officer if the Facility Unit Head is unavailable, must ensure the site of discovery and surrounding areas are protected as possible crime scenes until OLES clears the scene.
[753]Virginia DOC, OP 038.4, Section VI, p 9–10.
[757]Washington State Department of Corrections, Policy DOC 620.200: *Death of Incarcerated Individuals* (2021), https://doc.wa.gov/sites/default/files/data/files/620200.pdf ; Washington State Department of Corrections, Policy DOC 440.000: *Personal Property in Prisons* (2023), https://doc.wa.gov/sites/default/files/2025-02/440000.pdf ; Washington State Department of Corrections, Policy DOC 420.375: *Contraband and Evidence Handling* [restricted], cited in Washington DOC, Policy DOC 440.000: *Personal Property in Prisons* (2023), 7, https://doc.wa.gov/sites/default/files/2025-02/440000.pdf.
[758]Washington DOC, Policy DOC 620.200, Section II(A), 3. Policy DOC 620.200 applies "in the event of an incarcerated individual's death," so it appears to apply broadly to all inmate deaths.
[759]Washington DOC, Policy DOC 620.200, Section III(A), 3. Policy DOC 620.200 requires employees or contract staff to secure the area and identify individuals with first-hand information or involvement, but it does not designate a specific staff member responsible for scene security or evidence preservation.
[760] No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[762]No– within publicly available policies, none of the following requirements are addressed: evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.
[763]Washington DOC, Policy DOC 620.200, Section II(A), 3. Upon an incarcerated individual's death, employees or contract staff must secure the immediate area.
[764]Washington DOC, Policy DOC 620.200, 3. Policy DOC 620.200 requires an IMRS report within one hour when requested by the Shift Commander or Reentry Center CCS, but it does not specify whether the report must include evidence-specific documentation.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					photos [761]			
West Virginia	Yes–full public[765]	No– applicable only to deaths that appear "accidental, deliberate and/or the result of a crime"[766]	Yes partially[767]	No[768]	No[769]	No[770]	Yes fully[771]	Yes partially[772]
Wisconsin	Yes–partia	Yes fully– All	No[775]	No[776]	Yes	Yes fully[778]	Yes fully[779]	No[780]

[761]Washington DOC, Policy DOC 620.200, Section II(A), 3.
[765]West Virginia Division of Corrections and Rehabilitation, Policy Directive 456.01: *Death in Custody* (2025), https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf.
[766]West Virginia DCR, PD 456.01, Section III, 3.
[767]West Virginia DCR, PD 456.01, Section III, 3. If a death appears accidental, deliberate, or crime-related, West Virginia DCR requires the scene to be secured and preserved and appropriate investigative personnel and law enforcement to be notified. However, the policy does not specify which staff member is responsible for carrying out those procedures.
[768]No–within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[769]No– within publicly available policies, there is no explicit requirement to collect any kind of evidence.
[770]No– within publicly available policies, none of the following requirements are addressed:evidence non-disturbance, contamination prevention, packaging, sealing, labeling, storage location, retention, or transfer to another authority.
[771]West Virginia DCR, PD 456.01, Section III, 3. West Virginia DCR requires staff to follow all procedures to secure and preserve the scene and notify appropriate investigative personnel and law enforcement when the circumstances of a death appear accidental, deliberate, or crime-related.
[772]West Virginia DCR, PD 456.01, 3. The Superintendent or designee must complete a written report within 24 hours documenting identifying information, offense data, medical history, and circumstances of death. This report may include evidence-related information, but the policy does not explicitly require evidence-specific documentation. The facility Medical Director must also complete a written morbidity/mortality review.
[775]No– within publicly available policies, there is no designation of DOC facility staff responsibility for the death scene and evidence prior to the arrival of outside investigators.
[776]No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[778]Wisconsin DOC, DAI Policy 300.00.09, Section II(B), 5. states security staff must "ensure crime scene security measures are implemented to preserve evidence in accordance with DAI Policy 306.00.14" (5).
[779]Wisconsin DOC, DAI Policy 300.00.09, Section II(B), 5. states security staff must "ensure crime scene security measures are implemented to preserve evidence in accordance with DAI Policy 306.00.14" (5).
[780]Wisconsin DOC, DAI Policy 300.00.09, "Definitions, Acronyms and Forms," 2. Security staff must initiate a Demise Chronological Order, but the policy does not make clear whether that document includes evidence-specific documentation.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
	l public[773]	inmate deaths[774]			partially[777]			
Wyoming	N/A[781]	N/A[782]	N/A[783]	N/A[784]	N/A[785]	N/A[786]	N/A[787]	N/A[788]

[773]Wisconsin Department of Corrections, Division of Adult Institutions Policy 300.00.09: *Death of Persons in Our Care* (2024), https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf ; Wisconsin Department of Corrections, Division of Adult Institutions Policy 306.00.14: *Protection, Gathering and Preservation of Evidence* [not publicly available], cited in Wisconsin DOC, DAI Policy 300.00.09: *Death of Persons in Our Care* (2024), 1, https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf.

[774]The subject line of Wisconsin Department of Corrections, DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policy and Procedures is "Death of PIOC" and the policy does not differentiate between different causes of death, thus we are assuming it applies to all deaths.

[777]Wisconsin DOC, DAI Policy 300.00.09, Section II(B), 5. Security staff must implement crime-scene security measures to preserve evidence under DAI Policy 306.00.14, but the publicly available policy does not otherwise require evidence collection or specify evidence types.

[781] No known inmate specific/DOC policies for deaths in custody or evidence preservation for deaths in custody.

[782] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[783] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[784] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[785] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[786] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[787] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[788] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
American Samoa	N/A[789]	N/A[790]	N/A[791]	N/A[792]	N/A[793]	N/A[794]	N/A[795]	N/A[796]
Guam	Yes–partially public[797]	Yes fully– All inmate deaths[798]	Yes fully Supervisor[799]	No[800]	Yes fully– "witness statements, video footage, medical records, and any physical	Yes fully[802]	Yes fully[803]	No[804]

[789] No known inmate specific/DOC policies for deaths in custody or evidence preservation for deaths in custody.
[790] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[791] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[792] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[793] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[794] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[795] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[796] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.
[797] Yes partially–Guam Department of Corrections, General Order No. 1.13: *DCRA Policy* (2023), cited in Guam, *Death in Custody Reporting Act State Implementation Plan* (2023), PDF p 26–31, https://bja.ojp.gov/doc/dcra-plan-guam.pdf. Guam's DCRA State Implementation Plan includes a scanned copy of Guam DOC General Order No. 1.13, but the underlying DOC policy does not appear to be separately publicly available.
[798]Guam, *Death in Custody Reporting Act State Implementation Plan* (2023), Department of Corrections, Section A, "Reporting of Death in Custody," 9, https://bja.ojp.gov/doc/dcra-plan-guam.pdf.
[799] Guam, *DCRA State Implementation Plan*, Section A, 9 requires the supervisor to ensure the scene is secured, evidence is preserved, and witnesses are identified.
[800] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.
[802] Death in Custody Reporting Act (DCRA) Guam State Implementation Plan and General Order Number 1.13 requires assigned investigators to ensure "the preservation of all relevant evidence, including but not limited to, witness statements, video footage, medical records, and any physical evidence from the scene." (8)
[803] Death in Custody Reporting Act (DCRA) Guam State Implementation Plan and General Order Number 1.13 "The supervisor shall ensure the scene is secured, evidence is preserved, and witnesses are identified."(9)
[804] No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
					evidence from the scene"[801]			
Northern Mariana Islands	Yes-partially public[805]	No–applicable only to unattended deaths[806]	Yes fully–First officer on scene[807]	No[808]	Yes fully–photographs of the body and immediate area, witness identification /interviews, and "possible evidence."[809]	Yes partially[810]	Yes fully[811]	No[812]

[801] Guam, *DCRA State Implementation Plan*, (2), 8 states that assigned investigators must ensure the preservation of all relevant evidence, including but not limited to, witness statements, video footage, medical records, and any physical evidence from the scene.

[805]Commonwealth of the Northern Mariana Islands, *FY 2023 Death in Custody Reporting Act Implementation Plan* (2023), https://cjpa.cnmi.gov/assets/docs/jag/fy23-dcra-implementation-plan.pdf. This DCRA implementation plan includes a scanned DOC document that does not appear to be otherwise publicly available.

[806]CNMI, *FY 2023 DCRA Implementation Plan*, Section V(A), 8. The plan directs officers responding to unattended deaths to treat each scene as a possible homicide until facts establish otherwise.

[807]CNMI, *FY 2023 DCRA Implementation Plan*, Section V(B), p 8–9.

[808] No– within publicly available policies, there is no explicit requirement for chain of custody/chain of evidence form, log, receipt, or a documented record of the handling and transfer, including the date and time, of evidence.

[809]CNMI, *FY 2023 DCRA Implementation Plan*, Section V(B), p 8–9

[810]CNMI, *FY 2023 DCRA Implementation Plan*, Section V(B), p 8–9 says to "preserve the scene and possible evidence" but doesn't specify storage or logging.

[811]CNMI, *FY 2023 DCRA Implementation Plan*, Sections V(B), III(A), p 8–9, 12. The plan requires officers to preserve the scene and possible evidence. For inmate deaths, the discovering officer must secure the scene, avoid touching anything, and secure other inmates in their cells.

[812]No– within publicly available policies, there is no explicit requirement for DOC facility staff to document the death scene or evidence itself through any of the following methods: scene logs, evidence inventories, evidence forms, photo logs, witness statements, or records of movement/transfer.

Table 8. **Preservation of Evidence Grid**								
Jurisdiction	**Publicly Available DOC Specific Policy**[348]	**Policy Applicability**[349]	**Initial Facility Personnel Responsibility**[350]	**Chain of Custody**[351]	**Collection of Multiple Types of of Evidence**[352]	**Evidence Preservation/ Storage/Transfer**[353]	**Scene Security**[354]	**Evidence Specific Documentation**[355]
Puerto Rico	No[813]	N/A[814]	N/A[815]	N/A[816]	N/A[817]	N/A[818]	N/A[819]	N/A[820]
U.S. Virgin Islands	N/A[821]	N/A[822]	N/A[823]	N/A[824]	N/A[825]	N/A[826]	N/A[827]	N/A[828]

c. Chapter 3: Family Notification, Including Information on Cause of Death

I. Executive Summary

Family notification processes following deaths in government custody have garnered considerable concern by investigative journalists, politicians, and activists, with proposed legislation in 2025 aimed at establishing specific family notification policies.[829] To assess existing policies on family notification processes, we established six metrics evaluating: who is notified, who is responsible for completing notification, notification timeline, notification method, internal documentation, and information that is included in the initial notification. While

[813]Puerto Rico Department of Correction and Rehabilitation, Administrative Order AC-2005-04: *Protocolo de Intervención en los Casos de Muerte de un Confinado en una Institución Correccional* [not publicly available], cited in ACLU of Puerto Rico, *Investigation of Prisoner Deaths at Guerrero Prison* (2010), https://www.prisonlegalnews.org/news/publications/aclu-puerto-rico-investigation-of-prisoner-deaths-at-guerrero-prison-2010-en-espanol/.

[814] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[815] Ibid.

[816] Ibid.

[817] Ibid.

[818] Ibid.

[819] Ibid.

[820] Ibid.

[821] No known or publicly available death in custody policies or policies on evidence preservation for deaths in custody.

[822] N/A–In analyzed policies within the preservation of evidence issue area for this jurisdiction, there are no publicly available policies satisfying any of the metrics.

[823] Ibid

[824] Ibid

[825] Ibid

[826] Ibid

[827] Ibid

[828] Ibid

[829] H.R.2718 - Family Notification of Death, Injury, or Illness in Custody Act of 2025.

the majority of jurisdictions' Department of Corrections and Agency policies refer to family notification, the vast majority of jurisdictions fail to include specific provisions across all policy metrics, which assess key dimensions of notification processes. As such, many jurisdictions fail to include policies regarding specific family notification timeframes, notification method, internal documentation of processes, and disclosure information. Furthermore, an overwhelming minority of jurisdictions explicitly allow for cause of death information to be shared within the initial notification to family.[830]

This overall lack of comprehensive procedures is supported by the finding that only 11 out of 59 analyzed jurisdictions have publicly available policies that fulfill all six metrics.[831] Despite the lack of dignity and transparency in family notification processes as analyzed overall, jurisdictions with best practices such as Virginia, BOP, and Kansas, as well as previously proposed legislation H.R.2718, contain precise and detailed policies that inform the establishment of model policy recommendations centered around procedural specificity, exigency, and respect for decedents' families.

II. Problem Statement

Family notification as an issue area refers to the initial notification of an incarcerated individual's death to family, next-of-kin, and/or designated person—which is foundationally important in respecting deceased individuals and their loved ones. Family notification procedures dictate the bridge between the "before" and the "after" that comes with losing a loved one, shaping one of the most painful, difficult, and confusing days that a person can experience. In the immediate face of loss, the manner an individual is informed that their loved one has passed away permanently alters their experience and memory of circumstances.[832] Furthermore, the nature of a loved one dying in government custody raises many other questions, concerns, and uncertainties, with family members left with the emotional, financial, and administrative burden of finding answers. Notification procedures are the first step in the "after" that comes in this process of finding answers and of grief. Policies that prioritize timeliness, transparency, and compassion uphold the dignity of the deceased through respecting their loved ones in this process.

III. Policy Metrics

To measure family notification processes, we developed six metrics that capture various aspects of the notification: (1) who is notified upon an incarcerated individual's death, (2) who is responsible to deliver the notification, (3) explicit timeline and/or any language relating to the exigency of notification, (4) listed method(s) of notification, (5) whether there is an internal

[830] ICE, BOP, AK, CT, KS (as approved by Warden), MN, NC (unexpected deaths), NM, OH (upon request if known), GU (investigation process and outcome).
[831] ICE, BOP, CA, CO, KS, NV, NJ, NM, NC, SD, VA.
[832] Diego De Leo et al., "Receiving Notification of Unexpected and Violent Death: A Qualitative Study of Italian Survivors," *International Journal of Environmental Research and Public Health* 19, no. 17 (2022): 10709, https://doi.org/10.3390/ijerph191710709.

record of notification efforts, and (6) whether specific information, including cause of death, may be included during the notification. See Table 9 below for metric definitions and respective grid titles.

Table 9. **Family Notification Metric Definitions**	
Metric	**Metric Definition**
Notification	Who is listed for receiving family notification upon an individual's death in custody?
Responsibility	Which individual(s) is responsible for carrying out the notification?
Timeline	What is the timeline for carrying out notification attempts, either descriptively or through explicit time maximums?
Method	What required method(s) for carrying out the notification?
Internal Record	Does the agency/department explicitly state that there is documentation of notification status, efforts, or completion?
Information	Is there any type of direction on disclosure information for the notification, aside from notifying the receiving person of the person in custody's death?

A number of DOC policies are not explicitly centered fully around processes of family notification, but they do reference family notification as part of procedure or in a manner that demonstrates there is a policy in place. Jurisdictions such as these may have certain metrics, particularly the "(1) notification" metric fulfilled, and also have notes in the footnotes for referencing distinctions such as these.

IV. Summary of Jurisdiction Performance

Table 10. **Family Notification Jurisdiction Performance**	
Notification	**31 jurisdictions** have policies notifying a person as designated by the incarcerated individual (e.g. emergency contact determined upon admission) either in addition to legal next of kin or in replacement.[833]
Responsibility	**44 jurisdictions** explicitly assign notification responsibility to a specific staff member or members.[834]

[833] BOP, AZ, AR, CA, CO, FL, GA, ID, KS, LA, ME, MA, MI, NE, NV, NH, NM, NY, OH, OK, OR, SC, SD, UT, VT, VA, WA, WV, WI, MP.
[834] CBP, ICE, BOP, AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, ID, IL, KS, LA, ME, MD, MA, MI, MN, NV, NH, NJ, NM, NC, OH, OK, OR, PA, RI, SD, TN, TX, UT, VT, VA, WA, WV, GU, MP, PR, DC.

Timeline	**35 jurisdictions** have an indication of notification timeline, either descriptively or by time-based limits.[835]
Method	**16 jurisdictions** explicitly state that notification should be carried out by telephone. **11 jurisdictions** require both initial notification as well as a mailed letter of notification or letter of condolence.[836]
Internal Record	**22 jurisdictions** maintain a form of internal documentation regarding notification completion.[837]
Information	**10 jurisdictions** explicitly allow the sharing of information pertaining to cause of death or circumstances surrounding the death.[838]

Overall, out of 59 jurisdictions, only 11 have publicly available policies that fulfill all six metrics, two of which are federal agencies ICE and BOP. The other remaining jurisdictions that fulfill all six metrics are California, Colorado, Kansas, Nevada, New Jersey, New Mexico, North Carolina, and South Dakota, and Virginia. While having fulfilled all six metrics does not equate with having the "best" practices, it illustrates that the respective jurisdiction has detailed procedures and policies for notification procedures. Nine jurisdictions do not have a publicly accessible policy applied across the Department mentioning notification to next of kin or designated person, with four of these jurisdictions' policies confirmed to exist but inaccessible.[839] However, there is a high amount of variance with respect to both the degree of detail for the remaining 50 jurisdictions' policies across all metrics. Figure 5 below provides a visualization of jurisdiction performance by metric fulfillment.[840]

[835] CBP, ICE, BOP, AZ, AR, CA, CO, CT, DE, FL, IL, KS, KY, LA, MD, MA, MI, NC, NV, NH, NJ, NM, NY, OH, OR, SD, TN, TX, UT, VT, VA, WA, WV, PR, DC.
[836] BOP, AZ, AR, CA, CO, FL, GA, ID, KS, LA, ME, MA, MI, NE, NV, NH, NM, NY, OH, OK, OR, SC, SD, UT, VT, VA, WA, WV, WI, NMI; KS, SD, DC — ICE, BOP, CA, CO, MA, NC, NV, NJ, VA, WA, WI. ICE is included as ICE must send a letter of condolence in addition to notification, regardless of if carried out by consulate or ICE. Note that NC letter confirmation is for unexpected deaths.
[837] ICE, BOP, AK, CA, CO, GA, KS,ME, MD, MA, MN, NE, NV, NJ, NM, NC, OH, PA, SC, SD, VA, DC.
[838] ICE, BOP, AK, CT, KS (as approved by Warden), MN, NC (unexpected deaths), NM, OH (upon request if known), GU (investigation process and outcome).
[839] AL (relevant policy exists but no access), HI (relevant policy exists but no access) IN (policy exists but no access), IA (not found), MS (not found), MS not located, MT (explicit no), ND (exists but facility dependent), WY not located, American Samoa (not found), U.S. Virgin Islands (not found)
[840] Note that metric fulfillment should not be directly equated with "best" practices.

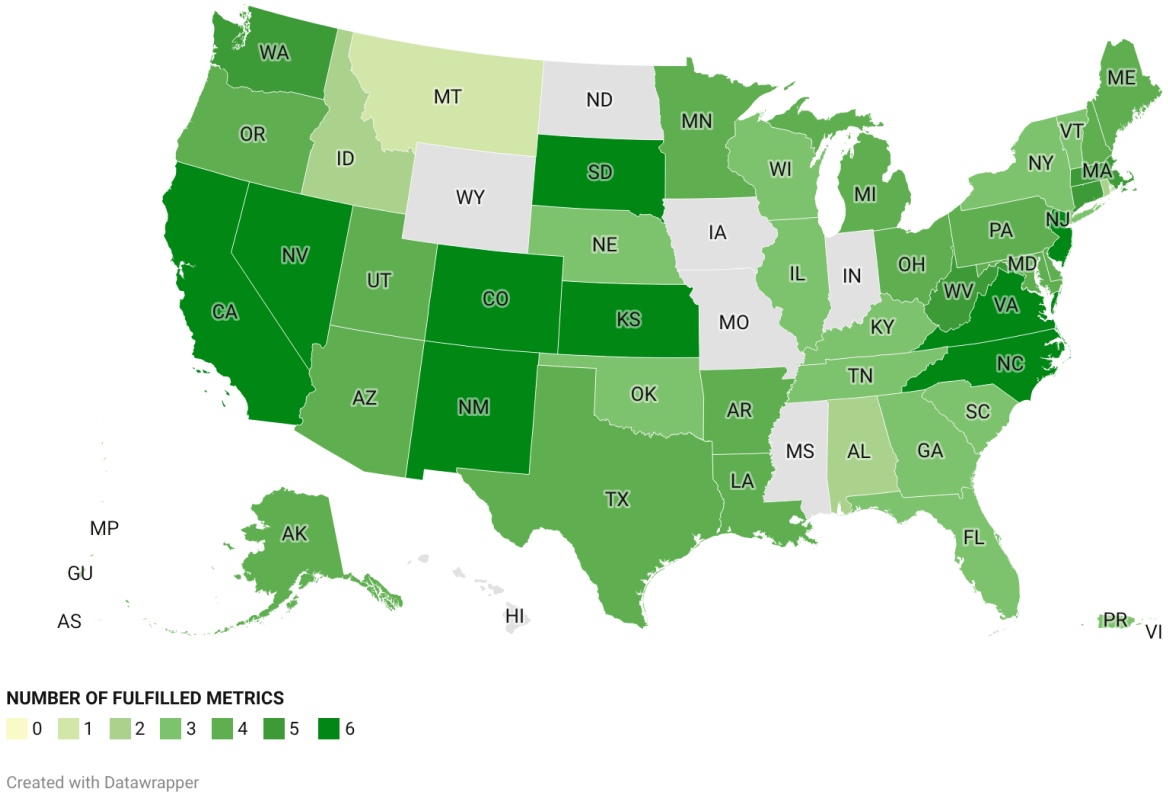


Figure 5. DOC Family Notification Policies by Fulfilled Metrics
Note: Light Grey jurisdictions have N/A values for all 6 metrics. See Grid of All Jurisdictions and Key Metrics for respective jurisdiction notes and analysis strategy.

In considering who is notified upon an individual's death, we may assume that the legal definition of "next of kin" is the standard. However, 31 jurisdictions have policies notifying a person as designated by the incarcerated individual (e.g. emergency contact determined upon admission) either in addition to legal next of kin or in replacement.[841]

Specificity of timeliness for family notification is vastly inconsistent and at times ambiguous. Thirty-five jurisdictions have a metric indicating either a specific time limit or a descriptive phrase to indicate timeline of notification after an incarcerated individual's death.[842] In contrast, 13 jurisdictions' policies do not have any indication of notification timeline.[843] Many jurisdictions utilize descriptive instructions indicating extreme exigency, stating that notification must be made "immediately" or "as soon as possible." However, room for discretion and ambiguity grows when other jurisdictions' use of descriptive instructions are less clear cut, with examples of such being "timely manner," "promptly," and "reasonable period of time." Apart

[841] BOP, AZ, AR, CA, CO, FL, GA, ID, KS, LA, ME, MA, MI, MN, NE, NV, NH, NM, NY, OH, OK, OR, SC, SD, UT, VT, VA, WA, WV, WI, MP.
[842] CBP, ICE, BOP, AZ, AR, CA, CO, CT, DE, FL, IL, KS, KY, LA, MD, MA, MI, NC, NV, NH, NJ, NM, NY, OH, OR, SD, TN, TX, UT, VT, VA, WA, WV, PR, DC.
[843] AK, GA, ID, ME, MN, MT, NE, OK, PA, RI, WI, GU, MP.

from descriptive phrases, eight jurisdictions list explicit hour maximum limits, ranging from eight hours to 24 hours following an incarcerated individual's death.[844]

In conducting these notifications, it may be assumed that the default method of notification is telephone. While 16 jurisdictions explicitly state that the notification should be made through telephone, there are a number of jurisdictions that either did not specify or employed other methods of notification in addition to telephone.[845] In terms of other methods of communication, three jurisdictions also require mail/written notification if initial notification attempts are unsuccessful, while 11 jurisdictions require both verbal notification and either a mailed letter of notification or letter of condolence.[846]

Regarding policies dictating indication of required disclosure information, 28 jurisdictions' policies include direction on specific disclosure information.[847] Generally, this ranges from brief statements on information not to disclose to specific guidelines on what to say alongside example scripts and lists of ethical responsibilities. Ten jurisdictions explicitly allow the sharing of information pertaining to cause of death or circumstances surrounding the death, although there is variance in terms of what information may be disclosed and under whose authority.[848] For example, Kansas requires disclosure of information on circumstances of death, but only with authorization from the Warden.[849] In Ohio, cause of death information will be given to the notified individuals if known "if requested", implying that this information would not be proactively shared otherwise.[850] Conversely, BOP requires disclosure of information on circumstances of death and if under investigation in the mandatory letter of condolence that is sent.[851]

---

[844] ICE, AZ, KS, NV, NJ, OH, VT, DC. CBP is excluded from this list as the time mandate for notification is simply to coordinate with the consulate and not to deliver notification.
[845] BOP, ICE, AZ, AR, CA, CT, KS, KY, MA, MI, NJ, NM, SD, VA, WV, DC. PA excluded as method was listed as either telephone or overnight mail. ICE included because if the consulate is unable or unwilling, notification is designated by telephone. OK is excluded as it states "telephone" or "another form of rapid communication".
[846] KS, SD, DC — ICE, BOP, CA, CO, MA, NC, NV, NJ, VA, WA, WI. ICE is included as ICE must send a letter of condolence in addition to notification, regardless of if carried out by consulate or ICE. Note that NC letter confirmation is for unexpected deaths.
[847] ICE, BOP, AK, CA, CO, CT, IN, KS, ME, MD, MN, NC, NV, NH, NJ, NM, NY, OH, OR, SD, TX, UT, VA, WA, WV, WI, GU. Note that NC disclosure information is for unexpected deaths and that TX is for attended/natural deaths.
[848] ICE, BOP, AK, CT, KS (as approved by Warden), MN, NC (unexpected deaths), NM, OH (upon request if known), GU (investigation process and outcome)
[849] Kansas DOC 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident. Section IV. Section IV. Notification must include "brief allowable diagnosis of the resident's illness or injury, as applicable", as well as "circumstances surrounding the resident's death" as approved by Warden.
[850] Ohio DOC 66-ILL-02. "Incarcerated Person Deaths" Section VI(E). If the cause of death is known, "the next of kin shall be informed upon request." If not immediately known, should be referred to proper authority for release when known later.
[851] BOP Program Statement 5553.08 Section 4 (2). Letter of condolence must include information on circumstances of death, including if by natural, summary of cause; if accidental, reference to nature of accident and cause; if under suspicious circumstances or foul play, cause may be given but with statement that matter is under investigation and details cannot be provided.

Overall, while it is evident that most jurisdictions have a publicly accessible policy specifying notification to next of kin and designated individuals, the range for what this notification entails is significant—ranging from an acknowledgement that next of kin should be notified to very detailed policies on exactly what and how the notification should be carried out. This gap exists for almost all jurisdictions to some degree, as only 10 out of 59 jurisdictions have fulfilled all metrics.[852]

V. Best Practices

Through analysis, we present the two jurisdictions demonstrating best practices, on average, across all issue areas. Second, we also highlight a few standout practices that may not, on average, fulfill all six metrics as well as the highlighted jurisdictions.

Virginia: The Virginia Department of Corrections stands out due to the Department's vastly detailed family notification processes that also provide guidance to notifying staff on objective, professional, and ethical standards while also explicitly prioritizing compassion, respect, and dignity in the notification process. Operating Procedure 038.4, "Notification of Serious Injury, Illness, or Death" outlines extensive procedures and guidance for notifying families upon death of an incarcerated individual.[853] The form *Emergency Notification Information* is filled out upon intake to the DOC, where the incarcerated individual identifies their next of kin and other individuals to be contacted in emergency situations. If the emergency contact differs from the next of kin, the facility also must attempt to identify and notify the next of kin. While this emergency contact is notified upon an individual's death, the department must also review all records in search of next of kin, if an emergency contact is unable to be reached. Upon death, the Facility Head Unit is responsible for notifying emergency contacts "as soon as practicable."[854] Policy explicitly lists a number of guidelines upholding professional and compassionate behavior, stating that "compassion is the most important resource you bring to a notification call."[855] Additionally, OP 038.4 provides a suggested phone script to use as a guide for the notification. In addition to the phone notification, the Facility Unit Head is also responsible for sending a follow up letter of confirmation within one working day with an included bereavement guide, with letter formatting also provided. Copies of all notification letters and a notation of any attempted phone calls are documented internally.

Federal Bureau of Prisons (BOP): The Federal Bureau of Prisons has, on average, best practices due to its thorough and time-sensitive policies, as well as the disclosure of death circumstance information in the condolence letter pursuant to Program Statement 5555.08, "Escapes/Deaths

[852] ICE, BOP, CA, CO, KS, NV, NJ, NM, NC, SD, VA
[853] VA Department of Corrections Operating Procedure 038.4, "Notification of Serious Injury, Illness, or Death"
[854] VA Department of Corrections Operating Procedure 038.4, "Notification of Serious Injury, Illness, or Death" Section II(C)(5).
[855] VA Department of Corrections Operating Procedure 038.4, "Notification of Serious Injury, Illness, or Death" Section III(C)(5).

Notifications". When an individual dies in BOP custody, the Warden is responsible to "immediately" notify the individual named in the "Acknowledgement of Inmate" form, with help from the Chaplain if needed. Notifications that are made are documented by the Warden. If legal next of kin is not notified through notification of emergency contact, staff must also attempt to identify the next of kin. What uniquely stands out about BOP is that the Warden is responsible for mailing a letter of condolence "as soon as practical" to the next of kin, providing them with information regarding death circumstances. The cause of death may be given under all circumstances, though a statement indicating ongoing investigation is necessary if there were suspicious circumstances. Additionally, Program Statement 5555.08 includes specific procedures for notification of military officials.

Other Notable Individual Practices:

- *Kansas:* Kansas Department of Corrections stands out due to the exhaustive measures to ensure successful notification to next of kin. Policies and procedures regarding family notification after death in custody are found in IMPP # 01-114D, "Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident." Within this document, there are specific sections of *II Emergency Information and Emergency Notification Forms, IV Procedure for Notification of the Designated Individual, V Documentation of Notification Procedures,* and *Notification in Instances where Telephone Contact Was Not Made.* As demonstrated simply by these sections, the Kansas DOC has a particularly detailed policy on family notification. Notification responsibility is explicitly outlined, including alternative contacts for if designated individuals are unavailable. Notably, notification timeline policies include both a descriptive instruction to "commence efforts immediately", as well as an explicit hour maximum of six hours after death.[856] Additionally, according to Section IV, if the Department is unable to notify the emergency contact by telephone, the department must contact state or local police in the area of the emergency contact's residence to help with notification.
- *Vermont:* Vermont Department of Corrections mandates that the Superintendent attempts to confirm if the designated emergency contact is a victim/survivor, and if so, outlines the policy to communicate with the Victim Services Director before notification.[857]
- *Oregon:* Oregon Department of Corrections uniquely has a designated Facility Contact person who is responsible for coordinating contact and communication with an individual's emergency contact and is responsible for carrying out notifications of deaths in custody.[858]

VI. Worst Practices

[856] Kansas Department of Corrections IMPP #01-114D, "Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident. Section VI(E)(1); Section VI(B).
[857] Vermont Department of Corrections #353, "Death Response and Review." Section B(2)(a)(i)
[858] Oregon DOC 291-027-0020; Oregon DOC 291-027-0010(2)

We present worst practices out of jurisdictions containing a policy explicitly mentioning family notification. We do not include jurisdictions lacking a publicly accessible policy on family notification in this analysis, as those jurisdictions are explicitly defined in the grid analysis and are easily accessible to access.

Montana: The Montana Department of Corrections has a health services policy and a facility/program services policy on deaths in custody.[859] While the health service policy's purpose is stated to include "notification of appropriate administrators, next of kin, and local authorities in the event of the death of an inmate," the document does not include any reference to next-of-kin notification. Therefore, Montana is the only jurisdiction in which all metrics have been evaluated as N. Montana is highlighted as a worst practice in particular as existing policy documents list next-of-kin notification but provide absolutely no procedure regarding process and completion.

Northern Mariana Islands: Policy on deaths in corrections for the Northern Mariana Islands is attached within the DCRA implementation plan document, and is not located on the DOC website. Additionally, the only policy surrounding family notification is that "the Commissioner of Corrections or his/her designee will notify the inmate's/detainee's next of kin in the event an inmate/detainee dies."[860]

VII. Recommendations for model policy

Legislation on family notification policy has been introduced in the U.S. House of Representatives in the 119th Congress. H.R. 2718, Family Notification of Death, Injury, or Illness in Custody Act of 2025 was introduced by Representative Sydney Kamlager-Dove [D-CA-37] and cosponsored by a number of members including Representative Eleanor Holmes Norton [D-DC]. Introduced on April 8, 2025 H.R. 2718 was referred to the House Committee on the Judiciary.[861] H.R. 2718 proposed the implementation of emergency contact notification policies and procedures upon in-custody death, serious illness, or serious injury for detention agencies of the Department of Justice, such as the Federal Bureau of Prisons. Additionally, H.R. 2718 proposed the development and distribution of model policies for detention agencies of states, territories, tribes, and local governments. For deaths, H.R. 2718 would require (1) emergency contact information requested upon taking custody as well as the ability to change contact information at any time, (2) disclosure of purpose and permissible uses of emergency contact information, (3) standardized emergency contact form template that is also included in an individual's record, (4) notification timeframe requirement of no longer than 12 hours since

[859] MSP HS-9.0, "Procedures in the Event of Inmate Death." DOC 4.5.34, "Offender Death."
[860] CNMI Implementation Plan, pg 13
[861] H.R.2718 - Family Notification of Death, Injury, or Illness in Custody Act of 2025

death within the hours of 6:00am to midnight local time, (5) information disclosure requirement of time of death and cause of death if determined, and investigation status. If the cause of death has not been determined when notifying the designated contact, the detention agency is required to follow up to notify them upon 24 hours of having determined the cause of death.[862] We consider these proposed guidelines when constructing our model policies for family notification.

Our recommendations for a model policy on family notification center exigency, transparency, and compassion. Overall, we value the dimension of specificity in a policy—a model policy should explicitly outline clear procedures across all metrics. Additionally, some jurisdictions such as Virginia uniquely include explicit guidance on notification behavior.[863] A model policy should include explicit guidance regarding conduct in notification, including direction to exercise compassion, respect, and dignity, as well as directions to refrain from conveying any personal religious beliefs. Policies explicitly guiding professional and ethical guidelines are integral because they represent values held by the DOC, and also because it should not be assumed that the aforementioned pieces of guidance are "common sense." Below, we have recommended model policies according to each metric for family notification.

1. *Clear Establishment of Emergency Contact and Next of Kin Designations and Administrative Processes*

A model policy outlining processes for determining who to contact for family notification should include clear instructions on policies for designated emergency contacts and next of kin, carefully distinguishing any associated legal differences that may influence DOC responsibility for contact and disclosure of disposition processes. Including emergency contacts as designated by incarcerated individuals upholds a decedent's dignity in autonomy and control over their death. Therefore, a model policy would include the administrative structure and procedure for obtaining emergency contacts at time of admission, in addition to respective policies for circumstances in which emergency contacts or next of kin are not listed or are unresponsive to notification efforts. Finally, we recommend that a model policy includes a provision covering cases where a decedent's designated emergency contact is a victim/survivor of a crime inflicted by the decedent, as instituted by the Vermont Department of Corrections.

2. *Notification Exigency Established Both Descriptively and Through Timeline Maximums*

Given that the February 2026 Draft Guiding Principles on the Protection of the Dead highlight immediate notification of family members upon the identification of a deceased individual, model policies would both include language such as "immediately" as well as an explicit time

[862] H.R.2718 - Family Notification of Death, Injury, or Illness in Custody Act of 2025;
[863] VA DOC Operating Procedure 038.4 "Notification of Serious Injury, Illness, or Death".

maximum to eliminate subjectivity bias.[864] While we do not provide an explicit time limit maximum recommendation for initial notification, an existing policy similar to this recommendation is in place by Kansas DOC, as notification timeline includes both a descriptive and a time-based provision, stating that "the notification is to commence contact efforts immediately, but no later than six (6) hours from the resident's death."[865] Additionally, a time-based policy to send a condolence letter/letter of confirmation within 24 hours of family notification should also be included for the sending of condolence letters/letters of confirmation.

3. *Clear Establishment of Responsible Individual(s) and Alternative Contacts for Carrying out Notification*

A model policy should explicitly list which individual(s) are responsible for initial notification, condolence/confirmation letter, and documentation of notification. Additionally, we recommend that model policies include provisions on alternate staff for completing notification when designated individuals are unavailable, and explicit time limits required in these cases which would trigger notification efforts by another staff member. This specific provision would ensure that timely notification is of the utmost importance.

4. *Explicit Policy of Notification Method Through Telephone and Condolence/Confirmation Letter*

While the assumed standard of notification is by telephone, a model policy should explicitly state method of telephone notification on the proceduralism. Additionally, a number of observed jurisdictions required notification efforts past an initial family notification, referred to as condolence letters/confirmation letters. Model policies on immediate notification should explicitly prohibit notification through voicemail. As seen under recommended policies for other metrics within the issue area of family notification, explicit timelines, responsibility, and internal documentation of condolence letters/confirmation letters should also be contained within a model policy.

5. *Explicit Internal Documentation System of Notification Process and Status*

Model policies should require explicit documentation of notification status and attempts in an individual's record and associated case file. In whatever records management and procedural reporting/documentation structure, a model policy would require documentation of (1) efforts of immediate notification to family, (2) which individual(s) were notified, (3) time and date of notification and attempts, (4) actions taken to identify and contact family when unresponsive or

[864] Draft Guidance February 2026 (figure out how to cite later)
[865] Kansas DOC 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, Section IV(B). Must begin "commence contact efforts immediately" but also no later than 6 hours verification of death.

unlisted, (5) a recording of any notification attempts or contact, and (6) the individual(s) initiating notification attempts. Additionally, an internal record's documentation should also include the status of the condolence letter/confirmation and a copy of the document. Explicit documentation of all steps within the family notification process are integral in ensuring compliance with policies and upholding accountability by the Department.

6. *Disclosure of Cause of Death Information, Investigation Status, and Other Relevant Processes in Accordance with Investigative Integrity and Legal Limitations*

Prioritization of investigative integrity and respect to a decedent's family are of high priority in a model policy for notification disclosure information. Generally, we recommend that policies explicitly state that the notifying entity should be fully prepared with any known information before notification, refrain from disclosing speculated or unverified information, and communicate the notification in plain language.[866] We recommend that policies include disclosure of cause of death information and investigation status in accordance with investigative integrity limitations. With respect to these nuances, a model policy should outline standards for determining when cause of death information may be disclosed, to what extent, and under whose authority. Furthermore, we recommend that disclosure information also includes any relevant information of use to the family regarding local/state and DOC policies and investigative processes, including, but not limited to: return of personal property, disposition of funds, disposition of the decedent's body, current investigative status, and public notification status. Finally, notification disclosure information should include contact information for further questions and support services, as applicable within the Department's structure.

VIII. Grid of all jurisdictions and key metrics

Table 11 below shows a comprehensive view of the analysis of six constructed metrics. Green indicates fulfillment of the respective metric. Both *N/A* and *N* values are classified as "unfulfilled", however, *N/A* indicates that we were unable to determine whether or not there is a policy that fulfilled the metric. *N* is denoted for metrics where the analysis concluded there is no existing policy fulfilling this metric. Yellow shading indicates a notable point of ambiguity or lack of clarity, and is accompanied by a footnote with any necessary notes. The grid contains a footnote for every respective jurisdiction metric, which includes the relevant source(s) and any additional notes on context, clarity, or analytical strategy.

[866] As evidenced by VA DOC Operating Procedure 038.4 "Notification of Serious Injury, Illness, or Death".

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
CBP[867]	"Next of kin"[868]	OPR coordinates with LEA[869]	4 hours (to contact LEA)[870]	N[871]	N[872]	N[873]
ICE[874]	"Next of Kin" as in system, if applicable[875]	Field Office Director coordinates with consulate[876]	"As soon as possible", max 24 hours (to contact consulate) / 48 hours max post notification for letter[877]	Notification by consulate (telephone by ICE if unsuccessful) + Letter of Condolence by Field Office Director[878]	Y[879]	Y[880]

[867] U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Notification and Review Procedures for Certain Deaths and Deaths in Custody* (2023), https://www.cbp.gov/sites/default/files/2025-08/intc-37477_signed_notification_and_review_procedures_9.1.23_redacted_002.pdf.

[868] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody*, 4.

[869] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody*, 4.

[870] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody*, 4.

[871] In CBP's analyzed policies within the issue area of notification method, there is no mention of any policy satisfying this metric.

[872] In CBP's analyzed policies within the issue area of internal notification record, there is no mention of any policy satisfying this metric.

[873] In CBP's analyzed policies within the issue area of information disclosure, there is no mention of any policy satisfying this metric.

[874] U.S. Department of Homeland Security, U.S. Customs and Border Protection, *ICE Directive 11003.6: Notification, Review, and Reporting Requirements for Detainee Deaths* (2025), Section 5.2, https://www.ice.gov/node/68682.

"ICE will make reasonable efforts to ensure notification of a detainee's next of kin prior to notifying other external entities." No later than 48 hours after next of in notification, Field Officer Director or Removal Division Deputy Assistant Directors when applicable, must send a condolence letter to the applicable consulate.

[875] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.2.

[876] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.2.; U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Condolence Letter Template* (2009), 7, https://www.ice.gov/doclib/dro/pdf/notification_and_reporting_of_detainee_deaths.pdf.

"If consular officials are unable or indicate unwillingness to notify the next of kin, field office director must make every effort to attempt to telephonically notify the person named as next of kin in ICE records of detainee's death." Notification must be in language the next of kin can understand, with an interpreter if necessary. If next of kin is not located, "all reasonable efforts" to notify any member of extended family. Condolence letter template available.

[877] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.2.

[878] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.2.

[879] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.2.

[880] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.2. Some degree of information regarding circumstances provided in template for condolence letter, including date and "brief description of cause of death".

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
BOP[881]	As designated by Individual; next of kin[882]	Warden (Chaplain may help)[883]	"Immediately" / "As soon as practical" for letter[884]	Telephone + Letter of Condolence[885]	Y[886]	Y[887]
Alabama	"Next of kin"	Chaplain[888]	N/A[889]	N/A[890]	N/A[891]	N/A[892]

[881] U.S. Department of Justice, Federal Bureau of Prisons, *Program Statement 55553.08: Escapes/Deaths Notifications* (2017), Section 4(d), https://www.bop.gov/policy/progstat/5553.08.pdf. Note that these policies do not apply to notification of military officials, as bureau staff may not contact next of kin for military prisoners who have not been discharged.

[882] Bureau of Prisons, Program Statement 55553.08: Escapes/Deaths Notifications, Section 4(b). Must notify the person named in BP-A0408 as designated by the individual. If there is not an individual named, the unit management staff must attempt to locate the next of kin.

[883] Bureau of Prisons, Program Statement 55553.08: Escapes/Deaths Notifications, Section 4(b).

[884] Bureau of Prisons, Program Statement 55553.08: Escapes/Deaths Notifications, Section 4(b).

[885] Bureau of Prisons, Program Statement 55553.08: Escapes/Deaths Notifications, Section 4(b). Letter of condolence should be sent "as soon as practical" that also advises person of death circumstances, including: if by natural, summary of cause; if accidental, reference to nature of accident and cause; if under suspicious circumstances or foul play, cause may be given but with statement that matter is under investigation and details cannot be provided.

[886] Bureau of Prisons, Program Statement 55553.08: Escapes/Deaths Notifications, Section 4.

[887] Bureau of Prisons, Program Statement 55553.08: Escapes/Deaths Notifications, Section 4. Letter of condolence must include information on circumstances of death, including if by natural, summary of cause; if accidental, reference to nature of accident and cause; if under suspicious circumstances or foul play, cause may be given but with statement that matter is under investigation and details cannot be provided.

[888] Alabama DOC, *AR 461: Chaplain Services* (2023), Section IV(F)(9), https://doc.alabama.gov/docs/AdminRegs/AR461.pdf.

[889] In Alabama's analyzed policies within the metric of notification timeline (Alabama DOC AR 461: *Chaplain Services*), there is no mention of any policy satisfying this metric. Note that policy AR 311, "Inmate Deaths" is referenced within policies covering metrics for who to notify and responsibility to notify. However, this policy is not available publicly and FOIA requests are restricted to residents of Alabama.

[890] In Alabama's analyzed policies within the metric of notification method (Alabama DOC AR 461: *Chaplain Services*), there is no mention of any policy satisfying this metric. Note that policy AR 311, "Inmate Deaths" is referenced within policies covering metrics for who to notify and responsibility to notify. However, this policy is not available publicly and FOIA requests are restricted to residents of Alabama.

[891] In Alabama's analyzed policies within the metric of internal notification record (Alabama DOC AR 461: *Chaplain Services*), there is no mention of any policy satisfying this metric. Note that policy AR 311, "Inmate Deaths" is referenced within policies covering metrics for who to notify and responsibility to notify. However, this policy is not available publicly and FOIA requests are restricted to residents of Alabama.

[892] In Alabama's analyzed policies covering the metric of notification disclosure (Alabama DOC AR 461: *Chaplain Services*), there is no mention of any policy satisfying this metric. Note that policy AR 311, "Inmate Deaths" is referenced within policies covering metrics for who to notify and responsibility to notify. However, this policy is not available publicly and FOIA requests are restricted to residents of Alabama.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
Alaska	"Next of kin"[893]	Chaplain[894]	N[895]	N[896]	Y[897]	Y[898]
Arizona	As designated by Individual[899]	Chaplain[900]	1 Hour (from decision to notify)[901]	Telephone[902]	N/A[903]	N[904]
Arkansas	As	Chaplain[906]	"Immediate"[90]	Telephone[908]	N[909]	Y[910]

[893] Alaska DOC, *Policies and Procedures 104.04: Death of a Prisoner* (2023), Section A(3), https://doc.alaska.gov/pnp/pdf/104.04.pdf. In cases where no next of kin is noted in the prisoner's file, the Statewide Chaplaincy Coordinator must 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.
[894] Alaska DOC 104.04 Death of a Prisoner, Section A(3).
[895] In Alaska's analyzed policies within the issue area of family notification, there is no explicit policy satisfying the metric of notification timeline
[896] In Alaska's analyzed policies within the issue area of family notification, there is no explicit policy satisfying the metric of notification method.
timeline, there is no mention of policies satisfying this metric.
[897] Alaska DOC 104.04 Death of a Prisoner, Section C. The Statewide Chaplaincy Coordinator must complete the Chaplaincy Deceased Prisoner Notification Log, Form 104.04(C).
[898] Alaska DOC 104.04 Death of a Prisoner, Section C. Notification must include: day and location of where the prisoner died, whether the death is under investigation or it was due to natural causes, whether the State Medical Examiner will review the death to determine its cause, that every death is reported to Alaska State Troopers, but in unexpected cases there will be an investigation, procedures to secure release of property, ability to make arrangements with Medical Examiner, and process for general relief burial funds if relevant.
[899] Arizona DCRR, *DO 711: Notification of Inmate Hospitalization or Death* (2023), Section 1, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf. Next of kin identification is submitted by incarcerated individuals upon being admitted, completing the Form 7-11 Notification in Case of Accident, Serious Illness or Death and Disposition of Personal Property. Recorded in Master Record File and on the appropriate Arizona Correctional Information System (ACIS).
[900] Arizona DCRR, DO 711: Notification of Inmate Hospitalization or Death, Section 3.4-3.5.
[901] Arizona DCRR, DO 711: Notification of Inmate Hospitalization or Death, Section 3.1.
[902] Arizona DCRR, DO 711: Notification of Inmate Hospitalization or Death, Section 3.4.
[903] In Arizona's analyzed policies within the issue area of family notification, there is no mention of any policy satisfying the metric of internal notification record. Note that incident form "Significant Incident Report (SIR), Form 105-3" is referenced for completion upon notification of family, but is not publicly accessible. However, Arizona DCRR Department Order 711 does not explicitly state that this form requires documentation of next of kin notification.
[904] In Arizona's analyzed policies within the issue area of family notification, there is no explicit policy satisfying the metric of notification disclosure.
[906] ADC AD 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts, Section IV(2).
[908] ADC AD 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts, Section IV(2).
[909] ADC AD 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts. There is no explicit policy satisfying the metric of notification documentation.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	designated by Individual [905]		[7]			
California	As designated by Individual[911]	Warden[912]	"As soon as possible"[913]	Telephone + Mail[914]	Y[915]	Y[916]
Colorado	As designated by	Coroner's Office	"Most expeditious	Notification +	Y[921]	Y[922]

[910] ADC AD 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts, Section IV(2). Section IV states that notification must include "relevant facts of the death, as provided by the Duty Warden and/or Internal Affairs" as well as information regarding disposition procedures.

[905] Arkansas Department of Corrections (ADC), *AD 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts* (2012), Section II, https://arktimes.com/wp-content/uploads/2019/03/pdf-ad_2012-031_inmate_death_____disposition_of_remains_-_design.pdf. Individual's designated Primary or Alternate Contact "whenever possible". Also, emergency contact form in the document.

[907] ADC AD 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts, Section IV(2). "Immediate...regardless of time of day or night". "If attempts to contact the primary contact are not immediately successful, then a diligent effort shall be made to contact the alternate contact. If unsuccessful, then notification shall be attempted following the list found at Section IV (2) (d) below."

[911] California Department of Corrections and Rehabilitation (CDCR), *Operations Manual, Article 7, Inmate Deaths, Serious Injury, or Illness Notification: Policy 51070* (2008), Section A, https://www.cdcr.ca.gov/operations-manual/dom/chapter-5-adult-custody-and-security-operations/article-7-inmate-deaths-serious-injury-or-illness-notification/. "Inmates designated primary and alternate emergency contact as listed in the records management system, as signed by the incarcerated individual. Refusal to list next of kin also requires signature. The Notification in Case of Inmate Death, Serious Injury, or Serious Illness must be updated annually and/or when an individual would like to change"

[912] California CDCR Policy 51070, Section B. Warden or designee at the level of Correctional Lieutenant or Correctional Counselor II or above

[913] California CDCR Policy 51070, Section B. Additionally, policy states exhaustive measures that should be taken to reach the next of kin. Policy states that if notification is not able to be made within 72 hours, the Warden will notify their Associate Director and they will contact the Office of Correctional Safety for additional assistance.

[914] California CDCR Policy 51070, Section B(1). "Should be used whenever possible"

[915] California CDCR Policy 51070. "All efforts should be documented on CDCR California Department of Corrections and Rehabilitation 837-C, Crime/Incident Report Part C–Staff Report or General Chrono, CDC 128-B."

[916] California CDCR Policy 51070. "Tactfully worded letter" from the warden should be sent to the listed contact, with written notification done by return-receipt mail. The policy document also includes example phrasing for notification format and particular disclosure information.

[921] Colorado DOC AR Form 850-10B includes requirement for status completion of condolence letter to family. Additionally, Colorado AR Form 850-10D includes a template of the condolence letter. The procedures section doesn't explicitly state that a condolence letter must occur, but Section IV(C)(3)(d) confirms the requirement for completing Colorado DOC AR Form 850-10B.

[922] Colorado DOC AR 850-10, Section VI(B). "All notifications will be made by the most expeditious method and in a sensitive and courteous manner. In circumstances where next of kin requests medical information, they will be referred to the facility HSA. "Employees, contract workers, and volunteers may not express any opinions or beliefs that are not supported by factual data or which could be construed to imply DOC liability"

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	Individual[917]	(unexpected deaths)[918]	method"[919]	Condolence Letter[920]		
Connecticut	Next of Kin[923]	Chaplain + [924]	"Immediately" [925]	Telephone[926]	N[927]	Y[928]
Delaware	"Next of	Warden[930]	"Immediate"[93	N[932]	Depends[933]	N[934]

[917] Colorado Department of Corrections (DOC), *AR 850-10: Emergency Notifications* (2026), https://drive.google.com/file/d/15pL3NBdIpzsWzx0_008nOlqCY-KXYP6G/view. The offender previously identified the person that they would like to be notified in an emergency when they were admitted to the DOC. When the person identified is unavailable, the next of kin will be in the following order: spouse or partner, adult child, parent, sibling, guardian, a friend or other person that was previously authorized to dispose of the body (Section IV B 2) If nobody else, admin head has discretion to contact anybody else in their working file.
[918] Colorado DOC AR 850-10. Applies to unexpected deaths.
[919] Colorado DOC AR 850-10, Section IV(B)(c). Notification to next of kin should not be made until proper notification to the administrative head by a coroner has been made.
[920] Colorado Department of Corrections (DOC), *AR Form 850-10B: Facility Offender Death Notification and Interment Checklist* (2026), https://drive.google.com/file/d/15pL3NBdIpzsWzx0_008nOlqCY-KXYP6G/view. Form includes requirement for status completion of condolence letter to family. Additionally, Colorado AR Form 850-10D includes a template of the condolence letter. The procedures section doesn't explicitly state that a condolence letter must occur, but Section IV(C)(3)(d) confirms the requirement for completing Colorado DOC AR Form 850-10B.
[923] Connecticut Department of Correction, *Administrative Directive 8.2: Offender Death* (2021), https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf. Defined as: "The spouse, partner in a civil union, guardian, closest living relative, a person designated by the offender or person designated by a probate court to have custody of the body, pursuant to a legal petition."
[924] CT DOC AD 8.2, Offender Death. Chaplain, Unit Administrator, or Director of Parole and Community Services
[925] CT DOC AD 8.2, Offender Death, Section 5(B). Additionally, "If the Initial attempted contact is unsuccessful, continued efforts shall be made for a period of at least twenty-four (24) hours to notify the next of kin.
[926] CT DOC AD 8.2, Offender Death, Section 5(B).
[927] In CT DOC AD 8.2, Offender Death, there is no explicit policy satisfying the metric of internal notification record.
[928] CT DOC AD 8.2, Offender Death, Section 5(B). The individual making notification will notify them of the offender's death and then provide relevant information from either the physician or official who is investigating the death. They will also notify the next of kin any information on if the Medical Examiner will be performing an autopsy and has control of the body or if the body is no longer being held by the Medical Examiner and the body can be removed by a Funeral Director. The next of kin will also be notified on how to collect the personal property of the offender.
[930] Delaware DOC policy A-09, Section VII(D).
[932] In Delaware DOC policy A-09, there is no explicit policy satisfying the metric of notification method.
[933] Delaware DOC policy A-09. "If there is a security concern that prevents immediate notification it should be documented, and notification should occur as soon as possible" (Sec VII D). Additionally, the formal M&M review requires documentation of "Initial Notification of death or incident of self-directed violence (and any other correspondence related to the incident notification)" but does not state in the notification procedures section of the policy VII(C) that documentation is required.
[934] In Delaware DOC policy A-09, there is no explicit policy satisfying the metric of notification method.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	Kin"[929]		[1]			
Florida	As designated by Individual[935]	(Typically) Chaplain[936]	"Immediately" [937]	N[938]	N[939]	N[940]
Georgia	As designated by Individual[941]	Warden/Superintendent[942]	N[943]	N[944]	Y[945]	N[946]
Hawaii[947]	N/A[948]	N/A[949]	N/A[950]	N/A[951]	N/A[952]	N/A[953]
Idaho[954]	Deceased's family in	Facility Head[956]	N[957]	N[958]	N[959]	N[960]

[929] Delaware Department of Correction, *Policy Number A-09: Procedure in the Event of An Offender Death or Incident of Self-Directed Violence* (2023), Section VII(D), https://doc.delaware.gov/assets/documents/policies/policy_11-A-09.pdf.
[931] Delaware DOC policy A-09, Section VII(D).
[935] Fla. Admin. Code Ann. R. 33-602.112(1)(a), Inmate Death Notification Process. 'The person designated by the inmate to receive notice of his death" as "typically" provided by the chaplain
[936] Fla. Admin. Code Ann. R. 33-602.112(1). Refers to "the institution" as being responsible.
[937] Fla. Admin. Code Ann. R. 33-602.112(1)
[938] Fla. Admin. Code Ann. R. 33-602.112 does not include an explicit policy fulfilling the metric of notification method.
[939] Fla. Admin. Code Ann. R. 33-602.112 does not include an explicit policy fulfilling the metric of internal notification record.
[940] Fla. Admin. Code Ann. R. 33-602.112 does not include an explicit policy fulfilling the metric of disclosure information.
[941] Georgia Department of Corrections (GDC), *Standard Operating Procedures 208.03: Death of an Offender* (2015), https://public.powerdms.com/GADOC/documents/105692. "For purposes of this SOP, the person designated by the offender to receive his or her remains or the person designated to make emergency medical decisions in the event the offender is unable to make medical decisions. In the event the offender fails to so designate, the next of kin will be the person reasonably designated by staff" (III Definitions). If not reasonably located, rank of Spouse, adult blood relative, adult significant other (Sec IV(1)).
[942] GDC Policy Number 208.03, Section IV(C).
[943] GDC Policy Number 208.03 does not include an explicit policy fulfilling the metric of notification timeline.
[944] GDC Policy Number 208.03 does not include an explicit policy fulfilling the metric of notification method.
[945] GDC Policy Number 208.03, Section IV(B)(1)(c). Document name, phone number, and address of person contacted for all deaths. For natural deaths, also all required information on the Emergency Notification List
[946] GDC Policy Number 208.03 does not include an explicit policy fulfilling the metric of disclosure information.
[947] Hawaii COR.10. A.09, "Procedure in the Event of an Inmate Death" is listed as "Confidential" on the DOC website and therefore inaccessible.
[948] Ibid.
[949] Ibid,
[950] Ibid.
[951] Ibid.
[952] Ibid.
[953] Ibid.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	accordance with emergency contact information[954]					
Illinois	"Next of kin or legal guardian"[961]	Chief Admin[962]	Immediately[963]	N[964]	N[965]	N[966]

[954] Idaho Admin. Code r.06.01.01.312 Deceased Inmates, Section 01.
[956] Idaho Admin. Code r.06.01.01.312 Deceased Inmates, Section 01.
[957] Idaho Admin. Code r.06.01.01.312 Deceased Inmates, Section 01 states that notification shall occur "upon verification of the death of an incarcerated inmate" but provides no timeline or time-related policies.
[958] Idaho Admin. Code r.06.01.01.312 Deceased Inmates, Section 01 does not contain an explicit policy fulfilling the metric of notification method.
[959] Idaho Admin. Code r.06.01.01.312 Deceased Inmates, Section 01does not contain an explicit policy fulfilling the metric of internal notification record
[960] Idaho Admin. Code r.06.01.01.312 Deceased Inmates, Section 01 does not contain an explicit policy fulfilling the metric of disclosure information.
[955] Idaho Admin. Code r.06.01.01.312 Deceased Inmates, Section 01.
[961] Illinois Department of Corrections, *Administrative Directive 01.12.111: Reporting of Deaths* (2022), Section II(F), https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/112111%20Reporting%20of%20Deaths.pdf.
[962] Illinois DOC Administrative Directive 1.12.111 Reporting of Deaths, Section II(F)(1).
[963] Illinois DOC Administrative Directive 1.12.111 Reporting of Deaths, Section II(F)(1).
[964] Illinois DOC Administrative Directive 1.12.111 Reporting of Deaths does not contain an explicit policy fulfilling the metric of notification method.
[965] Illinois DOC Administrative Directive 1.12.111 Reporting of Deaths does not contain an explicit policy fulfilling the metric of internal notification record..
[966] Illinois DOC Administrative Directive 1.12.111 Reporting of Deaths does not contain an explicit policy fulfilling the metric of disclosure information.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
Indiana	"Family"[967]	Chaplain[968]	N/A[969]	N/A[970]	N/A[971]	Y[972]
Iowa[973]	N/A[974]	N/A[975]	N/A[976]	N/A[977]	N/A[978]	N/A[979]
Kansas	As designated by	Warden/Superintendent[981]	"Immediately", Max 6	Telephone, mail if	Y[984]	Y[985]

[967] Indiana Department of Correction, *Policy and Administrative Procedure 01-03-101: Religious Services* (2022), Section VII(15), https://www.in.gov/idoc/files/policy-and-procedure/policies/01-03-101-Religious-Services-3-1-2022.pdf.
[968] Indiana DOC 01-03-101 Religious Services, Section VII(15). "Chaplains shall be notified, and may be requested to notify the incarcerated individual's family."
[969] Indiana DOC 01-03-101 Religious Services does not contain an explicit policy fulfilling the metric of notification timeline. While Indiana DOC 01-03-101 Religious Services contains ambiguous direction on next-of-kin notification, the "Procedure in the Event of the Death of an Incarcerated Individual/Youth" as referenced in the policy is not accessible publicly online.
[970] Indiana DOC 01-03-101 Religious Services does not contain an explicit policy fulfilling the metric of notification timeline. While Indiana DOC 01-03-101 Religious Services contains ambiguous direction on next-of-kin notification, the "Procedure in the Event of the Death of an Incarcerated Individual/Youth" as referenced in the policy is not accessible publicly online.
[971] Indiana DOC 01-03-101 Religious Services does not contain an explicit policy fulfilling the metric of notification timeline. While Indiana DOC 01-03-101 Religious Services contains ambiguous direction on next-of-kin notification, the "Procedure in the Event of the Death of an Incarcerated Individual/Youth" as referenced in the policy is not accessible publicly online.
[972] Indiana DOC 01-03-101 Religious Services Section VII(15). "The Chaplain may provide for follow-up care with incarcerated individuals and/or staff affected by the incarcerated individual's death"
[973] There is no found policy within the issue area of family notification for Iowa.
[974] There is no found policy within the issue area of family notification for Iowa.
[975] There is no found policy within the issue area of family notification for Iowa.
[976] There is no found policy within the issue area of family notification for Iowa.
[977] There is no found policy within the issue area of family notification for Iowa.
[978] There is no found policy within the issue area of family notification for Iowa.
[979] There is no found policy within the issue area of family notification for Iowa.
[981] Kansas DOC 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, Section VI(A)
[984] Kansas DOC 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, Section V. Emergency Notification form must be completed upon having completed the notification procedure, reflecting how the emergency contacts were notified, the order they should be notified in, and the original notification.
[985] Kansas DOC 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, Section IV. Notification must include "brief allowable diagnosis of the resident's illness or injury, as applicable", as well as "circumstances surrounding the resident's death" as approved by Warden.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	Individual[980]		hours[982]	unsuccessful[983]		
Kentucky	"Immediate Family"[986]	N[987]	"As soon as possible"[988]	Telephone[989]	N[990]	N[991]
Louisiana	As designated by individual[992]	Chaplain[993]	"Timely manner"[994]	Telephone[995]	N[996]	N[997]
Maine	As	Unit	N[1000]	N[1001]	Y[1002]	Y[1003]

[980] Kansas Department of Corrections, *Internal Management Policy & Procedure 01-114D: Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident* (2023), Section II(A), https://public.powerdms.com/KansasDOC/tree/documents/154660. All individuals must complete an Emergency Notification Form upon admission that is reviewed and updated whenever requested by the individual/at each 120 day review.
[982] Kansas DOC 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, Section IV(B). Must begin "commence contact efforts immediately" but also no later than 6 hours verification of death
[983] Kansas DOC 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, Section IV(E); Section VI. If unable to reach by phone, state or local police contacted to help. If unable to notify, email is sent to the last recorded address, informing of death. If notification is not made, within 72 hours, Warden/Superintendent must write a letter providing notification by certified mail/return receipt requested containing name, address, and telephone number of the correctional facility to contact for further verification of the incident.
[986] Kentucky Department of Corrections, *Policies and Procedures 8.7: Notification of Critical Incident* (2025), Section II(D), https://corrections.ky.gov/About/cpp/Documents/08/CPP%208.7%20Effective%202025%20-%202-4-25.pdf.
[987] Kentucky DOC Policy 8.7 does not include an explicit policy fulfilling the metric of responsibility for notification.
[988] Kentucky DOC Policy 8.7, Section II(D).
[989] Kentucky DOC Policy 8.7, Section II(D).
[990] Kentucky DOC Policy 8.7 does not include an explicit policy fulfilling the metric of internal notification record.
[991] Kentucky DOC Policy 8.7 does not include an explicit policy fulfilling the metric of disclosure information.
[992] La. Admin Code tit. 22, section I-315. Section D(5)(b) "Emergency contact."
[993] La. Admin Code tit. 22, section I-315. Section D(5)(b).
[994] La. Admin Code tit. 22, section I-315. Section D(5)(b).
[995] La. Admin Code tit. 22, section I-315 policy is on telephone procedures.
[996] La. Admin Code tit. 22, section I-315 does not include an explicit policy fulfilling the metric of internal notification record. Louisiana does not have any publicly known nor available policies on procedures for death in custody covering the area of family notification.
[997] La. Admin Code tit. 22, section I-315 does not include an explicit policy fulfilling the metric of disclosure information. Louisiana does not have any publicly known nor available policies on procedures for death in custody covering the area of family notification.
[1000] Maine DOC 18.21 (AF) Adult Resident Death does not include an explicit policy fulfilling the metric of notification timeline.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	designated by individual; spouse[998]	Manager[999]				
Maryland	"Next of Kin"[1004]	Chaplain[1005]	"As soon as possible"[1006]	N[1007]	Y[1008]	Y[1009]
Massachusetts	As designated by Individual[1010]	Superintendent [1011]	"Immediately"	Telephone + Mail[1012]	Y[1013]	N[1014]

[1001] Maine DOC 18.21 (AF) Adult Resident Death does not include an explicit policy fulfilling the metric of notification method.
[1002] Maine DOC 18.21 (AF) Adult Resident Death, Procedure E(4). Staff must document efforts or contact and any decision made in the client records management system
[1003] Maine DOC 18.21 (AF) Adult Resident Death, Procedure E(3). When notifying a spouse or direct family, confirm if they intend to claim the body. If so, staff must inform that this includes assuming responsibility for disposition
[998] Maine Department of Corrections, *Policy Number 18.21 (AF): Adult Resident Death* (2024), Procedure E, https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/Policy%2018.21%20%28002%29.pdf. Notification to emergency contacts as listed in records. However, if that is not a spouse or direct relative listed, then they cannot claim body or personal property. Therefore, they also must notify the spouse and if there is not one, 1 direct family member in order of child, parent or legal guardian, sibling, other nearest relative.
[999] Maine DOC 18.21 (AF) Adult Resident Death, Procedure E.
[1004] Maryland Department of Public Safety and Corrections (DPSCS), *Change Notice OPS.140.0002 — Revised: Religious Services Manual* (2022), Section .19(G), https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=1482.
[1005] Md. Code Regs. 12.02.22.02A(5); Maryland DPSCS Change Notice OPS.140.0002 — Revised: Religious Services Manual. If Chaplain is not present, notification shall be made by designees "as soon as possible pending the seriousness of the notification"
[1006] Maryland DPSCS Change Notice OPS.140.0002 — Revised: Religious Services Manual, Section .19.
[1007] In analyzed Maryland policies (Maryland DPSCS Change Notice OPS.140.0002 — Revised: Religious Services Manual; Md. Code Regs. 12.02.22.02A), there is no policy that explicitly mentions method of notification.
[1008] Maryland DPSCS Change Notice OPS.140.0002 — Revised: Religious Services Manual, Section 19(G). Must record date of death, name of individual and SID number, person
notified (name and relationship). Should make a matter of record related to the notification.
[1009] Maryland DPSCS Change Notice OPS.140.0002 — Revised: Religious Services Manual, Section 19(G). Should communicate any known religious wishes pertaining to disposition
[1010] Massachusetts Department of Correction, *103 DOC 622: Death Procedures* (2021), Section 622.4, https://www.mass.gov/doc/doc-622-death-procedures/download. Identified by the individual's emergency notification card that was completed upon their admission.
[1011] 103 DOC 622, Death Procedures, Section 622.04.
[1012] 103 DOC 622, Death Procedures, Section 622.04. Letter of confirmation sent to address, documented as well.
[1013] 103 DOC 622.04, Death Procedures Documentation of the confirmation letter by who sent it and when
[1014] 103 DOC 622, Death Procedures, Section 622.04.
does not include an explicit policy fulfilling the metric of information disclosure.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
Michigan	As designated by Individual[1015]	Staff or Local Law Enforcement[1016]	"Make a good faith effort to iImmediately contact"[1017]	Telephone[1018]	N[1019]	N[1020]
Minnesota	"Legal next of kin" (and possibly as designated by Individual)[1021]	Facility Religious Coordinator[1022]	N[1023]	N[1024]	Y[1025]	Y[1026]

[1015] Michigan Department of Corrections, *Policy Directive 04.06.110: Deaths* (2023), https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-04-Institutional-Operations/PD-0406-Medical-and-Mental-Health-Services/04-06-110-Deaths-and-Disposition-of-the-Remains-effective-06-28-21.pdf?rev=0e2914d07aff4fd2926834cde98d25e5.

[1016] MI Policy Directive 04.06.110 Deaths, Section P. "The local Sheriff or other law enforcement agency in the family's community may be contacted, provided with the emergency information, and asked to notify the family."

[1017] MI Policy Directive 04.06.110 Deaths, Section M. "Make a good faith effort to immediately contact."

[1018] MI Policy Directive 04.06.110 Deaths, Section M.

[1019] MI Policy Directive 04.06.110 Deaths does not contain an explicit policy within the metric of internal notification record.

[1020] MI Policy Directive 04.06.110 Deaths does not contain an explicit policy within the metric of disclosure information.

[1021] Minnesota Department of Corrections, *Policy Number 203.230: Death of an Incarcerated Person* (2025), Section B(4), https://policy.doc.mn.gov/DOCPolicy/. "Designated emergency contacts or next of kin" but must "notify the legal next of kin."

[1022] Minnesota DOC 203.230 Death of an Incarcerated Person, Section B(4). Notes that may occur "with assistance from local law enforcement if needed."

[1023] Minnesota DOC 203.230 Death of an Incarcerated Person. While no specific timeframe, a step of the first investigating responder responsibility is to "ensure efforts are in progress" to locate those who will be notified. This indicates some level of urgency. However, this does not meet the criteria of an "explicit" policy to fulfill the metric of notification timeline.

[1024] Minnesota DOC 203.230 Death of an Incarcerated Person does not contain an explicit policy within the metric of notification method.

[1025] Minnesota Department of Corrections, *203.230A Death Procedure Checklist* (2025), https://policy.doc.mn.gov/DOCPolicy/. *Death Procedure Checklist* must be completed by watch commander, and includes record of next of kin notification, date and time of contact, and name of person contacted.

[1026] Minnesota DOC 203.230 Death of an Incarcerated Person Section B(4). Requires notification of " "(1) any circumstances that can be disclosed; (2) Whether a review by a medical examiner/coroner is required; (3) That the medical examiner/coroner is available to answer further questions regarding the deceased incarcerated person; (4) That those designated can make the burial arrangements, if desired; that the state pays the current authorized amount for burial or cremation expenses to the contracted service provider; and that those designated should communicate with the warden/designee regarding the burial plan instructions and the extent of the state's involvement in the expense; and (5) The department's need to determine if there are other known relatives/contacts who need to be notified.""

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
Mississippi[1027]	N/A[1028]	N/A[1029]	N/A[1030]	N/A[1031]	N/A[1032]	N/A[1033]
Missouri[1034]	N/A[1035]	N/A[1036]	N/A[1037]	N/A[1038]	N/A[1039]	N/A[1040]

[1027] There is no found policy within the issue area of family notification for Mississippi. The only publicly available policies are "Inmate " handbooks, but internal policies are not available.
[1028] There is no found policy within the issue area of family notification for Mississippi. The only publicly available policies are "Inmate " handbooks, but internal policies are not available.
[1029] There is no found policy within the issue area of family notification for Mississippi. The only publicly available policies are "Inmate " handbooks, but internal policies are not available.
[1030] There is no found policy within the issue area of family notification for Mississippi. The only publicly available policies are "Inmate " handbooks, but internal policies are not available.
[1031] There is no found policy within the issue area of family notification for Mississippi. The only publicly available policies are "Inmate " handbooks, but internal policies are not available.
[1032] There is no found policy within the issue area of family notification for Mississippi. The only publicly available policies are "Inmate " handbooks, but internal policies are not available.
[1033] There is no found policy within the issue area of family notification for Mississippi. The only publicly available policies are "Inmate " handbooks, but internal policies are not available.
[1034] DOC policies exist (*MODOC SOP/D1-8.5 Offender Death – Notification* and *Organ Donation and 931-4756 Offender Death Notification,* but they are not publicly accessible. Therefore, metrics have been designated as N/A/
[1035] There is no found policy within the issue area of family notification for Missouri.
[1036] There is no found policy within the issue area of family notification for Missouri.
[1037] There is no found policy within the issue area of family notification for Missouri.
[1038] There is no found policy within the issue area of family notification for Missouri.
[1039] There is no found policy within the issue area of family notification for Missouri.
[1040] There is no found policy within the issue area of family notification for Missouri.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
Montana[1041]	N[1042]	N[1043]	N[1044]	N[1045]	N[1046]	N[1047]
Nebraska[1048]	As	N[1050]	N[1051]	"Verbally"[1052]	Y[1053]	N[1054]

[1041] Montana Department of Corrections, *Montana State Prison Health Services Operating Procedures Manual: MSP HS A-9.0: Procedures in the event of inmate death* (2020), https://cor.mt.gov/DataStatsContractsPoliciesProcedures/Procedures/MSP-Procedures/MSP-SOP-Manual.pdf; Montana Department of Corrections, *Montana Women's Prison Operational Procedure No. MWP 4.5.34: Inmate Death* (2020), https://cor.mt.gov/DataStatsContractsPoliciesProcedures/Procedures/MWP-Procedures/MWP-4.5.34-Inmate-Death.pdf. Montana DOC *MSP HS A-9.0* lists next of kin notification in the "Purpose" section of the document, but prescribes no procedures for it. Therefore, metrics are thus categorized as "No" given that the relevant document does not prescribe any policies on this metric other than stating "Next of kin". Section II(A) of Montana DOC Montana Women's Prison Operational Procedure No. MWP 4.5.34 Inmate Death requires notification within 24 hours to emergency contact by the Religious Activities Specialist, but this is only specific to one prison and therefore is not reflected in the grid.

[1042] Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death* lists next of kin notification in the "purpose" section of the document, but prescribes no procedures for it. Therefore, metrics are thus categorized as "No" given that the relevant document does not prescribe any policies on this metric other than stating "Next of kin".

[1043] Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death* lists next of kin notification in the "purpose" section of the document, but prescribes no procedures for it. Therefore, metrics are thus categorized as "No" given that the relevant document does not prescribe any policies on this metric other than stating "Next of kin".

[1044] Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death* lists next of kin notification in the "purpose" section of the document, but prescribes no procedures for it. Therefore, metrics are thus categorized as "No" given that the relevant document does not prescribe any policies on this metric other than stating "Next of kin".

[1045] Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death* lists next of kin notification in the "purpose" section of the document, but prescribes no procedures for it. Therefore, metrics are thus categorized as "No" given that the relevant document does not prescribe any policies on this metric other than stating "Next of kin".

[1046] Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death* lists next of kin notification in the "purpose" section of the document, but prescribes no procedures for it. Therefore, metrics are thus categorized as "No" given that the relevant document does not prescribe any policies on this metric other than stating "Next of kin".

[1047] Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death* lists next of kin notification in the "purpose" section of the document, but prescribes no procedures for it. Therefore, metrics are thus categorized as "No" given that the relevant document does not prescribe any policies on this metric other than stating "Next of kin".

[1048] Nebraska Department of Correctional Services (NDCS), *Policy 208.01: Religious Services* (2025), https://corrections.nebraska.gov/sites/default/files/2026-01/208.01%20%282025%29%20-%20RELIGIOUS%20SERVICES.pdf. Sates that "Religious coordinators may also assist with incarcerated individual's family medical/death notifications and other duties as requested by facility warden/designee."# It is unclear whether this means that religious coordinators are able to notify inmates of a family death or whether religious coordinators are able to notify inmate's families of inmate deaths.

[1050] *NDCS Policy 115.13: Serious Illness or Injury, Advance Directives & Death* does not contain an explicit policy within the metric of notification responsibility

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	designated by individual [1049]					
Nevada	As designated by individual[1055]	Chaplain/Associate Warden of Programs[1056]	"Promptly", Max 72 hours / 1 week mail[1057]	Notification + Mail[1058]	Y[1059]	Y[1060]
New Hampshire	As designated by	Chaplain (AG for homicides;	"Reasonable period of	N[1064]	N[1065]	Y[1066]

[1051] *NDCS Policy 115.13: Serious Illness or Injury, Advance Directives & Death* does not contain an explicit policy within the metric of notification timeline.
[1052] *NDCS Policy 115.13: Serious Illness or Injury, Advance Directives & Death,* Section D. "Verbally notify" to "give notice of the death".
[1053] *NDCS Policy 115.13: Serious Illness or Injury, Advance Directives & Death,* Section E.
[1054] *NDCS Policy 115.13: Serious Illness or Injury, Advance Directives & Death* does not contain an explicit policy within the metric of disclosure information.
[1049] Nebraska Department of Correctional Services (NDCS), *Policy 115.13: Serious Illness or Injury, Advance Directives & Death* (2025), Section D. "Emergency contact". If unable to locate emergency contact, notify the immediate family.
[1055] Nevada Department of Corrections, *Administrative Regulation 420: Inmate Death or Serious Injury Procedure* (2017), Section 420.03(4)(B). https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20420%20%20-%20Inmate%20Death%20or%20Serious%20Injury%20-%20Final%20-%2003072017.pdf. States that Associate Warden must ensure the Chaplain has access to information of next of kin and/or list of names to be notified as previously indicated by individual. Unclear if there is a process on that or not upon admission. Section 420.03(5) notes that next of kin information should be updated every 6 months. Section 420.10(2) Requires form to be maintained in the file system.
[1056] Nevada DOC Administrative Regulation 420 Inmate Death or Serious Injury Procedure, Section 420.01(8); Section 420.02(1)(H). Chaplain, but Associate Warden of Programs if Chaplain is not available.
[1057] Nevada DOC Administrative Regulation 420 Inmate Death or Serious Injury Procedure, Section 420.02(1)(H); Section 420.03(5); Section 420.10(1).
[1058] Nevada DOC Administrative Regulation 420 Inmate Death or Serious Injury Procedure Telephone is not explicitly mentioned. In Section 420.10, policy mandates the warden send a letter to next of kin within 1 week of death
[1059] Nevada DOC Administrative Regulation 420 Inmate Death or Serious Injury Procedure Section 420.09 requires all personnel who responded in the initial response or who have information to submit a report to Warden.
[1060] Nevada DOC Administrative Regulation 420 Inmate Death or Serious Injury Procedure Provide autopsy information that one will occur unless next of kin provides notification to the Director in writing within 72h of death.
[1064] New Hampshire DOC, *Policy and Procedure Directive 503.03: Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death* does not contain an explicit policy within the metric of notification method.
[1065] New Hampshire DOC, *Policy and Procedure Directive 503.03: Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death* does not contain an explicit policy within the metric of internal notification record.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	individual[1061]	Nurse in Charge outside of Business hours)[1062]	time"[1063]			
New Jersey	"Next of kin"[1067]	Administrator[1068]	24 hours call[1069]	Telephone + Mail[1070]	Y[1071]	Y[1072]

[1066] New Hampshire DOC, *Policy and Procedure Directive 503.03: Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death,* Section 9(C). Notify emergency contact/family of balance in individual's account, if they will assume responsibility for disposition, or if they wish for a state-provided cremation. Ask how they would like to dispose of personal property.
[1061] New Hampshire Department of Corrections, *Policy and Procedure Directive 503.03: Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death* (2021).
[1062] New Hampshire DOC, *Policy and Procedure Directive 503.03: Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death,* Section Section 9(b); Section 9(c). Chaplain is responsible for 1st shift business hours, Nurse in Charge during 2nd and 3rd shifts.
[1063] New Hampshire DOC, *Policy and Procedure Directive 503.03: Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death,* Section 9(C).
[1067] N.J. Admin. Code § 10A:16-7.1. Next of kin is defined in the following order: spouse, domestic partner, partner in a civil union couple, mother, father, guardian, persons connected by birth, marriage, or civil union, or others connected through official records.
[1068] N.J. Admin. Code § 10A:16-7.1.
[1069] N.J. Admin. Code § 10A:16-7.1
[1070] N.J. Admin. Code § 10A:16-7.1 Next-of-kin should first be contacted by telephone and a letter confirming the conversation should be sent to the next-of-kin.
[1071] N.J. Admin. Code § 10A:16-7.1 Section (g) states that "All reports shall be prepared in accordance with N.J.A.C. 10A:21-4.1, Written reports regarding the critical illness or death of an inmate" implying that documentation of notification must be included in these reports.
[1072] N.J. Admin. Code § 10A:16-7.1 states that the deceased's legal representative or the person in charge of the funeral may request documents related to the autopsy and medicolegal investigation into the death. N.J. Admin. Code § 10A:16-7.4 states that the NJDOC must make reasonable efforts to contact an inmate's next-of-kin to claim their body. Next-of-kin may also request copies of a certified death record from the local or state registrar. Next-of-kin can also request photographs or videotapes taken by a medical examiner during an autopsy or medicolegal death investigation.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
New Mexico	"Next of kin" or as designated by individual[1073]	Warden[1074]	"Immediately" [1075]	Telephone[1076]	Y[1077]	Y[1078]
New York	"Next of kin" and as designated by individual[1079]	N[1080]	"Promptly"[1081]	N[1082]	N[1083]	Y[1084]
North Carolina[1085]	"Immediate family	Warden (dependent on	"Timely Manner" / 72h	Notification (all) + Letter	Y[1089]	Y (for unexpected)[109]

[1073]New Mexico Corrections Department. *CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death* (2022), Section D, https://www.cd.nm.gov/wp-content/uploads/2023/12/CD-172100.pdf. Next of kin or other individuals identified to be notified in case of emergencies will be identified by individual upon facility admission form.
[1074] NM DOC CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death, Section D.
[1075] NM DOC CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death, Section D.
[1076] New Mexico Department of Corrections, *Form CD-172101.1: Next of Kin Notification* (2018), https://www.cd.nm.gov/wp-content/uploads/2023/12/CD-172100.pdf. Includes space for "telephone number on file". While "telephone" is not explicitly listed in the procedures of NM CD-172100, response fields for Form CD-172101 show that notification is by telephone.
[1077] NM DOC Form CD-172101.1: Next of Kin Notification.
[1078] NM DOC CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death, Section D. "In notifying these person(s), the warden/ designee is responsible for informing the relative in a manner that is respectful, courteous, compassionate and objective. When applicable, staff providing notification of an inmate's death will first consult with appropriate medical staff at the facility where the inmate died before disclosing the cause of death, if known. If the cause of death is not known and it becomes necessary to inform the designated person(s) or relatives, then the notifying staff person will limit the notification to a statement that the inmate has died and that funeral arrangements will be made in addition to deciding as to the cause of death. In either event, or emergency contact the staff person notifying the designated person(s) of the inmate's death shall extend condolences."
[1079] N.Y. Correct. Law §624.
[1080] N.Y. Correct. Law §624. does not contain an explicit policy within the metric of notification responsibility, and only lists responsibility to the "department".
[1081]N.Y. Correct. Law §624(a)
[1082] N.Y. Correct. Law §624 does not contain an explicit policy within the metric of notification method.
[1083] N.Y. Correct. Law §624 does not contain an explicit policy within the metric of internal notification record.
[1084] N.Y. Correct. Law §624(b). Notification must include circumstances surrounding death, medical procedures used, cause as in autopsy report as it becomes available. The department must be responsive to inquiries from next of kin/designated representatives.
[1089] NC DAC F.4100, "Offender Death Procedures", 6. Offender Death Checklist includes completion status, date/time, and staff for notification to family pursuant to Section III(A). Additionally, Section IIIB(14) requires that the copy of confirmation letter to family is included in the packet submitted to the Region Director, Director of Operation, and Deputy Secretary of Comprehensive Services.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	member"	circumstance)[1086]	for letter[1087]	Confirmation (unexpected)[1088]		[0]
North Dakota[1091]	N/A[1092]	N/A[1093]	N/A[1094]	N/A[1095]	N/A[1096]	N/A[1097]
Ohio	As designated by individual[1098]	Managing Officer[1099]	"As immediately as possible" /	N[1101]	Y[1102]	Y[1103]

[1085] North Carolina Department of Adult Correction (NC DAC), *Division of Institutions Policy and Procedure F.4100: Offender Death Procedures* (2023), Section IIIB(11), https://public.powerdms.com/NCDAC/tree/documents/2422911. States that family notification must be carried out with "compassion and dignity."
[1086] NC DAC F.4100, "Offender Death Procedures", Section IIIB(11). If under medical supervision, notification should be by Warden, Associate Warden, or Chaplain. If unexpected, it must be made by Warden.
[1087] NC DAC F.4100, "Offender Death Procedures", Section IIIB(11).
[1088] NC DAC F.4100, "Offender Death Procedures", Section IIIB(11). Does not contain an explicit policy within the metric of notification method for "all deaths" in terms of the initial notification, therefore is listed as "notification." However, for unexpected deaths, "a certified letter must be sent to the family within 72 hours with any additional details, including contact information for the Medical Examiner's Office". It is not explicitly stated but language indicates 72h after initial notification.
[1091] North Dakota Department of Corrections and Rehabilitation, *North Dakota Correctional Facility Standards, Standard 58: Inmate Death Notification* (2026), https://www.docr.nd.gov/sites/www/files/documents/jails/Jail%20Standards/2026%20Correctional%20Facility%20Standards.pdf. States that correctional facilities must establish written policy and procedures for next-of-kin notification in the case of inmate death but does not give any guidelines or recommendations regarding who should notify next of kin and any time limits. Aside from this, there is no found policy within the issue area of family notification for North Dakota.
[1092] North Dakota Correctional Facility Standards, Standard 58: Inmate Death Notification states that correctional facilities must establish written policy and procedures for next-of-kin notification in the case of inmate death but does not give any guidelines or recommendations regarding who should notify next of kin and any time limits. Aside from this, there is no found policy within the issue area of family notification for North Dakota.
[1093] Ibid.
[1094] Ibid.
[1095] Ibid.
[1096] Ibid.
[1097] Ibid.
[1098] Ohio Department of Rehabilitation & Correction (ORDC), *66-ILL-02: Incarcerated Person Deaths* (2026), . Section VI(B), https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERE
[1099] ORDC 66-ILL-02. "Incarcerated Person Deaths", Section VI(E).
[1101] ORDC 66-ILL-02. "Incarcerated Person Deaths" does not contain an explicit policy within the metric of notification method.
[1102] Ohio DOC 66-ILL-02. "Incarcerated Person Deaths". Section VI(E)
[1103] Ohio DOC 66-ILL-02. "Incarcerated Person Deaths".Section E(2). If the cause of death is known, "the next of kin shall be informed upon request." If not immediately known, should be referred to proper authority for release when known later

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
			Max 8h after certification[1100]			
Oklahoma	As designated by individual[1104]	Correctional Health Services Administrator or Nurse Manager[1105]	N[1106]	Telephone or another rapid form of notification[1107]	N[1108]	N[1109]
Oregon[1110]	As designated by	Facility Contact Person	"Timely"; after	N[1114]	N[1115]	Y[1116]

S&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6.

[1090] NC DAC F.4100, "Offender Death Procedures", Section III(B)(11). States that for unexpected deaths (not under medical supervision for serious illness), the Warden "They should communicate any factual information surrounding the offender's death or direct any questions to the investigative authority." Additionally, the certified letter must include any additional details and contact information for the Medical Examiner's Office.

[1100] Ohio Department of Rehabilitation & Correction, Number 66-ILL-02(VI)(C), "Incarcerated Persons Deaths," January 12, 2026, https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6.

[1104] Oklahoma Department of Corrections, *Section 1-14 Health Services, OP-130111: Inmate Death, Injury and Illness Notification and Procedure* (2026), Section IV(A), https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf; Oklahoma Department of Corrections, *DOC 060203A: Adjustment Review* (2022), https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-06/060203a.pdf. "Inmate's emergency contact as designated on the "Adjustment Review"

[1105] Oklahoma Department of Corrections, OP-140111, Section IV(A), "Inmate Death, Injury and Illness Notification and Procedures," January 6, 2026, https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf

[1106] Oklahoma Department of Corrections, OP-140111, "Inmate Death, Injury and Illness Notification and Procedures," January 6, 2026, https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf does not contain an explicit policy within the metric of notification timeline.

[1107] Oklahoma Department of Corrections, OP-140111, Section IV(A), "Inmate Death, Injury and Illness Notification and Procedures," January 6, 2026, https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf ("Telephone or another rapid form of communication")

[1108] Oklahoma Department of Corrections, *DOC 140111A: Inmate Death Report* (2021), Section V, https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/140111a.pdf. Section V states that emergency contact must be notified upon release of the body by the OCME for opportunity to claim remains, but is separate from the initial notification upon death. In this notification, attempts to contact emergency contact must be documented, but there is no policy that explicitly requires this for initial notification.

[1109] Oklahoma Department of Corrections, OP-140111 does not contain an explicit policy within the metric of disclosure information.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	individual[1111]	or Chaplain[1112]	authorization from State Police[1113]			
Pennsylvania[1117]	"Next-of-kin of record[1118]	Corrections Health Care Administrator[1119]	N[1120]	Telephone OR overnight mail[1121]	Y[1122]	N[1123]

[1110] Oregon Department of Corrections, *291-027-0010: Authority, Purpose, and Policy* (1994), https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37591. States that the policy ensures "compassionate" notification.
[1114] Analyzed Oregon Policies (Oregon DOC 291-027-0010; Oregon DOC 291-027-0055; Oregon DOC 291-027-0020) do not contain an explicit policy within the metric of notification method.
[1115] Analyzed Oregon Policies (Oregon DOC 291-027-0010; Oregon DOC 291-027-0055; Oregon DOC 291-027-0020) do not contain an explicit policy within the metric of internal notification record.
[1116] Oregon DOC 291-027-0055. Responsible for coordinating disposition, may not provide specific information surrounding death without authorization for DA, State Police, and Functional Unit Manager. Notifying staff "shall not engage in speculation concerning the possible cause of death"
[1111] Oregon Department of Corrections, *291-027-0020: Definitions* (2026), Section 3, https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=880. Defines the emergency contact person to be the individual(s) designated
[1112] Oregon Department of Corrections, *291-027-0010: Authority, Purpose, and Policy* (1994), https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37591. The Facility Contact person is " staff member at each department facility designated by the functional unit manager to be responsible for coordinating contact and communication with the inmate's emergency contact person and other agencies as necessary."
[1113] Oregon Department of Corrections, *291-027-0055: Duties of the Facility Contact Person* (2011), https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=880.
Oregon Department of Corrections, *291-027-0010: Authority, Purpose, and Policy*, Section 2; Oregon Department of Corrections, *291-027-0055: Duties of the Facility Contact Person*, Section 1 (States that they notify the emergency contact person after the State Police have authorized).
[1117] R.I. Gen. Laws § 23-18.1-1. Limited to "reasonable efforts" to locate next of kin.
[1118] Pennsylvania Department of Corrections, *Policy Number 13.1.1: Management and Administration of Health Care,* (2024), Section 9: Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior, Section 9(B), https://www.pa.gov/content/dam/copapwp-pagov/en/cor/documents/about-us/doc-policies/13.01.01%20Management%20and%20Administration%20of%20Health%20Care.pdf. If there is no next-of -kin of record, immediate family. If notification is unsuccessful, local law enforcement agencies and other sources must be notified to assist
[1119] PDOC *13.1.1: Management and Administration of Health Care*, Section 9(B).
[1120] PDOC *13.1.1: Management and Administration of Health Care* does not contain an explicit policy within the metric of notification timeline. However, Given that overnight mail is an option for notification, it may be presumed that notification generally occurs in a timely manner.
[1121] PDOC *13.1.1: Management and Administration of Health Care*, Section 9(B).
[1122] PDOC *13.1.1: Management and Administration of Health Care*, Section 9(B). Verification of notification must be recorded in DC-15, Inmate Record, and medical record.
[1123] PDOC *13.1.1: Management and Administration of Health Care* does not contain an explicit policy within the metric of disclosure information.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
Rhode Island	"Next of kin"[1124]	Chaplain based on decedent's religious affiliation[1125]	N[1126]	N[1127]	N[1128]	N[1129]
South Carolina	As designated by individual[1130]	Chaplain[1131]	N/A[1132]	N/A[1133]	Y[1134]	N/A[1135]
South Dakota	"Next of kin" or as	Designated by Warden[1137]	"Promptly direct[1138]"	Telephone, written if	Y[1140]	Y[1141]

[1124] Rhode Island Department of Corrections (RIDOC), *Policy Number 18.09-4 DOC: Death of Inmates Under RIDOC Supervision* (2025), Section III, https://doc.ri.gov/media/3516/download?language=en. Defined as spouse, partner in civil union, guardian, or closest living relative as identified by individual responsible for post death responsibilities.
[1125] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(4).
[1126] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(4). If contact is not made with the chaplain within 30 minutes, shift commander will contact a chaplain from another facility.
[1127] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision does not contain an explicit policy within the metric of notification method.
[1128] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(B)(1)(a). States that the provider or nurse on duty must document "persons notified of death (e.g., Shift Commander, Medical Program Director, Assistant Medical Director, Administrator of Health Care Services)." However, this does not contain an explicit policy within the metric of disclosure information for family notification internal documentation.
[1129] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision does not contain an explicit policy within the metric of disclosure information.
[1130] South Carolina Department of Corrections (SCDC), *PS-10.05: Inmate Religion,* Section 14.1, https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-PS-10-05.pdf. Consent is required from individuals for consent to notify designated individuals under . SCDC Form 9-11, "Inmate/Resident Release of Information/Consent," upon admission
[1131] SCDC PS-10.05: Inmate Religion, Section 14.1.
[1132] Given that the analyzed policies fulfilling other metrics for South Carolina are from SCDC PS-10.05: Inmate Religion and not a specific policy within the issue area of deaths in custody, this metric is N/A as there is no found policy within the issue area of family notification for South Carolina.
[1133] Given that the analyzed policies fulfilling other metrics for South Carolina are from SCDC PS-10.05: Inmate Religion and not a specific policy within the issue area of deaths in custody, this metric is N/A as there is no found policy within the issue area of family notification for South Carolina.
[1134] SCDC PS-10.05: Inmate Religion, Section 14.2.2. Chaplain must fill out SCDC Form 26-8, "Medical Emergency or Death of an Inmate."
[1135] Given that the analyzed policies fulfilling other metrics for South Carolina are from SCDC PS-10.05: Inmate Religion and not a specific policy within the issue area of deaths in custody, this metric is N/A as there is no found policy within the issue area of family notification for South Carolina.
[1140] South Dakota DOC 300-20 Death of an Offender, Section IV(3)(B. States that the duty officer must complete the *Death of an Offender Checklist* as attached in the policy document, which includes status of notification to emergency contact.
[1141] South Dakota DOC 300-20 Death of an Offender, Section IV(5)(B). Required information includes time of death, date and location of death, and current location of the body, as well as notification that a press release will be issued and they may request a delay of no more than 48 hours unless there are special exceptions

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	designated by individual[1136]			unsuccessful[1139]		
Tennessee	"Nearest Relative"[1142]	Institution Head[1143]	"Immediately"[1144]	N/A[1145]	N/A[1146]	N/A[1147]
Texas[1148]	"Next of kin"[1149]	Chaplain (attended/natural)[1150]	"Immediately (attended/natural)"	N[1151]	N[1152]	Y (attended/natural)[1153]
Utah	As	Warden[1155]	"Timely	N[1157]	N[1158]	Y[1159]

[1137] South Dakota DOC 300-20 Death of an Offender, Section IV(5)(A).
[1138] South Dakota DOC 300-20 Death of an Offender, Section IV(5)(A). The warden must "promptly direct" staff to deliver the notification, though there isn't a specific timeline for the actual notification itself.
[1136] South Dakota Department of Corrections, *Policy and Procedure, Policy Number 300-20: Death of an Offender,* Section IV(5)(B), https://www.doc.sd.gov/home/showpublisheddocument/650/638854053563770000.
[1139] South Dakota DOC 300-20 Death of an Offender, Section IV(5)(B). If attempts through telephone are unsuccessful within 24 hours of death, written and/or electronic notification to the last known address on file will be sent advising them to contact the institution.
[1142] T. C. A. § 68-4-103(a) "Nearest relative of the person."
[1143] T. C. A. § 68-4-103(a).
[1144] T. C. A. § 68-4-103(a).
[1145] Analyzed policies for other Tennessee metrics within the issue area of family notification are within statutory law. However, there is no found DOC policy regarding death of an incarcerated individual. Therefore, this metric is categorised as N/A due to lack of access to relevant policy.
[1146] Analyzed policies for other Tennessee metrics within the issue area of family notification are within statutory law. However, there is no found DOC policy regarding death of an incarcerated individual. Therefore, this metric is categorised as N/A due to lack of access to relevant policy.
[1147] Analyzed policies for other Tennessee metrics within the issue area of family notification are within statutory law. However, there is no found DOC policy regarding death of an incarcerated individual. Therefore, this metric is categorised as N/A due to lack of access to relevant policy.
[1148] Texas Department of Criminal Justice (TDCJ), *Correctional Managed Health Care Manual, Number A-11.1: Procedure to be Followed in Cases of Inmate Death* (2025), https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf; Texas Gov't Code § 501.055; only states policy for natural and attended deaths; policy document does not include notification procedures for unnatural deaths
[1149] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death.
[1150] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death.
[1151] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death does not contain an explicit policy within the metric of notification method.
[1152] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death does not contain an explicit policy within the metric of internal notification record.
[1153] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death. Will inform next of kin of time of death; notify autopsy unless next of kin objects within 8 hours of death.
[1155] UDC Department Manual F14: Disposition of Deceased Inmate Remains, Section 2.02.
[1157] UDC Department Manual F14: Disposition of Deceased Inmate Remains does not contain an explicit policy within the metric of notification method.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	designated by individual[1154]		manner"[1156]			
Vermont	As designated by individual[1160]	Superintendent [1161]	"All reasonable efforts" within 24h"[1162]	N[1163]	N[1164]	N[1165]
Virginia	"Next of kin" and as designated by individual[1166]	Facility Unit Head[1167]	"Good faith efforts…as soon as practicable" /	Telephone + Letter of confirmation[1] [168]	Y[1169]	Y[1170]

[1158] UDC Department Manual F14: Disposition of Deceased Inmate Remains does not contain an explicit policy within the metric of internal notification record.
[1159] UDC Department Manual F14: Disposition of Deceased Inmate Remains, Section 3.02(F). States that the next of kin "may be instructed to contact a mortuary of their choice and inform them that the body is at the medical examiner's office" but it is unclear if this would also be communicated to the emergency contact or only legal next of kin.
[1154] Utah Department of Corrections (UDC), *Department Manual F14: Disposition of Deceased Inmate Remains* (2026), https://public.powerdms.com/UtahDOC/tree/documents/2079577. Individual designates person on form when admitted
[1156] UDC Department Manual F14: Disposition of Deceased Inmate Remains, Section 3.02.
[1160] Agency of Human Services, Vermont Department of Corrections, #353: *Death Response and Review* (2024), Section B(2)(a), https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf. "Once death has been confirmed, the Superintendent first must confirm to see if the designated emergency contact is also a victim/survivor, and if so, communicate with the Victim Services Director before notification."
[1161] Vermont Agency of Human Services DOC #353: Death Response and Review, Section B(2)(a).
[1162] Vermont Agency of Human Services DOC #353: Death Response and Review, Section B(2)(a). "All reasonable efforts to reach a designated emergency contact within a 24-hour period before the DOC can publicly identify."
[1163] Vermont Agency of Human Services DOC #353: Death Response and Review does not contain an explicit policy within the metric of notification method.
[1164] Vermont Agency of Human Services DOC #353: Death Response and Review does not contain an explicit policy within the metric of internal notification record.
[1165] Vermont Agency of Human Services DOC #353: Death Response and Review does not contain an explicit policy within the metric of disclosure information.
[1166] Virginia Department of Corrections (VADOC), *Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death* (2024), Section II; Section III(A), https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4.pdf; Va. Code Ann. § 32.1-283 (2025). "Emergency contact" is defined as "The person or persons designated by an inmate or CCAP probationer/parolee to
[1167] VADOC Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death, Section III(B).
[1168] VADOC Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death, Section III(C). Letter of confirmation must be sent by the Facility Unit head within one working day. Format is provided in policy.
[1169] VADOC Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death, Section III(11). All copies of letters and phone calls should be kept in facility records and administrative files.
[1170] VADOC Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death. Extensive information on how to approach the notification, including emphasis on compassion, honesty, objectiveness. Additionally, phone script is provided as a guide.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
			/ 1 working day for letter			
Washington	"Immediate family/Next of kin" and as designated by individual[1171]	Religious Coordinator / Healthcare provider[1172]	"As soon as possible"[1173]	"Verbal" + Letter confirmation[1174]	N[1175]	Y[1176]
West Virginia	As designated by individual[1177]	Designated by Shift Commander[1178]	"Prompt"[1179]	Telephone[1180]	N[1181]	Y[1182]
Wisconsin[1183]	"Next of kin"	N[1185]	N[1186]	Notification	N/A[1188]	Y[1189]

be contacted in an emergency." Upon admission, individuals are given Notification Information 050_F11, with emergency contact information uploaded to the system. If there is no contact, facility staff must search to find them or other people they had contacted recently. However, Va. Code Ann. § 32.1-283 (2025) also requires for the facility to identify and notify the next of kin.

[1171] Washington Department of Corrections, *Policy DOC 620.200: Death of Incarcerated Individuals* (2021), Section V(B), https://doc.wa.gov/sites/default/files/data/files/620200.pdf.

[1172] Washington DOC 620.200 Death of Incarcerated Individuals, Section V(B). Should be made by these parties"when possible"

[1173] Washington DOC 620.200 Death of Incarcerated Individuals, Section V(B).

[1174] Washington DOC 620.200 Death of Incarcerated Individuals, Section V(B)(1). "Verbal notification will be confirmed by letter."

[1175] Washington DOC 620.200 Death of Incarcerated Individuals does not contain an explicit policy within the metric of internal notification record.

[1176] Washington DOC 620.200 Death of Incarcerated Individuals. Includes time of death and location of remains, as well as contact information for the Family Services Unit at Headquarters.

[1177] West Virginia Division of Corrections and Rehabilitation (WVDCR), *Policy Directive 456.01: Death in Custody* (2023), https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.01%20Death%20in%20Custody.pdf.

[1178] West Virginia PD 456.01 Death in Custody.

[1179] West Virginia PD 456.01 Death in Custody.

[1180] West Virginia PD 456.01 Death in Custody, Section II(B). Voice mails and messages including the death notification are prohibited.

[1181] West Virginia PD 456.01 Death in Custody does not contain an explicit policy within the metric of internal notification record.

[1182] West Virginia PD 456.01 Death in Custody, Section II(B)(3). "Compassion is the most important resource to bring to the notification call." Ethical and professional behavior is expected; against policy to speculate on unknowns. Bereavement Guide for Family and Friends must be provided to notified contact.

[1183] Wisconsin Department of Corrections, *Division of Adult Institutions Policy and Procedures, DAI Policy # 300.00.09: Death of a PIOC* (2024), https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf. Requirement for facilities to develop a procedure for notifying next of kin/emergency contact. If they cannot be located, "make efforts to notify relatives." If "after due diligence: nobody is located, efforts to find them can stop.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	/ As designated by individual[1184]			+ Written Notification[1187]		
Wyoming[1190]	N/A[1191]	N/A[1192]	N/A[1193]	N/A[1194]	N/A[1195]	N/A[1196]

[1185] Wisconsin DAI 300.00.09, Death of PIOC does not contain an explicit policy within the metric of notification timeline.
[1186] Wisconsin DAI 300.00.09, Death of PIOC does not contain an explicit policy within the metric of notification method.
[1188] Wisconsin DAI 300.00.09, Death of PIOC does not contain an explicit policy within the section IV, "Notification of Emergency Contact/Next of Kin" for internal documentation. However, section II states that Security Staff must complete "DOC -2606 — Inmate Demise Checklist" and "DOC -2606 — Demise Chronological Log." Therefore, metric of internal notification has been categorized as "N/A" given that there is no public access to these checklists and logs and these are not explicitly named for family notification.
[1189] Wisconsin DAI 300.00.09, Death of PIOC. Prohibits disclosure of private health information or details relating to cause of death. Mentions that facility should determine if next of kin would like to claim the body, but unclear if in the notification call. If emergency contact/next of kin requests PHI, refer to Health Information Supervisor.
[1184] Wisconsin DAI 300.00.09, Death of PIOC, Section IV. States that "facilities shall develop a procedure to notify emergency contact/next of kin". Thus, Wisconsin DAI 300.00.09, Death of PIOC. does not contain an explicit policy within the metric of notification responsibility for a designated individual.
[1187] Wisconsin DAI 300.00.09, Death of PIOC, Section IV(F). Requirement of written notification informing they can request a copy of autopsy from the coroner or medical examiner's office.
[1190] There is no found policy within the issue area of family notification nor deaths in custody for Wyoming.
[1191] There is no found policy within the issue area of family notification nor deaths in custody for Wyoming.
[1192] There is no found policy within the issue area of family notification nor deaths in custody for Wyoming.
[1193] There is no found policy within the issue area of family notification nor deaths in custody for Wyoming.
[1194] There is no found policy within the issue area of family notification nor deaths in custody for Wyoming.
[1195] There is no found policy within the issue area of family notification nor deaths in custody for Wyoming.
[1196] There is no found policy within the issue area of family notification nor deaths in custody for Wyoming.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
American Samoa[1197]	N/A[1198]	N/A[1199]	N/A[1200]	N/A[1201]	N/A[1202]	N/A[1203]
Guam	"Next of kin"[1204]	Director of Corrections[1205]	N[1206]	N[1207]	N[1208]	Y[1209]
Northern Mariana Islands	As designated by	Director of Corrections[1211]	N[1212]	N[1213]	N[1214]	N[1215]

[1197] There is no found policy within the issue area of family notification nor deaths in custody for American Samoa. The American Samoa DCRA Implementation Plan lists certain goals for development of certain family notification procedures, but they are not policies.
[1198] There is no found policy within the issue area of family notification nor deaths in custody for American Samoa. The American Samoa DCRA Implementation Plan lists certain goals for development of certain family notification procedures, but they are not policies.
[1199] There is no found policy within the issue area of family notification nor deaths in custody for American Samoa. The American Samoa DCRA Implementation Plan lists certain goals for development of certain family notification procedures, but they are not policies.
[1200] There is no found policy within the issue area of family notification nor deaths in custody for American Samoa. The American Samoa DCRA Implementation Plan lists certain goals for development of certain family notification procedures, but they are not policies.
[1201] There is no found policy within the issue area of family notification nor deaths in custody for American Samoa. The American Samoa DCRA Implementation Plan lists certain goals for development of certain family notification procedures, but they are not policies.
[1202]There is no found policy within the issue area of family notification nor deaths in custody for American Samoa. The American Samoa DCRA Implementation Plan lists certain goals for development of certain family notification procedures, but they are not policies.
[1203] There is no found policy within the issue area of family notification nor deaths in custody for American Samoa. The American Samoa DCRA Implementation Plan lists certain goals for development of certain family notification procedures, but they are not policies.
[1204] Guam Department of Corrections (DOC), *General Order Number 1.13: Death in Custody Reporting Act of 2013 (DCRA)* (2023), Section F(1), https://bja.ojp.gov/doc/dcra-plan-guam.pdf.
[1205] Guam DOC General Order Number 1.13, Section F(1). The Director of Corrections "shall ensure" that next of kin is notified.
[1206] Guam DOC General Order Number 1.13 does not contain an explicit policy within the metric of notification timeline.
[1207] Guam DOC General Order Number 1.13 does not contain an explicit policy within the metric of notification method.
[1208] Guam DOC General Order Number 1.13 does not contain an explicit policy within the metric of internal notification record.
[1209] Guam DOC General Order Number 1.13, Section F(1). Death in custody, information pertaining to the investigation process, the processes of releasing the body to the family, and investigation outcomes, while in accordance with privacy and legal considerations.
[1211] CNMI Implementation Plan.
[1212] CNMI Implementation Plan does not contain an explicit policy within the metric of notification timeline.
[1213] CNMI Implementation Plan does not contain an explicit policy within the metric of notification method.
[1214] CNMI Implementation Plan does not contain an explicit policy within the metric of internal notification record.
[1215] CNMI Implementation Plan does not contain an explicit policy within the metric of disclosure information.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	individual[1210]					
Puerto Rico[1216]	"Next of kin"[1217]	Superintendent [1218]	Post police notification and prosecutor arrival[1219]	N[1220]	N[1221]	N[1222]
U.S. Virgin Islands[1223]	N/A[1224]	N/A[1225]	N/A[1226]	N/A[1227]	N/A[1228]	N/A[1229]
Washington D.C.	"Next of	Chaplain[1231]	Max 8 hours /	Telephone +	Y[1234]	N[1235]

[1210] Commonwealth of the Northern Mariana Islands (CNMI; MP), *FY 2023 Justice Assistance Grant Application Death in Custody Reporting Act (DCRA) Implementation Plan* (2023), 13, https://cjpa.cnmi.gov/assets/docs/jag/fy23-dcra-implementation-plan.pdf.
[1216] Note that PR DOC Administrative Order AC-2005-04 was originally in Spanish, and was translated via Claud into English for analysis.
[1217] Puerto Rico Department of Correction, *Administrative Order AC-2005-04: Protocol for Intervention in Cases of Death of a Confined INdividual in a Correctional Institution* (2005). For purposes of analysis, this document was translated from Spanish into English by an LLM.
[1218] PR DOC Administrative Order AC-2005-04, Section IV D. Superintendent or "person in charge.:"
[1219] PR DOC Administrative Order AC-2005-04, Section IV D. "Once the police have been notified and the prosecutor has appeared on scene."
[1220] PR DOC Administrative Order AC-2005-04 does not contain an explicit policy within the metric of notification method.
[1221] PR DOC Administrative Order AC-2005-04 does not contain an explicit policy within the metric of internal notification record.
[1222] PR DOC Administrative Order AC-2005-04 does not contain an explicit policy within the metric of disclosure information.
[1223] There is no found policy within the issue area of family notification nor deaths in custody for the U.S. Virgin Islands.
[1224] There is no found policy within the issue area of family notification nor deaths in custody for the U.S. Virgin Islands.
[1225] There is no found policy within the issue area of family notification nor deaths in custody for the U.S. Virgin Islands.
[1226] There is no found policy within the issue area of family notification nor deaths in custody for the U.S. Virgin Islands.
[1227] There is no found policy within the issue area of family notification nor deaths in custody for the U.S. Virgin Islands.
[1228] There is no found policy within the issue area of family notification nor deaths in custody for the U.S. Virgin Islands.
[1229] There is no found policy within the issue area of family notification nor deaths in custody for the U.S. Virgin Islands.
[1231] DC DOC Policy 4352.1C Inmate/Arrestee/Resident Deaths, Section 8(a)(3).
[1234] DC DOC Policy 4352.1C Inmate/Arrestee/Resident Deaths, Section 16(e). DC DOC Policy Chaplain completes the Next of Kin form. If Office of Investigative Services investigators are later not able to locate next of kin, they must submit a report documenting attempts.

Table 11. **Family Notification Grid**						
Jurisdiction	**Notification**	**Responsibility**	**Timeline**	**Method**	**Internal Record**	**Information**
	kin"[1230]		1 business day for letter[1232]	letter if unresponsive [1233]		

[1235] DC Department of Corrections, *Policy and Procedure 4410.1J: Religious Programs* (2023), https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PP%204410.1J-Religious%20Services-2023.8.24_0.pdf. Analyzed policies (DC DOC Policy 4410.1J: Religious Program; DC DOC Policy 4351.1C Inmate/Arrestee/Resident Deaths) do not contain an explicit policy within the metric of disclosure information.

[1230] DC Department of Corrections, *Policy and Procedure 4352.1C: Inmate/Arrestee/Resident Deaths* (2016), Section 8(a)(3), https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PP%204352.1C%20Inmate%20Offender%20Deaths%2003-18-2016.pdf.

[1232] DC DOC Policy 4352.1C Inmate/Arrestee/Resident Deaths, Section 16(a). Maximum eight hours because if attempts to contact next of kin by telephone within eight hours are unsuccessful, the Chaplain must send a letter by overnight express mail notifying them and instructing them to contact Chaplain for more details. If no response to overnight mail, Office of Investigative Services will conduct notification to next of kin on record and "hand deliver the Chaplain's letter" if found.

[1233] DC DOC Policy 4352.1C Inmate/Arrestee/Resident Deaths, Section 16(a); Section 16(b).

d. Chapter 4: Disposition and Return of Remains and Personal Property

i. Executive Summary

When someone dies in custody, their body and belongings remain under the physical control of the correctional authority, making clear, comprehensive, and dignifying policies on the return of their remains and personal property essential for whether families can locate and recover the body, carry out funeral and religious rites, preserve meaningful personal effects, and honor the deceased's own wishes.

To assess how well existing policies govern this obligation, we analyzed publicly available policies across 59 jurisdictions using nine metrics evaluating: public availability, identification of authority over disposition of remains, time limits for claiming remains, disposition of unclaimed remains, disposition of indigent remains, disposition of personal property, disposition of institutional account funds, disposition of benefits, and honoring wills.

Our most concerning finding is that timelines for claiming remains varied from as little as 24 hours in Puerto Rico to as long as 60 days in Hawaii, and only 21 jurisdictions provided a concrete timeline at all, leaving families with unclear guidance on when the window to claim the body closes. Moreover, only 11 jurisdictions explicitly recognized incarcerated persons' right to self-directed disposition. Concerningly, at least 27 jurisdictions authorize cremation of unclaimed remains without explicit consideration of the deceased’s beliefs and at least 14 allow medical or scientific donation without documented consent.

Over 85% of jurisdictions had at least one relevant publicly available policy, and the median jurisdiction fully or partially satisfied seven out of nine metrics. However, the median jurisdiction only fully satisfied five metrics and no jurisdiction fully satisfied all nine. The most consistent provisions addressed disposition of unclaimed or indigent remains, personal property, and institutional account funds. Provisions on the disposition of benefits that the deceased was entitled to and honoring a will or testament were rare.

ii. Problem Statement

Policies governing the disposition and return of remains and personal property are a core component of respecting the dignity of the dead in custody. They shape whether families are able to locate and recover the body, carry out funeral rites and religious or cultural practices, preserve meaningful personal effects, and honor the deceased’s own wishes regarding final disposition.

The Minnesota Protocol states that "upon completion of the necessary investigative procedures, human remains should be returned to family members, allowing them to dispose of the deceased according to their beliefs."[1236] DOC-specific policies are especially necessary because incarcerated people remain under the physical control of correctional authorities at death, and their deaths often trigger medicolegal investigations involving coroners or medical examiners that can create uncertainty about who has custody of the body, when remains may be released, and whether general state-law rules apply in the same way. Correctional agencies likewise control the deceased's personal property and institutional accounts, making clear agency-specific rules essential to prevent delay, confusion, or loss.

Dignity-protecting policy must do more than authorize disposition: it should provide clear procedures for releasing remains, property, and funds; respect religious and cultural practices; preserve the deceased's autonomy where their wishes are known; and give families timely, accurate information needed to mourn, memorialize, and pursue burial or other final arrangements.

iii. Policy Metrics

To evaluate policies on return of remains and property for deaths in custody, we developed the following nine metrics:

Table 12. **Return of Remains and Property Evaluation Metrics**

Metric	Metric Definition
Publicly Available DOC Specific Policy	Is there a DOC specific policy relevant to return of remains and property for deaths in custody? For a policy to be considered relevant it must fulfill **at least** one of the subsequent eight metrics.
Identification of Authority Over Disposition of Remains	Do analyzed policies explicitly identify a non-DOC individual or party, such as next of kin, with authority over the disposition of the deceased's remains? If yes, then do policies recognize incarcerated individuals' right to self-directed disposition?[1237]
Time Limit for Claiming Remains	Do analyzed policies explicitly establish a time limit for the authorized individual or entity to claim the deceased's physical remains (ie. corpse) before they lose their authority over disposition?
Disposition of	Do analyzed policies explicitly provide for the disposition of unclaimed

[1236] OHCHR, *Minnesota Protocol*, § D(3), 9.

[1237] Self-directed disposition of remains is a legal mechanism allowing competent adults to determine how their body will be handled after death, overriding the standard next-of-kin legal order. While most jurisdictions within the United States recognize the right to self-directed disposition, this right is not always acknowledged or affirmed within DOC policies.

Table 12. **Return of Remains and Property Evaluation Metrics**	
Unclaimed Remains	remains for deaths in custody? Policies need not be explicit about how disposition expenses are covered but if they are it will be noted.
Disposition of Indigent Remains	Do analyzed policies explicitly provide procedures for the disposition of indigent remains[1238] for deaths in custody?
Disposition of Personal Property	Do analyzed policies explicitly provide procedures for the disposition of the deceased's personal property?[1239]
Disposition of Institutional Account Funds	Do analyzed policies explicitly provide procedures for the disposition of the deceased's institutional account funds?[1240]
Disposition of Benefits	Do analyzed policies explicitly refer to the disposition of any survivor or death-related benefits to which the deceased's next of kin or family may be entitled?
Honoring and Executing Will or Testament	Do analyzed policies explicitly acknowledge the existence of a will or testament and provide procedures for honoring or executing it following a death in custody?

iv. Summary of Jurisdiction Performance

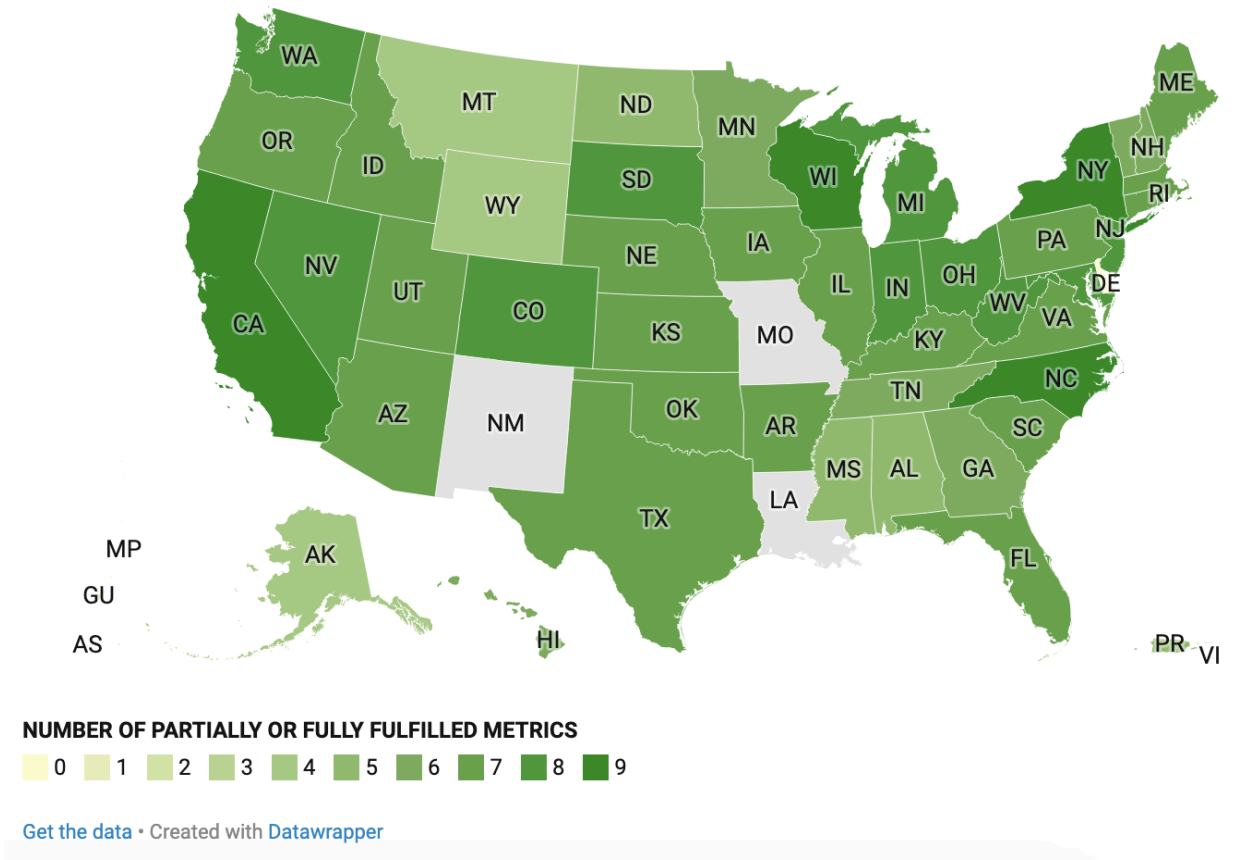
Table 13. **Return of Remains**	
Publicly Available DOC Specific Policy	In **47 jurisdictions**, all identified relevant policies are publicly available. In **4 jurisdictions,** some identified relevant policies are publicly available.
Identification of Authority Over Disposition of Remains	In **11 jurisdictions**, policies recognize the deceased's right to self-directed disposition then defer to next-of-kin. In **37 jurisdictions**, policies only defer to the next-of-kin's authority over disposition of remains.

[1238] Indigent remains are defined as individuals who have no known next-of-kin or whose families refuse to claim their remains **and** who do not have sufficient assets, usually within their institutional accounts, to pay for their own disposition.
[1239] Personal property refers to items or objects in the deceased's possession while incarcerated at a DOC facility that would not be immediately accessible to their family or next-of-kin and require release by DOC or facility personnel. Personal property does not include institutional account funds.
[1240] Institutional account funds refer to the money held in the deceased's internal account managed by the DOC that would not be immediately accessible to their family or next-of-kin and require release by DOC or facility personnel.

Table 13. **Return of Remains**	
Time Limit for Claiming Remains	In **21 jurisdictions,** policies provide specific time language such as days or hours establishing when authorized individuals must claim physical remains before they lose their authority over disposition. In **7 jurisdictions**, policies provide vague time language when establishing a timeline for claiming concrete remains or only provide specific time language for claiming cremated remains.
Disposition of Unclaimed Remains	In **46 jurisdictions,** policies explicitly provide death in custody specific procedures for the disposition of unclaimed remains.
Disposition of Indigent Remains	In **34 jurisdictions,** policies explicitly provide death in custody specific procedures for the disposition of indigent remains. In **11 jurisdictions**, policies are unclear about who covers the disposition of unclaimed remains.
Disposition of Personal Property	In **33 jurisdictions**, policies explicitly provide procedures for the disposition of the deceased's personal property, including a timeline for claiming property and disposition of unclaimed property. In **10 jurisdictions**, policies explicitly provide procedures for the disposition of the deceased's personal property, but do not include a timeline on when authorized individuals can claim property.
Disposition of Institutional Account Funds	In **29 jurisdictions**, policies explicitly provide procedures for the disposition of the deceased's institutional account, including a timeline for claiming property and disposition of unclaimed property. In **18 jurisdictions**, policies explicitly provide procedures for the disposition of the deceased's institutional funds, but do not include a timeline on when authorized individuals can claim funds..
Disposition of Benefits	In **7 jurisdictions**, policies explicitly refer to the disposition of any survivor or death-related benefits to which the deceased's next of kin or family may be entitled and how they will be used. In **3 jurisdictions**, policies refer to benefits the deceased received or was entitled to but do not allow for disposition of said benefits or clarify how benefits will be used.
Honoring and Executing Will or Testament	In **11 jurisdictions**, policies explicitly refer to a will, testament, testate estate, executor/personal representative acting under a will, or carrying out the decedent's expressed testamentary wishes.. In **10 jurisdictions**, policies use related estate language that suggests post-death legal administration, but does not clearly acknowledge a will or does not explain how it is to be honored..

Over 85% of jurisdictions had at least one publicly available DOC-specific policy relevant to the return of remains and property for deaths in custody. Yet the larger pattern revealed significant variation that left protection for families or respect for the deceased's wishes vulnerable to disregard.[1241]

Figure 6 shows the number of metrics each jurisdiction fully or partially fulfilled while Figure 7 only includes the number of metrics each jurisdiction fully fulfilled. The median number metrics fully or partially fulfilled by each jurisdiction was seven; however, the median number of metrics fully fulfilled by each jurisdiction was five. Notably, although only four jurisdictions– California, New York, North Carolina, and Wisconsin– either fully or partially fulfilled all nine metrics, no jurisdiction fully fulfilled all metrics. This finding indicates that most jurisdictions have policies on return of remains or property, but far fewer have policies specific or comprehensive enough to satisfy the metrics fully.



[1241] 47 jurisdictions (ICE, FBOP, AL, AK, AZ, AR, CA, CO, CT, D.C., FL, ID, IL, IN, IA, KS, KY, ME, MD, MA, MI, MN, MS, MT, NV, NJ, NY, NC, ND, OH, OK, OR, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY, Guam, GA, NH) earned a full Yes. 4 jurisdictions (HI, NE, PA, PR) earned a partial Yes. 3 jurisdictions (CBP, DE, NMI) earned a No and 5 jurisdictions (MO, LA, American Samoa, U.S. Virgin Islands, NM) were coded as N/A. Note that all 8 jurisdictions coded as No or N/A in the first metric were automatically coded as N/A in the subsequent seven metrics and thus will not be listed in subsequent footnotes discussing findings.

Figure 6. Return of Remains and Property Policies by Fully or Partially Fulfilled Metrics
Note: This graph counts a metric as fulfilled if it received a full or partial yes. Jurisdictions that received N/A values for every metric were coded with N/A and shaded in grey. Jurisdictions that received No for the first metric and N/As for subsequent metrics were coded as fulfilling 0 metrics. See Grid of All Jurisdictions and Key Metrics for respective jurisdiction notes and analysis strategy.

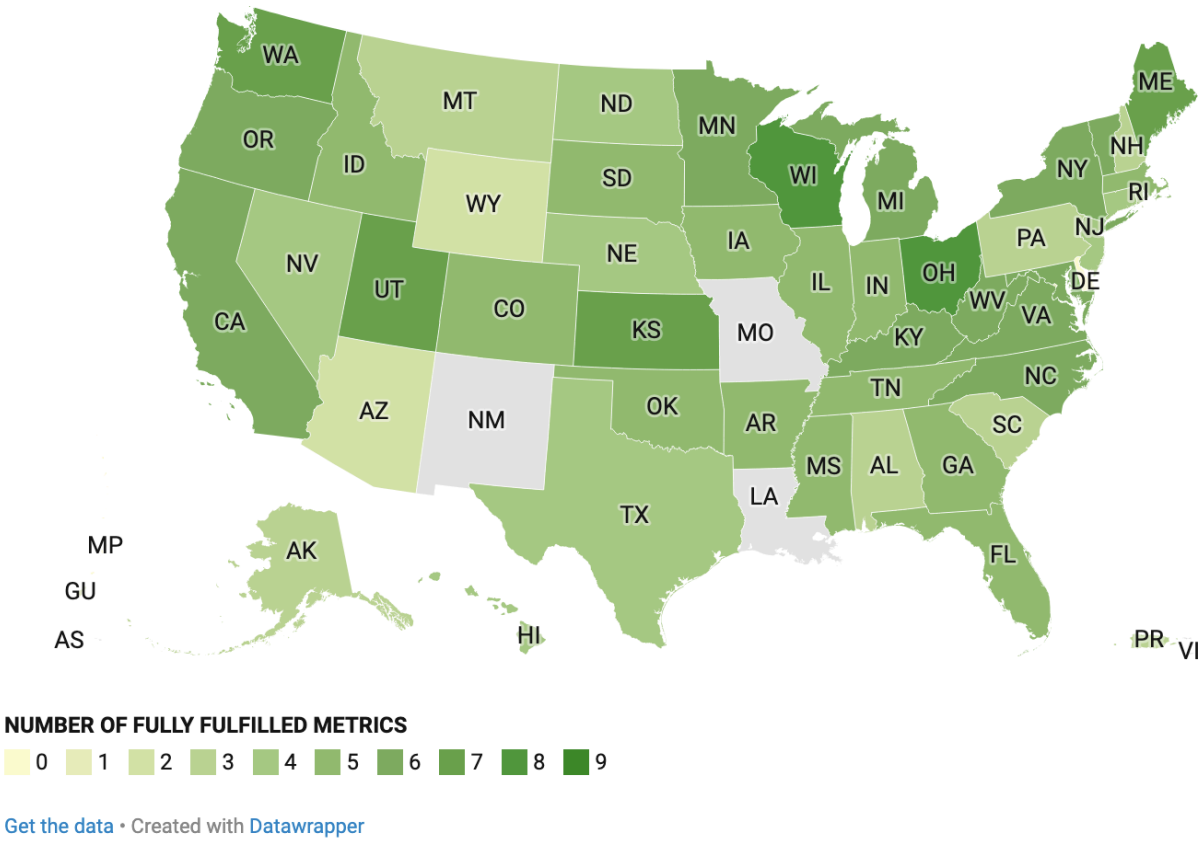


Figure 7. Return of Remains and Property Policies by Fully Fulfilled Metrics
Note: This graph counts a metric as fulfilled if it received a full or partial yes. Jurisdictions that received N/A values for every metric were coded with N/A and shaded in grey. Jurisdictions that received No for the first metric and N/As for subsequent metrics were coded as fulfilling 0 metrics. See Grid of All Jurisdictions and Key Metrics for respective jurisdiction notes and analysis strategy.

Only 11 jurisdictions had policies explicitly recognizing incarcerated persons' right to self-directed disposition, even though this is a crucial mechanism available to unincarcerated people that ensures that a person's cultural, religious, and personal preferences for the handling

of their remains are documented and honored after death.[1242] For example, in Kansas, upon entering a facility, all incarcerated persons complete a "Disposition of Deceased Resident Body Form," creating a written record of their expressed wishes for disposition that the facility must reasonably honor. Although next-of-kin control is not inherently problematic, it does not provide the same safeguard as explicit recognition of self-directed disposition and therefore leaves greater room for the deceased's own wishes to be overlooked. Moreover, specific provisions providing financial assistance for next-of-kin to cover burial expenses, repatriation for deaths of foreign nationals in custody, or return of remains for members of Native American tribes was rare, illustrating how the barriers that low-income or non-U.S. based families face are often overlooked in death in custody policies.[1243]

Although many jurisdictions have general laws governing when remains must be claimed, those rules may not cleanly apply in deaths in custody because DOCs initially control the body and often must coordinate with coroners or medical examiners conducting post-mortem examinations. As a result, general provisions do not always specify when next of kin may actually claim the body, from whom they must claim it, or when the clock begins to run for deaths in custody.

Only 21 of 59 jurisdictions had concrete time limits in DOC-specific policies for when physical remains had to be claimed before being treated as unclaimed, and those timelines varied widely, from 24 hours after notification in Puerto Rico to 60 days from death in Hawaii.[1244] The average time limit for claiming physical remains was 12.3 days but the median time limit was five

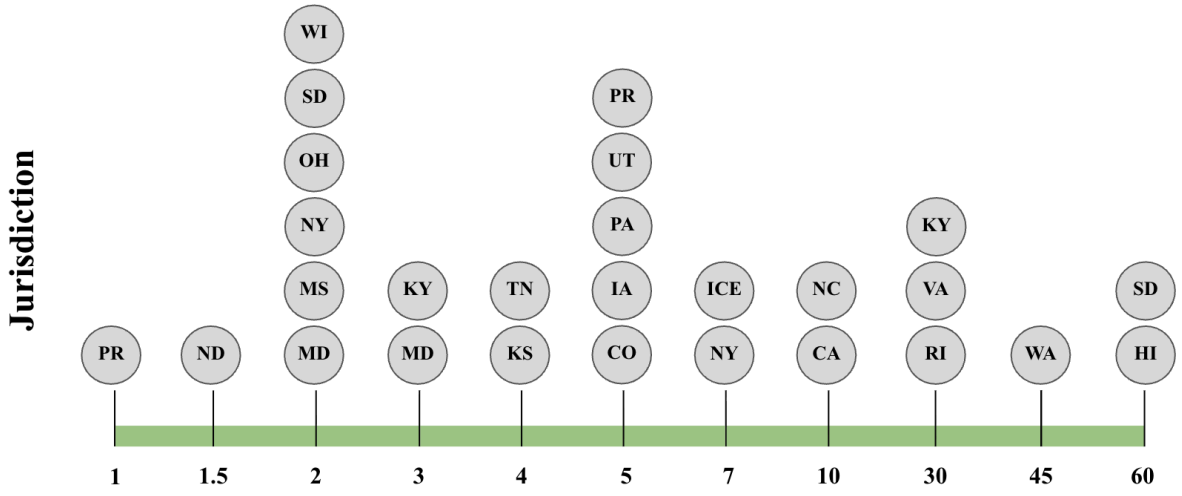
[1242] 11 (AR, IN, KS, ME, MI, MN, OH, OR, UT, VT, WV) jurisdictions explicitly recognized the deceased right to self-directed disposition. 37 (ICE, FBOP, AL, AK, AZ, CA, CO, CT, D.C., FL, ID, IL, IA, KY, MD, MA, HI, NE, NV, NH, NJ, NY, NC, ND, OK, PA, RI, SC, SD, TN, TX, VA, WA, WI, Guam, PR, GA) jurisdictions only explicitly recognized next-of-kin authority over disposition of remains. 3 (MS, MT, WY) jurisdictions did not explicitly identify which party had authority over the disposition of remains.

[1243] 10 jurisdictions (AK, CT, D.C., GA, KS, MD, MN, NH, RI, WA) had explicit policy provisions on financial assistance for next-of-kin seeking financial assistance for burial expenses. 8 jurisdictions (ICE, AZ, CA, FBOP, GA, MI, MN, PA) had explicit policy provisions for the deaths of foreign nationals in custody. Arizona was the only jurisdiction with explicit provisions for return of remains when the deceased was a member of a federally recognized Native American tribe.

[1244] 21 jurisdictions (ICE, CA, CO, KS, KY, MD, HI, MS, NY, NC, ND, OH, PA, RI, SD, TN, UT, VA, WA, WI, PR) earned a full Yes for the third metric. 8 jurisdictions (AR, CT, FL, ID, IN, IA, SC, OK) earned a partial Yes. 22 jurisdictions (FBOP, AL, AK, AZ, D.C., GA, IL, ME, MA, MI, MN, MT, NE, NV, NH, NJ, OR, TX, VT, WV, WY, Guam) earned a No.

days.[1245] Time limits for cremated remains were typically longer, ranging from 30 to 90 days with an average of 109 days and a median of 30 days.[1246]

Figure 8. **Range of Time Limits for Claiming Physical Remains within Existing Policies**

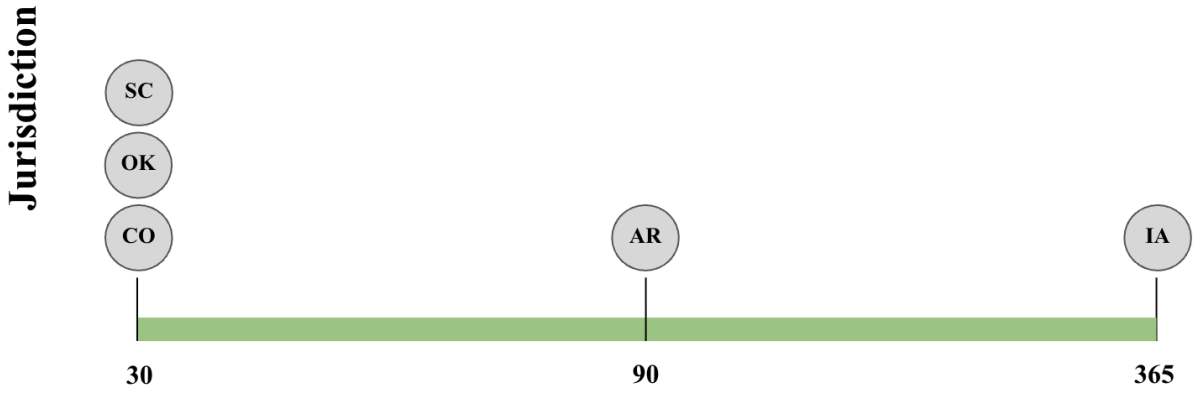


Note that all time limits were converted into days and that five jurisdictions– Puerto Rico, Maryland, New York, South Dakota, Kentucky– appear twice because they have multiple time limits. All jurisdictions are referred to by their two-letter acronym.

Figure 9. **Range of Time Limits for Claiming Cremated Remains within Existing Policies**

[1245] Timelines: 24 hours (Puerto Rico,) 36 hours (North Dakota) 48 hours (Maryland–indigent remains, Mississippi, New York, Ohio, South Dakota, Wisconsin, California), 72 hours (Maryland- general remains), 96 hours (Kansas, Tennessee), 3 days (Kentucky) 5 days (Colorado, Iowa, Pennsylvania, Utah, Puerto Rico) 7 days (ICE, New York), 10 days (California, North Carolina), 30 days (Rhode Island, Virginia), 30 days after embalming (Kentucky), 45 days (Washington), 60 days (Hawaii, South Dakota); Average physical-remains claim period calculated by converting all listed deadlines to days and averaging the resulting jurisdiction-specific timelines. Where a jurisdiction had multiple distinct deadlines for physical remains, each was counted separately. The 28 total timelines summed to 344.5 days; dividing by 28 produces an average of 12.3 days.

[1246] Timelines: 30 days for cremated remains (Colorado, Oklahoma, South Carolina) 90 days for cremated remains (Arkansas), 1 year for cremated remains (Idaho); 30 days + 30 days + 30 days + 90 days + 365= 545 days/5 = 109 days.



Time Limits in Days For Claiming Cremated Remains

Note that all time limits were converted into days. All jurisdictions are referred to by their two-letter acronym.

Arbitrarily short time limits or no explicit time limits at all for claiming remains is extremely consequential. The absence of a clear DOC-specific timeline leaves major uncertainty about when responsibility shifts from family to the institution and when the DOC may lawfully move forward with final disposition. 46 jurisdictions fully had explicit DOC specific policies on the disposition of unclaimed remains.[1247] While policies on the disposition of indigent remains often overlapped with policies on the disposition of unclaimed remains, ambiguity regarding who was responsible for disposition costs in non-donation contexts meant that only 34 jurisdictions offered fully clear guidance.[1248] Table 14 shows a breakdown of the policies on the disposition of unclaimed remains.

Table 14. **Policies on the Disposition of Unclaimed Remains**

[1247] 46 jurisdictions (ICE, AL, AZ, AR, CA, CO, CT, FL, GA, ID, IL, IN, IA, KS, KY, ME, MD, MA, HI, MI, MN, MT, NE, NV, NH, NJ, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, PR, MS) earned a full Yes on the fourth metric. 0 jurisdictions earned a partial Yes. 5 jurisdictions (FBOP, AK, D.C., WY, Guam) earned a No.

[1248] 34 jurisdictions (ICE, AR, CO, FL, GA, ID, IL, IA, KS, KY, ME, MD, MA, HI, MN, MS, NE, NV, NH, NC, ND, OH, OK, OR, PA, SD, TN, UT, VT, VA, WA, WV, WI, PR) earned a full Yes in the fifth metric. 11 jurisdictions (AL, AZ, CA, CT, IN, MI, NJ, NY, RI, SC, TX) earned a partial Yes. 6 jurisdictions (FBOP, AK, D.C., MT, WY, Guam) earned a No.

Policies on Disposition of Unclaimed Remains						
Jurisdiction	**Timeline**	**Burial**	**Cremation**	**Donation (eg. medical, scientific, dog training)**	**Explicit consideration of the deceased's wishes?**	**Notes**
Arkansas	90 days for cremated remains	Not mentioned	Yes	Yes	Yes	Cremation or donation
California	10 days for physical remains	Not mentioned	Yes	Yes	No	Cremation or donation
Colorado	5 days for physical remains	Not mentioned	Yes	Yes	No	Cremation or donation
Connecticut	After a "diligent effort" by staff for physical remains	Not mentioned	Not mentioned	Not mentioned	No	General "disposition" only
Florida	After a "medically acceptable time" for physical remains	Not mentioned	Yes	Yes	Mixed	Cremation considers wishes; donation does not
Georgia	Not mentioned	Yes	Not mentioned	Not mentioned	No	Burial only
Hawaii	60 days for physical remains	Not mentioned	Yes	Not mentioned	No	Cremation only
Idaho	1 year for cremated remains	Not mentioned	Yes	Not mentioned	No	Cremation only
Illinois	Not mentioned	Yes	Yes	Not mentioned	No	Burial or cremation
Indiana	After a "reasonable time period" for physical remains and 90 days for cremated remains	Not mentioned	Yes	Not mentioned	No	Cremation only
Iowa	5 days for friends to claim physical remains after unspecified time for next-of-kin	Not mentioned	Not mentioned	Yes	Yes	Medical/scientific donation only

Policies on Disposition of Unclaimed Remains						
Jurisdiction	**Timeline**	**Burial**	**Cremation**	**Donation (eg. medical, scientific, dog training)**	**Explicit consideration of the deceased's wishes?**	**Notes**
Kansas	96 hours for cremated remains	Yes	Yes	Not mentioned	No	Burial or cremation
Kentucky	3 days for physical remains	Not mentioned	Not mentioned	Yes	No	Medical/scientific donation only
Maine	Not mentioned	Yes	Yes	Yes	Yes	Burial, cremation, or donation all considers wishes
Maryland	48 hours for indigent physical remains and 72 hours otherwise for physical remains	Not mentioned	Not mentioned	Yes	No	Medical/scientific donation only
Massachusetts	Not mentioned	Yes	Yes	Not mentioned	Yes	Burial or cremation
Michigan	Not mentioned	Not mentioned	Yes	Not mentioned	No	Cremation only
Minnesota	Not mentioned	Yes	Yes	Not mentioned	Yes	Burial or cremation
Mississippi	48 hours for physical remains	Not mentioned	Not mentioned	Yes	No	Medical/scientific donation only
Montana	Not mentioned	Yes	Yes	Not mentioned	No	Burial or cremation
Nebraska	Not mentioned	Yes	Yes	Not mentioned	No	Burial or cremation
Nevada	Not mentioned	Not mentioned	Yes	Yes	Mixed	Cremation does not consider wishes; donation does
New Hampshire	Not mentioned	Not mentioned	Yes	Not mentioned	No	Cremation only
New Jersey	Not mentioned	Yes	Yes	Not mentioned	No	Burial or cremation
New York	48 hours to 7 days for	Yes	Yes	Not mentioned	No	Burial or cremation

Policies on Disposition of Unclaimed Remains						
Jurisdiction	**Timeline**	**Burial**	**Cremation**	**Donation (eg. medical, scientific, dog training)**	**Explicit consideration of the deceased's wishes?**	**Notes**
	physical remains					
North Carolina	10 days for physical remains	Not mentioned	Not mentioned	Yes	No	Medical/scientific donation only
North Dakota	36 hours for physical remains	Not mentioned	Not mentioned	Yes	Yes	Medical/scientific donation only
Ohio	48 hours for physical remains	Yes	Yes	Not mentioned	No	Burial or cremation
Oklahoma	30 days for cremated remains	Not mentioned	Yes	Yes	Mixed	Cremation does not consider wishes; donation does
Oregon	Not mentioned	Not mentioned	Not mentioned	Not mentioned	No	General “disposition” only
Pennsylvania	5 days for physical remains	Not mentioned	Yes	Yes	Mixed	Cremation does not consider wishes; donation does
Puerto Rico	24 hours after notification then 5 days after donation for physical remains	Not mentioned	Not mentioned	Yes	No	Medical/scientific donation only
Rhode Island	30 days for physical remains	Yes	Not mentioned	Not mentioned	No	Burial only
South Carolina	30 days for cremated remains	Not mentioned	Yes	Not mentioned	No	Cremation only
South Dakota	48 hours after contact and 60 days after being donated for physical remains	Not mentioned	Not mentioned	Yes	No	Medical/scientific donation only

Policies on Disposition of Unclaimed Remains						
Jurisdiction	**Timeline**	**Burial**	**Cremation**	**Donation (eg. medical, scientific, dog training)**	**Explicit consideration of the deceased's wishes?**	**Notes**
Tennessee	96 hours for physical remains	Yes	Not mentioned	Yes	No	Burial; also donation without wishes consideration
Texas	Not mentioned	Yes	Not mentioned	Not mentioned	No	Burial only
Utah	5 days for physical remains	Yes	Not mentioned	Yes	No	Burial; also donation without wishes consideration
Vermont	Not mentioned	Yes	Not mentioned	Not mentioned	No	Burial only
Virginia	30 days for physical remains	Not mentioned	Yes	Not mentioned	No	Cremation only
Washington	45 days for physical remains	Not mentioned	Not mentioned	Not mentioned	No	General "disposition" only
West Virginia	Not mentioned	Yes	Yes	Not mentioned	No	Burial or cremation
Wisconsin	36 hours for physical remains	Yes	Yes	Not mentioned	No	Burial or cremation
ICE	7 days for physical remains	Not mentioned	Yes	Yes	No	Cremation or donation

A striking pattern is that unclaimed remains policies often prioritize administrative convenience over affirmative respect of the deceased's wishes or dignity. Despite faiths like Islam or Judaism prohibiting cremation, at least 27 jurisdictions authorize cremation of unclaimed remains, and in seven of those jurisdictions cremation appears to be the only listed disposition option rather than one choice among several.[1249] Only five jurisdictions– Arkansas, Florida, Maine, Massachusetts, and Minnesota– explicitly consider the deceased's wishes when deciding to cremate unclaimed remains. Separately, at least 14 jurisdictions allow donation of remains without clearly requiring explicit consideration of the deceased's wishes, meaning that bodies may be directed toward medical or scientific use without documented consent.

[1249] Note that because Connecticut, Oregon, and Washington only refer to "disposition" of unclaimed remains in their policies instead of specifically designating cremation, burial, or donation, these figures may be higher.

Although explicit policies governing the disposition of the deceased's personal property and institutional account funds were relatively common—with 33 jurisdictions fully addressing personal property and 29 fully addressing account funds—the timelines for claiming those assets varied significantly across jurisdictions.[1250] Deadlines ranged from highly restrictive approaches, such as FBOP's two-attempt shipping rule or 30-day claim periods in several states, to much more extended timelines of one, two, or even ten years.[1251] The average deadline was 348.2 days but the median was 180 days.[1252] Similarly, deadlines for claiming institutional account funds ranged from 30 days to "at any time" in one jurisdiction, though the average time for claiming account funds is about 599.5 days (roughly 1.64 years), and the median is 365 days (1 year).[1253] Finally, policies with explicit provisions for the disposition of any benefits the deceased was entitled to (eg. Social Security benefits, Workers Compensation) or policies explicitly honoring and executing the deceased's will or testament were exceedingly rare.[1254]

Figure 10. **Range of Time Limits for Claiming Personal Property within Existing Policies**

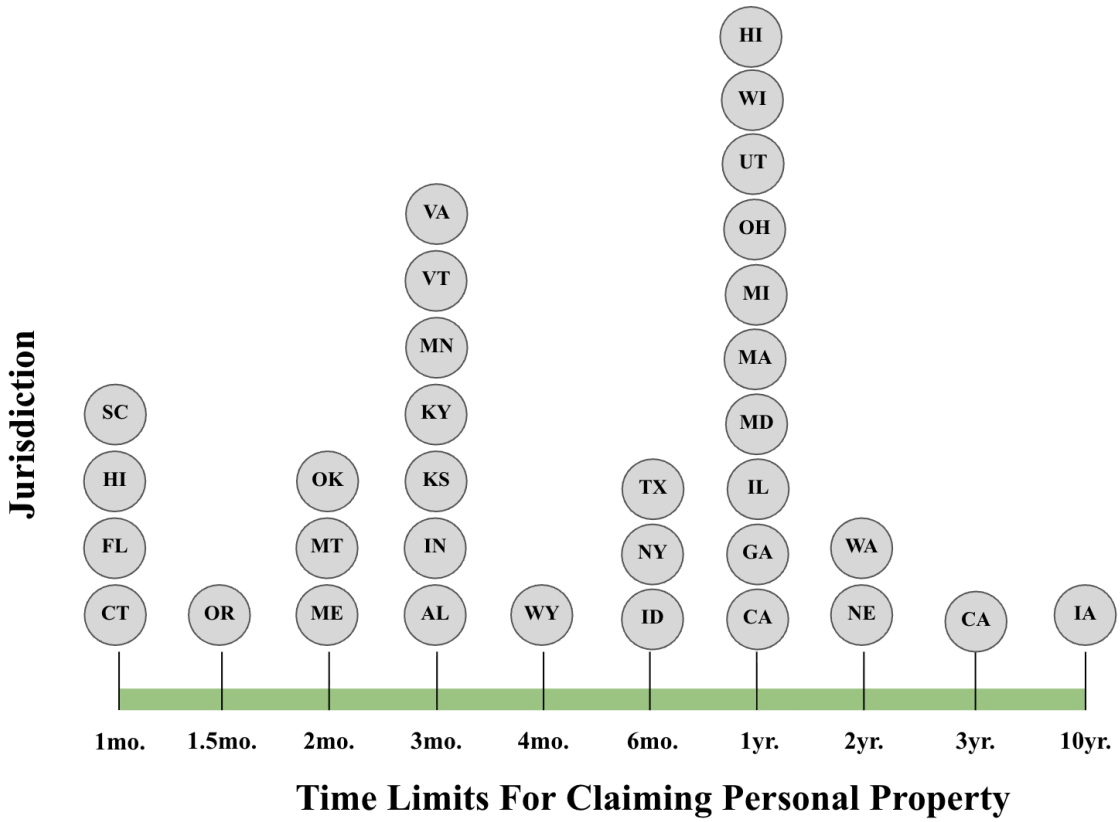
[1250] 33 jurisdictions (FBOP, AL, AK, CA, CT, FL, GA, HI, ID, IL, IN, IA, KS, KY, ME, MD, MA, MI, MN, MT, NE, NY, OH, OK, OR, SC, TX, UT, VT, VA, WA, WI, WY) earned a full Yes on the sixth metric. 10 jurisdictions (ICE, AZ, AR, CO, D.C., NV, NJ, NC, WV, NH) earned a partial Yes. 8 jurisdictions (MS, ND, PA, RI, SD, TN, Guam, PR) earned a No. ; 29 jurisdictions (AK, AR, CA, CT, FL, GA, ID, IL, IN, IA, KS, KY, ME, MD, MA, MI, MN, MS, NE, OH, OK, OR, TN, TX, UT, VT, VA, WA, WI) earned a full Yes on the seventh metric. 18 jurisdictions (ICE, FBOP, AZ, CO, D.C., HI, MT, NV, NJ, NY, NC, RI, SC, SD, WV, WY, NH, PA) earned a partial Yes. 4 jurisdictions (AL, ND, Guam, PR) earned a no.

[1251] Timelines: Two attempts at shipping (FBOP), 30 days (Connecticut, Florida, Hawaii, South Carolina), 45 days (Oregon) 60 days (Maine, Montana, Oklahoma), 90 days (Alaska, Indiana, Kansas, Kentucky, Minnesota, Vermont, Virginia), 120 days (Wyoming) 180 days (Idaho,) 6 months (New York, Texas), 1 year for (tangible) property (California, Georgia, Illinois, Maryland, Massachusetts, Michigan, Ohio, Utah, Wisconsin), 1 year for intangible property (Hawaii), 2 years (Nebraska, Washington) 3 years for intangible property (California), 10 years (Iowa)

[1252] Each distinct timeline entry was treated as one observation, including separate timelines for the collection of tangible and intangible property when policies specified. Larger units of time like months and years were converted into days.

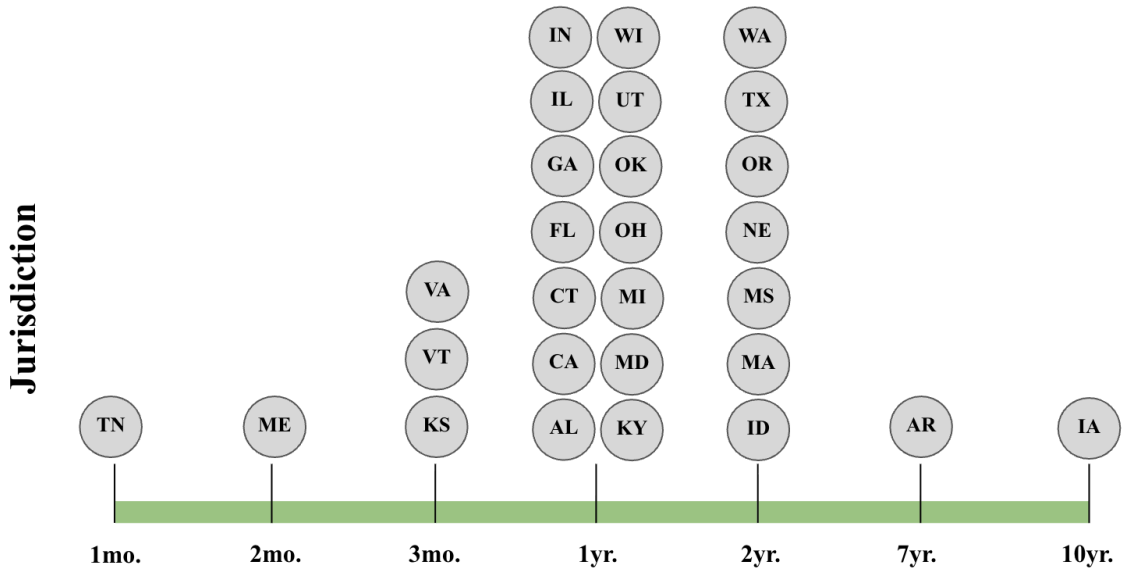
[1253] Timelines: 30 days (Tennessee), 60 days (Maine), 90 days (Kansas, Vermont, Virginia), 1 year (Alaska, California, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, Ohio, Oklahoma, Utah, Wisconsin) 2 years (Idaho, Massachusetts, Mississippi, Nebraska, Oregon, Texas, Washington) 7 years (Arkansas), 10 years (Iowa), "At any time" ie. in perpetuity (Minnesota)**;** Because Minnesota permits account funds to be claimed "at any time," it was excluded from the average and median calculations as a non-finite claim period. For the remaining 28 finite timelines, all periods were converted to days and averaged by jurisdiction-specific deadlines.

[1254] 7 jurisdictions (FBOP, CO, MI, NJ, NY, NC, WV) earned a full Yes on the eighth metric. 3 jurisdictions (CA, NV, WI) earned a partial Yes. 41 jurisdictions (ICE, AL, AK, AZ, AR, CT, D.C., FL, GA, ID, IL, IN, IA, KS, KY, ME, MD, MA, HI, MN, MS, MT, NE, ND, OH, OK, OR, RI, SC, SD, TN, TX, UT, VT, VA, WA, WY, Guam, PR, PA, NH) earned a No. ; 11 jurisdictions (CA, ME, NV, NJ, NY, NC, OH, SD, WA, WV, WI) earned a full Yes on the ninth metric. 10 jurisdictions (AZ, IL, IN, MD, MA, MI, OR, RI, TX, WY) earned a partial Yes. 30 jurisdictions (ICE, FBOP, AL, AK, AR, CO, CT, D.C., FL, GA, ID, IA, KS, KY, HI, MN, MS, MT, NE, ND, OK, SC, TN, UT, VT, VA, Guam, PR, PA, NH) earned a No.



Note that all time limits below one year were converted into months. California is listed twice because it has a one year time limit for claiming tangible property and a three year time limit for claiming intangible property. BOP's rule of designating property as unclaimed after two attempts at shipping was excluded from the chart because it is not a fixed number of days, months, or years. All jurisdictions are referred to by their two-letter acronym.

Figure 11. **Range of Time Limits for Claiming Institutional Account Funds within Existing Policies**



Time Limits For Claiming Institutional Account Funds

Note that all time limits below one year were converted into months. Minnesota is not included on the chart; the designation that account funds can be claimed "at any time" is not a fixed number of days, months, or years. All jurisdictions are referred to by their two-letter acronym.

V. Best Practices

Ohio: Ohio's ORC 66-ILL-02, Incarcerated Person Deaths, offers centralized and relatively comprehensive procedures for the return of remains and property after deaths in custody. ORC 66-ILL-02 directly references Section 2108.72, Ohio's statute establishing the right to self-directed disposition, and states that if the deceased does not have a valid written declaration or the person appointed to carry out their disposition directions is disqualified then next-of-kin have authority.[1255] ORC 66-ILL-02 also explicitly states that those who have authorization or the right to direct disposition have the opportunity to accept or refuse the deceased person's personal property, and they may accept property even if they refuse the body.[1256] This policy allows for flexibility in cases where next-of-kin may be unable to arrange for final disposition but still want to receive their loved ones' belongings. Moreover, the facility managing director must make

[1255] Ohio Department of Rehabilitation and Correction, Policy 66-ILL-02(VI)(E) and 66-ILL-02(VI)(F): *Incarcerated Person Deaths* (2026), Sections E–F, 3, https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6 ; Ohio Revised Code, Ohio Rev. Code § 2108.72: *Written Declaration of Assignment* (2010), § 2108.72(A), https://codes.ohio.gov/ohio-revised-code/section-2108.72.
[1256] Ohio DRC, Policy 66-ILL-02, Section VI(H)(4), 5.

"every possible effort" to locate the person entitled to the deceased's belonging and account funds; only after 1 year may unclaimed property be disposed of. Additionally, while not addressing benefits owed to the deceased or their families, ORC 66-ILL-02 addresses multiple types of assets such as "unclaimed investment in certificates of deposit, savings bonds, or some other type of investment property" at local financial institutions, and establishes a 1 year period after which they are designated as unclaimed.[1257] ORC 66-ILL-02's weakness is that it is unclear about whether the deceased's wishes are considered in deciding whether to cremate or bury unclaimed remains; the policy states cremation may be considered if a coroner ruled the death natural but does not otherwise give insight into how the decision is decided.[1258]

California: While California corrections policy only explicitly refers to next-of-kin authority over remains, California's CDCR 51070.17 states remains will only be considered unclaimed at least 10 days after "all reasonable efforts have been exhausted to locate a claimant for the deceased and there is no one to direct disposition."[1259] Only after next-of-kin are located are they given 48-hours to claim the body and told which mortuary to contact to claim the body.[1260] California provides one year for institutional account funds to be claimed, one year for tangible property to be claimed, and three years for intangible property to be claimed.[1261] California's strongest corrections policy on the return of remains and property is their policy on wills: California Code, Penal Code - PEN § 5061 states that if the deceased had a will, the Director of Corrections must deliver the will to the clerk of the superior court that has jurisdiction over the estate within 30 days of the death and notify the executor of the will if applicable.[1262]

Oregon: Oregon's death in custody policies establish procedures to fill in potential gaps in respecting the incarcerated person's autonomy and family needs. OAR 291-027-0065 states that incarcerated people can make arrangements with their emergency contact regarding the final disposition of their remains to ensure their personal preferences are honored.[1263] OAR 291-027-0040 states that the functional unit manager must coordinate the transportation of the deceased to a designated mortuary and OAR 291-027-0065 requires the facility contact person to

---

[1257] Ohio DRC, Policy 66-ILL-02, Section VI(H)(1) – (3).
[1258] Ohio DRC, Policy 66-ILL-02, Section VI(G).
[1259] California Department of Corrections and Rehabilitation, Department Operations Manual § 51070.17: *Unclaimed Dead Body*, § 51070.17(a), https://www.cdcr.ca.gov/operations-manual/dom/chapter-5-adult-custody-and-security-operations/article-7-inmate-deaths-serious-injury-or-illness-notification/.
[1260] CDCR, DOM § 51070.10(c)(1)
[1261] California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 5, Article 43, §54030.16: *Inmate Property*, §54030.16(a), https://www.cdcr.ca.gov/operations-manual/dom/chapter-5-adult-custody-and-security-operations/article-43-inmate-property/; California Penal Code, Cal. Penal Code § 5061: *Property of Deceased Prisoner*, § 5061(d), https://codes.findlaw.com/ca/penal-code/pen-sect-5061/.
[1262] Cal. Penal Code § 5061(a).
[1263] Oregon Department of Corrections, Oregon DOC, OAR 291-027-0065: Disposition of Remains (2011), https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37603

facilitate the disposition of the deceased remains.[1264] By requiring facility personnel to play a proactive role coordinating the return of the deceased remains, Oregon policy reduces confusion that may occur when bodies pass through the custody of multiple parties such as medical examiners before their next-of-kin officially takes over disposition. Oregon also prohibits money from the deceased's institutional account from being used to cover disposition costs in cases where no next-of-kin is located or next-of-kin or unwilling or able to arrange final disposition. This ensures that both unclaimed remains and indigent remains are covered by DOC policy. However, Oregon's DOC policy does not explicitly state whether these remains will be cremated or buried, only that the DOC becomes the "responsible agent in this matter."[1265] Additionally, while Oregon DOC policy requires institutional account funds to be distributed in accordance with the state's interstate succession and will law, ORS chapter 112, the policy does not otherwise provide details on how wills will be honored.

VI. Worst Practices

Mississippi: Mississippi's death in custody policies are not person or family focused. Mississippi Code Title 47. Prisons and Prisoners; Probation and Parole § 47-5-151 does not explicitly affirm the authority of an incarcerated person or their next-of-kin or family to direct their disposition, but still sets the strict deadline of 48-hours for bodies to be claimed after autopsies.[1266] Unclaimed remains are delivered to the University of Mississippi Medical Center for medical or anatomical research without any explicit requirement for the deceased's consent or religious or cultural customs. Ambiguity within written policy regarding who may claim the body combined with the short deadline for claiming the body risks prioritizing convenience or usefulness for the DOC over the personhood and autonomy of the deceased. MS Code § 47-5-119 requires the Commissioner of the corrections system to "make every effort" to notify the deceased's beneficiary or next-of-kin and provide them the money in the deceased's institutional account.[1267] Additionally, money can only be designated unclaimed after two years, an above average time limit, and any unclaimed funds will be transferred to the DOC's vocational training program. However, Mississippi DOC policies do not otherwise address or provide any explicit procedures for the disposition of the deceased's personal property, any benefits owed to the deceased or their next-of-kin, or honoring any wills or testaments.

Montana: Despite spreading their policies on return of remains and property after deaths in custody across several policy documents and statutes, Montana's policies are often unclear and not comprehensive. Firstly, Montana Policy No. DOC 4.5.34 "OFFENDER DEATH" does not address disposition of remains at all, including a right to self-directed disposition or next-of-kin

[1264] Oregon DOC OAR 291-027-0040 (2) –(3); Oregon DOC, OAR 291-027-0065 (3)
[1265] Oregon DOC OAR 291-027-0065 (4) – (5)
[1266] Mississippi Code Title 47. Prisons and Prisoners; Probation and Parole § 47-5-151
[1267] MS Code § 47-5-119

authority ability to claim remains.[1268] Policy No. DOC 4.5.34 also does not establish any timelines for claiming remains which leaves families in the dark about where they may claim their loved one's remains from and how long they have until remains are considered unclaimed. This is consequential because unclaimed remains are cremated or buried by the DOC with funds from the deceased's institutional account covering any costs. Montana's unclaimed remains policy does not specify how the decision to cremate or bury unclaimed remains is made, which means there is no guarantee that any objections against cremation may be honored.[1269] Moreover, the policy does not explicitly state whether the DOC will pay for disposition if the deceased does not have sufficient funds in their institutional account to cover the costs, creating a gap in the coverage of indigent remains. While Montana DOC does establish policies for the disposition of the deceased's personal property by requiring property to be held until the end of any investigations for any beneficiary, property is designated unclaimed and subsequently destroyed after 60 days, which is below the average timeline.[1270] Account funds are able to be disbursed to any beneficiaries after 45 days but policy only says they have a "reasonable time" period to be claimed before being considered unclaimed.[1271]

D.C.: Washington, D.C.'s policies on return of remains and property after deaths in custody are sparse and provide very little guidance for families navigating the corrections system after their loved one's death. Although D.C.'s primary DOC specific policy 4352.1E Inmate-Arrestee Deaths has a provision referring next-of-kin in need of financial assistance for final disposition to the D.C. Department of Human Services, Burial Assistance Unit, the policy does not explicitly affirm incarcerated people's right to self-directed disposition, despite this being a general right within Washington D.C. pursuant to § 3–413.[1272] While § 3–413 may apply to incarcerated individuals as well, without specific DOC policy to affirm and operationalize it, the right to self-directed disposition for incarcerated people may only exist on paper without any guarantees of being honored. Moreover, 4352.1E Inmate-Arrestee Deaths does not establish a time limit for when remains are designated unclaimed or any policies on the disposition of unclaimed or indigent remains. While the Office of the Chief Medical Examiner (OCME) public website states that bodies unclaimed after 15 days will be cremated, it is unclear whether these provisions apply to incarcerated individuals because 4352.1E Inmate-Arrestee Deaths does not specify whether

[1268] Montana Department of Corrections, Policy Directive DOC 4.5.34: Offender Death (2021), https://cor.mt.gov/DataStatsContractsPoliciesProcedures/DataDocumentsandLinks/DOCPolicies/Chapter4/4.5.34-Offender-Death-2020.pdf

[1269] Montana Code Annotated, Mont. Code Ann. § 53-1-110: *Disposition of Inmate Trust Account Funds and Tangible Personal Property* (2023), https://mca.legmt.gov/bills/2024/mca/title_0530/chapter_0010/part_0010/section_0100/0530-0010-0010-0100.html.

[1270] Montana State prison Procedure No.: 4.1.3 "INMATE PERSONAL PROPERTY," ; Montana State Prison Procedure No.: 3.1.17b "CONTRABAND CONTROL" (223); Mont. Code Ann. § 53-1-110.

[1271] Mont. Code Ann. § 53-1-110 (5).

[1272] D.C. DOC, PP 4352.1E: Inmate-Arrestee Deaths (2026), https://doc.dc.gov/node/1813271: Inmate-Arrestee Deaths (2026); § 3-413 (a). Claim of human remains - Order of priority of next of kin

custody of the body is transferred to OCME or remains with the DOC after death.[1273] Finally, 4352.1E Inmate-Arrestee Deaths does not specify any procedures for the disposition of the deceased's personal property, any benefits owed to the deceased or their next-of-kin, or honoring any wills or testaments. While 4210.3D PROCESSING INMATE PERSONAL FUNDS states that after an incarcerated person dies, their beneficiary as listed on a Notification in Case of Emergency form will be notified, no further details are provided on how any funds in the deceased's institutional account will be given to their family, when funds are designated as unclaimed, or what happens to unclaimed funds.[1274] Ultimately D.C.'s lack of detailed DOC specific policy risks creating confusion for families attempting to secure their loved one's remains and belongings.

Utah: Utah DOC policy provides that if an incarcerated person did not designate someone to claim the body or make other arrangements, the body is disposed of under state law; if no designee is found, the remains are handled by the mortuary contracted by the local county. The policy refers to Utah Code §26B-8-225, which requires the county to provide a decent burial for an unclaimed body at county expense unless the body is requested by the dean of the University of Utah School of Medicine. For unclaimed bodies temporarily in the medical examiner's custody before burial, the medical examiner may also retain tissue for donation to a person affiliated with an established search-and-rescue dog organization for human-remains detection training. This allows the state to remove tissue from an unclaimed person's body for dog training without requiring the person's consent or accounting for their wishes, treating the absence of someone to claim the body as permission to use it.

VII. Recommendations for Model Policy

1. *Recognition of Incarcerated People's Right to Self-Directed Disposition*

DOC policies should affirm and recognize incarcerated peoples' right to self-directed disposition. Upon entering a facility, an incarcerated person should fill out a form designating who they want to have authority over their remains and any wishes they have for the disposition of their remains, specifically preferences for donation, burial, or cremation so their designated person or the DOC knows. If the designated person is unwilling or unable to direct the disposition then authority should fall to next-of-kin. DOC policy should have provisions directing next-of-kin to resources for financial assistance if necessary. DOC policy should also designate individual facility personnel to coordinate with any medical examiner/coroner's offices

[1273] District of Columbia Office of the Chief Medical Examiner, *Public Dispositions*, https://ocme.dc.gov/service/public-dispositions

[1274] District of Columbia Department of Corrections, Policy and Procedure 4210.3D, *PROCESSING INMATE PERSONAL FUNDS,* (2023) https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PP%204210.3D%20Processing%20Inmate%20Personal%20Funds%2005-25-2023.pdf

if applicable or funeral homes or mortuaries to streamline the release of the body to the designated person or next-of-kin and reduce confusion about the location of the body. DOC should also establish procedures for contacting the appropriate consulate in cases where foreign nationals die to facilitate repatriation of remains.

2. *Clear, Concrete, and Communicated Timelines for Claiming Remains*

DOC policies should establish clear concrete timelines regarding when designated individuals or next-of-kin should claim the deceased's remains. These timelines should be clearly communicated in the death notification to the next-of-kin or designated individual. In cases where autopsies or other post-mortem examinations are required, separate timelines should be established and there should be follow up communication to the next-of-kin or designated individual notifying them when any examinations are released and the time limit for when and the location where remains should be claimed. Timelines should be at least 7 days to allow designated individuals or next-of-kin with adequate time to travel if necessary, claim bodies, and arrange for disposition.

3. *Disposition of Unclaimed Remains Must Respect the Deceased Wishes*

The DOC or facility should cover the expenses of disposition for unclaimed remains. Bodies should only be cremated if the deceased specifically authorized or gave documented consent to cremation prior to their death. Cremated remains should be held for at least 1 year by the facility where the incarcerated person died and staff should continue attempts to reach out to any known next-of-kin so they have the opportunity to claim the remains if desired. Similarly, bodies should only be donated for medical or scientific research if the deceased specifically authorized or gave documented consent to cremation prior to their death. DOC's should establish cemeteries for the internment of unclaimed bodies unless the deceased is eligible to be buried in a veteran's cemetery. All unclaimed bodies buried in DOC cemeteries should include headstones marking the deceased's name, date of birth, and date of death. These cemeteries should be regularly maintained and treated with respect. The DOC facility chaplain or religious coordinator should be contacted to carry out any funeral rituals in accordance with the deceased's faith if applicable.

4. *Clearly Establish DOC or Facility Responsibility to Cover Disposition Expenses*

All policies for unclaimed remains should be applicable to indigent remains because the deceased's institutional account funds or other assets will not be used to cover their final disposition. Policies should clearly state, not imply, that the DOC or facility will cover disposition expenses.

5. *Personal Property Must Be Sent to A Designated Recipient With A Clearly Communicated Timeline for Claiming*

Upon entering a facility, an incarcerated person should fill out a form designating a recipient for their personal property in case they die while in custody. This person should not be required to be the same person as the person designated to receive any institutional account funds or receive their remains. Upon the death of an incarcerated person, their personal property should be secured. Designated DOC facility personnel should notify the designated recipient of the deceased's personal property and establish whether the property will be shipped to a specified address or whether the recipient will pick up the property from the facility it is held. DOC policies should clearly establish a time limit of at least one year for when personal property should be claimed. Facility personnel should also clearly communicate this time limit when notifying the designated recipient. Release of any personal property secured as evidence for an investigation into the deceased's death by investigative authorities should not delay the release of property not required as evidence; DOC facility personnel should coordinate with investigating authorities to ensure that the designated recipient receives the deceased's property after it is no longer needed as evidence. A separate timeline should be established for claiming any property held as evidence. Unclaimed property should be sold if possible and proceeds should go towards a fund for the benefit of incarcerated people at the facility where the deceased died.

6. *Account Funds Must Be Sent to A Designated Recipient With A Clearly Communicated Timeline for Claiming*

Upon entering a facility, an incarcerated person should fill out a form designating a recipient for their institutional account funds in case they die while in custody. This person should not be required to be the same person as the person designated to receive any personal property or receive their remains. Upon the death of an incarcerated person, their institutional account should be frozen. Funds from the incarcerated institutional account should not be used by the DOC to pay for the disposition of their remains if they are unclaimed. Designated DOC facility personnel should notify the designated recipient of the deceased's account funds. DOC policies should clearly establish a time limit of at least two years for when personal property should be claimed. Facility personnel should also clearly communicate this time limit when notifying the designated recipient. After the payment of any outstanding debts such as restitution for a crime, any remaining account funds should be released to the designated recipient.

7. *DOC Facility Personnel Must Confirm Recipience of Benefits and Facilitate Disposition to Next-of-Kin*

Upon the death of an incarcerated person, DOC facility personnel should check whether the deceased was the recipient of any government like Social Security benefits or whether any

benefits are eligible for disposition to the deceased's next-of-kin or other designated beneficiary. DOC facility personnel should establish procedures and timelines on the disposition of these benefits. If the deceased died while performing work assignments for a prison industry program, their next-of-kin or designated beneficiary should be awarded accident compensation.

8. DOC Facility Personnel Must Honor and Facilitate the Execution of Wills or Testaments

Upon entering a facility, an incarcerated person should indicate whether they have established a will or testament. This information should be documented and updated periodically to ensure it is accurate. DOC facility to encourage incarcerated persons with terminal illnesses or whose deaths are expected to establish a will if they do not already have one. Upon the death of an incarcerated person who has a will, designated DOC facility personnel should inform the executor of the will if applicable and deliver the will to the appropriate court in the jurisdiction that has authority over the estate within 30 days of the death so the appropriate legal procedures governing estates and wills within the jurisdiction may be followed.

VIII. Grid of all jurisdictions and key metrics

Table 15. **Return of Remains and Personal Property Grid**

Jurisdiction	Publicly Available DOC	Identification of Authority Over	Time Limit for Claiming	Disposition of Unclaimed	Disposition of Indigent Remains[127]	Disposition of Personal	Disposition of Institutional	Disposition of Benefits	Honoring and Executing

Table 15. **Return of Remains and Personal Property Grid**									
	Specific Policy[1275]	Disposition of	Remains [1277]	Remains[1278]	[9]	Property[12] [80]	Account Funds[1281]	[1282]	Will or Testament[1]

[1275]**Yes fully**: All identified policies applicable to return of remains and property for deaths in custody are publicly available. **Yes partially**: Some applicable policies are publicly available but other operational details appear to be in an identified nonpublic policy. **No**: All potentially relevant policies are nonpublic **and/or** all publicly available policies do not satisfy any of the metrics. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1277]**Yes fully**: Policies provide specific time language such as days or hours establishing when authorized individuals must claim physical remains (ie. corpse) before they lose their authority over disposition. **Yes partially**: Policies provide vague time language such as "immediately" when establishing when authorized individuals must claim physical remains (ie. corpse) **or** only provide specific time language when establishing when authorized individuals must claim cremated remains. **No**: Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated). **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1278]**Yes fully**: Policies explicitly provide death in custody specific procedures for the disposition of unclaimed remains (eg. cremation, burial, donation).**Yes partially**: Policies provide procedures for the disposition of unclaimed remains but it is unclear if they are specific to deaths in custody. **No**: Policies do not explicitly provide procedures for the disposition of unclaimed remains. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1280]**Yes fully**: Policies explicitly provide procedures for the disposition of the deceased's personal property, including a timeline on when authorized individuals can claim property **and** how unclaimed property is disposed of. **Yes partially**: Policies explicitly provide procedures for the disposition of the deceased's personal property, but do not include a timeline on when authorized individuals can claim property. **No**: Policies do not explicitly provide procedures for the disposition of the deceased's personal property. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1281]**Yes fully**: Policies explicitly provide procedures for the disposition of the deceased's institutional account, including a timeline on when authorized individuals can claim funds **and** how unclaimed funds are disposed of. **Yes partially**: Policies explicitly provide procedures for the disposition of the deceased's institutional funds, but do not include a timeline on when authorized individuals can claim funds. **No**: Policies do not explicitly provide procedures for the disposition of the deceased's institutional account funds. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1282]**Yes fully**: Policies explicitly refer to the disposition of any survivor or death-related benefits to which the deceased's next of kin or family may be entitled (eg. Social Security survivor benefits, Workers' compensation death benefits, life insurance, death related-Veterans Affairs benefits) and how they will be used. **Yes partially**: Policies refer to benefits the deceased received or was entitled to but do not allow for disposition of said benefits **or** clarify how benefits will be used. **No**: Policies do not refer to benefits of any kind. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

Table 15. **Return of Remains and Personal Property Grid**									
		Remains[1276]							283
CBP	No[1284]	N/A[1285]	N/A[1286]	N/A[1287]	N/A[1288]	N/A[1289]	N/A[1290]	N/A[1291]	N/A[1292]

[1279] **Yes fully**: Policies explicitly provide death in custody specific procedures for the disposition of indigent remains (e.g. cremation, burial, donation). These policies must be clear that if the deceased does not have sufficient assets to cover expenses, final disposition expenses are not covered by the deceased (eg. through institutional account) by explicitly stating that costs are either covered by the facility, the DOC, or another party where payment is not required (eg. institution accepting donation of remains). **Yes partially**: Policies explicitly provide death in custody specific procedures for the disposition of unclaimed remains but are unclear about who covers disposition expenses in cases other than donation of remains **or** procedures explicitly require that the disposition costs are covered by the deceased and don't expressly state whether the facility or DOC will cover the remaining disposition expense. **No**: Policies do not provide death in custody specific procedures for the disposition of indigent remains. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1276]**Yes– Self-directed disposition then next-of-kin**: Policies recognize the deceased's right to self-directed disposition then defer to next-of-kin. **Yes–Next-of-kin:** Policies only defer to the next-of-kin's authority over disposition of remains. **No**: Policies do not explicitly give. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1283] **Yes fully**: Policies explicitly refer to a will, testament, testate estate, executor/personal representative acting under a will, or carrying out the decedent's expressed testamentary wishes. The following are examples of language that would count under a "Yes fully": "will" or "last will and testament," "testate," "executor" where the policy is clear that the executor is acting under a will, or "personal representative named in the will." **Yes partially**: Policies use related estate language that suggests post-death legal administration, but does not clearly acknowledge a will or does not explain how it is to be honored. The following are examples of language that would count under a "Yes partially": "estate," "heir(s)," "probate," "administrator," "personal representative" if it is unclear whether that means a will-based executor or just a general estate representative. **No**: Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. **N/A**: No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1284]All identified policies related to death in custody. U.S. Customs and Border Protection, Memorandum: Notification and Review Procedures for Certain Deaths and Deaths in Custody (2023), https://www.cbp.gov/document/foia-record/notification-and-review-procedures-certain-deaths-and-deaths-custody The policy does not address disposition of remains or property.

[1285] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1286] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1287] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1288] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1289] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1290] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1291] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1292] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

Table 15. **Return of Remains and Personal Property Grid**									
ICE	Yes fully[1293]	Yes–Next-of-kin[1294]	Yes fully–7 days for family after notification, then 7 days for consulate if family cannot be located or declines[1295]	Yes fully–coordinate with ICE. ERO to decide cremation or donation for medical research [1296]	Yes fully–coordinate with ICE to decide cremation or donation for medical research[1297]	Yes partially–collect and return to ICE/ERO for processing and disposition[1298]	Yes partially–collect and return to ICE/ERO for processing and disposition[1299]	No[1300]	No[1301]
FBOP	Yes	Yes–Next-of-	No[1304]	No[1305]	No[1306]	Yes	Yes	Yes	No[1310]

[1293] U.S. Immigration and Customs Enforcement, 2025 National Detention Standards, revised June 18, 2025, Standard 4.6(B)(3), "Disposition of Remains," p 141-142, https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf

[1294]ICE, 2025 National Detention Standards, Standard 4.6(B)(3), 142. ICE allows the detainee's family seven calendar days from notification to claim remains and coordinates logistical details for return to next of kin.

[1295]ICE, 2025 National Detention Standards, Standard 4.6(B)(3), 142. The family has seven calendar days after notification to claim remains. If the family cannot be located or declines, the detainee's consulate has seven calendar days after written notification to claim the remains.

[1296]ICE, 2025 National Detention Standards, Standard 4.6(B)(3), 142. If neither family nor consulate claims the remains, the facility coordinates with ICE but may not independently authorize cremation or donation for medical research.

[1297] ICE, 2025 National Detention Standards, Standard 4.6(B)(3), 142. This policy is treated as applying to indigent remains because unclaimed-remains procedures include options that may not require payment, though the policy does not specify how burial or cremation costs are covered.

[1298] ICE, 2025 National Detention Standards, Standard 4.6(B)(3), 142. ICE requires facilities to collect and return a deceased detainee's property and funds to ICE/ERO for processing and disposition, but the standard does not specify a timeline for return to next of kin or disposition of unclaimed property/funds.

[1299]ICE, 2025 National Detention Standards, Standard 4.6(B)(3), 142. ICE requires facilities to collect and return a deceased detainee's property and funds to ICE/ERO for processing and disposition, but does not detail how that disposition occurs.

[1300] Policies do not refer to benefits of any kind.

[1301] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

[1304] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated).

[1305]Policies do not explicitly establish procedures for the disposition of unclaimed remains.

[1306]Policies do not explicitly establish procedures for the disposition of indigent remains.

[1310] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1302]	kin[1303]				fully–forwarded to next-of-kin in accordance with state law. Considered abandoned if unclaimed after two attempts at shipping[1307]	partially–disposition based Acknowledgment of Inmate Forms[1308]	fully–Inmate Accident Compensation[1309]	
Alabama	Yes	Yes–Next-of-	No[1313]	Yes	Yes	Yes	No[1317]	No[1318]	No[1319]

[1302]Code of Federal Regulations, 28 C.F.R. § 549.80: Authority to Conduct Autopsies, https://www.ecfr.gov/current/title-28/chapter-V/subchapter-C/part-549/subpart-G/section-549.80 ; Federal Bureau of Prisons, Program Statement 5553.08: Escapes/Deaths Notifications (2017), https://www.bop.gov/policy/progstat/5553.08.pdf ; Federal Bureau of Prisons, Program Statement 5800.18: Receiving and Discharge Manual (2014), https://www.bop.gov/policy/progstat/5800_018.pdf ; Code of Federal Regulations, 28 C.F.R. Part 301: Inmate Accident Compensation, https://www.ecfr.gov/current/title-28/chapter-III/part-301.

[1303]28 C.F.R. § 549.80; BOP, Program Statement 5553.08, p 6-7. The body may be released to a funeral home only if no burial preparation occurs before the autopsy decision. BOP identifies the next of kin listed on BP-A0408 as having authority over disposition of remains and property, and the Case Management Coordinator coordinates disposition/shipping with the Supervisory Contract Specialist. Military officials determine personal-property disposition for military prisoners not discharged from service. For non-U.S. citizens, the warden must notify the consulate, but no further consular-disposition procedure is specified.

[1307] BOP, Program Statement 5800.18, 35. Authorized personal property of a deceased inmate is forwarded to the next of kin under state law; after two failed shipping attempts, it is treated as abandoned and disposed of under Bureau procedures

[1308]BOP, Program Statement 5800.18, 20; BP-A0408, "Acknowledgment of Inmate," Parts 3-4, 1. BOP forms provide information for disposition of property and funds after death, but do not establish a timeline or procedure for unclaimed funds.

[1309]28 C.F.R. Part 301, Subpart A, § 301.101(a). Dependents of federal inmates may receive Inmate Accident Compensation for work-related death from Federal Prison Industries or other approved institutional work assignments.

[1313] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated).

[1317] Policies do not explicitly provide procedures for the disposition of the deceased's institutional account funds.

[1318] Policies do not refer to benefits of any kind.

[1319] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1311]	kin[1312]		fully–Cremation or burial by ADOC[1314]	partially–Cremation or burial by ADOC, unclear who pays[1315]	fully–released to next-of-kin. Disposed of if unclaimed after 30 days[1316]			
Alaska	Yes fully[1320]	Yes–Next-of-kin[1321]	No[1322]	No[1323]	No[1324]	Yes fully–released or shipped to the	Yes fully–released to claimants, after	No[1327]	No[1328]

[1311] Alabama Department of Corrections, Administrative Regulation 338: *Inmate Property* (2023), https://doc.alabama.gov/docs/AdminRegs/AR338.pdf; Alabama Department of Corrections, Request for Proposal No. 2025-01: *Inmate Cremation and Burial Services* (2025), https://www.doc.alabama.gov/images/RFP/RFP2025-01.pdf is a document establishing the Alabama Department of Corrections contract for inmate cremation and burial services that provides details on ADOC policies.

[1312]Alabama Code, Ala. Code § 34-13-11: *Right of Disposition* (2018), p 15–18, https://fsb.alabama.gov/wp-content/uploads/2022/12/StatutesRegulationsAct2018.pdf establishes a general right to self-directed disposition within Alabama but no Alabama DOC document recognizes that right and defers to family.

[1314]Alabama DOC, RFP No. 2025-01, p 3, 16–17. If an inmate's family does not claim the remains or make arrangements, the remains become the State's responsibility and may be cremated or buried through ADOC's contracted vendor. The RFP also requires the vendor to stop preparation if a family member comes forward before ADOC-directed preparation is complete.

[1315]Alabama DOC, RFP No. 2025-01, p 3, 16–17. If an inmate's family does not claim the remains or make arrangements, the remains become the State's responsibility and may be cremated or buried through ADOC's contracted vendor. The RFP also requires the vendor to stop preparation if a family member comes forward before ADOC-directed preparation is complete.

[1316] Alabama DOC, AR 338 Section V(H), 7 requires deceased inmates' property to be inventoried, secured, and released to next of kin, with ADOC LESD approval when needed for deaths under investigation. The next of kin must sign for the property, or may have it mailed by certified mail/return receipt at their expense unless the inmate's account has sufficient funds to cover mailing. Unclaimed property is disposed of after 30 days.

[1320]Alaska DOC, Policy 104.04: Death of a Prisoner (2024), https://doc.alaska.gov/pnp/pdf/104.04.pdf : Death of a Prisoner (2024), https://doc.alaska.gov/pnp/pdf/104.04.pdf ; DOC policy 811.05 Prisoner Personal Property And Release Clothing Section XII.; DOC policy 302.12 Prisoner Accounts

[1321]AK Stat § 13.75.010 establishes right to self-directed disposition but not acknowledged by Alaska DOC documents; Alaska DOC, Policy 104.04, Section (C), 4 states the next of kin is charged with communicating with the Medical Examiner to make arrangements for the return of remains. The policy also refers next of kin needing financial assistance for funeral arrangements to apply for the General Relief Burial Funds.

[1322]Alaska DOC, Policy 104.04, Section C, 4. The Statewide Chaplaincy Coordinator must make every effort to locate next of kin when none is listed in the prisoner's file, but the policy does not establish a timeline for doing so or specify procedures for unclaimed or indigent remains.

[1323]Alaska DOC, Policy 104.04, Section C, 4. The policy requires efforts to locate next of kin but does not specify what happens to unclaimed remains.

[1324]Alaska DOC, Policy 104.04, Section C, 4. The policy does not specify procedures for indigent remains.

[1327]Policies do not refer to benefits of any kind.

[1328] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
						claimant. Disposed of if unclaimed after 90 days[1325]	authorized deductions. Funds unclaimed after one year are considered abandoned and turned over to the state[1326]		
Arizona	Yes fully[1329]	Yes – Next-of-kin[1330]	No[1331]	Yes fully–internment by DOC[1332]	Yes partially–internment by DOC, unspecified who	Yes partially–Released to personal representa	Yes partially–Released to personal representative in	No[1336]	Yes partially[1337]

[1325] DOC policy 104.04 F. (6) "The Statewide Chaplaincy Coordinator shall facilitate the release of the deceased prisoner's property pursuant to Policy and Procedure 811.05… The Statewide Chaplaincy Coordinator shall facilitate the release of any property not required to complete the investigation." DOC policy 811.05 Prisoner Personal Property And Release Clothing Section XII XIII states that the deceased's property is inventoried, stored, and either directly released or mailed to the claimant (13). Property unclaimed after 90 days will be disposed of as established by XIV. Disposal Of Abandoned Personal Property (14).

[1326] Alaska DOC, Policy 104.04, Section F, 6; Alaska DOC, Policy 811.05, Sections XII–XIV, p 13–14. Policy 104.04 requires the Statewide Chaplaincy Coordinator to facilitate release of the deceased prisoner's property under Policy 811.05, excluding property needed for an investigation. Policy 811.05 requires the property to be inventoried, stored, and either released directly or mailed to the claimant; unclaimed property is disposed of after 90 days under the abandoned-property procedures.

[1329] ADCRR, DO 711: Notification of Inmate Hospitalization or Death (2023), https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf : Notification of Inmate Hospitalization or Death (2023), https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf ; ADCCR Department Order 909

[1330] Arizona Revised Statutes, Ariz. Rev. Stat. § 32-1365.01: *Lawful Disposition of Dead Human Body; Authorization Document; Legally Competent Adults; Immunity* (2026), https://www.azleg.gov/viewdocument/?docName=https%3A%2F%2Fwww.azleg.gov%2Fars%2F32%2F01365-01.htm establishes right to self-directed disposition then next-of-kin but ADCCR documents do not expressly recognize that right; ADCCR Department Order 711 Section 3.6, 4 states the remains of a deceased inmate are returned to the next of kin or family. The Warden then notifies the ME to hold the body pending release. The policy also includes specific provisions for foreign national or if the deceased was a member of "a federally recognized Native American Tribe in compliance with Arizona Revised Statute (A.R.S.) §36-831" (4)

[1331] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated).

[1332] ADCCR Department Order 711 Section 4.3, 6 states "All unclaimed bodies shall be scheduled for internment at a location designated by the Department or at another location designated by the contract mortuary upon approval of the Department."

[1336] Policies do not refer to benefits of any kind.

[1337] ADCCR Department Order 711 Section 5, p 6–7recognizes probate administration and authority derived from testamentary letters, but it does not explicitly acknowledge a will or provide procedures for honoring the decedent's testamentary instructions (6-7).

Table 15. **Return of Remains and Personal Property Grid**									
					pays[1333]	tive in probate; otherwise to heir by affidavit after 30 days[1334]	probate; otherwise to heir by affidavit after 30 days[1335]		
Arkansas	Yes fully[1338]	Yes– Self-directed disposition then next-of-kin[1339]	Yes partially– no time specifications for collection of physical remains but 90	Yes fully– Cremated, granted no pre-death religious objection from inmate, and either given to family or	Yes fully– Cremated, granted no pre-death religious objection from inmate, and either given to	Yes partially– disposition to primary or secondary contact[1343]	Yes fully–Held for authorized claimant under death policy; unclaimed after 7 years to welfare	No[1345]	No[1346]

[1333]While ADCCR Department Order 711 Section 4.3, includes a provision for unclaimed bodies (internment), it is unclear who (e.g. the deceased or the department or facility) is responsible for the disposition expenses.
[1334]ADCCR Department Order 909 Section 4.1.7, 10 states property of deceased inmates will be secured by two staff members and an An Affidavit for Collection of Personal Property will be notarized. ADCCR Department Order 711 Section 5, p 6–7 states that release of property is dependent on whether the deceased's estate is probated, but regardless 30 days must elapse after the inmate's death for release. However, the policy does not establish a timeline for when property is considered abandoned or what happens to abandoned property (6-7).
[1335]ADCCR Department Order 711 Section 5, p 6–7 states funds and assets are inventoried in accordance with ADCCR Department Order 909. Moreover, that release of funds are dependent on whether the deceased's estate is probated, but regardless 30 days must elapse after the inmate's death for release. However, the policy does not establish a timeline for when funds are considered abandoned or what happens to abandoned funds (6-7).
[1338]Arkansas Department of Corrections, Administrative Directive 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts, (2012), https://arktimes.com/wp-content/uploads/2019/03/pdf-ad_2012-031_inmate_death_____disposition_of_remains_-_design.pdf ;
[1339] Arkansas Code, Ark. Code Ann. § 20-17-102: *Final Disposition Rights* (2024), https://law.justia.com/codes/arkansas/title-20/subtitle-2/chapter-17/subchapter-1/section-20-17-102/ establishes the right to self-directed disposition then next-of-kin. Arkansas DOC, AD 12-31 Section IV (A) p 2–3 also affirms inmate's right to self-directed disposition. The person claiming the body (either the person designated by the deceased or the next-of-kin), will be advised to contact the Office of the State Medical Examiner for further information t. he claimant is responsible for disposition costs.
[1343] Arkansas DOC, AD 12-31 Section IV (A) 2 states that the inmate's primary or secondary contact can be designated to claim the inmate's personal property. Arkansas Code of Rules, 12 CAR § 70-103: *Inmate Property Control*, https://codeofarrules.arkansas.gov/Rules/Rule?levelType=section&titleID=12&chapterID=229&subChapterID=285&partID=1053&subPartID=8304&sectionID=54657 (e) states a system must exist for property control and include "Disposition of personal property in the event of an inmate's death" but does not give further details.
[1345]Policies do not refer to benefits of any kind.
[1346]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
			days to collect cremated remains after DOC arranges cremation [1340]	scattered in cemetery or their family or buried in designated cemetery, paid for by DOC[1341]	family or scattered in cemetery or their family or buried in designated cemetery, paid for by DOC[1342]		fund[1344]		
California	Yes fully[1347]	Yes– Next-of-kin[1348]	Yes– 48 hours after notification; 10 days after reasonabl	Yes fully–Cremation or burial by DOC, costs recovered from	Yes partially–Cremation or burial, costs recovered from	Yes fully–Shipped to designated next of kin if accepted;	Yes fully–Used for actual death-related costs first; remaining funds held 1	Yes partially [1354]	Yes fully[1355]

[1340] Arkansas DOC, AD 12-31 Section IV (C), pp.. 3–4 states unclaimed bodies are either cremated or buried depending on religious beliefs. If cremated remains are still unclaimed after 90 days, they will be scattered in a designated cemetery (4). Unclaimed bodies that are not cremated will be buried in the designated cemetery. Chaplains should make a "diligent effort" to contact family to claim the body but does not give specific time information regarding claiming remains prior to cremation

[1341] Arkansas DOC, AD 12-31 Section IV (C), pp.. 3–4. For unclaimed bodies, Arkansas DOC is responsible for final disposition and payment. The Administrator of Medical and Dental Services must coordinate arrangements with an approved funeral director or UAMS. If the inmate did not previously object to cremation and the family does not object on religious grounds, the body may be cremated; unclaimed cremains are scattered in a designated cemetery after 90 days. Uncremated unclaimed bodies are buried in the designated cemetery.

[1342] Arkansas DOC, AD 12-31 Section IV (C), pp.. 3–4. For unclaimed bodies, Arkansas DOC is responsible for final disposition and payment. The Administrator of Medical and Dental Services must coordinate arrangements with an approved funeral director or UAMS. If the inmate did not previously object to cremation and the family does not object on religious grounds, the body may be cremated; unclaimed cremains are scattered in a designated cemetery after 90 days. Uncremated unclaimed bodies are buried in the designated cemetery.

[1344] 12 CAR § 60-105(2)(D), (3)(A). Arkansas permits offender funds to be released only to properly authorized claimants, including under applicable death-related policies or directives. If funds remain unclaimed for seven years, they are deposited into the Offender Assistance or Welfare Fund.

[1347] CDCR, DOM § 51070.10 – .17

[1348] Cal. Health & Safety Code § 7100.1; CDCR, DOM §§ 51070.10(c), 51070.12.2. California law recognizes self-directed disposition before next-of-kin authority. CDCR policy requires notice to the deceased person's emergency contact identifying where the remains were released and explaining that the contracted mortuary awaits disposition instructions at the emergency contact's expense. If the remains are not claimed within 48 hours, disposition proceeds as provided by law. CDCR policy also addresses consular notification for foreign nationals, but does not specify how that affects disposition of remains.

[1354] CDCR, DOM § 54010.18.2(a)(1) requires U.S. government checks received for deceased or discharged inmates to be returned to the issuing agency with notice of the inmate's death or discharge, but does not provide for transfer to next of kin or otherwise specify use of those benefits.

[1355] Cal. Penal Code § 5061(a), states if the decedent left a will, the director must, within 30 days of death, deliver it to the clerk of the superior court with jurisdiction over the estate. If the will names an executor, the director must also provide that person with written notice that the will has been delivered.

Table 15. **Return of Remains and Personal Property Grid**									
			e efforts to locate claimants [1349]	inmate's account[1350]	inmate's account but without specificatio n on whether DOC pays if account is insufficient [1351]	otherwise tangible property held 1 year, intangible property 3 years, then disposed under state law [1352]	year for heirs, then transferred to unclaimed property[1353]		
Colorado	Yes	Yes-	Yes fully–	Yes fully–	Yes fully–	Yes	Yes	Yes	No[1364]

[1349]CDCR, DOM §§ 51070.10(c)(2), 51070.17(a). If the listed contact cannot be reached within 72 hours, the warden must notify the Associate Director that reasonable contact efforts have been exhausted, after which the Associate Director seeks additional next-of-kin assistance from OCS. A body is deemed unclaimed at least 10 days after all reasonable efforts to locate a claimant have been exhausted and no one is available to direct disposition.

[1350]CDCR, DOM § 51070.17; Cal. Penal Code § 5061. CDCR policy treats remains as unclaimed at least 10 days after reasonable efforts to locate someone authorized to direct disposition have failed. If no one claims the body, CDCR arranges cremation or burial through a licensed mortuary under contract, though the warden may allow friends or private agencies to arrange burial at private expense or using the deceased person's funds. California law also permits funds or property remaining in CDCR custody to be applied toward cremation, burial, and related expenses.

[1351]CDCR, DOM § 51070.17; Cal. Penal Code § 5061. CDCR policy treats remains as unclaimed at least 10 days after reasonable efforts to locate someone authorized to direct disposition have failed. If no one claims the body, CDCR arranges cremation or burial through a licensed mortuary under contract, though the warden may allow friends or private agencies to arrange burial at private expense or using the deceased person's funds. California law also permits funds or property remaining in CDCR custody to be applied toward cremation, burial, and related expenses.

[1352]CDCR, DOM Section 54030.16; Cal. Penal Code § 5061. CDCR policy requires the warden to inventory and store a deceased inmate's property and ship it to the inmate's designated next of kin at the inmate's expense. If account funds are insufficient, the property is shipped only if the next of kin requests it. If no one is identified or willing to accept the property, or delivery fails, tangible property is held for one year and intangible property for three years before disposition. California law similarly requires unclaimed property to be held for one year for heirs, legatees, or successors; after that period, legal documents are filed with the county public administrator, most remaining property may be sold with proceeds treated as unclaimed property, and property with no value or no feasible sale may be destroyed.

[1353]CDCR, DOM § 51070.16; Cal. Penal Code § 5061(c). CDCR policy requires the Associate Warden for Business Services to maintain mortuary arrangements, establish procedures for handling the deceased inmate's property and trust funds, provide burial clothing and needed state services, and liquidate bonds or securities when necessary to recover death-related costs, with any surplus returned to the inmate's trust account. California law requires remaining funds to be held for one year for heirs, legatees, or successors; if unclaimed, they are transferred to the State Treasurer for deposit in the Unclaimed Property Fund.

[1364] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1356]	Next-of-kin[1357]	5 days for claiming body prior to DOC taking control but 30 days for ashes cremated by DOC[1358]	Cremation or burial by DOC, cost recovered if possible by resources of deceased[1359]	Cremation or burial by DOC, cost paid for by the stat[1360]	partially –Released to next of kin after inventory and OIG clearance; if unclaimed, donated or destroyed	partially– Released to next of kin unless burial costs apply; if next of kin is unclear and funds exceed $500, court disposition may be	fully[1363]	

[1356] Colorado Department of Corrections, Administrative Regulation 850-06: *Offender Property* (2026), https://drive.google.com/file/d/1nPjdDIxOxE3pLb7De31rLgy_t7fxeLyL/view ; Colorado Department of Corrections, Administrative Regulation 850-10: *Emergency Notifications* (2026), https://drive.google.com/file/d/15pL3NBdIpzsWzx0_008nOlqCY-KXYP6G/view.
; Colorado Revised Statutes, C.R.S. § 17-42-122: *Custody of Personal Property of Offenders* (2025), § 17-42-122(6)

[1357] Colorado Revised Statutes, C.R.S. § 15-19-104: *Declaration of Disposition of Last Remains* (2024), § 15-19-104(1),https://law.justia.com/codes/colorado/title-15/human-bodies-after-death/article-19/part-1/section-15-19-104/ establishes right to self-directed disposition then falls to next-of-kin but not recognized by Colorado DOC; Colorado DOC, AR 850-10, Section IV(C), 3. Colorado DOC encourages family or next of kin to take custody of the body after release by authorities. If they choose to do so, they must coordinate with the DOC's contract mortuary or coroner and pay any additional costs, such as shipping. Once they accept financial responsibility, DOC seeks approval from the coroner's office or contract mortuary to release the body or cremains to the mortuary service selected by the family.

[1358]Colo. Rev. Stat. § 17-42-122(6); Colorado DOC, AR 850-10, § IV(C), 3. If an incarcerated person dies before discharge and the body remains unclaimed for more than five days, Colorado law allows remaining account funds to be used to cover state burial costs, with any balance paid to the estate once burial costs are paid or the body is claimed. Colorado DOC policy separately provides that unclaimed cremains may be stored by the mortuary for up to 30 days, after which DOC staff must collect them.

[1359]Colorado DOC, AR 850-10, § IV(C), 3. If no family member claims the body, refuses custody, or declines financial responsibility, Colorado DOC arranges state-funded cremation through its mortuary contract and may recover costs from the deceased's available resources, including account funds, benefits, or insurance. Unclaimed cremains are held by the mortuary for up to 30 days before DOC staff must retrieve them. For veterans, if cremains remain unclaimed for 60 days, the facility must seek interment at Fort Lyon National Cemetery and arrange burial there if approved.

[1360] Colorado DOC, AR 850-10, Section IV(C), 3. If no family member claims the body, refuses custody, or declines financial responsibility, Colorado DOC arranges cremation at state expense through its mortuary contract and may recoup costs from the deceased's available resources, including account funds, benefits, or insurance. Unclaimed cremains are held by the mortuary for up to 30 days before DOC staff retrieve them. For veterans, if cremains remain unclaimed for 60 days, the facility must seek interment at Fort Lyon National Cemetery and arrange transport if approved.

[1363] Colorado DOC, AR 850-10, Section IV(C), 3 states that social security, veteran's benefits, and insurance can be used to pay for the disposition of remains when authority falls to the DOC (3).

Table 15. **Return of Remains and Personal Property Grid**									
						[1361]	required[1362]		
Connecticut	Yes fully[1365]	Yes–Next-of-kin[1366]	Yes partially "diligent effort"[1367]	Yes fully–DOC arranges for disposition, paid for using money from inmate's account funds[1368]	Yes partially–DOC arranges for disposition, unclear who pays if inmate account is	Yes fully–Next of kin notified to collect; unclaimed property disposed after 30	Yes fully–Trust Office notified; Fiscal Services coordinates funeral payment and disposition	No[1372]	No[1373]

[1361]Colorado DOC, AR 850-06, § IV(L), p 7–8; Colorado DOC, AR 850-10, § IV(D), 4. Colorado DOC requires staff to inventory and secure a deceased person's property, with the property officer completing and signing an inventory that remains with the items. After the Office of Inspector General releases the property, it is transferred to the next of kin or, if requested and sufficient account funds are available, mailed by certified mail. If no one claims the property, the administrative head or designee may donate or destroy it, and a written disposition report must be placed in the offender's file.

[1362] Colorado DOC, AR 850-10, § IV(D), 4. states Colorado provides that money in a deceased offender's account goes to the next of kin if DOC does not bear the burial cost. If the account exceeds $500 and next of kin is unclear, the attorney general may seek a court order on disposition of the funds (4); Colo. Rev. Stat. § 17-42-122(6)

[1365]Connecticut Department of Correction, Administrative Directive 8.2: *Offender Death* (2021), https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf; Connecticut Department of Correction, Administrative Directive 6.10: *Inmate Property* (2025), https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0610pdf.pdf.

[1366]Connecticut General Statutes, Conn. Gen. Stat. § 45a-318: *Document Directing or Designating Individual to Have Custody and Control of Disposition of Deceased Person's Body* (2024), https://law.justia.com/codes/connecticut/title-45a/chapter-802b/section-45a-318-formerly-sec-45-253/ establishes right to self-directed disposition then passes to next-of-kin ; Connecticut DOC, AD 8.2, Section 7, 3 states the Medical Examiner will release the body to a Funeral Director that was previously designated by the next of kin, or alternatively, the Unit Administrator or Director of Parole and Community Services. The Unit Administrator or Director of Parole and Community Services are then responsible for the transfer of the body to the funeral home. "Payment for services provided on behalf of a deceased offender shall be the responsibility of the next of kin unless there is a claim of indigence."

[1367]Connecticut DOC, AD 8.2, Section 7, 3 "If the next of kin has refused to claim the body, or if after a diligent effort by the Unit Administrator/Director of Parole and Community Services the next of kin cannot be contacted/located, the Unit Administrator or the Director of Parole and Community Services shall instruct the Funeral Director to carry out the final disposition of the body"

[1368] Connecticut DOC, AD 8.2, Section 7, 3 states that if no next of kin can be found, or none exists, the Department assumes responsibility for the body's final disposition. The Unit Administrator or Director of Parole and Community Services coordinates arrangements with an approved funeral director in line with state law, and the Fiscal Services Unit handles payment for funeral arrangements and disposition of any remaining funds in the offender's account."

[1372] Policies do not refer to benefits of any kind.

[1373] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
					insufficient [1369]	days[1370]	of remaining funds. Unclaimed funds transferred to welfare account after 1 year[1371]		
D.C.	Yes	Yes–	No[1376]	No[1377]	No[1378]	No[1379]	Yes	No[1381]	No[1382]

[1369] Ibid.

[1370]Connecticut DOC, AD 8.2, Section 6, 2 states "At the time of the death notification, the next of kin shall be advised of the procedures to collect the personal effects of the deceased. If the next of kin do not wish to come to the facility, the Unit Administrator shall forward a letter to them within one (1) week of the death, to express appropriate concern and to address the aforementioned matters. If the property is not claimed, the Unit Administrator or designee shall determine the disposition of the property in accordance with Administrative Directive 6.10, Inmate Property. " Connecticut DOC, AD 6.10, Section 33, 11 states that if property is not claimed after 30 days it is deemed unclaimed. Unclaimed inmate property that has reasonable market value must be inventoried and transferred through the Department's disposal process, while property with no reasonable market value may be discarded at the facility level. Clothing, commissary items, and legal/paper materials are treated as having no reasonable market value. Unclaimed account funds are forfeited after one year and transferred to the Correctional General Welfare Fund, or immediately upon escape/abscond status.

[1371]Connecticut DOC, AD 8.2, Section 5, 2 states that after an offender's death, the Inmate Trust Office must be notified, and Fiscal Services coordinate funeral payment and the disposition of any money remaining in the offender's account. Connecticut DOC, AD 6.10, Section 33, 11 states that unclaimed account funds are forfeited after one year and transferred to the Correctional General Welfare Fund. (11)

[1376]D.C. OCME, Public Dispositions. states that bodies are declared unclaimed after 15 days of being received by OCME but this is not DOC/inmate specific policy.

[1377]D.C. DOC PP 4352.1E Inmate-Arrestee Deaths does not address unclaimed remains. D.C. OCME, Public Dispositions. states that OCME arranges for cremation of unclaimed bodies but it's not a DOC/inmate specific policy.

[1378]D.C. DOC PP 4352.1E Inmate-Arrestee Deaths states Section 14 "Next of kin or other persons in need of burial assistance shall be referred to the D.C. Department of Human Services, Burial Assistance Unit" (8). Office of the Chief Medical Examiner Public Guidance also states that OCME arranges for cremation of unclaimed bodies. However, neither specifically addresses indigent inmates.

[1379]DC. DOC PP 4050.1I Inmate Property does not address release or disposition of inmate property in cases of death.

[1381]Policies do not refer to benefits of any kind.

[1382]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1374]	Next-of-kin[1375]					partially [1380]		
Delaware	No[1383]	N/A[1384]	N/A[1385]	N/A[1386]	N/A[1387]	N/A[1388]	N/A[1389]	N/A[1390]	N/A[1391]
Florida	Yes fully[1392]	Yes–Next-of-kin[1393]	Yes partially–"medicially acceptable time"[1394]	Yes fully–Claimed by the Anatomical Board at the University of Florida Health Science	Yes fully–Claimed by the Anatomical Board at the University of Florida Health	Yes fully–Released to listed contact if claimed; otherwise donated after 30	Yes fully–Held for personal representative; unpaid state claims satisfied first, remainder	No[1399]	No[1400]

[1374] D.C. DOC PP 4352.1E; D.C. DOC PP 4210.3D.

[1375] § 3–413. Claim of human remains — Order of priority of next of kin (a) establishes a right of self-directed authorization then passes it to next-of-kin. § 5–1411. Delivery of body; expenses requires Office of the Chief Medical Examiner (OCME) to release the body of the deceased to the person with the right of disposition. D.C. DOC PP 4352.1E Inmate-Arrestee Deaths Section 14 states "Next of kin or other persons in need of burial assistance shall be referred to the D.C. Department of Human Services, Burial Assistance Unit" (8)

[1380]Under D.C. PP 4210.3D, Section 17, if an inmate dies in DOC custody, notification is made based on the Notification in Case of Emergency form, which identifies the inmate's beneficiary. Each year Inmate Finance reviews accounts of inmates who were released, transferred, or deceased during the prior year to identify accounts in unclaimed status (7-8). However, this is not a specific disposition policy and does not establish a timeline or what happens to unclaimed funds.

[1383]None of the identified DOC policies substantively address disposition of remains, property, or funds after death; Delaware Department of Correction, Policy 8.36: *Inmate Personal Property* (2015), https://doc.delaware.gov/assets/documents/policies/policy_8-36.pdf. ; Delaware Department of Correction, Policy 11-A-09: *Procedure in the Event of an Offender Death or Incident of Self-Directed Violence* (2023), https://doc.delaware.gov/assets/documents/policies/policy_11-A-09.pdf

[1384] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1385] Ibid.

[1386] Ibid.

[1387] Ibid.

[1388] Ibid.

[1389] Ibid.

[1390] Ibid.

[1391] Ibid.

[1392] Florida Administrative Code, Florida Administrative Code, Fla. Admin. Code r. 33-602.112: Inmate Deaths Notification Process, https://www.law.cornell.edu/regulations/florida/Fla-Admin-Code-Ann-R-33-602-112; Fla. Admin. Code r. 33-602.201 Inmate Property; 11G-2.003 Investigation. Section 3, https://flrules.org/gateway/notice_Files.asp?ID=24728324

[1393] 497.005 (43)(a) establishes right to self-directed disposition then the responsibility to next-of-kin; Fla. Admin. Code r. 33-602.112 2(a) –(b) Florida DOC must protect the body until the district medical examiner authorizes release. After release, DOC arranges lawful disposition, but the body may be surrendered before final disposition to a person with a valid claim who agrees to pay for lawful disposal.

[1394] Fla. Admin. Code r. 33-602.112 3 (b) states " The body may be held for a medically acceptable period of time to determine whether it will be claimed."

[1399] Policies do not refer to benefits of any kind.

[1400] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
				Center or, if the Anatomical Board does not claim it, buried or cremated, provides no religious objections, arranged by the warden at a designated DOC cemetery[1395]	Science Center or, if the Anatomical Board does not claim it, buried or cremated, provided no religious objections arranged by the warden at a designated DOC cemetery[1396]	days[1397]	escheats to State after 1 year[1398]		
Georgia	Yes	Yes–	No[1403]	Yes	Yes	Y–	Y–Released	No[1408]	No[1409]

[1395]Fla. Admin. Code r. 33-602.112(1)(c), (3). Florida requires notice to the Anatomical Board if the inmate was indigent, the body is unclaimed, or disposition would occur at state expense. If no authorized person, next of kin, or qualifying organization claims the body, the Anatomical Board may claim it. If the Board declines, the warden or designee determines burial or cremation based on cost, available space, possible veteran burial eligibility, and whether cremation is prohibited by the deceased inmate's faith preference.

[1396]While the unclaimed remains policy does not specify whether the facility or DOC pays, since the policy also provides that remains may be donated to the Anatomical Board at the University of Florida Health Science Center, which would not impose a cost on either the deceased or the DOC/facility, this policy also addresses indigent remains.

[1397]Fla. Admin. Code r. 33-602.112(11) states when an inmate dies, the institution must inventory and securely store the property and try to contact the person listed on the inmate's notification record to claim it. If that person is located, the property is released upon a signed receipt, which is then placed in the inmate's property file. If the listed person cannot be located, or does not make arrangements to take possession, the property is donated to charity. The institution must hold the abandoned property for 30 days to allow time for these procedures to be carried out.

[1398]Fla. Admin. Code r. 33-203.201. Upon an inmate's death, funds in the inmate's trust account above $1 are held pending notice from the inmate's personal representative. Unclaimed funds may be applied to unpaid state claims, and any remaining balance escheats to the State after one year as unclaimed fiduciary funds under Fla. Stat. § 944.516.

[1403]Ga. Com R. & Regs. r. 125-2-4-.20(c). Georgia requires release of the deceased inmate's body to next of kin or their agent within 24 hours after a demand for release, unless foul play may be involved or there is a legal dispute over release. However, this is a release deadline after a claim is made, not a deadline for when next of kin must claim the body or when remains become unclaimed.

[1408]Policies do not refer to benefits of any kind.

[1409]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1401]	Next-of-kin[1402]		fully–Warden or Superintendent arranges burial at or near Georgia State Prison–either paid for using inmate's account funds or via funds from county governing	fully–Warden apply to county governing authority for burial funds. State Board of Corrections reimburses county. Buried at Georgia State prison or	Released to beneficiary or next of kin if valued at $1,000 or less; otherwise held for probate; unclaimed property disposed after 1 year[1406]	to beneficiary or next of kin if valued at $1,000 or less; otherwise held for probate; unclaimed property disposed after 1 year[1407]		

[1401]Georgia Rules and Regulations, Georgia Rules and Regulations, Ga. Com R. & Regs. r. 125-2-4-.20: Death and Interment, https://rules.sos.ga.gov/gac/125-2-4-.20 : Death and Interment, https://rules.sos.ga.gov/gac/125-2-4-.20 ; Georgia DOC, SOP 208.03: Death of an Offender, (2015), https://public.powerdms.com/GADOC/documents/105692 .; Georgia DOC IIA10-0001 (208.03) Attachment; Georgia DOC, SOP 208.03: Death of an Offender (2015), https://public.powerdms.com/GADOC/documents/105692

[1402]Ga. Code Ann. § 31-21-7(a)–(b); Ga. Com R. & Regs. r. 125-2-4-.20(c), (f); Georgia DOC, SOP 208.03, Section IV(I). Georgia law recognizes self-directed disposition before next-of-kin authority. Georgia regulations require the body to be released to the next of kin or their agent within 24 hours of demand unless there is a written finding that foul play may have been involved or a dispute over legality of release. Georgia DOC policy refers to deaths of foreign nationals but does not provide specific procedures for repatriation of remains. For indigent deaths, Georgia regulations direct the family to apply to the county governing authority for funds adequate to provide a decent burial or reimburse funeral costs voluntarily paid by another party.

[1406]Ga. Com R. & Regs. r. 125-2-4-.20(g); Georgia DOC, SOP 208.03, Section IV(I), p 10–11; Georgia DOC, *Disposition of Abandoned Tangible Offender Property*, p 2–5. In the absence of next of kin, the coroner must take possession of valuable property found on the deceased, inventory it, and surrender it to the person entitled to custody; the inventory must be signed by the coroner and warden/superintendent or representative and placed in the deceased inmate's file. Georgia DOC policy allows property and account funds totaling $1,000 or less to be released to the designated beneficiary or next of kin, but requires Legal Services involvement if the value exceeds $1,000, there is a dispute, or release appears unreasonable. Personal property must be inventoried, securely stored, and released only with identification and signed receipt. Property unclaimed for more than one year is treated as abandoned and may be destroyed, sold through state surplus, or donated under the abandoned-property procedure.

[1407]Georgia DOC, SOP 208.03, Section IV(I), p 10–11; Georgia DOC, *Disposition of Abandoned Tangible Offender Property*, p 10–11. If the deceased offender's personal property and remaining account funds total $1,000 or less, Georgia DOC may release them to the designated beneficiary or, if unavailable, next of kin. If the value exceeds $1,000, there is a dispute, or release appears unreasonable, Legal Services must be consulted and the funds are typically held until probate court designates an executor. Claimants must provide identification and sign a receipt retained for at least three years. Unclaimed funds are treated as abandoned property and deposited into the state treasury after one year.

Table 15. **Return of Remains and Personal Property Grid**									
				authority that are reimbursed by DOC[1404]	nearby[1405]				
Hawaii	Yes–partially[1410]	Yes– Next-of-kin[1411]	Yes– 60 days from death[1412]	Yes fully–Cremation arranged by DOC and paid for by the Department of Human	Yes fully–Cremation arranged by DOC and paid for by the Department of Human	Yes fully–Held for next of kin claim for 30 days; unclaimed tangible property	No[1416]	No[1417]	No[1418]

[1404] GDC Policy Number 208.03 IV I. 11 states for unclaimed deceased with account funds their account funds will be used to defray costs of burial. Burial will be organized by Warden or superintendent and will take place either at Georgia State Prison or nearby.

[1405]Ga. Com R. & Regs. r. 125-2-4-.20(f); Georgia DOC, SOP 208.03, Section IV(I), 10. For indigent deaths, Georgia requires the family to apply to the county governing authority for burial funds or reimbursement of funeral costs. If the deceased is indigent and unclaimed, the warden or superintendent applies on the deceased's behalf. For state inmates, the State Board of Corrections reimburses the county for qualifying burial expenses, and indigent state inmates may be buried at Georgia State Prison. If space is unavailable there, the warden, superintendent, or designee must arrange a nearby burial at minimum cost to the Department.

[1410]Hawaii Department of Corrections and Rehabilitation, Policy COR.17.01: *Personal Property, Confiscation and Disposition Of* (2024), https://dcr.hawaii.gov/wp-content/uploads/2024/06/COR.17.01-Personal-Property-Confiscation-and-Disposition-of.pdf. ; Hawaii Revised Statutes, Haw. Rev. Stat. § 327-32: *Administration; Duties of Health Officers* (2025), https://law.justia.com/codes/hawaii/title-19/chapter-327/section-327-32/; Hawaii Department of Corrections and Rehabilitation, Policy COR.10.A.09: *Procedure in the Event of an Inmate Death* (2024), https://dcr.hawaii.gov/policies-and-procedures/pp-cor/ is listed as confidential.

[1411] Hawaii Revised Statutes, Haw. Rev. Stat. § 531B-4: *Right to Control Disposition; Priority* (2025), https://law.justia.com/codes/hawaii/title-29/chapter-531b/section-531b-4/. (a) establishes right to self-directed disposition then falls to next-of-kin. ; Haw. Rev Stat § 327-32 (1) requires every head officer of a correctional facility must exercise due diligence in notifying next-of-kin or other legally responsible party,

[1412] Haw. Rev Stat § 327-32 (1) requires every head officer of a correctional facility to exercise due diligence in notifying next-of-kin or other legally responsible party. Officers must write to the department of human services to confirm the body is unclaimed if applying for public assistance for the cremation expenses in accordance with section 346-15. Haw. Rev Stat § 346-15 (b) says "Individuals who have possession, charge, or control of any unclaimed dead human body to undergo cremation at public expense shall have sixty days from the date of the deceased's death to submit in writing to the department its determination that the dead human body is unclaimed and its application for payment for cremation."

[1416]Hawaii Department of Corrections and Rehabilitation, Policy COR.02.12: *Inmate Trust Accounts* (2024), https://dcr.hawaii.gov/wp-content/uploads/2024/06/COR.02.12-Inmate-Trust-Accounts.pdf does not address disposition of account funds in the case of death.

[1417]Policies do not refer to benefits of any kind.

[1418]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
				Services[1413]	Services[1414]	donated, intangible property held 1 year before disposal[1415]			
Idaho	Yes fully[1419]	Yes–Next-of-kin[1420]	Yes partially–unspecified timeline for	Yes fully–Cremation paid for using remaining	Yes fully–Cremation paid, covered by the	Yes fully–Released to designated	Yes fully–After expenses, paid to designated	No[1426]	No[1427]

[1413] Haw. Rev Stat § 327-32 (1) requires every head officer of a correctional facility to exercise due diligence in notifying next-of-kin or other legally responsible party. Officers must write to the department of human services to confirm the body is unclaimed if applying for public assistance for the cremation expenses in accordance with section 346-15. Haw. Rev Stat § 346-15 (b) says "Individuals who have possession, charge, or control of any unclaimed dead human body to undergo cremation at public expense shall have sixty days from the date of the deceased's death to submit in writing to the department its determination that the dead human body is unclaimed and its application for payment for cremation."

[1414] Haw. Rev Stat § 327-32 (1) requires every head officer of a correctional facility to exercise due diligence in notifying next-of-kin or other legally responsible party. Officers must write to the department of human services to confirm the body is unclaimed if applying for public assistance for the cremation expenses in accordance with section 346-15. Haw. Rev Stat § 346-15 (b) says "Individuals who have possession, charge, or control of any unclaimed dead human body to undergo cremation at public expense shall have sixty days from the date of the deceased's death to submit in writing to the department its determination that the dead human body is unclaimed and its application for payment for cremation."

[1415] Hawaii DCR Policy COR.17.01 5.2 Hawaii DCR Policy COR.17.01 5.2 states two staff members will inventory an inmate's personal property when they die. Property will then be kept in storage after being bagged, sealed, and labeled. The next of kin will then be notified to claim the property, and will have 30 days to do so. If the property is not claimed within 30 days, or the inmate did not have a next of kin, then the property will be disposed of. In this case, tangible property is donated to a charitable organization. The charity that receives the property will sign a form that will be filed in the inmate's file. The charity can decide that the property has no value and can dispose of it at a county-designated disposal. If the property is not tangible, then it will be held for one year prior to being disposed of.

[1419]Idaho Department of Correction, Standard Operating Procedure 312.02.01.001: *Death of an Inmate* (2024), https://forms-idoc.idaho.gov/WebLink/0/edoc/281431/ ; Idaho Department of Correction, Standard Operating Procedure 320.02.01.001: *Property: State-Issued and Inmate Personal Property* (2019), https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=1998575&dbid=0&repo=LFICHE ; Idaho Department of Correction, Standard Operating Procedure 114.03.03.011: *Inmate Trust Account* (2016), https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=283025&dbid=0&repo=LFICHE.

[1420]Idaho Code, Idaho Code § 54-1139: *Instructions for Disposition of Person's Remains* (2024), https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH11/SECT54-1139/ establish the right to self-directed disposition, but IDOC policy does not explicitly recognize the right to self-direction. Idaho IDOC SOP 312.02.01.001 Section 5 states it is the facility head's responsibility to inform the next-of-kin or secondary contact where to claim the body and "Provide the funeral home or crematorium with the deceased inmate's next of kin or secondary contact information" (8).

[1426]Policies do not refer to benefits of any kind.

[1427]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
			claiming the body, 1 year for remains cremated by DOC before final dispositio n.[1421]	balance in inmate's account then the rest covered by the DOC[1422]	DOC[1423]	recipient or, if none, to next of kin; unclaime d after 180 days, donated or destroyed [1424]	recipient or next of kin; after two years unclaimed funds sent to State Treasurer[1425]		
Illinois	Yes	Yes–	No[1430]	Yes	Yes	Yes	Yes	No[1435]	Yes

[1421]Idaho IDOC SOP 312.02.01.001 Section 6, 11 states the IDOC may not withhold ashes from the next of kin or secondary contact, even if IDOC paid for cremation. If neither claims the ashes within 180 days or they decline them, a friend with a prior relationship to the inmate may claim them. If no one claims the ashes, IDOC coordinates with the crematorium to store them for one year, after which the facility head determines final disposition.
[1422]Idaho IDOC SOP 312.02.01.001 Section 6, p 10–11 states if no one arranges the deceased inmate's funeral or cremation, the facility must determine the balance of the inmate's trust account and obtain a cremation invoice. If the trust account has enough money, the full cremation cost is paid from that account; if not, the entire trust account balance is applied and the remaining cost is paid through the department using the appropriate purchasing or program-cost process.
[1423]Idaho IDOC SOP 312.02.01.001 Section 6, p 10–11states if no one arranges the deceased inmate's funeral or cremation, the facility must determine the balance of the inmate's trust account and obtain a cremation invoice. If the trust account has enough money, the full cremation cost is paid from that account; if not, the entire trust account balance is applied and the remaining cost is paid through the department using the appropriate purchasing or program-cost process.
[1424]Idaho DOC, SOP 312.02.01.001, Section 7, p 11–12; Idaho DOC, SOP 320.02.01.001. The facility must contact the person or charitable organization designated by the deceased inmate to arrange pickup or delivery of the inmate's property. Mailing costs are paid from the inmate's trust account. If only some property is accepted, the recipient must complete a form directing disposition of the rest. If no designee exists or can be located, the facility must make good-faith efforts to locate next of kin. If no next of kin claims the property within 180 days, the property may be donated or destroyed under Property: State-issued and Inmate Personal Property SOP 320.02.01.001.
[1425]Idaho DOC, SOP 312.02.01.001, Section 7, 12; Idaho DOC, SOP 114.03.03.011, Section 17, 26. After expenses are paid, any remaining trust-account funds must be distributed under the inmate trust account policy to the person or charitable organization designated on the inmate's Emergency Contact Information Form. If no designee exists or can be located, staff must make good-faith efforts to find next of kin. Unclaimed funds are held under the inmate trust account policy and, after two years, sent to the Idaho State Treasurer's Office.
[1430] Illinois DOC, AD 02.42.107 Section II (E) 1 refers to unclaimed bodies of deceased inmates but also does not give specific timeline.
[1435] Policies do not refer to benefits of any kind.

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1428]	Next-of-kin[1429]		fully–Burial or cremation paid for by facility, but if next-of-kin wishes to claim remains after the fact they may have to reimburse the DOC[1431]	fully–Burial or cremation paid for by facility, but if next-of-kin wishes to claim remains after the fact they may have to reimburse the	fully–Unclaimed personal property disposed after 1 year; clothing after 30 days[1433]	fully–Released with required estate documents; unclaimed funds go to State Treasurer after 1 year[1434]		partially[1436]

[1428] Illinois Department of Corrections, Administrative Directive 02.42.107: *Processing Accounts of Deceased Individuals in Custody* (2024), https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/fiscal-and-business-management/242107%20Processing%20Accounts%20of%20Deceased%20Individuals%20in%20Custody.pdf ; Illinois Department of Corrections, Administrative Directive 01.12.111: *Reporting of Deaths* (2024), https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/112111%20Reporting%20of%20Deaths.pdf.

[1429] Illinois Disposition of Remains Act, 755 Ill. Com Stat. 65, https://law.justia.com/codes/illinois/chapter-755/act-755-ilcs-65/ establishes right to self-directed disposition then gives it to next-of-kin but not recognized by Illinois DOC policies; Illinois Department of Corrections, Administrative Directive 02.42.107 Section II(E)(1) states: "In no event should Agency personnel authorize cremation without the written consent of the next of kin or legal guardian….The person claiming the body or remains may be responsible for all subsequent expenses such as transportation, funeral, and burial or cremation."

[1431] Illinois DOC, AD 02.42.107, Section II(E). If a body or remains are unclaimed, the facility pays disposition-related costs, including transportation, preparation, burial, or cremation, using applicable Illinois Department of Human Services regional rates when possible. If next of kin or a legal guardian later claims the body or remains after DOC has paid, they may be required to reimburse the Department.

[1433] 755 Ill. Com Stat. 65. (b) states " Articles of personal property of persons so separated may be sold or used by the Department if unclaimed for a period of 1 year for the same purpose. Clothing, if unclaimed within 30 days, may be used or disposed of as determined by the Department."

[1434]Illinois DOC, AD 02.42.107, Section II(F), 2; 730 Ill. Com Stat. 5/3-4-3(b). Illinois DOC requires the facility to audit the deceased individual's trust account and, within 10 days of death, notify the next of kin, legal guardian, or claimant of the balance and claim process. Claimants must provide required estate documentation, including a Small Estate Affidavit and death certificate for estates of $100,000 or less, plus a filed will if applicable, or Letters of Office/Administration for estates over $100,000. After verification, the Business Office issues the remaining balance by check. If funds remain unclaimed, they stay in the trust account until dormant; under Illinois law, funds unclaimed after one year are transmitted to the State Treasurer for deposit in the General Revenue Fund.

[1436] Illinois DOC, AD 02.42.107 Section II (F) 2 states that for estates valued less than $100,000, "A complete and properly certified Small Estate Affidavit substantially in the form set forth in 755 ILCS 5/25-1, a copy of the death certificate, and if it exists, a certified copy of the will which has been filed in the appropriate court must be submitted to the facility Business Office for processing. Copies of the Small Estates Affidavit are available from local county offices." (2) This references a will as possible supporting estate documentation, but does not substantively address an inmate's will.

Table 15. **Return of Remains and Personal Property Grid**									
					DOC[1432]				
Indiana	Yes fully[1437]	Yes–Self-directed disposition then next-of-kin[1438]	Yes partially–: "reasonable time period" prior to cremation, then 90 days total after cremation	Yes fully–Cremation then burial, unspecified who pays[1440]	Yes partially–Cremation then burial, unspecified who pays[1441]	Yes fully–Claimable after 45 days, or immediately with letters testamentary; unclaime	Yes fully–Released to heirs/devisees under property-claim rules; if no claimant, held 1 year, then transferred	No[1444]	Yes partially[1445]

[1432] Illinois DOC, AD 02.42.107, Section II(E). If a body or remains are unclaimed, the facility pays disposition-related costs, including transportation, preparation, burial, or cremation, using applicable Illinois Department of Human Services regional rates when possible. If next of kin or a legal guardian later claims the body or remains after DOC has paid, they may be required to reimburse the Department. Does not directly address indigent deceased but since the facility pays it applies to them.

[1437]Indiana Department of Correction, Policy and Administrative Procedure 02-01-101: *Offender Personal Property* (2021), https://www.in.gov/idoc/files/policy-and-procedure/policies/02-01-101-Offender-Personal-Property.pdf ; Indiana Department of Correction, Policy and Administrative Procedure 04-01-104: *Inmate Trust Fund* (2018), https://www.in.gov/idoc/files/policy-and-procedure/policies/04-01-104-Inmate-Trust-Fund-12-1-2018.pdf ; Indiana Department of Correction, Policy and Administrative Procedure 01-03-101: *Religious Services* (2020), https://www.in.gov/idoc/files/01-03-101-Religious-Services-9-1-2020.pdf

[1438]Indiana Code, Ind. Code § 29-2-19-9: *Funeral Planning Declaration; Declarant's Preferences* (2025), https://law.justia.com/codes/indiana/title-29/article-2/chapter-19/section-29-2-19-9/ establishes right to self-directed disposition then gives right to next-of-kin; Indiana DOC, PAP 01-03-101 Section XVII (G), 27 states "The deceased's remains may be claimed by family…Offenders desiring specific practices after their death must make arrangement with their family or emergency contact on record," affirming the right to self-directed disposition.

[1440]Indiana DOC, PAP 01-03-101, Section XVII(G), 27. Family may claim the deceased's remains, but if they are not claimed within a reasonable time, the facility arranges cremation. After cremation, the facility must try to contact the emergency contact or family; if contact fails for 60 days, it sends a certified letter to the last known emergency-contact address. If the letter is returned or 30 days pass without response, the remains are considered abandoned. Abandoned remains, or remains the family declines in writing, are buried at Putnamville Correctional Facility.

[1441]Indiana DOC, PAP 01-03-101, Section XVII(G), 27. Family may claim the deceased's remains, but if they are not claimed within a reasonable time, the facility arranges cremation. After cremation, the facility must try to contact the emergency contact or family; if contact fails for 60 days, it sends a certified letter to the last known emergency-contact address. If the letter is returned or 30 days pass without response, the remains are considered abandoned. Abandoned remains, or remains the family declines in writing, are buried at Putnamville Correctional Facility.

[1444] Policies do not refer to benefits of any kind.

[1445]State of Indiana, Department of Corrections, Policy and Administrative Procedure, 02-01-101, Section XVIII. The policy recognizes letters testamentary as proof of authority to collect a deceased offender's property, but it does not expressly reference a will or provide broader procedures for honoring the decedent's testamentary wishes.

Table 15. **Return of Remains and Personal Property Grid**									
			[1439]			d disposed after 90 days[1442]	to court or unclaimed property[1443]		
Iowa	Yes fully[1446]	Yes next-of-kin[1447]	Yes partially–Five days for friends after unclaimed for unspecified period by next-of-ki	Yes fully–Delivered for Scientific or medical research, granted the deceased did not express a desire to be cremated or	Yes fully–Delivered for Scientific or medical research, granted the deceased did not express a desire to be cremated	Yes fully–Released to designated contact, spouse, or heir; if undeliverable, converted and sent to state	Yes fully–Released to designated contact, spouse, or heir; otherwise expenses deducted and funds sent to state	No[1453]	No[1454]

[1439]Indiana DOC, PAP 01-03-101, Section XVII(G), 27. Family may claim the deceased's remains, but if they are not claimed within a reasonable time, the facility arranges cremation. After cremation, the facility must try to contact the emergency contact or family; if contact fails for 60 days, it sends a certified letter to the last known emergency-contact address. If the letter is returned or 30 days pass without response, the remains are considered abandoned. Abandoned remains, or remains the family declines in writing, are buried at Putnamville Correctional Facility.

[1442] Indiana DOC, PAP 02-01-101 Section XVIII. p 17-18: A deceased offender's property generally may not be claimed until 45 days after death, unless letters testamentary show that an estate has been opened. After 45 days, a claimant may use an Affidavit of Entitlement if the property is worth less than $25,000. If no claim is made, the facility must attempt to contact the emergency contact and may dispose of unclaimed property no earlier than 90 days after death, with all efforts documented in the offender's file.

[1443]Indiana DOC, PAP 04-01-104, Section XVII, 21; Indiana DOC, PAP 02-01-101, Section XVIII, p 17–18. If a confined offender dies, trust-account funds, including Re-Entry Administrative Account funds, are payable to the offender's lawful heirs or devisees under the same procedures used for personal property. If no heirs or devisees are known, the funds are held for one year after death. If unclaimed after one year, they are sent to the clerk of the circuit court in the county of commitment with an explanatory letter; if the clerk refuses them, the facility treats the funds as unclaimed property and submits them to the Attorney General under unclaimed-property procedures.

[1446]Iowa Department of Corrections, Policy IS-RO-03: *Incarcerated Individual Personal Property* (2023), https://doc.iowa.gov/media/982/download?inline. ; Iowa Code, Iowa Code § 904.509: *Money Deposited with Treasurer of State* (2026), https://www.legis.iowa.gov/publications/search/document?fq=id:1593966&pdid=1545398&q=incarcerated+death#904.509. ; Iowa Code, Iowa Code § 144C.5: *Final Disposition of Remains—Right to Control* (2026), https://www.legis.iowa.gov/docs/code/144C.5.pdf. ; Iowa Code, Iowa Code ch. 142: *Dead Bodies for Scientific Purposes* (2026), https://www.legis.iowa.gov/docs/ico/chapter/142.pdf

[1447] Iowa Code § 144C.5 (1) establishes right to self-directed disposition then gives right to next-of-kin. Iowa Code § 142.1 states that next-of-kin or other authorized parties under Section 144C.5 have the right to claim the body before it is treated as available for scientific purposes.

[1453] Policies do not refer to benefits of any kind.

[1454]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
			n[1448]	buried prior to their death[1449]	or buried prior to their death[1450]	after 1 year, subject to later claims by entitled parties within 10 years[1451]	after 1 year, subject to claim for 10 years[1452]		
Kansas	Yes	Yes–	Yes	Yes fully–	Yes fully–	Yes	Yes	No[1462]	No[1463]

[1448]Iowa Code § 142.1; Iowa Code § 144C.5. Iowa Code § 142.1 gives a friend five days to claim the body and arrange burial or cremation, but only after no authorized person has requested the remains and the deceased did not express contrary wishes. If the friend does not arrange burial and cover expenses within five days, the body may be used for scientific purposes. However, this provision does not set a claim deadline for next of kin or other persons authorized under Iowa Code § 144C.5; it only creates a five-day period for friends after authorized persons have not claimed the body.

[1449]Iowa Code § 142.1; Iowa Code § 144C.5. Iowa Code § 142.1 gives a friend five days to claim the body and arrange burial or cremation, but only after no authorized person has requested the remains and the deceased did not express contrary wishes. If the friend does not arrange burial and cover expenses within five days, the body may be used for scientific purposes. However, this provision does not set a claim deadline for next of kin or other persons authorized under Iowa Code § 144C.5; it only creates a five-day period for friends after authorized persons have not claimed the body.

[1450]Iowa Code § 142.1; Iowa Code § 144C.5. Iowa Code § 142.1 gives a friend five days to claim the body and arrange burial or cremation, but only after no authorized person has requested the remains and the deceased did not express contrary wishes. If the friend does not arrange burial and cover expenses within five days, the body may be used for scientific purposes. However, this provision does not set a claim deadline for next of kin or other persons authorized under Iowa Code § 144C.5; it only creates a five-day period for friends after authorized persons have not claimed the body.

[1451]Iowa DOC, Policy IS-RO-03, Section 3, 26; Iowa Code §§ 904.508(3), 904.509. Iowa DOC requires a deceased incarcerated person's property to be gathered, inventoried, and signed by both the inventorying employee and a witness. Iowa law requires the superintendent to take immediate possession of the deceased person's property, including inmate savings funds, and deliver it first to the designated emergency contact or, if unavailable, next of kin. If no recipient can be located, the property is transferred to the State Treasurer as unclaimed property after deducting body or property disposition expenses. Money converted under Section 904.508 is sent to the State Treasurer as soon as practicable after one year, with identifying records retained, and may be claimed by an entitled person within ten years of death.

[1452]Iowa DOC, Policy IS-RO-03, Section 3, 26; Iowa Code §§ 904.508(3), 904.509. Iowa DOC requires a deceased incarcerated person's property to be gathered, inventoried, and signed by both the inventorying employee and a witness. Iowa law requires the superintendent to take immediate possession of the deceased person's property, including inmate savings funds, and deliver it first to the designated emergency contact or, if unavailable, next of kin. If no recipient can be located, the property is transferred to the State Treasurer as unclaimed property after deducting body or property disposition expenses. Money converted under Section 904.508 is sent to the State Treasurer as soon as practicable after one year, with identifying records retained, and may be claimed by an entitled person within ten years of death.

[1462]Policies do not refer to benefits of any kind.

[1463] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1455]	Self-directed disposition then next-of-kin[1456]	fully–96 hours[1457]	Cremation or burial–cost defrayed by funds from inmate's account otherwise paid for by DOC[1458]	Cremation or burial paid for by DOC[1459]	fully–Up to $2,500 may be paid for funeral expenses; remaining property goes to designee; unclaimed after 90 days to state	fully–Up to $2,500 may be paid for funeral expenses; remaining property goes to designee; unclaimed after 90 days to state treasury[1461]		

[1455] Kansas Statutes Annotated, Kan. Stat. Ann. § 22a-215: *Disposition of Body of Deceased; Burial, When; Expenses, How Paid; Penalties* (2026), https://www.kslegislature.gov/b2025_26/laws/022a_000_0000_chapter/022a_002_0000_article/022a_002_0015_section/022a_002_0015_k/. ; Kansas Department of Corrections, Internal Management Policy and Procedure 01-114D: *Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident* (2025), https://drive.google.com/file/d/1-BfzRbDB14vDzSeRCSm_b81oOSDAxg-f/view?usp=sharing ; Kansas Statutes Annotated, Kan. Stat. Ann. § 75-52,135: *Personal Property of Inmates, Abandonment; Disposition* (2026), https://ksrevisor.gov/statutes/chapters/ch75/075_052_0135.html.

[1456] Kan. Stat. Ann. § 65-1734(a); Kansas DOC, IMPP 01-114D, Sections I, IX, p 2, 7. Kansas law recognizes self-directed disposition. Kansas DOC policy similarly asks residents at intake to complete a "Disposition of Deceased Resident Body Form" stating their disposition wishes if they die in custody. After any investigation is complete, the warden/superintendent or designee, with coroner approval, must authorize removal and transfer of the body to a contracted or nearby licensed funeral home for disposition under state law. Once a funeral home is designated, the facility must notify the individuals listed on the disposition form where the body can be claimed.

[1457] Kansas DOC Policy 01-114D Section IX (C), 7 states "The unclaimed body of a resident is not to be cremated prior to 96 hours after the commencement of a diligent search for persons who may desire to claim the body"

[1458] Kan. Stat. Ann. §§ 22a-215(a), 65-904(b); Kansas DOC, IMPP 01-114D, Sections IX–X, p 7–8. Kansas law provides that unclaimed bodies of deceased inmates may be buried or cremated at DOC expense. Kansas DOC policy further provides that if the designated individual or closest living relative later requests the cremains, they must be provided. For unclaimed deceased residents, available personal property and account funds may be used to defray disposition costs.

[1459] Kan. Stat. Ann. §§ 22a-215(a), 65-904(b); Kansas DOC, IMPP 01-114D, Sections I, IX–X, p 2, 7–8; Kan. Stat. Ann. § 75-52,135(c)–(d). Kansas law provides that unclaimed bodies of deceased inmates may be buried or cremated at DOC expense. Kansas DOC policy states that, if the designated individual or closest living relative later requests the cremains, they must be provided. At intake, residents must complete a Personal Effects Information Form designating who should receive their personal property and trust-account balance exceeding $2,500. After death, remaining property and funds are released to the designated person; property unclaimed after 90 days is treated as abandoned and transferred for disposition under state abandoned-property procedures.

[1461] Kansas DOC, IMPP 01-114D, Sections I, X, p 2, 8; Kan. Stat. Ann. § 75-52,135(c)–(d). Kansas DOC requires residents to designate who should receive their personal property and trust-account funds exceeding $2,500. If the body is claimed by a designated person or funeral home, up to $2,500 in available cash assets may be paid to the claimant for basic funeral expenses if they sign a witnessed statement agreeing to use the funds for that purpose. If available assets are below $2,500, the claimant may seek funeral-expense reimbursement through the Department's claims process. Any remaining property is released to the designated person; unclaimed property, including money, is deemed abandoned after 90 days and transferred for disposition under state abandoned-property procedures.

Table 15. **Return of Remains and Personal Property Grid**									
						treasury[1460]			
Kentucky	Yes fully[1464]	Yes–Next-of-kin[1465]	Yes fully–3 days after notification then 30 additional days after transfer and embalmin	Yes fully–Delivered to College for embalming and after 30 days dissection[1467]	Yes fully–Delivered to College for embalming and after 30 days dissection[1468]	Yes fully–Released to designee; if no after disposition costs deducted and remainder	Yes fully –Held for executor/administrator; unclaimed after 1 year to inmate fund or state treasurer as unclaimed	No[1471]	No[1472]

[1460]Kan. Stat. Ann. §§ 22a-215(a), 65-904(b); Kansas DOC, IMPP 01-114D, Sections I, IX–X, p 2, 7–8; Kan. Stat. Ann. § 75-52,135(c)–(d). Kansas law provides that unclaimed bodies of deceased inmates may be buried or cremated at DOC expense. Kansas DOC policy states that, if the designated individual or closest living relative later requests the cremains, they must be provided. At intake, residents must complete a Personal Effects Information Form designating who should receive their personal property and trust-account balance exceeding $2,500. After death, remaining property and funds are released to the designated person; property unclaimed after 90 days is treated as abandoned and transferred for disposition under state abandoned-property procedures.

[1464]Kentucky Department of Corrections, Corrections Policies and Procedures 2.12: *Disposition of Confiscated or Personal Property* (2025), https://corrections.ky.gov/About/cpp/Documents/02/CPP%202.12%20Effective%202025%20-%202-4-25.pdf.
Kentucky Revised Statutes, Ky. Rev. Stat. § 367.93117: *Declaration of Disposition of Last Remains*, https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=50470.
Kentucky Revised Statutes, Ky. Rev. Stat. § 311.330: *Unclaimed Bodies to Be Used for Scientific Purposes*, https://law.justia.com/codes/kentucky/chapter-311/section-311-330/.

[1465]Ky. Rev. Stat. §§ 367.93117, 311.330. Kentucky law recognizes self-directed disposition before next-of-kin authority, though Kentucky DOC policies do not explicitly acknowledge this right. Kentucky law also requires a warden, superintendent, coroner, or other custodian of an unclaimed body to notify known relatives or friends of the death and body location. If no relative or friend claims and buries the body within three days, it must be delivered to an eligible medical school professor, preserved for thirty days, and released without charge during that period to any friend or relative who requests it for burial.

[1467]: KY Rev Stat § 311.330 requires any superintendent, warden, coroner, or other person holding an unclaimed body to notify known relatives or friends of the death and the body's location. If no relative or friend claims and buries the body within three days, it must be delivered to an eligible medical school professor who must embalm and preserve it for thirty days before dissection. During that thirty-day period, the body must still be released without charge to any friend or relative who requests it for burial; if no one claims it during those thirty days, it may be examined and dissected.

[1468]: KY Rev Stat § 311.330 requires any superintendent, warden, coroner, or other person holding an unclaimed body to notify known relatives or friends of the death and the body's location. If no relative or friend claims and buries the body within three days, it must be delivered to an eligible medical school professor who must embalm and preserve it for thirty days before dissection. During that thirty-day period, the body must still be released without charge to any friend or relative who requests it for burial; if no one claims it during those thirty days, it may be examined and dissected.

[1471] Policies do not refer to benefits of any kind.

[1472]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. .

Table 15. **Return of Remains and Personal Property Grid**									
			g[1466]			disposed under state law after 90 days[1469]	property[1470]		
Louisiana	N/A[1473]	N/A[1474]	N/A[1475]	N/A[1476]	N/A[1477]	N/A[1478]	N/A[1479]	N/A[1480]	N/A[1481]
Maine	Yes fully[1482]	Yes–Self-directed disposition then	No[1484]	Yes fully–cremation and release to	Yes fully–cremation and release to	Yes fully–Property secured unless	Yes fully–Held for estate representati	No[1489]	Yes fully[1490]

[1466] ; KY Rev Stat § 311.330 requires a warden, superintendent, coroner, or other custodian of an unclaimed body to notify known relatives or friends of the death and body location.
[1469] Death and disposition of property not addressed in Kentucky Department of Corrections, Corrections Policies and Procedures 17.1: *Inmate Death* (2025), https://corrections.ky.gov/About/cpp/Documents/17/CPP%2017.1%20Effective%202025%20-%202-4-25.pdf. 75-52,135. Personal property of inmates, abandonment; disposition states that after 90 days property is considered abandoned.
[1470]Kentucky DOC, CPP 2.12, Section II(I), 2. Funds remaining in a deceased inmate's account are held until the institution receives a request and appointment order from the estate's executor or administrator. Released funds must be made payable to that person in their official capacity. If no request is received within one year, the funds are deposited into the Unclaimed Inmate Funds account or transferred to the Kentucky State Treasurer as unclaimed property.
[1473] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1474] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1475] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1476] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1477] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1478] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1479] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1480] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1481] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.
[1482]Maine Department of Corrections, Policy 18.21: *Adult Resident Death*, https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/Policy%2018.21%20%28002%29.pdf
[1484]Maine DOC, Policy 18.21does not establish a timeline,
[1489] Policies do not refer to benefits of any kind.
[1490]Maine DOC, Policy 18.21 Section A , 2 states "Procedure A: Preparation for the Anticipated Death of an Adult Resident" states that residents whose deaths are anticipated to occur in the relatively near future meet with a case manager and speak about "disposition of their funds and personal property, including the possibility of completing or updating a will." It is the case manager's responsibility to take steps to document and fulfill these wishes if they are consistent with DOC policy.

Table 15. **Return of Remains and Personal Property Grid**									
		next-of-kin[1483]		appropriate persons, barring religious objections; cremation and burial at paupers gravesite, barring religious objections, burial at paupers gravesite; donation to medical school if granted prior permission. Paid for by DOC[1485]	appropriate persons, barring religious objections; cremation and burial at paupers gravesite, barring religious objections, burial at paupers gravesite; donation to medical school if granted prior permission. Paid for by DOC[1486]	held as evidence; then to estate representative, affidavit claimant after 30 days, or next of kin after 60 days[1487]	ve; affidavit claimant after 30 days; after 60 days applied to funeral costs, then next of kin, not treated as abandoned without legal review[1488]		
Maryland	Yes	Yes–Next-of-	Yes fully–	Yes	Yes – State	Y–Releas	Y–Released	No[1499]	Yes

[1483]Me. Rev. Stat. tit. 22, § 2843-A(2)(A)–(C); Maine DOC, Policy 18.21, Sections A, E, p 2, 7. Maine law recognizes self-directed disposition before next-of-kin authority. Maine DOC policy also recognizes self-directed disposition for residents whose deaths are anticipated in the near future: if a resident expresses wishes about disposition and those wishes are consistent with DOC policy, the case manager must document and help execute them. The policy further requires the unit manager to confirm whether the emergency contact intends to claim the body, and the Chief Administrative Officer arranges release through the funeral director or Medical Examiner, if applicable. However, unless the emergency contact is a spouse or listed relative, the contact may not claim the body, funds, or personal property.

[1485] Maine DOC, Policy 18.21 Section E, 10.

[1486] Maine DOC, Policy 18.21 Section E, 10.

[1487] Maine DOC, Policy 18.21 Section F, p 8–9.

[1488] Maine DOC, Policy 18.21 Section F, p 8–9.

[1499] Policies do not refer to benefits of any kind.

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1491]	kin[1492]	48 hours for indigent inmates.[1493] Generally, 72 hours to be transferred to State Anatomy board[1494]	fully–State Anatomy Board takes control to be distributed to medical study programs[1495]	Anatomy Board takes control to be distributed to medical study programs[1496]	ed only to court-appointed personal representative with letters of administration; must be claimed within 1 year of	only to court-appointed personal representative with letters of administration; must be claimed within 1 year of notice[1498]		partially[1500]

[1491]Maryland Code of Regulations, Md. Code Regs. 12.12.21.02: *Funeral and Burial Expenses of Indigent Inmates*, Section 12.12.21.02, https://www.law.cornell.edu/regulations/maryland/COMAR-12-12-21-02 ; Maryland Department of Public Safety and Correctional Services, Department of Corrections, Policy IID.270.0001: *Death Notification and Investigation* (2025), https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=4637.

[1492] Maryland Code, Md. Code Ann., Health Occ. § 7-410: *Authorization for Final Disposition of Body*, https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gho&enactments=false&section=7-410. establishes the right to self-directed disposition but not directly addressed by MDOC. Md. Code Regs. 12.12.21.01 - Death of an Inmate (I) refers to the next-of-kin right to claim the body. Md. Code Regs. 12.12.21.02 (A) –(B) states the warden refers family members of indigent inmates to the Maryland Department of Human Resources for burial assistance, institutional payment goes directly to the funeral director upon eligibility confirmation, and the benefit supplements available funds, including the inmate's account.

[1493] Md. Code Regs. 12.12.21.02 (G) states "If the body of the deceased indigent inmate is not claimed within 48 hours, the Warden shall coordinate disposition of the body with the State Anatomy Board."

[1494] MD Health - General Code § 5-406 (a) –(c) states that after 72-hours a public officer must inform the State Anatomy Board who then gets statutory control over an unclaimed body.

[1495] MD Health - General Code § 5-406(a) –(c) states that after 72-hours the State Anatomy Board gets statutory control over an unclaimed body as a general death provision. Md. Code Regs. 12.12.21.02 (G) states that the bodies of unclaimed indigent inmates are also given to the State Anatomy Board for final disposition. MD Health - General Code § 5-407 states that bodies under the State Anatomy Board's control will be distributed to medical study programs.

[1496] Correctional Services § 9-604 requires the State to pay the funeral and burial expenses of an indigent incarcerated individual who dies in state custody, subject to eligibility conditions, and it says that if the body is not claimed within 48 hours after death, the State Anatomy Board takes control for final disposition under. However, to be eligible for benefits under § 9-604, subsection c states that the deceased's family must be registered with the Department of Human Services. Since we define indigent inmates as those who lack funds or other resources to pay for their disposition and who are unclaimed, these remains would be given to the State Anatomy Board. MD Health - General Code § 5-407 states that bodies under the State Anatomy Board's control will be distributed to medical study programs.

[1498] Md. Code Regs. 12.12.26.03 states that, upon an inmate's death, funds in the inmate's institutional account are to be released only to a person who possesses court-issued letters of administration. The institution must notify the next of kin by registered mail, return receipt requested, and any court-appointed personal representative must claim the funds within one year of that notice. The representative must provide the letters of administration before the funds are released, and the institution must document the transfer by obtaining and retaining a receipt in the deceased inmate's file and institutional records.

[1500]Md. Code Regs. 12.12.26.03 (B) provides procedures for releasing property to a court-appointed personal representative upon presentation of letters of administration, but it does not explicitly reference a will or testament

Table 15. **Return of Remains and Personal Property Grid**									
						notice[1497]			
Massachusetts	Yes fully[1501]	Yes–Next-of-kin[1502]	No[1503]	Yes fully–Cremation, with explicit consent, or burial at DOC's expense[1504]	Yes fully–Cremation, with explicit consent, or burial at DOC's expense[1505]	Yes fully–Released to executor/ administrator; if unclaimed after 1 year, next of kin gets 30-day notice before	Yes fully–Paid to estate representative; unclaimed after 2 years to State Treasurer[1507]	No[1508]	Yes partially[1509]

[1497] Md. Code Regs. 12.12.26.03 states that when an inmate dies, the Director or designee must ensure that the inmate's personal property is released only to a person who presents court-issued letters of administration. The institution must notify the deceased inmate's next of kin by registered mail, return receipt requested, and if a court appoints a personal representative, that representative must claim the property within one year of notice to the next of kin. Before release, the representative must provide the letters of administration, a copy of which must be kept in the institution's files, and the institution must obtain and retain a receipt for the property in both the deceased inmate's base file and institutional records.

[1501] Massachusetts Department of Correction, Policy 103 DOC 622: *Death Procedures* (2026), https://www.mass.gov/doc/doc-622-death-procedures/download.; Massachusetts Department of Correction, 103 CMR 405: *Fund Accounts*, https://www.mass.gov/doc/cmr-405-fund-accounts/download.

[1502] MA Gen L ch 190B § 3-701 guarantees a right to self-directed disposition. 103 DOC 622, Death Procedures Section 6, 10 also states as soon as the ME authorizes release of the inmate's body, the facility superintendent or the ME must make arrangements with the family or funeral home for disposition and that the body should then be released to the next-of-kin

[1503] 103 DOC 622, Death Procedures does not establish a timeline for claiming remains.

[1504] Massachusetts DOC, 103 DOC 622, Section 6, 10 states that unclaimed bodies will be cremated or buried at the Department's expense. Section 10, 16, Inmate Burials also require superintendents to develop institutional policies for inmate burials, including the maintenance of Department burial grounds. Section 11, 17 states that unless inmates or their families sign the Consent to Cremation form, the inmate will be buried/

[1505] Massachusetts DOC, 103 DOC 622, Section 6, 10 states that unclaimed bodies will be cremated or buried at the Department's expense. Section 10, 16 also requires superintendents to develop institutional policies for inmate burials, including the maintenance of Department burial grounds. Section 11, 11 states that unless inmates or their families sign the Consent to Cremation form, the inmate will be buried.

[1507] Massachusetts DOC 103 CMR, § 405.16 - Money of Escaped or Deceased Incarcerated Individuals or Civil Commitments, 10 states that if an inmate dies, money from their funds account must be paid to the proven administrator, personal representative, trustee, or executor of their estate by the Institutional Treasurer. After two years, unclaimed money will be paid to the State Treasurer.

[1508] Policies do not refer to benefits of any kind.

[1509] Partially–Massachusetts DOC 103 CMR, § 403.20 - Disposal of Unclaimed Inmate Property (1) - (5) recognizes the authority of an administrator or executor to collect a deceased inmate's property, but because it does not explicitly reference a will or testament. Similarly, Massachusetts DOC 103 CMR, § 405.16 - Money of Escaped or Deceased Incarcerated Individuals or Civil Commitments recognizes estate-administration roles, including executor, as authorized recipients of the deceased person's funds, but it does not explicitly acknowledge a will or testament or provide procedures for honoring testamentary instructions.

Table 15. **Return of Remains and Personal Property Grid**									
						disposal[1506]			
Michigan	Yes fully[1510]	Yes–Self-Directed Disposition then next-of-kin[1511]	No[1512]	Yes–Cremation, unspecified who pays[1513]	Yes partially–Cremation, unspecified who pays[1514]	Yes fully –Released only with court documentation; unclaimed property after 1 year disposed under state	Yes–Up to $500 to next of kin by affidavit; over $500 requires court documentation, unclaimed funds after 1 year transferred to State	Yes fully[1517]	Yes partially[1518]

[1506]Massachusetts DOC, 103 DOC 622, states that the superintendent must secure the inmate's personal property following death. Massachusetts DOC 103 CMR, § 403.19 - Property of Escapees or Deceased Inmates states that inmate personal property will be stored in the property storage area by the institutional Property Officer. Massachusetts DOC 103 CMR, § 403.20 - Disposal of Unclaimed Inmate Property (1)-(5) states that property will be released to the proven executor or administrator of the deceased and can be picked up at the institution where the property is held. If property is unclaimed after a year, the superintendent must inform the next-of-kin in writing that the property will be disposed of in 30 days and then if still unclaimed, the property is sold and disposed appropriately.

[1510]Michigan Department of Corrections, Policy Directive 04.06.110: *Deaths and Disposition of the Remains* (2021), https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-04-Institutional-Operations/PD-0406-Medical-and-Mental-Health-Services/04-06-110-Deaths-and-Disposition-of-the-Remains-effective-06-28-21.pdf?rev=0644554f593a4c9d9bdcf89d18cb24ee.

[1511]Michigan Compiled Laws, Mich. Com Laws § 700.3206: *Right and Power to Make Decisions About Funeral Arrangements and Handling, Disposition, or Disinterment of Decedent's Body*, https://legislature.mi.gov/Laws/MCL?objectName=mcl-700-3206. (1)-(2) establishes right to self-directed disposition ; . Michigan DOC, PD 04.06.110 Section Q, 3 also recognizes the right to self-directed disposition and includes information about making an anatomical gift designation prior to death or inmates making funeral arrangements prior to death; the facility is required to follow as long as it doesn't create unreasonable expense. Next-of-kin are referred to the funeral home to claim the inmate's remains. Also specifies that if the deceased was a foreign national, the CFA Records Administrator must ensure proper consular notification and work with the facility regarding disposition of remains.

[1512]Michigan DOC, PD 04.06.110 does not establish death in custody specific timeline.

[1513]Michigan DOC, PD 04.06.110 Section Q, 3 states that unclaimed remains will be cremated. After cremation, if no next-of-kin requests the cremated remains, the remains will be buried at a designated cemetery.

[1514]Michigan DOC, PD 04.06.110 Section Q, 3 states that unclaimed remains will be cremated. After cremation, if no next-of-kin requests the cremated remains, the remains will be buried at a designated cemetery . The policy does not specify who pays but also does not require funds from the inmate's account to be used towards unclaimed burial expenses.

[1517] Michigan DOC, PD 04.06.110 Section Z–BB, 3 says savings bonds are included in the aforementioned account disbursement unless another individual is identified as a beneficiary. If another person is the beneficiary, the " a reasonable effort shall be made to locate the beneficiary and forward the savings bond" (3).

[1518] Michigan DOC, PD 04.06.110 Section Z–BB,establishes procedures for releasing a deceased prisoner's funds or property through affidavits or court documentation tied to estate administration, but it does not explicitly reference a will or testament (3).

Table 15. **Return of Remains and Personal Property Grid**									
						law[1515]	Treasury[1516]		
Minnesota	Yes fully[1519]	Yes–Self-Directed Disposition then Next-of-Kin[1520]	No[1521]	Yes fully–Cremation, with explicit consent, or burial at DOC expense[1522]	Yes fully–Cremation, with explicit consent, or burial at DOC expense[1523]	Yes fully–Collected after forensic authorization; claimable after 30 days by notarized next-of-kin affidavit; unclaimed after 90 days sold	Yes fully–DOC obligations paid first; next of kin may claim after 30 days by affidavit; unclaimed funds later transferred for heir claim at any time[1525]	No[1526]	No[1527]

[1515] Michigan DOC, PD 04.06.110 Section Z–BB, 4 says that if the inmate has personal property, it can only be released with proper court documentation. Personal property unclaimed after one year will be disposed of in accordance with 434.151 Lost, unclaimed or abandoned personal property in custody of state; application of act. (4).
[1516] Michigan DOC, PD 04.06.110 Section Z–BB says that if the inmate's account balance doesn't exceed $500, the funds may be delivered to next-of-kin providing a general affidavit verifying their relationship with the deceased. However, if the account exceeds $500, it can only be released with proper court documentation beyond the general affidavit. Savings bonds are included in the account disbursement unless another individual is identified as a beneficiary. Unclaimed funds after one year will be sent to the Unclaimed Property Division of the Department of Treasury.
[1519]Minnesota Department of Corrections, Policy 203.230: *Death of an Incarcerated Person* (2025), https://drive.google.com/file/d/14AEfptxAFw8rMmJzzzq38IZUzcVtswFi/view?usp=sharing.
[1520]Minn. Stat. § 149A.80(1)–(2) recognizes the right to self-directed disposition; Minnesota DOC, Policy 203.230, § B (3), p 2 may also recognize this right by requiring staff to preserve any health care directive or other documentation specifying the deceased incarcerated person's post-death instructions in ACISS. The policy also requires next-of-kin to be informed that the state may pay the authorized amount for burial or cremation expenses to the contracted provider. For foreign nationals, the policy requires consular notification, but does not specify how that affects disposition of remains or belongings.
[1521]Policies do not establish a timeline for claiming remains.
[1522]*DOC Policy 203.230* states that for unclaimed remains, the warden must arrange for burial (7). The policy also states that the DOC will pay for " $900.00 for a cremation service and $1500.00 for a burial service" (5).
[1523] Minnesota DOC, Policy 203.230, § B (10), p 5–6 states that for unclaimed remains, the warden must arrange for burial The policy also states that the DOC will pay for " $900.00 for a cremation service and $1500.00 for a burial service."
[1525]Minnesota DOC, Policy 300.100, § 300.1008(A), p 11–12 states that when an offender dies, their funds are first used to pay any outstanding obligations to the DOC. Then after 30 days money is disbursed to the next-of-kin who presents a notarized Affidavit for Collection of Offender Personal Property form. Unclaimed funds are deposited to the unclaimed fund account and after six months they are then transferred to the trust fund benefit account where the legal heir may claim them at any time.
[1526]Policies do not refer to benefits of any kind.
[1527] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. regarding disposition of assets and property.

Table 15. **Return of Remains and Personal Property Grid**									
						or disposed [1524]			
Mississippi	Yes fully[1528]	No[1529]	Yes fully–48-Hours[1530]	Yes fully –delivered to medical school for research[1531]	Yes– fully –delivered to medical school for research[1532]	No[1533]	Yes fully–Paid to beneficiary or nearest relative on valid claim; unclaimed after 2 years escheats to vocational	No[1535]	No[1536]

[1524] Minnesota DOC, Policy 203.230, § B(1), 2 states that the deceased's property must be collected, inventoried, and delivered to the property officer within 24 hours of authorization from the DOC forensic pathologist (2). § B(9), policy also mentions securing the deceased's personal clothing for burial (5); Minnesota Department of Corrections, Policy 300.100: *Incarcerated Person/Resident Accounts*, § 300.1008(A), p 11–12, https://drive.google.com/file/d/10aPCAS8K6bOzm1MVjqtK32Izdrv-8L3p/view?usp=sharing further specifies that property must be held for 30 days and finance facility staff must receive a notarized Affidavit for Collection of Offender Personal Property form the next-of-kin for the property to be released (11-12). Minnesota Department of Corrections, Policy 302.250: *Offender Property*, § E(5), 11, https://drive.google.com/file/d/1IUNZ1h5dHFKgdN4XqFycfVIZoRoSxxpy/view?usp=sharing states that property unclaimed for 90 days may be sold or disposed of (11).

[1528]Mississippi Code, Miss. Code Ann. § 47-5-151: *Death of Prisoner; Investigations, Inquests, and Autopsies; Fees; Penalties* (2024), https://codes.findlaw.com/ms/title-47-prisons-and-prisoners-probation-and-parole/ms-code-sect-47-5-151.
Mississippi Code, Miss. Code Ann. § 47-5-119: *Initial Search of Offender; Disposition of Money Found Thereon; Misappropriation of Offender's Money* (2024), https://law.justia.com/codes/mississippi/title-47/chapter-5/offenders/section-47-5-119/.
Mississippi Code, Miss. Code Ann. § 73-11-58: *Disposition Authorization; Right to Direct Disposition* (2024), https://codes.findlaw.com/ms/title-73-professions-and-vocations/ms-code-sect-73-11-58/.

[1529] Mississippi Code Title 73. Professions and Vocations § 73-11-58 (1) establishes right to self-directed disposition but this is not acknowledged by Mississippi DOC. Mississippi Code Title 47. Prisons and Prisoners; Probation and Parole § 47-5-151 just says that remains must be claimed 48-hours after autopsies but does not explicitly refer to next-of-kin or family claiming the body.

[1530] If inmate remains are not claimed for burial within 48-hours after the autopsy is completed, the remains can be delivered to the University of Mississippi Medical Center for medical or anatomical research Mississippi Code Title 47. Prisons and Prisoners; Probation and Parole § 47-5-151

[1531]Ibid.

[1532] Ibid.

[1533] Policies do not explicitly provide procedures for the disposition of the deceased's personal property.

[1535] Policies do not refer to benefits of any kind.

[1536] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property. regarding disposition of assets and property.

Table 15. **Return of Remains and Personal Property Grid**									
							fund[1534]		
Missouri	N/A[1537]	N/A[1538]	N/A[1539]	N/A[1540]	N/A[1541]	N/A[1542]	N/A[1543]	N/A[1544]	N/A[1545]
Montana	Yes fully[1546]	No[1547]	No[1548]	Yes fully–cremation or burial arranged by MDOC but	No[1550]	Yes fully–Held after investigation for beneficiar	Yes partially–Distributed to designated beneficiary after 45	No[1553]	No[1554]

[1534] If an inmate dies with money in their account, the commissioner must "make every effort" to notify the beneficiary or nearest known relative and pay them upon valid claim to the money. If it goes unclaimed for two years after notice or after death (where no beneficiary/nearest relative is known), the money escheats to the correctional system's special vocational training program fund MS Code § 47-5-119 .

[1537] No publicly available DOC specific policies, procedures or rules inmate remains or personal property. MODOC SOP/D1-8.5 Offender Death – Notification and Organ Donation is partially referred to in pages 21-22 of UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MISSOURI JEFFERSON CITY DIVISION but is not itself publicly available.

[1538]Missouri Revised Statutes, Mo. Rev. Stat. § 194.119: *Right of Sepulcher, the Right to Choose and Control Final Disposition of a Dead Human Body* (2023), https://revisor.mo.gov/main/OneSection.aspx?section=194.119. (3)–uses the term "Right to sepulcher" for self-directed disposition. No known DOC specific policy for disposition of remains or property for deaths in custody.

[1539] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1540] Ibid.

[1541] Ibid.

[1542] Ibid.

[1543] Ibid.

[1544] Ibid.

[1545] Ibid.

[1546] Montana DOC, Policy Directive DOC 4.5.34: Offender Death (2021), https://cor.mt.gov/DataStatsContractsPoliciesProcedures/DataDocumentsandLinks/DOCPolicies/Chapter4/4.5.34-Offender-Death-2020.pd does not discuss disposition of remains; Montana State Prison Standard Operating Procedures Manual, Procedure No.: 4.1.3 "INMATE PERSONAL PROPERTY,"p 52-467; Montana State Prison Standard Operating Procedures Manual, Procedure No.: 3.1.17b "CONTRABAND CONTROL," p 220-225 ; Montana Code Annotated, Mont. Code Ann. § 53-1-110: *Disposition of Inmate Trust Account Funds and Tangible Personal Property* (2024), https://mca.legmt.gov/bills/2024/mca/title_0530/chapter_0010/part_0010/section_0100/0530-0010-0010-0100.html.

[1547]Montana DOC, Policy Directive DOC 4.5.34: Offender Death p 1–2recognizes self-directed disposition via written instrument designating an agent, with optional specific directions from the decedent that the designee must substantially follow. (2) After any self-directed designation, authority then goes to next-of-kin but this is not acknowledged by the Montana DOC.; Montana DOC, Policy Directive DOC 4.5.34: Offender Death (2021), https://cor.mt.gov/DataStatsContractsPoliciesProcedures/DataDocumentsandLinks/DOCPolicies/Chapter4/4.5.34-Offender-Death-2020.pdf

[1548] Montana Code Annotated, Mont. Code Ann. §7-4-2915: *Burial of Deceased Persons* (2025), https://mca.legmt.gov/bills/mca/title_0070/chapter_0040/part_0290/section_0150/0070-0040-0290-0150.html. (2) states that the coroner in consultation with law enforcement determines how long to hold onto remains before final disposition. Timelines are not addressed in Montana DOC, Policy Directive DOC 4.5.34.

[1550] Policies do not provide death in custody specific procedures for the disposition of indigent remains.

[1553] Policies do not refer to benefits of any kind.

[1554] Mont. Code Ann. § 53-1-110 (1)-(5) refers to a beneficiary entitled to the inmate's property and account funds, but this is not the same as a reference to estate administration.

Table 15. **Return of Remains and Personal Property Grid**									
				paid for via inmate's trust account[1549]		y distributio n; if no claim or no beneficiar y, disposed after 60 days or destroyed [1551]	days; if beneficiary not found in "reasonable time" funds go to revenue and property may be destroyed[155 2]		
Nebraska	Yes partial public[1555]	Yes–Next-of-kin[1556]	No[1557]	Yes fully-NDCS arranges and pays disposition	Yes fully-NDCS arranges and pays disposition	Yes fully–Held pending investigat ion, then	Yes fully–NDCS reimburses its burial	No[1562]	Yes partially[1563]

[1549] Montana Code Annotated, §53-1-110(3)(b), states that if next-of-kin refuse to take custody of the inmate's remains and the DOC pays for the cremation or burial, disposition costs must be deducted from the inmate's account.

[1551] Montana DOC, Procedure No.: 4.1.3, 454 states that after investigative use concludes, a deceased inmate's personal property is transferred to the property officer for storage pending notification of next of kin and final disposition. The property may be held for up to sixty days; after that, it is disposed of as contraband. Montana State Montana DOC, Procedure No.: 3.1.17b, p.223 states that the property of deceased inmates whose death was unattended must be brought to the Shift Commander who then forwards them to the Investigator's Office for processing and disposition in accordance with evidence handling procedures; Mont. Code Ann. § 53-1-110 (5) states that a deceased inmate's personal property must be distributed to their designated beneficiary and if the beneficiary cannot be found, the property may be destroyed.

[1552]According to Mont. Code Ann. § 53-1-110 (3) - (5), Montana state prison inmates complete a department form designating a beneficiary of their trust account funds and to the tangible personal property located on the state prison. Then after at least 45 days to ensure any accrued earnings or interests are properly credited, the DOC then must distribute a deceased inmate's funds and property in accordance with this form. If the designated beneficiary cannot be located in a "reasonable time" after death then the DOC transfers the inmate's account funds to the department of revenue and may destroy their personal property. Since this policy does not give specific time language, it is considered a partial Yes.

[1555] Nebraska Department of Corrections Policy 115.13 Serious Illness Or Injury, Advance Directives & Death is not publicly available but was obtained through FOIA request; Nebraska DOC Policy 204.01 "INCARCERATED INDIVIDUAL PROPERTY CONTROL VIII. DISPOSAL / TRANSFER / STORAGE OF PROPERTY; Neb. Rev. Stat. § 83-155 ; § 83-154 ; 83-153.

[1556] Neb. Rev. Stat. § 30-2223 (1) and (2) establish the right to self-directed disposition but Nebraska DOC policy doesn't acknowledge this and only addresses next-of-kin (Nebraska DOC, Policy 115.13 Section V(A) –(D) p 3-4.

[1557] Neb. Rev. Stat. § 30-2223 (3)(b) says the body must be claimed three days after the notification of death or four days after the death, whichever comes earlier. However, since deaths in custody trigger medicolegal investigations per Nebraska Revised Statute 23-1822, this timeline likely doesn't apply because right to disposition is subject to the coroner's approval and investigative needs. Nebraska Department of Corrections Policy 115.13 Serious Illness Or Injury, Advance Directives & Death does not set a timeline.

[1562] Policies do not refer to benefits of any kind.

[1563] Nebraska DOC, Policy 115.13 Section V(F), 5 does not discuss honoring a will but does say funds and property may be released to a person who can show they were the deceased patient's power of attorney immediately prior to death, executor/personal representative, or qualifying successor.

Table 15. **Return of Remains and Personal Property Grid**									
				of remains and burial or cremation; NDCS reimburses disposition costs afterwards if deceased has sufficient assets[1558]	of remains and burial or cremation[1559]	released to authorized representative or successor; unclaimed money forfeited after 2 years to inmate fund[1560]	costs first; remainder goes to estate or successor; unclaimed after 2 years forfeited and sold for inmate fund[1561]		

[1558] According to Nebraska DOC, Policy 115.13 Section V(A) –(H) p 3-4, 6, If next-of-kin does not want involvement with the arrangements or ashes, NDCS handles the cremation arrangements and expenses, and burial is at Wyuka Cemetery in Lincoln. If NDCS cannot locate next-of-kin despite efforts and believes further efforts would not succeed, it may also proceed with burial or cremation without waiting for the body to be claimed. There is also a special provision for veterans: if the patient was an honorably discharged veteran and the remains are not claimed, NDCS must arrange burial/cremation and may seek partial reimbursement from the County Veterans Affairs Officer (6).

[1559] According to Nebraska DOC, Policy 115.13 Section V(A) –(H) p 3-4, 6, If next-of-kin does not want involvement with the arrangements or ashes, NDCS handles the cremation arrangements and expenses, and burial is at Wyuka Cemetery in Lincoln. If NDCS cannot locate next-of-kin despite efforts and believes further efforts would not succeed, it may also proceed with burial or cremation without waiting for the body to be claimed. There is also a special provision for veterans: if the patient was an honorably discharged veteran and the remains are not claimed, NDCS must arrange burial/cremation and may seek partial reimbursement from the County Veterans Affairs Officer (6).

[1560] Nebraska DOC, Policy 115.13 Section V(F), p 5–6 states that a deceased inmate's personal property may be released only to a person who establishes that they were the inmate's power of attorney immediately prior to death, the executor or personal representative of the estate, or a qualifying successor by affidavit if the property does not exceed $100,000. It also requires NDCS to hold the property pending completion of the grand jury investigation or receipt of written authorization from the prosecuting attorney, after which it should be made available to the aforementioned identified individual as soon as possible. Nebraska Revised Statutes, Neb. Rev. Stat. § 83-153: *Money or Personal Property to Credit of Inmate or Patient; Claim; Time for Presentment*, https://nebraskalegislature.gov/laws/statutes.php?statute=83-153. states that any claim to money or personal property of a deceased inmate must be asserted two years after their death or else that claim is forfeited. Nebraska Revised Statutes, Neb. Rev. Stat. § 83-154: *Money to Credit of Inmate or Patient; Claim; Failure to Assert; Disposition*, https://nebraskalegislature.gov/laws/statutes.php?statute=83-154. states that unclaimed money will go to a special fund to be used for the benefit of NDCS inmates.

[1561] Nebraska DOC, Policy 115.13 Section V(F), p 5-6 states if NDCS paid for arrangements, NDCS keeps funds up to the amount of those expenses and sends any remainder by check to the inmate's estate; when the body is claimed and outside burial/funeral expenses are borne by the claimant, NDCS sends all funds to the estate or successor; if no qualifying individual is located, the funds are disposed of under Neb. Rev. Stat. § 83-153 (5). 83-153 states that any claim to money or personal property of a deceased inmate must be asserted two years after their death or else that claim is forfeited. Nebraska Revised Statutes, Neb. Rev. Stat. § 83-155: *Personal Property to Credit of Inmate or Patient; Claim; Failure to Assert; Sale; Disposition of Money*, https://nebraskalegislature.gov/laws/statutes.php?statute=83-155 states that all unclaimed property will be sold and the proceeds will go to a special fund to be used for the benefit of NDCS inmates.

Table 15. **Return of Remains and Personal Property Grid**									
Nevada	Yes fully[1564]	Yes–Next-of-kin[1565]	No[1566]	Yes fully-NDOC pays only for cremation or if approved prior to death body is released to medical school[1567]	Yes fully-NDOC pays only for cremation or if approved prior to death body is released to medical school[1568]	Yes partially–Held through investigation, then released to executor or next of kin, with next-of-kin signature required for	Yes partially–account is frozen and after final disposition expenses are deducted, funds are released to executor of will or next-of-kin if no will exixts[1570]	Yes partially ”[1571]	Yes fully[1572]

[1564]Nevada Department of Corrections, Administrative Regulation 420: *Inmate Death or Serious Injury Procedure* (2017), https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20420%20%20-%20Inmate%20Death%20or%20Serious%20Injury%20-%20Final%20-%2003072017.pdf ;

[1565] Nevada DOC, AR 420, Section 420.1 (9) 3 says body may be released only on instructions from the coroner and after the initial investigation is complete, the body will be moved to the morgue, mortuary, or private room in the facility infirmary. If the family elects to claim the body, the family is responsible for costs, with the Department potentially paying shipping if cheaper than cremation expenses (7). Inmates prior to death or the next-of-kin of a deceased inmate may opt to release their body to the University of Nevada Reno's School of Medicine; NRS451.024 (1) establishes right to self-directed disposition but this isn't acknowledged by Nevada DOC.

[1566] Nevada DOC, AR 420, Section 420.1 (9) 4says body may be released only on instructions from the coroner and after the initial investigation is complete, the body will be moved to the morgue, mortuary, or private room in the facility infirmary (4);

[1567] Nevada DOC, AR 420, Section 420.5 (5) –(6), 7-8 If the next-of-kin don't claim the body, the Department will only pay for cremation costs for the deceased inmate.If the family elects to claim the body, the family is responsible for costs, with the Department potentially paying shipping if cheaper than cremation expenses. Inmates prior to death or the next-of-kin of a deceased inmate may opt to release their body to the University of Nevada Reno's School of Medicine.

[1568] Nevada DOC, AR 420, Section 420.5 (5) –(6), 7-8 say If the next-of-kin don't claim the body, the Department will only pay for cremation costs for the deceased inmate. If the family elects to claim the body, the family is responsible for costs, with the Department potentially paying shipping if cheaper than cremation expenses (7). Inmates prior to death or the next-of-kin of a deceased inmate may opt to release their body to the University of Nevada Reno's School of Medicine.

[1570]Nevada DOC, AR 420, Section 420.5 (5) –(7), 8-9 states within two working days of an inmate's death, Inmate Banking Services must be notified and the inmate's account frozen pending receipt of an Affidavit of Distribution Without Administration or other appropriate legal documentation. Once the investigation is complete and any deductions are made, account funds are released to the executor of the estate if the inmate left a will, or to the next of kin if no will is known; funds sent after death are returned to the sender, distributions under $20,000 require next-of-kin signature on the affidavit, and dividends or other post-death income are distributed on a case-by-case basis (8-9). However, no specific time limit for claiming property is established.

[1571] Nevada DOC, AR 420, Section 420.5 (5) –(6), 7-8 states distribution of dividends and other income should be determined on a case-by-case basis.

[1572] Nevada DOC, AR 420, Section 420.5 (5) –(6), 7-8 requires the associate warden or facility manager to determine whether the inmate died with or without a will. If there is a will, property and account funds go to the executor of the estate after investigations are complete.

Table 15. **Return of Remains and Personal Property Grid**									
						distributions under $20,000; some unclaimed property may be treated as abandoned[1569]			
New Hampshire	Yes fully[1573]	Yes–Next-of-kin[1574]	No[1575]	Yes fully-State provided cremation covered by remaining funds in	Yes fully–State provided cremation[1577]	Yes partially–Secured pending investigation; family	Yes partially–Remaining funds go to the estate; State-paid cremation	No[1580]	No[1581]

[1569] Nevada DOC, AR 420, Section 420.5 (5) –(7), 8-9 states that the deceased inmate's property must be secured, inventoried, and stored safely at the institution or facility. Property needed for the death investigation must be receipted to the investigative agency, and no property may be released until the investigation is complete. Afterward, the property is released to the executor of the estate if the inmate left a will, or to the next of kin if no will is known; if no next of kin can be identified, the property remains in storage, though where the inmate refused to provide next-of-kin information and no will exists, property of value may be treated as abandoned property and transferred to the proper authority. However, no specific time limit for claiming property is established. Regardless of whether a will exists, distributions under $20,000 require next-of-kin signature (8-9).

[1573] New Hampshire Department of Corrections, Policy and Procedure Directive 503.3: *Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death* (2021), https://drive.google.com/file/d/1bVo2lJqCtnuiIb64of72DgUqNxRP7m4i/view?usp=sharing; ; New Hampshire Department of Corrections, Policy and Procedure Directive 952.00: *Management & Control of Inmate Personal Funds* (2026), https://drive.google.com/file/d/1r_aYA3TBh42Gw9_yMmaJujI_fXh3dofA/view?usp=sharing.

[1574]New Hampshire Revised Statutes Annotated, RSA 290:17: *Custody and Control Generally* (2024), §§ 290:17(I)–(II), https://law.justia.com/codes/new-hampshire/title-xxvi/chapter-290/section-290-17/ establishes a right to self-directed disposition then next-of-kin but not acknowledged by DOC; New Hampshire DOC, PPD 503.3, § D(9)(c), 3 .states that the NHDOC facility chaplain determines whether the deceased's family/emergency contact wants to be in charge of disposition or if they cannot afford and would like a state provided cremation to do so using the Final Arrangements Regarding a Deceased NH DOC Resident and Their Property Form. Afterwards, cremated remains can be released directly to the family.

[1575] NH Rev Stat § 290:17 states that if next-of-kin do not cooperate with the funeral director in making arrangements for three days, they lose the right to disposition and it transfers to the next person in order of priority. But it is unclear if this sets a time limit for actually claiming remains and no DOC or OCME specific time limits exist for claiming remains.

[1577] New Hampshire DOC, PPD 503.3, § D(9)(c), p 3 – 4 directs NHDOC to notify family, determine whether family or the State will handle final arrangements, and provide state-provided cremation when family cannot afford disposition. Any funds remaining in the deceased's account will be used to cover the cost of cremation if possible, with the state covering the cost otherwise.

[1580]Policies do not refer to benefits of any kind.

[1581]Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property regarding disposition of assets and property.

Table 15. **Return of Remains and Personal Property Grid**									
				deceased's account[1576]		chooses pickup, shipping, or facility disposal[1578]	costs are reimbursed first if applicable[1579]		
New Jersey	Yes fully[1582]	Yes– Next-of-kin[1583]	No[1584]	Yes fully-NJDC facility staff arranges burial or cremation and uses money from deceased inmate's account to cover	Yes partially-NJDC facility staff arranges burial or cremation, unclear who pays when inmate has	Yes partially– If no will and $2,000 or less, next of kin may claim; over $2,000 requires	Yes partially– after payment of fines or restitutions, If no will and $2,000 or less, next of kin may claim; over $2,000	Yes fully-Social Security Administration, Veteran's Administration and Public	Yes fully[1590]

[1576] New Hampshire DOC, PPD 503.3, § D(9)(c), p 3 – 4 directs NHDOC to notify family, determine whether family or the State will handle final arrangements, and provide state-provided cremation when family cannot afford disposition. Any funds remaining in the deceased's account will be used to cover the cost of cremation if possible.
[1578] New Hampshire DOC, PPD 503.3, § D(9)(a) –(c), p 3 – 4 requires the shift commander to secure the deceased resident's personal property pending investigation and dispose of it according to the chaplain's instructions on the final-arrangements form. The chaplain must ask the emergency contact or family whether they want to pick up the property, pay for shipping, or have facility personnel dispose of it, but the policy does not establish a timeline for pickup or shipment.
[1579] New Hampshire DOC, PPD 952.00, § D(10)(5), p 5–6. If the next of kin pays for final arrangements, the deceased inmate's remaining funds must be issued to the estate and mailed to the next of kin. If the State pays for cremation, funds up to the cremation cost are reimbursed to the State, with any balance issued to the estate and mailed to the next of kin. The policy does not establish a timeline for disbursement
[1582]New Jersey Administrative Code, N.J.A.C. 10A:16-7.4: *Claiming Bodies of Deceased Inmates*, https://www.law.cornell.edu/regulations/new-jersey/N-J-A-C-10A-16-7-4.;
New Jersey Administrative Code, N.J.A.C. 10A:16-7.5: *Burial or Cremation of Unclaimed Bodies*, https://www.law.cornell.edu/regulations/new-jersey/N-J-A-C-10A-16-7-5.;
New Jersey Administrative Code, N.J.A.C. 10A:16-7.6: *Distribution of Money and Personal Belongings of Deceased Inmates*, https://www.law.cornell.edu/regulations/new-jersey/N-J-A-C-10A-16-7-6.
[1583]New Jersey Statutes Annotated, N.J. Stat. Ann. § 45:27-22: *Control of Funeral and Disposition of Human Remains*, https://law.justia.com/codes/new-jersey/title-45/section-45-27-22/ (a) establishes right to self-directed disposition and then sets a next-of-kin hierarchy but not acknowledged by NJ DOC; N.J.A.C. 10A:16-7.4. (a) - (c) states that the DOC must "make reasonable attempts" to notify next-of-kin regarding claiming deceased inmate's bodies. Those claiming the body must contact the hospital where the inmate died or medical examiner office where the body is held to obtain the body's release.
[1584] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated).
[1590]N.J.A.C. 10A:16-7.6 (b) states that next-of-kin receive inmate account funds and personal property if they die without a will, but next-of-kin must sign a statement certifying no knowledge of an existing official will, indicating that this existence of said will would take priority.

Table 15. **Return of Remains and Personal Property Grid**									
				expense[1585]	no money[1586]	probate documents; does not establish timeline for claiming property[1587]	requires probate documents; does not establish timeline for claiming funds[1588]	Welfare[1589]	
New	N/A[1591]	N/A[1592]	N/A[1593]	N/A[1594]	N/A[1595]	N/A[1596]	N/A[1597]	N/A[1598]	N/A[1599]

[1585] N.J.A.C. 10A:16-7.5. (b) –(d) states when an inmate's body is unclaimed, or when next of kin says they cannot or will not take responsibility for it, correctional staff must arrange for burial or cremation under internal procedures and consult the county medical examiner's office for assistance. Unclaimed bodies should be cremated when doing so is not reasonably believed to conflict with the inmate's religious beliefs. Money left in the inmate's account may be used to cover burial or cremation costs.

[1586] N.J.A.C. 10A:16-7.5. (b) – (d) states when an inmate's body is unclaimed, or when next of kin says they cannot or will not take responsibility for it, correctional staff must arrange for final disposition and " Money remaining in the account of a deceased inmate may be used for burial or cremation expenses," but it's unclear if NJDOC steps in to pay for the burial or cremation if the inmate does not have sufficient assets.

[1587] N.J.A.C. 10A:16-7.6 (b) –(d) says that if the inmate dies without a will and the money and/or personal property is worth $2,000 or less, the property may be turned over to the next of kin listed in the most recent classification records, after identity verification and a signed itemized receipt plus certification that the next of kin has no knowledge of an official will. If the amount/value exceeds $2,000, the assets may be released only after the claimant presents probate documentation such as Letters Testamentary, Letters of Administration, or a filed probate affidavit entitling the claimant to the assets.

[1588] Before any distribution, N.J.A.C. 10A:16-7.6. (a) requires remaining money in the deceased inmate's account to be used first to pay any fines, fees, penalties, and restitution required under N.J.A.C. 10A:2-2.2. Then the account funds are distributed under the same small-estate / probate-document structure described in the footnote above, and if there is no will and no known relatives, the funds are transferred to the Department of Treasury after burial or cremation deductions.

[1589] N.J.A.C. 10A:16-7.5 (c) states facility staff should contact Social Security Administration, Veteran's Administration and Public Welfare for any possible death benefits.

[1591] No available DOC or inmate specific policies on return of remains or property.

[1592] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1593] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1594] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1595] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1596] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1597] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1598] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

[1599] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody.

Table 15. **Return of Remains and Personal Property Grid**									
Mexico									
New York	Yes fully[1600]	Yes–Next-of-kin[1601]	Yes fully–48 hours after notification, 7 days maximum [1602]	Yes fully–Cremation or burial depending on price at facility cemetery paid for with money from inmate's account or any death	Yes partially–Cremation or burial depending on price at facility cemetery, but is unclear if DOC will pay if inmate account	Yes fully–Released to executor/ administrator; property over $20,000 may require counsel review; unclaime	Yes partially–Released by affidavit to spouse, family, or funeral payor under staged timing rules; DOC may apply funds to burial costs	Yes fully[1607]	Yes fully[1608]

[1600] New York State Department of Corrections and Community Supervision, Directive 4013: *Incarcerated Individual Deaths—Administrative Responsibility* (2025), https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf ; New York State Department of Corrections and Community Supervision, Directive 4913: *Incarcerated Individual Property* (2026), https://doccs.ny.gov/system/files/documents/2026/01/4913.pdf.
4913 Incarcerated Individual Property Section H. "Deceased individual's property" ;
[1601] SECTION 4201 Disposition of remains; responsibility therefore establishes right to self-directed disposition; NY DOCCS, Directive 4013, Section VI (A), 7, refers to remains being released to next-of-kin. The policy that remains can only be released to funeral directors, families are responsible for all costs except for transportation of remains to another location in NY– their county of conviction– and a set of clothing.
[1602]NY DOCCS, Directive 4013, Section VI (A), 7, states that after 48 hours, if next of kin are located but unwilling or unable to take responsibility for their loved ones funeral then they must sign a form relinquishing their rights to remains. The policy states that additional time may be allotted if there is a chance that making contact can be successful but no more than 7 days should pass before disposition is accomplished (7).
[1607]NY DOCCS, Directive 4013, Section VI (B), 9,says if the Department assumes full responsibility for burial, the death benefits normally afforded the next of kin are instead claimed by the Department and applied toward funeral costs. The directive specifically names Veteran's Administration benefits and Social Security Administration benefits. But the policy does not establish whether these benefits will be disbursed to next-of-kin after being used for funeral costs.
[1608]NY DOCCS, Directive 4013, Section VIII (A), 10, says if the deceased left a valid will, their property should be turned over to the executor of their estate and if they did not then a court appointed administrator will handle distribution of their assets. It also notes that even where there is a probated will, the Superintendent may still be authorized to release money in certain circumstances under SCPA § 1310 where no beneficiary has been designated.

Table 15. **Return of Remains and Personal Property Grid**									
				benefits[1603]	has no money and they have no death benefits, [1604]	d after 6 months handled as abandoned property[1605]	if it pays[1606]		
North	Yes	Yes–next-of-	Yes	Yes	Yes	Yes	Yes	Yes	Yes

[1603]NY DOCCS, Directive 4013, Section VI (B), 8–9,

[1604]NY DOCCS, Directive 4013, Section VI (B), 8–9,does not specify who pays if the inmate's account funds cannot cover final disposition but assuming the DOC will pay.

[1605]NY DOCCS, Directive 4013, Section VIII (A) – (B), 10-12 says the deceased property should be turned over to the executor or administrator of their estate at no cost and a receipt should be obtained. The policy stresses the importance of accurately inventorying and documenting the deceased's belongings because of sentimental value. Property valued above $20,000 requires Office of the Counsel consultation to determine whether the Estates, Powers and Trusts law Section 5-3.1 applies and whether voluntary administration is appropriate. If property remains unclaimed, after six months it is handled under the lost/abandoned property directive, and property of little or no value may be destroyed after inventory

[1606]NY DOCCS, Directive 4013, Section VIII (A) – (B), 10-12 does not set a clear deadline for claiming inmate account funds, but it does establish staged time-based rules for disbursing funds after death when no fiduciary has been appointed.The Business Office is notified once next of kin or the pre-designated individual is located so it can close the deceased incarcerated individual's account and prepare the Next of Kin Affidavit (AC-934-P). The directive also allows certain payments from the deceased person's money under SCPA § 1310 when no fiduciary has yet been appointed. A surviving spouse may receive up to $30,000 at any time after death with the required affidavit. After 30 days, up to $15,000 may be paid to immediate family members in priority order, or to a creditor/person who paid funeral expenses at their request. After six months, up to $5,000 may be paid to a distributor, creditor, or person who paid funeral expenses, subject to the listed affidavit requirements. If the Department assumes full responsibility for burial, and benefits do not cover the burial costs, money from the incarcerated individual's account is applied to funeral expenses.

Table 15. **Return of Remains and Personal Property Grid**									
Carolina	fully[1609]	kin[1610]	fully–10 days[1611]	fully–Disposition by Commission[1612]	fully–Disposition by Commission of	partially–sent to superior clerk	partially–sent to superior clerk court	fully[1616]	fully[1617]

[1609] North Carolina Department of Adult Correction, Division of Institutions, Policy and Procedure Chapter F.4100: *Offender Death Procedures* (2023), https://drive.google.com/file/d/1ff-TPRSxWQIQcOrTgz5s2Tzg0SyQZqIr/view?usp=sharing; North Carolina Department of Adult Correction, Division of Institutions, Policy and Procedure Chapter I.100, *Disposition of Assets of Deceased Offenders*, (2025), https://drive.google.com/file/d/1sXwbuFvP1LY2dvozPQ_vwS1H-jcCBmqo/view?usp=sharing

[1610] § 130A-420. Authority to dispose of body or body parts. (a-b) establishes right to self-directed disposition; § 130A-383. Medical examiner jurisdiction requires the ME to release the deceased's remains to the next-of-kin or person otherwise responsible (c). North Carolina DAC, Policy Chapter F.4100, Section III (14), 2, states the facility must compile "Documents indicating disposition of offender body" but does not give any other information about disposition of remains or explicitly identify who has authority over disposition. The policy does mention contacting the appropriate consulate for deceased foreign nationals but does not specify the disposition of the remains in these cases. However, N.C. Gen. Stat. §130A-415 (a), states "Any person, other than a person licensed as a funeral director or funeral service licensee in this State, including officers, employees, and agents of the State or of any unit of local government in the State, hospitals, nursing homes, or other institutions, having physical possession of a dead body shall make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition,"

[1611] N.C. Gen. Stat. §130A-415 (a) states that bodies in custody of "officers, employees, and agents of the State or of any unit of local government in the State, hospitals, nursing homes, or other institutions" that have not been claimed within 10 days after communication or attempt to communicate with potential claimants may be delivered to the Commission of Anatomy.

[1612] North Carolina DAC, Policy Chapter F.4100, Section III (14), 2, states the facility must compile "Documents indicating disposition of offender body" but does not give any other information about disposition of remains, including what happens when remains are unclaimed or for indigent offenders. However, N.C. Gen. Stat. §130A-415 (a), states "Any person, other than a person licensed as a funeral director or funeral service licensee in this State, including officers, employees, and agents of the State or of any unit of local government in the State, hospitals, nursing homes, or other **institutions**, having physical possession of a dead body shall make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition." According to the statute, bodies that have not been claimed within 10 days after communication or attempt to communicate with potential claimants may be delivered to the Commission of Anatomy. If the Commission of Anatomy declines the body, subsection c1 states the deceased's estate will cover the cost of their cremation, burial, or hydrolysis.

[1616] North Carolina DAC, Policy Chapter I.1100, Section III (V), 2, requires the Warden to contact the employee of deceased offenders who were on work release to forward any checks or benefits to the Clerk of Superior Court's Office and require any funds to be made out to the deceased's estate.

[1617] North Carolina DAC, Policy Chapter I.1100, Section IV, III (V), 1–2, states "the Clerk of Superior Court of each county is vested with the authority to receive assets of a decedent and to settle a decedent's estate. The Clerk is also authorized to receive and probate wills and to appoint executors and administrators to handle estates" (1).

Table 15. **Return of Remains and Personal Property Grid**									
					Anatomy[1613]	court to settle estate[1614]	to settle estate[1615]		
North Dakota	Yes fully[1618]	Yes– Next-of-kin[1619] Or a medical association, school, or physician upon request	Y– 36 hours after death"[1620]	Yes– given to a medical association, school, or physician upon request for study unless	Yes fully–Correctional facility staff applies for human service	No[1623]	No[1624]	No[1625]	No[1626]

[1613]North Carolina DAC, Policy Chapter F.4100, Section III (14), 2, states the facility must compile "Documents indicating disposition of offender body" but does not give any other information about disposition of remains, including what happens when remains are unclaimed or for indigent offenders. However, N.C. Gen. Stat. §130A-415 (a), states "Any person, other than a person licensed as a funeral director or funeral service licensee in this State, including officers, employees, and agents of the State or of any unit of local government in the State, hospitals, nursing homes, or other **institutions**, having physical possession of a dead body shall make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition." According to the statute, bodies that have not been claimed within 10 days after communication or attempt to communicate with potential claimants may be delivered to the Commission of Anatomy. If the Commission of Anatomy declines the body, subsection c1 states that if disposition expenses cannot be borne by the decedent's estate, they will be born by the county of their residence or where they were found.

[1614]North Carolina DAC, Policy Chapter I.1100, Section IV, III (V), 1–2, requires deceased offender's property to be sent to the Clerk of Superior Court's Office who then settles the deceased's estate

[1615]North Carolina DAC, Policy Chapter I.1100, Section IV, III (V), 1–2, requires deceased offender's assets to be sent to the Clerk of Superior Court's Office who then settles the deceased's estate.

[1618] North Dakota Century Code, N.D. Cent. Code § 12-45-05: *Burial of Body*, https://ndlegis.gov/cencode/t12c45.pdf ; North Dakota Century Code, N.D. Cent. Code § 12-45-06: *Expenses of Inquest—Report of Officer—Payment—Burial Expense Limited*, https://ndlegis.gov/cencode/t12c45.pdf.; North Dakota Century Code, N.D. Cent. Code § 23-06-14: *What Bodies May Be Used for Dissection*, https://ndlegis.gov/cencode/t23c06.pdf.

[1619] North Dakota Century Code Title 23. Health and Safety § 23-06-03. Duty of final disposition--Final disposition of individuals who are indigent--Decedent's instructions establishes right to self-directed disposition then gives the right to next-of-kin, but this is not an inmate/DOC specific provision. North Dakota Century Code Title 23. Health and Safety § 23-06-14. What bodies may be used for dissection states that inmates the body of "A person dying in the penitentiary or county jail while under sentence for a crime" may be used for dissection by Any medical association, licensed physician and surgeon, or medical school, upon request. However, North Dakota Century Code Title 23. Health and Safety § 23-06-15. When body not to be used for dissection says if the deceased mentioned in § 23-06-14 are requested to be buried or their relatives or friends object within 36 hours of their death, they cannot be dissected.

[1620] North Dakota Century Code Title 12. Corrections, Parole, and Probation § 12-45-05. Burial of body states that relatives or friends can demand the body within 24 hours after the coroner receives it, or any time before burial. However, North Dakota Century Code Title 23. Health and Safety § 23-06-15. When body not to be used for dissection says if the deceased mentioned in § 23-06-14 are requested to be buried or their relatives or friends object within 36 hours of their death, they cannot be dissected.

[1623] Policies do not explicitly provide procedures for the disposition of the deceased's personal property.

[1624] Policies do not explicitly provide procedures for the disposition of the deceased's institutional account funds.

[1625] Policies do not refer to benefits of any kind.

[1626] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property

Table 15. **Return of Remains and Personal Property Grid**									
		if there was no prior wishes from the deceased or their next-of-kin		burial was requested beforehand[1] [621]	zone assistance and the human service zone covers the expense; or given to a medical association , school, or physician upon request for study unless burial was requested beforehand [1622]				
Ohio	Yes	Yes–Self	Yes fully–	Yes	Yes	Yes	Yes	No[1634]	Yes[1635]

[1621] North Dakota Century Code Title 11. Counties § 11-19.1-15. Notice of next of kin, disposition of personal belongings--Disposition of body when next of kin cannot be found states if relatives or friends are unknown, the coroner must turn over remaining personal effects to law enforcement and dispose of the remains either under § 23-06-14 or otherwise under the laws governing final disposition of indigent state residents. § 23-06-14 allows medical schools, physicians, or medical associations to receive certain bodies, including those of people who die in prison or jail under sentence and persons required to be buried at public expense, so long as proper notice is given and the person did not request a burial beforehand.

[1622] North Dakota Century Code Title 12. Corrections, Parole, and Probation § 12-45-06. Expenses of inquest--Report of officer--Payment--Burial expense limited, which specifically addresses inmate deaths, states expense of the burial cannot exceed the amount set in North Dakota Century Code Title 23. Health and Safety § 23-06-03. Duty of final disposition--Final disposition of individuals who are indigent--Decedent's instructions. § 23-06-03. (6a) and (d) states if the deceased was an inmate at a correctional facility and did not leave behind enough to cover funeral costs, an application for human service zone assistance must be submitted and the correctional facility must designate a staff member to arrange and supervise final disposition; human service zone will cover the expense.. § 23-06-14 allows medical schools, physicians, or medical associations to the bodies of deceased inmates whose remains are unclaimed or did not request a burial beforehand.

[1634] However Ohio DRC, Policy 66-ILL-02, § (VI)(H)(4), 5 does mention unclaimed investment in certificates of deposit, savings bonds, or some other type of investment property established by the institution at a local financial institution.

[1635]Ohio DRC, Policy 66-ILL-02, §§ (VI)(H)–(I), p 5–6. Ohio DRC policy gives persons in the right-of-disposition hierarchy the opportunity to accept or refuse the deceased person's property, even if they decline the body. If no claim is made, the managing officer must hold the property for at least one year while attempting to locate the responsible person; after that period, certain legal documents, including deeds, wills, contracts, mortgages, or assignments, must be filed with the county recorder. The policy also requires the facility health care administrator to inform the managing officer of any organ-donation designation, living will, or written declaration.

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1627]	directed then next-of-kin[1628]	Two days after notification from ORDC[1629]	fully–DRC must provide for interment of the body or cremated remains in a DRC cemetery, money from inmate's account may be used to pay[1630]	fully–DRC must provide for interment of the body or cremated remains in a DRC cemetery, DRC pays[1631]	fully–Right-of-disposition claimant may accept property even if the body is refused; unclaimed after 1 year, sold or destroyed[1632]	fully–Right-of-disposition claimant may accept account funds; unclaimed after 1 year, funds go to state or institutional funds, and investment property to unclaimed funds[1633]		

[1627]Ohio Department of Rehabilitation and Correction, Policy 66-ILL-02, *Incarcerated Person Deaths*, (2026), https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6

[1628] Ohio Rev. Code § 2108.72(A) establishes the right to self-directed disposition. Section 2108.72 is referenced Ohio DRC, Policy 66-ILL-02, §§ (VI)(E)–(F), 3 to reinforce deceased inmate's right to self-directed disposition If the deceased doesn't have a valid written declaration or the appointed person is disqualified, the right of disposition falls to the next of kin (3). The policy also explicitly states next-of-kin have the right to refuse the right of disposition.

[1629]Ohio DRC, Policy 66-ILL-02, §(VI)(F), 4 states that the person pre-appointed by the deceased or the next-of-kin lose the right to disposition if they refuse to accept the body within two days after notification by DRC.

[1630]Ohio DRC, Policy 66-ILL-02, §§ VI(E)–(H), p 3–5. If no pre-appointed representative or eligible next of kin can be located, DRC may assume responsibility for disposition after documenting good-faith notification efforts. If no autopsy is ordered, DRC must arrange interment of the body or cremated remains in a DRC cemetery; cremation may be used for natural-cause deaths. The grave must include identifying information, and account funds may be used for burial or cremation costs.

[1631]Ohio DRC, Policy 66-ILL-02, §§ (VI)(E)–(G), p 3–4. If no pre-appointed representative or eligible next of kin can be located, DRC may assume responsibility for disposition after documenting good-faith notification efforts. If no autopsy is ordered, DRC must arrange interment of the body or cremated remains in a DRC cemetery; cremation may be used for natural-cause deaths, and the grave must include a marker with identifying information.

[1632]Ohio DRC, Policy 66-ILL-02, § VI(H), 5. Persons in the right-of-disposition hierarchy may accept or refuse the deceased person's property, even if they decline the body. If no claim is made, the managing officer must hold the property for at least one year while attempting to locate the responsible person. Afterward, certain legal documents are filed with the county recorder, remaining property is advertised and sold at public auction, proceeds go to the state general revenue fund, and unsalable items are destroyed.

[1633]Ohio DRC, Policy 66-ILL-02, § VI(H), 5. The responsible person may accept or refuse the deceased person's account funds. If unclaimed, the managing officer must hold the funds for at least one year while attempting to locate the person with right of disposition. After one year, unclaimed funds are distributed by amount and purpose: support-related funds over $10, including burial or cremation costs, go to the state general revenue fund; other funds over $10 and all funds under $10 go to the institution's industrial and entertainment fund. Unclaimed investment property is held for one year, then transferred to the Ohio Division of Unclaimed Funds.

Table 15. **Return of Remains and Personal Property Grid**									
Oklahoma	Yes fully[1636]	Yes–Next-of-kin[1637]	Yes partially–"as soon as possible" for initial claiming then 30 days after cremation for unclaimed remains[163]	Yes fully–Donated if permitted by advance directive, ODOC cremates remains and buries them at JBCC Cemetery, paid for by money from	Yes fully–Donated if permitted by advance directive, ODOC cremates remains and buries them at JBCC Cemetery and ODOC pays[1640]	Yes fully–Designee notified by certified mail; unclaimed property sold or destroyed after 60 days[1641]	Yes fully–Cremation and transport costs deducted first; remaining funds go to family, then to state unclaimed property after 1	No[1643]	N[1644]

[1636] Oklahoma Department of Corrections, OP-140111: *Inmate Death, Injury and Illness Notification and Procedures* (2026), https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf ; Oklahoma Department of Corrections, OP-030120: *Inmate Property* (2022), https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-03/op030120.pdf. ; Oklahoma Department of Corrections, OP-120230: *Offender Banking System* (2024), https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-12/op120230.pdf.

[1637]Oklahoma Statutes, Okla. Stat. tit. 63, § 941a: *Custody of the Body* (2025), https://law.justia.com/codes/oklahoma/title-63/section-63-941a/. states the Office of the Chief Medical Examiner must release the body after finishing their investigation. Oklahoma Statutes, Okla. Stat. tit. 21, § 1158: *Right to Control Disposition of the Remains of a Deceased Person* (2025), https://law.justia.com/codes/oklahoma/title-21/section-21-1158/ establishes a right of self-directed disposition then grants the right to next of kin. Oklahoma DOC, OP-140111 Section IV,(A), 5, states that deceased inmate's designated emergency contact will be contacted by the Correctional Health Services Administrator "as soon as possible upon release of the body by the OCME" to offer them the chance to claim the remains, if that person does not claim them, allowing another person to claim them as determined by the OCME, hospital, or funeral home.

[1640]Oklahoma DOC, OP-120230 Section I, (J), 24, states that "In the event the inmate's designee declines to accept the inmate's remains and ODOC pays for the cremation, the cost shall be deducted from any balance, including mandatory savings, due to the inmate's designee," clearly indicating that if there is no money in that inmate's account ODOC will be required to cover the cost with no reimbursement.

[1641] 57 OK Stat § 530.2 states that Within three days after reception, every inmate must complete a Designation for Disposition of Property form naming the person authorized to receive the inmate's personal property if the inmate dies. Oklahoma DOC, OP-030120 Section VI (D), 6, states that upon death, that designee must be sent a written inventory of the inmate's money and personal property by certified mail. If other personal property is not claimed, it is disposed of after 60 calendar days. "After 60 calendar days, personal property will be destroyed or sold and proceeds deposited into the agency's revolving fund."

[1643] Policies do not refer to benefits of any kind.

[1644]Oklahoma Department of Corrections, *Inmate Death, Injury and Illness Notification and Procedures*, OP-140111, Section V (B), which references entitled "Inmate Living Will/Advance Directive for Health Care and Do Not Resuscitate (DNR) Consent," https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf. Refers to the "Inmate Living Will/Advance Directive for Health Care and Do Not Resuscitate (DNR) Consent" form but not an actual will and testament.

Table 15. **Return of Remains and Personal Property Grid**									
			[8]	the deceased's account [1639]			year[1642]		
Oregon	Yes fully[1645]	Yes–Self-directed then next-of-kin[1646]	No[1647]	Yes fully–ODOC coordinates with authorized mortuary, not allowed to use deceased's	Yes fully–ODOC coordinates with authorized mortuary, not allowed to use	Yes fully–Released to emergency contact after State Police releases deceased	Yes fully–Distributed under intestacy/wills law; unclaimed after 2 years to state unclaimed	No[1652]	Yes partially[1653]

[1639] If remains are unclaimed, Oklahoma DOC, OP-140111 Section V (B), 5–6 says they may be donated in accordance with the advance-directive policy; staff must review the deceased inmate's medical record to ensure release is consistent with the inmate's advance medical directive. If the remains are not donated, they may be cremated. If cremated remains are later unclaimed or declined, the agency chaplain must collect them and deliver them to JBCC for burial. The cost is deducted from the inmate's account, including mandatory savings. JBCC must have local procedures for disposition of cremains and conduct a memorial service, and graves must be marked.
[1642]dies. Oklahoma DOC, OP-030120 Section VI (D), 6, states upon death, the designee receives a written inventory of the inmate's money and property by certified mail. After cremation and transportation fees are determined and deducted from the inmate's account, the family is notified of any remaining funds. If the money is not claimed OP-120230 repeats that if money is not paid to a designated beneficiary within one year, it is moved to Whereabouts Unknown and then transferred to the State Treasurer's Unclaimed Property Division.
[1645]Oregon Revised Statutes, ORS 97.130: *Right to Control Disposition of Remains; Delegation* (2025), § 97.130, https://www.oregonlegislature.gov/bills_laws/ors/ors097.html; Oregon Department of Corrections, OAR 291-027-0040: *Removal of the Deceased* (2011), § 291-027-0040, https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37596; Oregon Department of Corrections, OAR 291-027-0055: *Duties of the Facility Contact Person* (2011), § 291-027-0055, https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37600 ; Oregon Department of Corrections, OAR 291-027-0065: *Disposition of Remains* (2011), § 291-027-0065, https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37603; Oregon Department of Corrections, OAR 291-027-0070: *Property and Fund Disposition* (2011), § 291-027-0070, https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37604; Oregon Department of Corrections, OAR 291-117-0140: *Disposition of Inmate Property* (2025), § 291-117-0140, https://oregon.public.law/rules/oar_291-117-0140.
[1646] Oregon Revised Statutes, Chapter 97, §97.130(1)-(2), https://www.oregonlegislature.gov/bills_laws/ors/ors097.html, establishes a right to self-directed disposition then gives the right to next-of-kin. OAR 291-027-0040 (1) – (4) states that once the medical examiner and State Police authorize release of the body, the functional unit manager or designee must arrange transport of the deceased to the designated mortuary under the department's contracts or local agreements. OAR 291-027-0065 (1) – (3) says the inmate's emergency contact person will be given the option of arranging final disposition of the inmate's remains and that inmates make prior arrangements with their designated emergency contact person concerning personal preferences for their disposition. OAR 291-027-0055 (1) adds that the facility contact person coordinates the processes associated with disposition of the deceased inmate's remains and personal property.
[1647] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated).
[1652] ORS 291-158-0045 (1)(C) – (D) says government checks and insurance-settlement checks may be credited to an inmate's account but does not directly address the disbursement of these or other benefits after an inmate dies.
[1653] OAR 291-027-0070 (3) refers to Oregon Revised Statutes, ORS Chapter 112: *Intestate Succession and Wills* (2026), https://oregon.public.law/statutes/ors_chapter_112, but does not itself refer to inmate wills or testaments.

Table 15. **Return of Remains and Personal Property Grid**									
				account funds to pay[1648]	deceased's account funds to pay[1649]	and property; if abandoned after 45 days, disposed under abandonment rules[1650]	property; not usable for DOC disposition costs[1651]		
Pennsylvania	Yes partially	Yes–Next-of-kin[165]	Yes fully–5	Yes fully–Donated to	Yes fully–Donated to	Yes partially–	Yes Partially–A	No[1661]	No[1662]

[1638]Oklahoma DOC, OP-140111 Section IV,(A), 5–6, says the deceased emergency contact must be offered the opportunity to claim the remains "as soon as possible" upon release and if remains are unclaimed or are not donated they will be cremated. But after cremation, the emergency contact or another relative may claim the residue of the remains from Jackie Brannon Correction Center (JBCC) within 30 calendar days of receipt of the remains. If they decline, the agency chaplain collects the cremains and delivers them to JBCC for burial.

[1648] OAR 291-027-0065(5) states if the emergency contact person or family is unwilling or unable to arrange final disposition, the Department of Corrections is responsible. It specifies that "Trust funds from the deceased inmate's accounts shall not be used to offset expenses incurred by the Department of Corrections related to the inmate's death." OAR 291-027-0065(5), https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=336322.

[1649] Ibid. If the emergency contact person or family is unwilling or unable to arrange final disposition, the Department of Corrections is responsible. It specifies that " Trust funds from the deceased inmate's accounts shall not be used to offset expenses incurred by the Department of Corrections related to the inmate's death," which covers indigent deceased.

[1650] OAR 291-027-0070 (1) – (2) requires the officer-in-charge to ensure that the inmate's personal property is inventoried and secured for the State Police if applicable. After the State Police release it, the facility contact person arranges release of the property to the emergency contact person. If it is abandoned, it is disposed of under OAR 291-117-0140 (4)(a) which requires property left with the department upon an inmate's death is treated as abandoned property and processed under the abandonment rules; separately, unclaimed property that cannot be identified as belonging to a specific inmate may be held up to 45 days and then discarded.

[1651] OAR 291-027-0070 (3) refers to Or. Rev. Stat. ch. 112., Oregon's chapter on Intestate Succession and Wills, and DOC's Central Trust rules in OAR chapter 291, division 158. ORS 291-158-0015 (12) states funds unclaimed two years after death will be disposed of in accordance with Oregon Revised Statutes, ORS Chapter 98: *Lost, Unclaimed or Abandoned Property* (2025), https://www.oregonlegislature.gov/bills_laws/ors/ors098.html. OAR 291-027-0065 (5) specifies that inmate trust account funds may not be used to cover disposition costs incurred by DOC.

[1661] Policies do not refer to benefits of any kind.

[1662] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property.

Table 15. **Return of Remains and Personal Property Grid**									
	public[1654]	5	days[1656]	Human Gift Registry, if not against inmate's express wishes, otherwise cremation. Paid for by inmate if possible[1657]	Human Gift Registry, if not against inmate's express wishes, otherwise cremation. Paid for by the facility.[1658]	Property goes to designated next of kin; detailed disposition governed by nonpublic facility-security policy[1659]	ccount funds may be used for cremation of unclaimed bodies; no further public rule on next-of-kin disbursement[1660]		
Rhode	Yes	Yes–Next-of-	Yes–30	Yes	Yes	Yes	Yes	No[1670]	Yes

[1654] Pennsylvania DOC, Procedures Manual 13.1.1, § 9, *Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior*, p 9-1–9-10, (2024). Department policy 6.3.1 "Facility Security" referred to on 9–2 but not publicly available

[1655] Pennsylvania Consolidated Statutes, 20 Pa. Cons. Stat. § 305: *Right to Dispose of a Decedent's Remains* (2026), § 305 (a), https://www.palegis.us/statutes/consolidated/view-statute?txtType=HTM&ttl=20&div=00.&chapter=003.&section=005.&subsctn=000 establishes right to self-directed disposition then next-of-kin. Pennsylvania DOC, Procedures Manual 13.1.1, § 9(E)(1), 9-3 Pennsylvania DOC policy provides that, after any post-mortem examination, the body is released to the family's chosen mortician at the claimant's expense. State regulations also require consular notification when a non-U.S. citizen detainee dies.

[1656]Pennsylvania DOC, Procedures Manual 13.1.1, § 9(E)(4), 9-3.
states families have five days to arrange for disposition following notification.

[1657]Pennsylvania DOC, Procedures Manual 13.1.1, § 9(E)(3) –(4), 9-3. If the body is unclaimed or no funeral arrangements are made within five days, and the inmate did not previously object to body donation, Pennsylvania DOC provides for donation to the Humanity Gifts Registry for scientific and teaching purposes. If HGR declines the body, the facility arranges cremation through a contracted mortician, using available inmate account funds or, if none exist, facility funds..

[1658]Pennsylvania DOC, Procedures Manual 13.1.1, § 9(E)(3) –(4), 9-3. If the body is unclaimed or no funeral arrangements are made within five days, and the inmate did not previously object to body donation, Pennsylvania DOC provides for donation to the Humanity Gifts Registry for scientific and teaching purposes. If HGR declines the body, the facility arranges cremation through a contracted mortician, using available inmate account funds or, if none exist, facility funds..

[1659]Pennsylvania Code, 37 Pa. Code § 93.13: *Procedure in the Event of an Inmate Death* (2026), § 93.13(a), https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/037/chapter93/s93.13.html&d=reduce. (a) says that inmates should designate a next-of-kin to have their property delivered to in case of death. Pennsylvania DOC, Procedures Manual 13.1.1, § 9(A)(1), 9-1 states "Disposition of personal effects of the deceased shall be in accordance with Department policy 6.3.1, 'Facility Security'" but this policy is not publicly available (85). No timeline for disposition is established.

[1660]Pennsylvania DOC, Procedures Manual 13.1.1, § 9(E)(4), 9-3. states that cremation for unclaimed bodies will be paid for from the deceased inmate's account if there is money. However, no other information about disbursement of inmate account funds to next-of-kin is available.

[1670] Policies do not refer to benefits of any kind.

Table 15. **Return of Remains and Personal Property Grid**									
Island	fully[1663]	kin[1664]	days of receiving notice of death[1665]	fully–Given to the Department of Human Services for burial. Paid for by deceased's account/estate or the General Treasury[1666]	fully–Given to the Department of Human Services for burial. Paid for by the General Treasury[1667]	partially–Released to next-of-kin[1668]	partially–Account frozen at death; burial costs paid first; remainder to body claimant, with probate required for over-$300 non-next-of-kin		partially[1671]

[1663] Rhode Island Department of Corrections (RIDOC), *Policy Number 18.09-4 DOC: Death of Inmates Under RIDOC Supervision* (2025), https://doc.ri.gov/media/3516/download?language=en.

[1664] Rhode Island General Laws, R.I. Gen. Laws § 5-33.3-3: *Designation of Funeral Planning Agent*, https://webserver.rilegislature.gov/Statutes/TITLE5/5-33.3/5-33.3-3.HTM. establishes a right to self-directed disposition, not acknowledged by DOC. RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(C), 5–6 says that the Chief Medical Examiner must authorize the removal of the inmate's body from the premises for a post-mortem examination or further disposition.

[1665] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(C), 5–6; Rhode Island General Laws, R.I. Gen. Laws § 23-4-10: Disposition of Deceased Bodies, https://webserver.rilegislature.gov/Statutes/TITLE23/23-4/23-4-10.htm . states failure or refusal to claim a body within 14 days of receiving notice of the death; or failure or refusal to make arrangements for removal of the body within 30 days of receiving notice of the death.

[1666] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(C), 5–6 ,states that the Interdepartmental Project Manager will work with the Medical Examiner's office and the General Public Assistance (GPA) division of the Rhode Island Department of Human Services to facilitate the disposal of the body as governed by RIGL § 23-18.1-1. Rhode Island General Laws, R.I. Gen. Laws § 23-18.1-1: *Public Expense Burials* (2025), https://law.justia.com/codes/rhode-island/title-23/chapter-23-18-1/section-23-18-1-1/ states that once the Department of Human Services has a body, they will publish a description of the body and "within a reasonable time thereafter cause the body to be decently buried." Paid for with funds from the inmate's account if possible or their estate; if the deceased is indigent RI Gen L § 23-18.1-1 states the burial will be paid for by the general treasury.

[1667] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(C), 5–6, states that the Interdepartmental Project Manager will work with the Medical Examiner's office and the General Public Assistance (GPA) division of the Rhode Island Department of Human Services to facilitate the disposal of the body as governed by RIGL § 23-18.1-1. (6). RI Gen L § 23-18.1-1 states that once the Department of Human Services has a body, they will publish a description of the body and "within a reasonable time thereafter cause the body to be decently buried." Paid for with funds from the inmate's account if possible (RIDOC, POLICY AND PROCEDURE # 18.09-4 DOC, 6) or their estate; if the deceased is indigent RI Gen L § 23-18.1-1 states the burial will be paid for by the general treasury.

[1668] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(A), 2, states that RIDOC may release an inmate's personal possessions to their next-of-kin (but establishes no timeline for claiming property.

[1671] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(C), 6, states disposition of funds over $300 must be processed through Probate Court.

Table 15. **Return of Remains and Personal Property Grid**									
							claims[1669]		
South Carolina	Yes fully[1672]	Yes–Next-of-kin[1673]	Yes partial–No timeline pre-cremation, but 30 days to claim ashes after cremation by SCDC	Yes fully–SCDC arranges cremation. Does not say who pays[1674]	Yes partially–SCDC arranges cremation. Does not say who pays [1675]	Yes fully–Released to next of kin; unclaimed property after 30 days donated or destroyed	Yes partially–Funds over $25 require probate order for release; restitution obligation ends at death[1677]	No[1678]	No[1679]

[1669] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section IV(C), 6 Inmate's account will be frozen upon notice of their death and "Once the body of the deceased inmate has been claimed and Inmate Accounts staff receives written verification that all burial expenses have been paid in full, the Inmate Accounts Office can turn over the balance of the inmate's account to the person who claimed the body, as verified by the Medical Examiner's office or funeral director" (6). If necessary, the inmate's account funds will be used to cover their burial costs. Release of account funds over $300 to someone not identified as next-of-kin must be addressed in Probate Court. However, no timeline for disposition of funds is established.

[1672] South Carolina Department of Corrections, Policy/Procedure HS-18.04: *Inmate Death* (2008), https://www.doc.sc.gov/sites/doc/files/Documents/policy/HS-18-04.pdf. ; South Carolina Department of Corrections, Policy/Procedure PS-10.05: *Inmate Religion* (2015), https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-PS-10-05.pdf.

[1673] SC Code § 32-8-315 establishes right to self-directed disposition but not acknowledged by DOC ; South Carolina DOC, Policy/Procedure HS-18.04, Section 8, also discusses family members claiming the body and specifically discusses preparation for transportation to a funeral home or a contracted pathologist (6).

[1674] South Carolina DOC, Policy/Procedure PS-10.05, Section 1.3.10, 14, states "if the family is not located or does not claim the body, SCDC will contact the funeral home to cremate the body. The family can claim the ashes, or they will be spread in the SCDC cemetery within 30 days after cremation," https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-PS-10-05.pdf.

[1675] South Carolina DOC, Policy/Procedure PS-10.05, Section 1.3.10, 14, states "if the family is not located or does not claim the body, SCDC will contact the funeral home to cremate the body. The family can claim the ashes, or they will be spread in the SCDC cemetery within 30 days after cremation," https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-PS-10-05.pdf. However the policy does not specify how payment is made for the disposition, including whether SCDC will pay.

[1677] ADM-15.12, "E.H. Cooper Trust Fund" states "Funds remaining in a deceased inmate's account in excess of $25.00 will require receipt of a written Probate Court Order directing distribution of the funds prior to their release." (11). ADM-15.01, "Repayment of Costs by Inmates," says restitution will be considered as a debt to SDCD satisfied only upon full payment or an inmate's death (6). Neither policy establishes a timeline for when funds are considered unclaimed.

[1678] Policies do not refer to benefits of any kind.

[1679] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property.

Table 15. **Return of Remains and Personal Property Grid**									
						[1676]			
South Dakota	Yes fully[1680]	Yes–Next-of-kin[1681]	Yes fully–48 Hours after contact, then 60 days after being given to University of South Dakota	Yes fully–Given to medical school for study then buried[1683]	Yes fully–Given to medical school for study then buried[1684]	Yes partially–Funds first satisfy obligations; excess goes to inmate or heir, while tangible property	Yes partially–Funds first satisfy obligations; excess to heir, otherwise general fund; property may be sold,	No[1687]	Yes fully[1688]

[1676] South Carolina Department of Corrections, Policy/Procedure PS-10.05, Section 1.3.10, 14, states " Chaplain will arrange for the next of kin to receive any possessions of the deceased inmate," https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-PS-10-05.pdf. South Carolina Department of Correction, Policy/Procedure, OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property," Sections 10 and 12 states after 30 days unclaimed property "will be donated to an authorized charity, Pre-Release Center, or destroyed," https://doc.sc.gov/sites/doc/files/Documents/policy/OP-22-03.pdf

[1680] South Dakota Codified Laws, § 24-1-27.

[1681] South Dakota Codified Law, §34-26-75, "Disposition of remains–Control–Right and duty," https://sdlegislature.gov/Statutes/34-26-75, establishes the right to self-directed disposition but this is not acknowledged by South Dakota Codified Law, §24-1-27, "Disposition of a dead inamte–Notice to next of kin," https://sdlegislature.gov/Statutes/24-1-27, which only addresses next-of-kin.

[1683] South Dakota Codified Laws, §24-1-27, South Dakota Legislature, https://sdlegislature.gov/Statutes/24-1-27. 34-26-8. Notice to medical school of unclaimed body--Requisition by and forwarding to medical school. "It shall be the duty of any person into whose charge may come the unclaimed dead body of a convict or other person to be buried at public expense, to give notice to the dean of the School of Medicine of the University of South Dakota within twenty-four hours after the receipt of any such body, specifying in such notice the probable cause of death; and upon the requisition of such dean he shall forward such body to the university, at its expense, within twenty-four hours of the receipt of such requisition;" 34-26-11. Use of unclaimed bodies by medical school--Burial of remains. "Bodies delivered pursuant to §34-26-8 unclaimed after the expiration of sixty days may be used for the promotion of medical and surgical science, and the instruction and study of physicians and students of anatomy and embalming in this state. After having served such purpose, the remains shall in all cases receive proper burial."

[1684] 34-26-8. Notice to medical school of unclaimed body--Requisition by and forwarding to medical school. "It shall be the duty of any person into whose charge may come the unclaimed dead body of a convict or other person to be buried at public expense, to give notice to the dean of the School of Medicine of the University of South Dakota within twenty-four hours after the receipt of any such body, specifying in such notice the probable cause of death; and upon the requisition of such dean he shall forward such body to the university, at its expense, within twenty-four hours of the receipt of such requisition;" 34-26-11. Use of unclaimed bodies by medical school--Burial of remains. "Bodies delivered pursuant to § 34-26-8 unclaimed after the expiration of sixty days may be used for the promotion of medical and surgical science, and the instruction and study of physicians and students of anatomy and embalming in this state. After having served such purpose, the remains shall in all cases receive proper burial."

[1687] Policies do not refer to benefits of any kind.

[1688] Death of an Offender 300-20 states "In the absence of a directive or other documentation from the offender specifying post-death instructions/directions, DOC staff will contact the offender's emergency contact, legal next of kin, or in their absence, any known immediate family member to confirm whether they intend to claim the offender's personal property." (4)

Table 15. **Return of Remains and Personal Property Grid**									
			Medical School[1682]			may be sold, donated, discarded, returned to an heir, or used for DOC benefit[1685]	donated, discarded, or returned[1686]		
Tennessee	Yes	Yes–Next-of-	Yes fully–	Yes– Either	Y– Either	No[1694]	Yes	No[1696]	No[1697]

[1682] S.D. Codified Laws § 24-1-27, South Dakota Legislature, https://sdlegislature.gov/Statutes/24-1-27. ; 34-26-8. Notice to medical school of unclaimed body--Requisition by and forwarding to medical school. "It shall be the duty of any person into whose charge may come the unclaimed dead body of a convict or other person to be buried at public expense, to give notice to the dean of the School of Medicine of the University of South Dakota within twenty-four hours after the receipt of any such body, specifying in such notice the probable cause of death; and upon the requisition of such dean he shall forward such body to the university, at its expense, within twenty-four hours of the receipt of such requisition." ; 34-26-11. Use of unclaimed bodies by medical school--Burial of remains. "Bodies delivered pursuant to § 34-26-8 unclaimed after the expiration of sixty days may be used for the promotion of medical and surgical science, and the instruction and study of physicians and students of anatomy and embalming in this state. After having served such purpose, the remains shall in all cases receive proper burial."

[1685] 24-5-5. Funds in inmate's institutional accounts upon discharge, death, or escape--Application--Refund. "If any inmate of a state correctional facility dies, is discharged, or escapes, leaving funds in the inmate's institutional account or other tangible personal property of value, a correctional facility official shall apply these funds towards the inmate's obligations as provided for in § 24-2-29. At the official's discretion, tangible personal property of value may be sold, donated to charity, discarded, returned to an heir, or used for the benefit of the Department of Corrections. If the funds exceed the inmate's obligations as provided for in § 24-2-29, the official shall give the excess balance back to the inmate or an heir of the inmate. Otherwise, the official shall deposit the excess balance in the state general fund." ; 24-5-6. Closing of inmate's institutional account with negative balance. "If any inmate of a state correctional facility dies or is discharged from a state correctional facility with a negative balance in the inmate's institutional account, a state correctional facility official may close out that account." However, a timeline is not established.

[1686] 24-5-5. Funds in inmate's institutional accounts upon discharge, death, or escape--Application--Refund. "If any inmate of a state correctional facility dies, is discharged, or escapes, leaving funds in the inmate's institutional account or other tangible personal property of value, a correctional facility official shall apply these funds towards the inmate's obligations as provided for in § 24-2-29. At the official's discretion, tangible personal property of value may be sold, donated to charity, discarded, returned to an heir, or used for the benefit of the Department of Corrections. If the funds exceed the inmate's obligations as provided for in § 24-2-29, the official shall give the excess balance back to the inmate or an heir of the inmate. Otherwise, the official shall deposit the excess balance in the state general fund." However, a timeline is not established.

[1694] Tennessee Department of Correction, Administrative Policy 208.01: *Inmate Trust Fund Accounts* (2023), https://www.tn.gov/content/dam/tn/correction/documents/208-01.pdf does not address disposition after death.

[1696] Policies do not refer to benefits of any kind.

[1697] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property.

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1689]	kin[1690]	96 hours[1691]	given to Chief Medical Examiner who distributes them among the medical, dental and anthropologic institutions or cremated or buried[1692]	given to Chief Medical Examiner who distributes them among the medical, dental and anthropologic institutions or cremated or buried[1693]		fully–Paid to the estate upon returned settlement form; if no claim in 30 days, moved to unclaimed account, with shipping costs payable from the estate on request[1695]		
Texas	Yes fully[1698]	Yes–next-of-kin[1699]	No[1700]	Yes fully–Buried in prison cemetery, unclear who	Yes partially-Buried in prison cemetery,	Yes fully–Under $100, released to	Yes fully–Released to designated heirs by	No[1705]	Yes partially[1706]

[1689] Tennessee Code Annotated, Tenn. Code Ann. § 68-4-103: *Claiming Bodies for Burial or Cremation*, https://law.justia.com/codes/tennessee/title-68/health/chapter-4/section-68-4-103/; Tennessee Code Annotated, Tenn. Code Ann. § 68-4-102: *Disposition of Unclaimed Dead Bodies*, https://law.justia.com/codes/tennessee/title-68/health/chapter-4/section-68-4-102/.

[1690] Tennessee Code Annotated, Tenn. Code Ann. § 62-5-703: *Order in Which Rights to Control Vest*, https://law.justia.com/codes/tennessee/title-62/chapter-5/part-7/section-62-5-703/ establishes right to self-directed disposition but not acknowledged by DOC. TN Code § 68-4-103 refers to relatives claiming the body.

[1691] TN Code § 68-4-103 (b) (1)

[1692] TN Code § 68-4-103 (b)(c) ; TN Code § 68-4-102 (a); TN Code § 68-4-105 (c)

[1693] TN Code § 68-4-103 (b)(c); TN Code § 68-4-102 (a) ; TN Code § 68-4-105 (c)

[1695] Tenneseee DOC, Administrative Policy 208.01 Section VI(J), 8

[1698] Texas Correctional Managed Health Care, Policy Manual A-11.1: *Procedure to Be Followed in Cases of Inmate Death* (2025), https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf

[1699] Sec. 711.002. DISPOSITION OF REMAINS establishes right to self-directed disposition. Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual, effective April 15, 2025 does not acknowledge self-direction and only refers to next-of-kin disposition..

[1700] CMHC, Policy Manual A-11.1, Section II (A) –(B) states "the Huntsville Unit shall not make arrangements to bury the inmate until it receives either an email or fax from the family stating that it does not wish to claim the body or, in cases where the family cannot be located, an e-mail message from the Chaplain who tried to locate the family" (3) but does not give a specific timeline.

[1705] Policies do not refer to benefits of any kind.

[1706] *Chaplaincy Manual 2012: Appendixes*, Section IX, 42-43 refer to "certified heir utilizing an affidavit of heirship (see Section X. below) or other appropriate legal documentation" but it does not explicitly acknowledge a will or testament or provide procedures for honoring testamentary instructions (42).

Table 15. **Return of Remains and Personal Property Grid**									
				pays[1701]	unclear who pays[1702]	notified contact if claimed; over $100, released only to legal heir; unclaimed property disposed after 6 months[1703]	affidavit of heirship; unclaimed after 2 years escheats to Texas[1704]		
Utah	Yes fully[1707]	Yes–Self-directed then next of kin[1708]	Yes fully–Five days[1709]	Yes fully–Buried or given to school of medicine upon request–	Yes fully–Buried or given to school of medicine upon	Yes fully–Held 30 days for designated next of kin or	Yes fully–Held 30 days for designated next of kin or representati	No[1714]	No[1715]

[1701] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual, effective April 15, 2025, https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf. "The contracted funeral home is responsible for burial arrangements in the prison cemetery if the remains of the deceased inmate are not claimed. These arrangements must be coordinated with the Warden/Facility Administrator of the Huntsville Unit" (3)

[1702] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual, effective April 15, 2025, https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf. "The contracted funeral home is responsible for burial arrangements in the prison cemetery if the remains of the deceased inmate are not claimed. These arrangements must be coordinated with the Warden/Facility Administrator of the Huntsville Unit" (3)

[1703] TEXAS DEPARTMENT OF CRIMINAL JUSTICE, *Chaplaincy Manual 2012: Appendixes* (2012), http://www.preciousheart.net/chaplaincy/Chaplaincy-Manual-2012-APPENDIXES.pd "AD-03.29r7 TDCJ Procedures to be Followed in Cases of Offender Death" Section IX, 42-43

[1704] *Chaplaincy Manual 2012: Appendixes*, Section IX, 42-43.

[1707] Utah Department of Corrections, Policy FD14: *Inmate Property* (2025), https://public.powerdms.com/UtahDOC/documents/2037935; Utah Department of Corrections, Policy FI14: *Disposition of Deceased Inmate Remains* (1991), https://drive.google.com/file/d/1ojzXubKSR3If_39bGEhI6V2rfIgO5MVW/view?usp=sharing.

[1708] 58-9-602. Determination of control of disposition. right to self-directed disposition ; Utah DOC, Policy FI14, Procedure Section 2.03, (F), 2 recognizes inmate right self-directed disposition: "If an inmate did not designate a person who may claim the body or make other arrangements, the body shall be disposed of as directed by State Statute UCA 26-4-25…In the event no designee is found, the remains shall be attended to by the mortuary contracted by the local county.."

[1709] Utah DOC, Policy FI14, Procedure Section 3.02, (A), 3, states The warden/designee shall make arrangements for the disposition of the remains if…3. if the remains are unclaimed for five working days"

[1714] Policies do not refer to benefits of any kind.

[1715] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property.

Table 15. **Return of Remains and Personal Property Grid**									
				special provision for tissue used for rescue dog training[1710]	request–special provision for tissue used for rescue dog training [1711]	representative; successor may claim by affidavit if none is listed; unclaimed after 1 year becomes state property[1712]	ve; successor may claim by affidavit if none is listed; unclaimed after 1 year becomes state property[1713]		
Vermont	Yes fully[1716]	Yes–Self-directed then next-of-kin[1717]	No[1718]	Yes fully–Burial at DOC grounds paid for by	Yes fully–burial at DOC grounds paid for by	Yes fully–Released to designated	Yes fully–Released to designated emergency	No[1723]	No[1724]

[1710] Utah DOC, Policy FI14, Procedure Section 2.03(F), p. 2; Utah Code Ann. § 26B-8-225. Utah DOC policy provides that, if an incarcerated person did not designate someone to claim the body or make other arrangements, the body is disposed of under state law; if no designee is found, the remains are handled by the mortuary contracted by the local county. The policy cites the former Utah Code § 26-4-25, now recodified as Utah Code Ann. § 26B-8-225, which requires the county to provide a decent burial for an unclaimed body at county expense unless the body is requested by the dean of the University of Utah School of Medicine. For unclaimed bodies temporarily in the medical examiner's custody before burial, the medical examiner may also retain tissue for donation to a person affiliated with an established search-and-rescue dog organization for human-remains detection training.

[1711] Utah DOC, Policy FI14, Procedure Section 2.03(F), p. 2; Utah Code Ann. § 26B-8-225. Utah DOC policy provides that, if an incarcerated person did not designate someone to claim the body or make other arrangements, the body is disposed of under state law; if no designee is found, the remains are handled by the mortuary contracted by the local county. The policy cites the former Utah Code § 26-4-25, now recodified as Utah Code Ann. § 26B-8-225, which requires the county to provide a decent burial for an unclaimed body at county expense unless the body is requested by the dean of the University of Utah School of Medicine. For unclaimed bodies temporarily in the medical examiner's custody before burial, the medical examiner may also retain tissue for donation to a person affiliated with an established search-and-rescue dog organization for human-remains detection training.

[1712] Utah DOC, Policy FD14, Section 2.03 (M), 6

[1713] Utah DOC, Policy FD14, Section 2.03 (M), 6

[1716]Vermont Department of Corrections, Policy 353: *Death Response and Review* (2024), https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf.

[1717]Vermont Statutes Annotated, Vt. Stat. Ann. tit. 18, § 9702: *Advance Directive* (2026), https://legislature.vermont.gov/statutes/section/18/231/09702 establishes the right to self-directed disposition. Vermont DOC, Policy 353, Section A, 2, recognizes inmate right to self-directed disposition (2)

[1718] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated).

[1723]Policies do not refer to benefits of any kind.

[1724] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property

Table 15. **Return of Remains and Personal Property Grid**									
				DOC[1719]	DOC[1720]	emergency contact; if unclaimed after certified notice and 90 days, disposed under facility policy[1721]	contact; if unclaimed after certified notice and 90 days, disposed under facility policy[1722]		
Virginia	Yes fully[1725]	Yes–Next-of-kin[1726]	Yes fully–30 days[1727]	Yes fully–Cremated by DOC, deceased's account used to defray costs if	Yes fully–Cremated by DOC, paid for by DOC[1729]	Yes fully–Released to executor/administrator, or after 60 days by	Yes fully–Released to executor/administrator, or after 60 days by small-estate	No[1732]	No[1733]

[1719] Vermont DOC, Policy 353 Section E, 7, states "the DOC shall arrange, and fund, the burial at the DOC's designated burial ground" if remains are unclaimed.
[1720] Vermont DOC, Policy 353 Section E, 7 states "the DOC shall arrange, and fund, the burial at the DOC's designated burial ground" if remains are unclaimed.
[1721] Vermont DOC, Policy 353 Section F, 8
[1722] Vermont DOC, Policy 353 Section F, 8
[1725] Virginia Department of Corrections, Operating Procedure 038.4: *Notification of Serious Injury, Illness, or Death* (2025), https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4.pdf; Virginia Department of Corrections, Operating Procedure 802.1: *Inmate and CCAP Probationer/Parolee Property* (effective Feb. 1, 2022; amended Apr. 17, 2025), https://vadoc.virginia.gov/files/operating-procedures/800/vadoc-op-802-1.pdf.
[1726]Code of Virginia, Va. Code Ann. § 54.1-2825: *Person to Make Arrangements for Funeral and Disposition of Remains*, https://law.lis.virginia.gov/vacode/54.1-2825/. establishes the right to self-directed disposition. Virginia DOC, OP 038.4, Section III (A), 6 states "Identity of the next of kin, if determined, will be provided to the Chief Medical Examiner upon transfer of the body."
[1727] Virginia DOC, OP 038.4, Section VII, 11–12, states "The emergency contact/next of kin should be advised that they are responsible to determine the disposition of remains and that if appropriate arrangements are not completed within 30 days, the DOC will complete disposition."
[1729]Virginia DOC, OP 038.4, Section VII, pp. 11–12. The District Office of the Chief Medical Examiner determines whether the body must be transported for further examination, including autopsy, or may be released to a funeral home selected by the emergency contact, next of kin, or, if no one claims the body, the facility. If the body is unclaimed, the facility where the deceased was assigned must arrange local funeral services for cremation and is responsible for reasonable transportation, cremation, and ash-disposal expenses. When DOC pays for cremation, the ashes are to be disposed of rather than released to the family. The policy also notes that Virginia law permits funeral expenses to be paid from the deceased person's estate, meaning a deceased inmate's or CCAP probationer/parolee's trust account balance may be used to help cover costs for an unclaimed body.
[1732] Policies do not refer to benefits of any kind.
[1733] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property

Table 15. **Return of Remains and Personal Property Grid**									
				possible[1728]		small-estate procedures for estates up to $50,000; unclaimed after 90 days treated as unclaimed property[1730]	procedures for estates up to $50,000; unclaimed after 90 days treated as unclaimed property[1731]		
Washington	Yes fully[1734]	Yes–Next-of-kin[1735]	Yes fully–45	Yes fully –Coroner	Yes fully–Coro	Yes fully–Rel	Yes fully–Relea	No[1741]	Yes fully[1742]

[1728] Virginia Department of Corrections, Operating Procedure 038.4, Section VII, pp. 11–12. The District Office of the Chief Medical Examiner determines whether the body must be transported for further examination, including autopsy, or may be released to a funeral home selected by the emergency contact, next of kin, or, if no one claims the body, the facility. If the body is unclaimed, the facility where the deceased was assigned must arrange local funeral services for cremation and is responsible for reasonable transportation, cremation, and ash-disposal expenses. When DOC pays for cremation, the ashes are to be disposed of rather than released to the family. The policy also notes that Virginia law permits funeral expenses to be paid from the deceased person's estate, meaning a deceased inmate's or CCAP probationer/parolee's trust account balance may be used to help cover costs for an unclaimed body.

[1730] Virginia Department of Corrections, Operating Procedure 038.4, pp. 7, 11; Virginia DOC, OP 802.1, Section XIV, p. 24. Virginia DOC policy assigns the deceased person's facility responsibility for giving the family relevant information about securing property and closing accounts. The facility must distribute the deceased inmate's or CCAP probationer/parolee's funds and personal property under OP 802.1. If needed, DOC will arrange and pay to deliver personal belongings in its custody to the designated contact. The policy notes that the deceased person's estate may include funds remaining in the Inmate Trust Account and may be subject to taxation, and that the timing for releasing personal property may vary depending on the circumstances.

[1731] Virginia Department of Corrections, Operating Procedure 038.4, *Notification of Serious Injury, Illness, or Death*, Sections III and VI, https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4.pdf. The assigned facility is responsible for informing the family about how to secure the deceased person's property and close any accounts. Funds and personal property must be handled under OP 802.1; DOC may arrange and pay for delivery of belongings to the designated contact, remaining trust-account funds may be treated as part of the estate and subject to taxation, and release of property may depend on the circumstances.

[1734] Washington State Department of Corrections, Policy DOC 620.200: *Death of Incarcerated Individuals* (2021), https://doc.wa.gov/sites/default/files/data/files/620200.pdf ;

[1735] Revised Code of Washington, Wash. Rev. Code § 68.50.160: *Right to Control Disposition of Remains—Liability of Funeral Establishment or Cemetery Authority—Liability for Cost*, https://app.leg.wa.gov/rcw/default.aspx?cite=68.50.160. establishes the right to self-directed disposition. Washington DOC, Policy DOC 620.200, Section VI(B), 5 only addresses next-of-kin disposition.

[1741] Policies do not refer to benefits of any kind.

[1742] Washington DOC, Policy DOC 620.200, Section VII, 6.

Table 15. **Return of Remains and Personal Property Grid**									
			days[1736]	gives the body to a funeral home for disposition, paid for either by DOC or deceased[1737]	ner gives the body to a funeral home for disposition, paid for either by DOC [1738]	eased within 2 years to estate representative or other qualifying claimant; up to $1,000 may be paid first for unpaid funeral expenses[1739]	sed within 2 years to estate representative or other qualifying claimant; up to $1,000 may be paid first for unpaid funeral expenses[1740]		
West	Yes	Yes–	No[1745]	Yes	Yes	Yes	Yes	Yes	Yes

[1736]Washington DOC, Policy DOC 620.200, Section VI(B), 6, states if next-of-kin don't take responsibility, then the coroner/ME is in charge of disposition. Revised Code of Washington, Wash. Rev. Code § 36.24.155: *Undisposed of Remains—Entrusting to Funeral Homes or Mortuaries—Indigenous Persons Remains*, Wash. Rev. Code § 36.24.155.. states that unclaimed bodies in the coroner/ME's custody are given to a funeral home. Revised Code of Washington, Wash. Rev. Code § 68.50.230: *Human Remains That Have Not Been Disposed—Rules*, Wash. Rev. Code § 68.50.230.. also states , once the remains have been in the lawful possession of a person, firm, county, or other entity for 45 days or more, and relatives or other interested persons still have not directed disposition, the remains may be disposed of by the entity holding them.

[1737] Washington DOC, Policy DOC 620.200, Section VI(B) –(C) 6, states if next-of-kin don't take responsibility, then coroner/ME is in charge of disposition (6) but that the department will either pay up to $1000 in the expenses if the deceased or their family is indigent or defray the costs by using up to $1000 from the deceased's account to pay if possible. Wash. Rev. Code § 36.24.155. states that unclaimed bodies in the coroner/ME's custody are given to a funeral home. Wash. Rev. Code § 68.50.230. also states , once the remains have been in the lawful possession of a person, firm, county, or other entity for 45 days or more, and relatives or other interested persons still have not directed disposition, the remains may be disposed of by the entity holding them.

[1738] Washington DOC, Policy DOC 620.200, Section VI(B), 6, states if next-of-kin don't take responsibility, then coroner/ME is in charge of disposition, but that the department will either pay up to $1000 in the expenses if the deceased or their family is indigent or defray the costs by using up to $1000 from the deceased's account to pay if possible. Wash. Rev. Code § 36.24.155. states that unclaimed bodies in the coroner/ME's custody are given to a funeral home. Wash. Rev. Code § 68.50.230. also states , once the remains have been in the lawful possession of a person, firm, county, or other entity for 45 days or more, and relatives or other interested persons still have not directed disposition, the remains may be disposed of by the entity holding them.

[1739]Washington State Department of Corrections, Policy DOC 440.000: *Personal Property in Prisons* (2023), https://doc.wa.gov/sites/default/files/2025-02/440000.pdf Section VII (D), 8; Revised Code of Washington, Wash. Rev. Code § 11.08.111: *Property of Deceased Inmates of State Institutions—Disposition Within Two Years*, https://app.leg.wa.gov/rcw/default.aspx?cite=11.08.111.

[1740] Washington DOC, Policy DOC 440.000 Section VII (D), 8; Wash. Rev. Code § 11.08.111 (1) –(4)

[1745] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated).

Table 15. **Return of Remains and Personal Property Grid**									
Virginia	fully[1743]	Self-directed then next-of-kin[1744]		fully–Burial or cremation organized by DOC, whichever is least expensive, paid for by DOC[1746]	fully–Burial or cremation organized by DOC, whichever is least expensive, paid for by DOC[1747]	partially–given to designated contact but time varies based on circumstances[1748]	partially[1749]	fully[1750]	fully[1751]
Wisconsin	Yes	Yes–	Yes– 48	Yes	Yes	Yes	Yes	Yes	Yes

[1743]West Virginia Division of Corrections and Rehabilitation, Policy Directive 456.01: *Death in Custody* (2025), https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf. ; West Virginia Division of Corrections and Rehabilitation, Policy Directive 456.03: *Human Gift Registry* (2022), https://wvpolicy.org/wp-content/uploads/2024/01/456.03-Human-Gift-Registry-2022.05.16.pdf. ;

[1744]W. Va. Code § 16-30-4; West Virginia DCR, Policy Directive 456.03, pp. 8–9. West Virginia law recognizes an individual's right to direct the disposition of their own remains. Under WVDCR policy, the designated contact, next of kin, or another authorized person may claim the body and arrange funeral services once the medical examiner releases the remains. If transporting the body to a funeral home in the deceased person's or next of kin's hometown involves costs, those costs may be paid from the offender's trustee account. Funeral expenses are otherwise the responsibility of the next of kin or the deceased person's estate. Facility staff may provide information about local funeral homes, and families of veterans may be eligible for veterans' burial benefits to help cover burial, funeral, and transportation expenses.

[1746]West Virginia DCR, Policy Directive 456.03, pp. 3, 9. If an offender dies in WVDCR custody and no family member is willing to claim the body or arrange burial or cremation, the Superintendent or designee may contract with a local funeral home for the least expensive disposition option. Unclaimed remains are sent to Huttonsville Correctional Center and Jail for burial. The policy also states that WVDCR is responsible for reasonable disposition expenses when a body is unclaimed.

[1747]West Virginia DCR, Policy Directive 456.03, pp. 3, 9. If an offender dies in WVDCR custody and no family member is willing to claim the body or arrange burial or cremation, the Superintendent or designee may contract with a local funeral home for the least expensive disposition option. Unclaimed remains are sent to Huttonsville Correctional Center and Jail for burial. The policy also states that WVDCR is responsible for reasonable disposition expenses when a body is unclaimed.

[1748]West Virginia DCR, Policy Directive 456.03,. 9 states "The WVDCR will arrange for the deceased person's personal belongings left in their care to be given to the designated contact. The timing for the release of personal belongings may vary based on the circumstances." (9)

[1749]West Virginia DCR, Policy Directive 456.03,. 9 said trust account funds may be used for body transportation; funeral costs are otherwise borne by next of kin or the estate, and no further account-disbursement process is specified in this policy.

[1750]West Virginia DCR, Policy Directive 456.03,. 9.said "Veterans' burial allowances (sometimes called "Veterans death benefits") may be available to families of veterans to help cover burial, funeral, and transportation costs."

[1751]West Virginia DCR, Policy Directive 456.03,. 9. West Virginia DCR does not provide detailed estate-distribution procedures in the policy, but advises families that wills and estates are governed by state law and encourages them to seek independent legal assistance, including through Legal Aid of West Virginia, for questions about the deceased person's estate, belongings, or community assets. The policy notes that, when the deceased person did not leave a will, state law determines how the estate is handled.

Table 15. **Return of Remains and Personal Property Grid**									
	fully[1752]	Next-of-kin[1753]	hours[1754]	fully–Cremation or burial, paid for using deceased's remaining account funds then the facility[1755]	fully–Cremation or burial, paid for using deceased's remaining account funds then the facility[1756]	fully–Released to personal representative if probated, or to heirs by intestate/small-estate process after 90 days; unclaimed after 1 year sold or	fully–After burial costs and debts, funds go to estate representative or heirs; unclaimed after 1 year to general fund[1758]	fully[1759]	fully[1760]

[1752] Wisconsin Department of Corrections, Division of Adult Institutions Policy 300.00.09: *Death of Persons in Our Care* (2024), https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf

[1753] Wisconsin State Statutes, Section 154.30(8) establishes right to self-directed disposition; Wisconsin DOC, DAI Policy 300.00.09, Section IV(A), 7, only refers to next-of-kin claiming. https://www.dhs.wisconsin.gov/forms/advdirectives/f00086.pdf

[1754] Wisconsin Department of Corrections, Division of Adult Institutions, Policy and Procedures, DAI Policy 300.00.09, Section IV(E), 7,"E. If the next of kin does not claim the body, arrangements shall be made for cremation or direct burial at facility expense. If the deceased PIOC has remaining funds, the funds shall be used towards cremation or burial expenses. 1. Unclaimed bodies shall not be cremated prior to 48 hours after death. 2. Cremation shall not occur if death was caused by: a. Homicide b. Contagious or infectious disease"

[1755] Wisconsin Department of Corrections, Division of Adult Institutions, Policy and Procedures, DAI Policy 300.00.09. Section IV(E), 7, "E. If the next of kin does not claim the body, arrangements shall be made for cremation or direct burial at facility expense. If the deceased PIOC has remaining funds, the funds shall be used towards cremation or burial expenses. 1. Unclaimed bodies shall not be cremated prior to 48 hours after death. 2. Cremation shall not occur if death was caused by: a. Homicide b. Contagious or infectious disease" (7)

[1756] Ibid.

[1758] Wisconsin Department of Corrections, Division of Adult Institutions, Policy and Procedures, DAI Policy 300.00.09, Section VII(A) —(E), 9 states that after burial expenses, obligations, and debts are paid, any remaining trust account balance is handled along with the estate. If probate begins, the funds go to the personal representative; if not within 90 days, the money or securities are turned over to the next of kin according to intestate succession rules. For smaller estates, authorized persons may claim funds through the affidavit process. If funds remain unclaimed for one year after death, they are deposited in the general fund.

[1759] Wisconsin Department of Corrections, Division of Adult Institutions, Policy and Procedures, DAI Policy 300.00.09, Section IV(G), 7, said an honorably discharged veteran of the U.S. Armed Forces is entitled to certain burial expenses. The facility shall claim these benefits when appropriate to defray the expenditures" (7)

[1760] Wisconsin Department of Corrections, Division of Adult Institutions, Policy and Procedures, DAI Policy 300.00.09, Section VII (A) –B), "Death of PIOC," https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf.

Table 15. **Return of Remains and Personal Property Grid**									
						disposed[1757]			
Wyoming	Yes fully[1761]	No[1762]	No[1763]	No[1764]	No[1765]	Yes fully–Property released after autopsy/review to designated recipient or next of kin; if no claimant, treated as abandoned and destroyed after 120 days[1766]	Yes partially-funds require affidavit or other legal proof to be released[1767]	No[1768]	Yes partially[1769]

[1757] Wisconsin DOC, DAI Policy 300.00.09, Section VII(A)–(E), pp. 8–9. After an incarcerated person dies, staff must notify the next of kin, determine whether the estate will be probated, and provide written notice of the personal-property inventory. If probate is opened, the property is released to the personal representative; if no probate proceeding begins within 90 days, the property is released to the next of kin according to intestate-succession rules. For smaller estates, eligible heirs or other authorized persons may claim property through the required affidavit process. Health records are not released to next of kin and are instead sent for confidential destruction. If property remains unclaimed for one year, vital documents are securely destroyed, other property may be sold or otherwise disposed of, and any sale proceeds are deposited in the general fund.

[1761] WYOMING DEPARTMENT OF CORRECTIONS, PP 3.*006 Property Control*, (2025)

[1762] § 2-17-101. Authority to authorize burial or cremation; immunity for funeral directors and funeral service practitioners establishes right to self-directed disposition. No identified Wyoming DOC policy on disposition of remains or deaths in custody in general.

[1763] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated)

[1764] Policies do not explicitly provide procedures for the disposition of unclaimed remains

[1765] Policies do not provide death in custody specific procedures for the disposition of indigent remains.

[1766] Wyoming DOC PP 3.006 Property Control Section 5 (vi), 19.

[1767] Wyoming DOC PP 3.006 Property Control Section 5 (vi), 19 states funds require affidavit or other legal proof to be released pursuant to WY Stat § 2-1-201.

[1768] Policies do not refer to benefits of any kind.

[1769] Wyoming DOC PP 3.006 Property Control Section 5 (vi), 19 states funds require affidavit or other legal proof to be released pursuant to WY Stat § 2-1-201. WY Stat § 2-1-201 is within Wyoming's Title 2 - Wills, Decedents' Estates and Probate Code but is on Payment of indebtedness and delivery of tangible personal property or instruments evidencing debt.

Table 15. **Return of Remains and Personal Property Grid**									
American Samoa	N/A[1770]	N/A[1771]	N/A[1772]	N/A[1773]	N/A[1774]	N/A[1775]	N/A[1776]	N/A[1777]	N/A[1778]
Guam	Yes fully[1779]	Yes–Next-of-kin[1780]	No[1781]	No[1782]	No[1783]	No[1784]	No[1785]	No[1786]	No[1787]
Northern Mariana Islands	No[1788]	N/A[1789]	N/A[1790]	N/A[1791]	N/A[1792]	N/A[1793]	N/A[1794]	N/A[1795]	N/A[1796]

[1770] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody
[1771] Ibid.
[1772] Ibid.
[1773] Ibid.
[1774] Ibid.
[1775] Ibid.
[1776] Ibid.
[1777] Ibid.
[1778] Ibid.
[1779] Guam Department of Corrections, General Order No. 1.13: *DCRA Policy* (2023), cited in Guam, *Death in Custody Reporting Act State Implementation Plan* (2023), PDF p 26–31, https://bja.ojp.gov/doc/dcra-plan-guam.pdf. Guam's DCRA State Implementation Plan includes a scanned copy of Guam DOC General Order No. 1.13, but the underlying DOC policy does not appear to be separately publicly available; Guam, *DCRA State Implementation Plan*, Section IV(F)(1), 21 states that the Director of Corrections or a designee must ensure the next-of-kin is notified regarding the process for releasing the body.
[1780] § 4A102. Right of Sepulcher, the Right to Choose and Control Final Disposition of a Dead Human Body (g) and (a) establishes a right to self-directed disposition and then next-of-kin right. Guam, *DCRA State Implementation Plan* (IV)(F)(1), 21 states that the Director of Corrections or a designee must ensure the next-of-kin is notified regarding the process for releasing the body.
[1781] Policies do not explicitly establish a time limit for authorized individuals to claim remains (physical or cremated)
[1782] General Order Number 1.13 (IV)(F)(1) states that the Director of Corrections or a designee must ensure the next-of-kin is notified regarding the process for releasing the body, but does not actually specify any procedures or policies for disposition of the unclaimed remains.
[1783] Ibid.
[1784] Policies do not explicitly provide procedures for the disposition of the deceased's personal property.
[1785] Policies do not explicitly provide procedures for the disposition of the deceased's institutional account funds.
[1786] Policies do not refer to benefits of any kind.
[1787] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property.
[1788] All potentially relevant policies do not satisfy, Commonwealth of the Northern Mariana Islands, *FY 2023 Death in Custody Reporting Act Implementation Plan* (2023), https://cjpa.cnmi.gov/assets/docs/jag/fy23-dcra-implementation-plan.pdf, any of the metrics.
[1789] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody
[1790] Ibid.
[1791] Ibid.
[1792] Ibid.
[1793] Ibid.
[1794] Ibid.
[1795] Ibid.
[1796] Ibid.

Table 15. **Return of Remains and Personal Property Grid**									
	Yes partially[1797]	Yes–Next-of-kin[1798]	Yes fully–24 hours after notification then five days after transfer to the Human Bodies, Organs, and Tissues Disposition Board[1799]	Yes fully–Transferred to medical school by the Human Bodies, Organs, and Tissues Disposition Board or buried[1800]	Yes fully–Transferred to medical school by the Human Bodies, Organs, and Tissues Disposition Board or buried[1801]	No[1802]	No[1803]	No[1804]	No[1805]
Puerto Rico									
U.S. Virgin Islands	N/A[1806]	N/A[1807]	N/A[1808]	N/A[1809]	N/A[1810]	N/A[1811]	N/A[1812]	N/A[1813]	N/A[1814]

[1797] Puerto Rico Department of Correction and Rehabilitation, Administrative Order AC-2005-04: *Protocolo de Intervención en los Casos de Muerte de un Confinado en una Institución Correccional* [not publicly available], cited in ACLU of Puerto Rico, *Investigation of Prisoner Deaths at Guerrero Prison* (2010), https://www.prisonlegalnews.org/news/publications/aclu-puerto-rico-investigation-of-prisoner-deaths-at-guerrero-prison-2010-en-espanol/. ; Laws of Puerto Rico, 24 L.P.R.A. § 3620l: *Unclaimed* (2024), https://law.justia.com/codes/puerto-rico/title-twenty-four/part-vii/chapter-150/3620l/. states that when someone dies in a penitentiary and their body is unclaimed 24-hours after family notification, the institution must notify the Human Bodies, Organs, and Tissues Disposition Board.

[1798] 24 L of PR § 3620l states that when someone dies in a penitentiary, families have 24 hours to claim the body.

[1799] 24 L of PR § 3620l states that when someone dies in a penitentiary and their body is unclaimed 24-hours after family notification, the institution must notify the Human Bodies, Organs, and Tissues Disposition Board. 24 L of PR § 3620m states that these bodies are then transferred to the Board and held for five more days. The remains are then transferred to the University of Puerto Rico Medical Sciences Campus (24 L of PR § 3620n) or, if the Board isn't interested in the remains, then buried (24 L of PR § 3620p Learn more)

[1800] Ibid.

[1801] Ibid.

[1802] Policies do not explicitly provide procedures for the disposition of the deceased's personal property.

[1803] Policies do not explicitly provide procedures for the disposition of the deceased's institutional account funds.

[1804] Policies do not refer to benefits of any kind.

[1805] Policies do not refer to wills, testamentary instructions, estate administration, heirs, probate, or any mechanism for carrying out the decedent's post-death wishes regarding disposition of assets and property.

[1806] No identified DOC specific policy for deaths in custody and return of remains and property for deaths in custody

[1807] Ibid.

[1808] Ibid.

[1809] Ibid.

[1810] Ibid.

[1811] Ibid.

[1812] Ibid.

[1813] Ibid.

[1814] Ibid.

e. Chapter 5: Right to Autopsy

I. Executive Summary

The right to an autopsy is imperative for understanding abrupt, unnatural, or suspicious deaths in custody, yet this right is limited and often discretionary across U.S. jurisdictions. To assess existing autopsy policies, we analyzed publicly available policies across 59 jurisdictions using nine metrics: the existence of autopsy policy; mandatory autopsy requirements; requirements specific to suspected unlawful deaths; mandatory postmortem investigations; authority to order and conduct autopsies; independent autopsy rights; specified timelines; and presence requirements during the procedure.

The findings reveal a significant gap between jurisdictions that nominally address autopsies and those that guarantee them: while 50 of 59 jurisdictions have some policy addressing autopsies in custody, only 17 require autopsies for all in-custody deaths, with most instead conditioning them on discretionary judgments about whether a death appears unnatural, unexpected, or suspicious. This discretion is compounded by fragmented authority to order autopsies, which may rest with medical examiners, coroners, attorneys general, law enforcement, or correctional administrators depending on the jurisdiction, creating opportunities for cases to be closed without rigorous scientific determination of cause of death. Procedural safeguards were the least consistently addressed area: only 30 jurisdictions satisfied at least one metric related to independent autopsy rights, timelines, or presence requirements, and just 8 addressed more than one. These gaps leave families with limited recourse to challenge official findings and correctional systems with insufficient pressure to confront preventable deaths.

II. Problem Statement

In the event of a person's death in custody, autopsies serve as a central mechanism of correctional and scientific accountability, providing clarity on the cause of death for next of kin, correctional institutions, and government agencies. While deaths in custody occur for a range of reasons, autopsies are especially critical when the cause of death is unclear, sudden, or violent, in contrast to natural deaths resulting from known, long-term illness. The right to an autopsy is integral to preserving the dignity of deceased people, as it embodies a formal effort to detect potential abuses or systemic failures in custody which may have contributed to a preventable death that then forces correctional institutions to reform. Autopsy practices in the United States are embedded within a complex framework of medical and legal authority, making the promotion of autopsy rights dependent on a complex ecosystem of government, medical, and legal authorities.

III. Policy Metrics

Table 16. **Right to Autopsy Metrics**

Metric	Metric Definition
Autopsy	Does DOC policy or jurisdictional statute/code address autopsies in

	custody?
Required Autopsy	Are autopsies required for all in-custody deaths? (excluding those from natural causes)
Unlawful Circumstances Autopsy	Are autopsies required for in-custody deaths where there is a suspicion of death by unlawful means?
Required Investigation	Are medical investigations/examinations required for all in-custody deaths (excluding those from natural causes)?
Authority to Order	Which individual(s) has the authority to order an autopsy?
Private/Independent Right	Is there an explicit right or acknowledgement of the right to request a private or independent autopsy?
Timeline	Is there a specified timeline for the aforementioned procedures?
Presence during Autopsy	Do specifications exist on who is required to, may, or may not be present during the autopsy?
Authority to Conduct	Which individual(s) has the authority to conduct an autopsy?

Nine metrics were used to evaluate the right to autopsy: (1) whether DOC policy or jurisdictional statute/code address autopsies or investigations in custody; (2) whether autopsies are required for all in-custody deaths; (3) whether autopsies are required for cases with suspicion of unlawful death; (4) whether postmortem investigations are mandatory; (5) who has the authority to order an autopsy; (6) whether there is an explicit right to request a private or independent autopsy; (7) whether a timeline is specified; (8) who may be present during the autopsy; and (9) who conducts the autopsy.[1815] All metrics, save for those on the authority to order and conduct autopsy and the timeline of autopsy, were binary (Yes/No). Metrics on private/independent right to autopsy and presence during autopsy also included descriptive components, reflecting variation in how jurisdictions operationalize these rights.

IV. Summary of Jurisdiction Performance

Table 17. **Right to Autopsy Jurisdiction Performance**	
DOC Policy or	Of the 59 jurisdictions analyzed, **50 jurisdictions** have some form

[1815] For more in depth detail on (4) postmortem investigations, *see* Section H, "Independent oversight and Investigation of Deaths". Notably, investigation/examination in this section refers to those with an explicit connection to medical and scientific procedure. Thus, those performing such investigations/examinations are typically medical professionals (coroners or medical examiners), whereas in Section H they are criminal law enforcement. Thus, while investigations are referred to in both Sections, certain jurisdictions differ in specific postmortem policy depending on whether the policy is mentioned in relation to Autopsy or Criminal investigation procedure.

Statute/Code on Autopsies in Custody	of policy addressing autopsies in custody.
Required Autopsy for All In-Custody Deaths	In **17 jurisdictions**, autopsies are required for all deaths (excluding deaths from natural causes).
Special Circumstances Autopsy	In **37 jurisdictions**, autopsies are authorized under specific special circumstances, with unlawful, unnatural, violent, or suspicious as named circumstances.
Required Investigation	In **46 jurisdictions**, investigations are required for all deaths (excluding deaths from natural causes).
Authority to Order	In **30 jurisdictions,** a medical examiner (Chief/State/Local/County/Other) is given the authority to request or order an autopsy. In **30 jurisdictions**, an attorney (District/State/Local/County/Other) is given the authority to request or order an autopsy. In **25 jurisdictions**, a coroner (Chief/State/Local/County/Other) is given the authority to request or order an autopsy. In **5 jurisdictions** total, the police or investigators are given the authority to request or order an autopsy.
Private/Independent Right	In **43 jurisdictions**, there is no established right to private/independent autopsy. In **15 jurisdictions**, there is a right to private/independent autopsy.
Timeline of Autopsy	In **42 jurisdictions**, there is no mention of timeline during autopsy. In **17 jurisdictions**, there is a mention of timeline during autopsy.
Presence during Autopsy	In **53 jurisdictions**, there is no mention of who may or must be present during autopsy. In **6 jurisdictions**, there is a mention of who may or must be present during autopsy.
Authority to Conduct	In **27 jurisdictions**, pathologists are given the authority to conduct the autopsy. In **9 jurisdictions**, surgeons are given the authority to conduct the autopsy. In **14 jurisdictions**, actors performing the autopsy are specified to be “certified” or “licensed”.

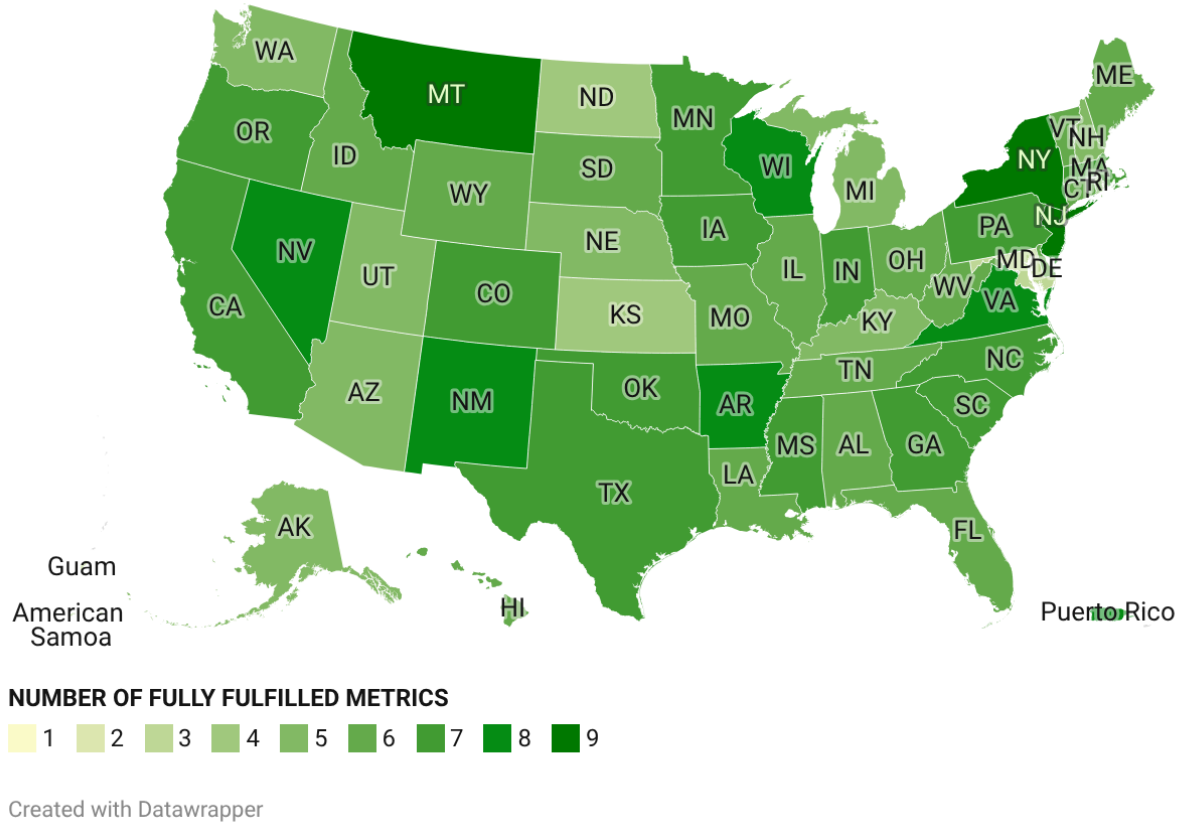


Figure 12. **Autopsy Policies by Fulfilled Metrics**

Overall, the right to autopsy in the United States is limited and highly discretionary. Of the 59 jurisdictions analyzed, 50 have some form of policy addressing autopsies in custody; however, only 17 require autopsies for all deaths. Thirty-seven jurisdictions instead authorize autopsies under specific circumstances, often defined by deaths "unnatural," "unexpected," or by suspected homicide, or when deemed in the "public interest." By comparison, 46 jurisdictions mandate postmortem investigations, highlighting a significant gap between the requirement to investigate deaths and the requirement to perform autopsies.

Authority to order an autopsy varies widely and is often discretionary. Across jurisdictions, this authority may rest with medical examiners, coroners, attorneys general, law enforcement officials, health commissioners, or correctional administrators. Most commonly, chief or county medical examiners and coroners hold the authority to order autopsies, while attorneys general may request, but not order them. This fragmentation raises concerns, as decisions often depend on subjective judgment of officials in often complex and confusing cases. The vague criteria needed to request an autopsy can become harmful, where medical investigators close a case without reaching a scientific or correction determination of death.

Metrics related to procedural safeguards—specifically independent autopsy rights, timelines, and who is required at the autopsy—were the least consistently addressed. Only 30 jurisdictions satisfied at least one of these metrics, and just eight addressed more than one. Further, only 15 jurisdictions explicitly recognize a right to a private or independent autopsy. While procedural safeguards can rest in the inclusion of details that are seemingly unnoticeable, such are important to ensuring the right to autopsy is aligned with the needs of the decedent and their next of kin, as requirements under who may be present at the autopsy help ensure professionalism and quality, independent autopsies provide alternatives for families, and a timeline ensures autopsies are performed with a sense of urgency. Where specified, policies typically require the presence of certified medical professionals, such as forensic pathologists or toxicologists, and establish general timelines for conducting autopsies and issuing reports. With respect to who conducts autopsies, most jurisdictions rely on state or county medical examiners, coroners, or licensed forensic pathologists, often requiring certification by the American Board of Pathology (ABPath).

Table 18. **Grid of Autopsy Criteria for each Jurisdiction**

Jurisdiction	Circumstance/Criteria of Death for Performance of Autopsy
CBP	Defer to local and state authority.[1816]
ICE	Defer to local and state authority.[1817]
FBOP	Homicide, suicide, fatal illness or accident, or unexplained death. The Warden must determine an autopsy necessary to detect a crime, maintain discipline, protect the health or safety of other inmates, remedy official misconduct, or defend the United States or its employees from civil liability arising from the administration of the facility.[1818]
Alabama	Determine cause of death or suspicion of unlawful death.[1819]
Alaska	Discretionary.[1820]
Arizona	Discretionary.

[1816] "CBP-Related Deaths Fiscal Year 2023 Report to Congress", US CBP, "Committee staff acknowledged CBP does not have the capability or authority to independently perform autopsies." https://www.cbp.gov/sites/default/files/2025-04/fy20232-cbp-opr-related-deaths-report.pdf.
[1817] "2025 National Detention Standards", ICE, 4.6 Terminal Illness and Death II.B. 5 "The facility shall make autopsy arrangements in coordination with ICE/ERO." https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf.
[1818] 28 CFR 549.80 (a). https://www.ecfr.gov/current/title-28/section-549.80.
[1819] AL Code § 15-4-2 (2025)
[1820] Alaska Statutes Title 12. Code of Criminal Procedure § 12.65.005. Duty to notify state medical examiner.

Table 18. **Grid of Autopsy Criteria for each Jurisdiction**	
Jurisdiction	Circumstance/Criteria of Death for Performance of Autopsy
Arkansas	Violence, known or suspected non-natural deaths, known or suspected to be caused by disease constituting a threat to public health, unexpected or unexplained death, death occurring under an unusual or suspicious circumstance, not under the care of a physician , or as requested by the Director of the Department of Correction or their designee.[1821]
California	Discretion of the coroner to cause to be conducted an autopsy upon any victim of sudden, unexpected, or unexplained death or any death known or suspected of resulting from an accident, suicide, or apparent criminal means.[1822]
Colorado	Apparently unnatural death that occurs in a facility or during services regulated by the department of human services, or upon the request of the district attorney.[1823]
Connecticut	Discretionary.[1824]
D.C.	Violent deaths (always in homicides or suspected homicides); Unexplained deaths of wards of the city or otherwise incarcerated; Deaths possibly caused by substance of abuse or poisoning; Recent accidental deaths or any accidental death in which the injuries are not appropriately documented / are controversial; and cases in which the US Attorney's Office or the Office of the Attorney General or the OCME General Counsel requests an autopsy; in special cases as necessary for identification of the body; and Whenever deemed necessary to determine cause and manner of death.[1825]
Delaware	Discretionary if necessary in the public interest.[1826]
Florida	Reasonable suspicion of criminal violence in custody; A reasonable suspicion exists that the death is by accident, suicide or poison, unless the death is by poison and the deceased has survived in a hospital for a time sufficient to

[1821] Arkansas Board of Corrections, Administrative Rules 855, II.B. 2018. https://media.ark.org/doc/AR-0855-Investigation-and-Transportation-of-Deceased-Inmates.pdf.
[1822] California Government Code, Section 27491.4 (c). https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=27491.4.&lawCode=GOV.
[1823] CO Rev Stat § 30-10-606.5 1 (a). https://law.justia.com/codes/colorado/title-30/county-officers/article-10/part-6/section-30-10-606-5/;
[1824] CT Gen Stat § 19a-406 (a). (2024) "The Chief Medical Examiner may require autopsies in connection with deaths … when it appears warranted for proper investigation and, in the opinion of the Chief Medical Examiner, the Deputy Chief Medical Examiner, an associate medical examiner or an authorized assistant medical examiner, an autopsy is necessary." http://law.justia.com/codes/connecticut/title-19a/chapter-368q/section-19a-406-formerly-sec-19-530/.
[1825] DISTRICT OF COLUMBIA Office of the Chief Medical Examiner Policy "FORENSIC PATHOLOGY (AUTOPSY)" § 5–1409. Examination; further investigation and autopsy. (b); DC Code §5-1405. II.A. https://ocme.dc.gov/sites/default/files/dc/sites/ocme/publication/attachments/ForensicPathalogy-Autopsy2010.pdf.
[1826] Delaware Code 29 § 4707. Postmortem examination; autopsy reports. (b). https://delcode.delaware.gov/title29/title29.pdf.

Table 18. **Grid of Autopsy Criteria for each Jurisdiction**	
Jurisdiction	Circumstance/Criteria of Death for Performance of Autopsy
	metabolize the poison, or the death is by accident or suicide and the cause of death can be determined from a review of the circumstances, history, and available medical records; or the circumstances of death are unusual or suspicious by reason of the body being unidentified after investigation, charred, or completely or partially skeletonized.[1827]
Georgia	Sudden or violent death, or death under unusual circumstances without an attending physician, notwithstanding the presence of witnesses will an autopsy be *requested*.[1828]
Hawaii	Deaths that are: violent, accidental, suicide, sudden, or when unattended by a physician, or in prison, suspicious or unusual, or within twenty-four hours after admission to a hospital or institution, that is considered to be necessary in the interest of the public safety or welfare.[1829]
Idaho	Violent, sudden, or unexpected death will cause an autopsy to be *sought.*[1830]
Illinois	All deaths in custody.[1831]
Indiana	All deaths in custody.[1832]
Iowa	All deaths in custody.[1833]
Kansas	Discretionary.
Kentucky	Discretionary.
Louisiana	Unlawfulness.[1834]
Maine	Discretionary.
Maryland	Discretionary.

[1827] Florida Administrative Code 11G-2.003(5). https://www.law.cornell.edu/regulations/florida/Fla-Admin-Code-Ann-R-11G-2-003.
[1828] Ga. Comp. R. & Regs. R. 125-2-4-.20 - Death and Interment. "When an inmate dies suddenly or violently, or under unusual circumstances without an attending physician, notwithstanding the presence of witnesses, In all instances an autopsy will be requested."
[1829] Hawaii Revised Statute § 841-14.
[1830]Idaho Department of Correction policy 312.02.01.001 Section 1. Introduction; Idaho Admin. Code r. 06.01.01.312 - DECEASED INMATES 02. Autopsy and Inquest.
[1831] 55 Il. Comp. Stat. Ann. § 5/3-3015- Circumstances under which autopsy to be performed. (a).
[1832] § 501.2.2 Cases That Always Require an Autopsy. 10. https://www.in.gov/ctb/files/section501.pdf.
[1833] Iowa Administrative Code 127.3(1) Autopsy required. (k); Iowa Administrative Code 127.3(4) Performance of autopsy. (b)(6). https://www.legis.iowa.gov/docs/iac/rule/641.127.3.pdf.
[1834] LA Revised Statute §13:5713 B1. death where "there is a reasonable probability that a breach of law contributed to the individual's deaths".

Table 18. **Grid of Autopsy Criteria for each Jurisdiction**	
Jurisdiction	Circumstance/Criteria of Death for Performance of Autopsy
Massachusetts	Discretionary.
Michigan	Discretionary.
Minnesota	Unnatural, unattended, or unexpected deaths in custody and others "as necessary".[1835]
Mississippi	All deaths in custody.[1836]
Missouri	Necessary in the public interest.[1837]
Montana	All deaths in custody.[1838]
Nebraska	Discretionary to establish cause of death.[1839]
Nevada	All deaths in custody are *requested*.[1840]
New Hampshire	Discretionary.
New Jersey	All deaths in custody.[1841]
New Mexico	Suspected unlawfulness or when cause of death is obscure.[1842]
New York	All deaths in custody.[1843]
North Carolina	All deaths in custody.[1844]
North Dakota	Discretionary.
Ohio	All deaths in custody.[1845]

[1835] Minn. Stat. §390.11, Subd. 1a.Commissioner of corrections; investigation of deaths.
[1836] Mississippi Code §47-5-151, "Death of prisoner; investigations, inquests, and autopsies; fees; penalties," https://law.justia.com/codes/mississippi/title-47/chapter-5/offenders/section-47-5-151/.
[1837] Revised Statute of Missouri § 58.451. (8). https://revisor.mo.gov/main/OneSection.aspx?section=194.115.
[1838] Montana Title 46. Criminal Procedure § 46-4-103. Postmortem examination--when conducted, scope. 6(a)(i).
[1839] Nebraska Revised Statute 23-1822
[1840] Nevada DOC Administrative Regulation 420.01 (9). https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20420%20%20-%20Inmate%20Death%20or%20Serious%20Injury%20-%20Final%20-%2003072017.pdf.
[1841] New Jersey Administrative. Code § 8:70-1.1 - Mandatory autopsies. a.4.
[1842] New Mexico Statutes Chapter 24. Health and Safety § 24-11-7. Examination; autopsy; inquest.
[1843] NYDOC Directive 4013, III. Notification procedure, C. 1.https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf. ; County Law Ch. 11, Art. 17-A Section 674(5), https://codes.findlaw.com/ny/county-law/cnt-sect-674/.
[1844] DOC Policy Ch. F.4104;
[1845] Ohio Department of Rehabilitation and Correction, Incarcerated Person Deaths VI.D.4. Unless the inmate was diagnosed with terminal illness.

Table 18. **Grid of Autopsy Criteria for each Jurisdiction**	
Jurisdiction	Circumstance/Criteria of Death for Performance of Autopsy
Oklahoma	Discretionary.
Oregon	All deaths in custody.[1846]
Pennsylvania	Suspicious circumstances.[1847]
Rhode Island	Death by a homicide, suicide, or casualty; Death due to an accident involving lack of due care on the part of a person other than the deceased; Death which is the immediate or remote consequences of any physical or toxic injury incurred while the deceased person was employed; Death due to the use of addictive or unidentifiable chemical agents; or death due to an infectious agent capable of spreading an epidemic within the state.[1848]
South Carolina	All unnatural deaths in custody.[1849]
South Dakota	Unlawful or public interest.[1850]
Tennessee	Homicide, suspected homicide, suicide, a violent, unnatural or suspicious death, an unexpected apparent natural death in an adult, deaths believed to represent a threat to public health or safety, and executed prisoners.[1851]
Texas	Discretionary.
Utah	Discretionary.
Vermont	If deemed necessary or in the interest of public health, welfare, and safety, or in furtherance of the administration of the law.[1852]
Virginia	All deaths in custody.[1853]
Washington	Discretionary.

[1846] Division 27 DEATH (AIC) 291-027-0030 "Assessment and Security" (12) https://secure.sos.state.or.us/oard/viewSingleRule.action;JSESSIONID_OARD=GFuG3VqF4B2lhcAD177058006bEQU1WEfPCprOQGZrERyUDtypyX!1961356686?ruleVrsnRsn=37594.
[1847]Pennsylvania Statutes Title 16 P.S. Counties § 9521. Coroner to investigate facts in deaths under suspicious circumstances; PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9. D.4 " Investigation of an Inmate Death," 9-2. https://www.pa.gov/content/dam/copapwp-pagov/en/cor/documents/about-us/doc-policies/13.01.01%20Management%20and%20Administration%20of%20Health%20Care.pdf
[1848] Rhode Island. Gen. Laws Ann. § 23-4-4, Jurisdiction.
[1849] SC Code § 17-7-10 (2025), Autopsy required unless under natural circumstances.
[1850] South Dakota Codified Laws § 23-14-9.1. "May order"
[1851] Tennessee Code § 38-7-106 (2024). (a).
[1852] 18 Vermont Statutes Annotated § 5205. (f).
[1853] VA. Code Ann. § 32.1-285, "Autopsies," Code of Virginia, https://law.lis.virginia.gov/vacode/title32.1/chapter8/section32.1-285/.

Table 18. **Grid of Autopsy Criteria for each Jurisdiction**	
Jurisdiction	Circumstance/Criteria of Death for Performance of Autopsy
West Virginia	Discretionary.
Wisconsin	All deaths in custody.[1854]
Wyoming	Discretionary.
American Samoa	Discretionary.
Guam	Violence whether apparently homicidal, suicidal or accidental, sudden unnatural deaths, suspicious deaths, deaths caused by disease that may be a public health threat.[1855]
Northern Mariana Islands	Suspected violence, unusual circumstances, poisoning, or to determine cause of death.[1856]
Puerto Rico	All deaths in custody.[1857]
U.S. Virgin Islands	Discretionary to establish cause of death or fact-find.[1858]

V. Best Practices

No jurisdiction met all nine metrics. However, three jurisdictions were close by fulfilling eight metrics: New Jersey, New York, and Virginia. New Jersey policies on the right to autopsy are notable because they reflect a consistent effort towards scientific best practices while maintaining a consideration of the decedent and next of kin's wishes. Due to the similarity in policy across the three jurisdictions, this passage will summarize New Jersey policy while highlighting exemplary individual policies across jurisdictions pertaining to one metric, not on their overall performance.

New Jersey: Under New Jersey Administrative Code § 8:70-1.1,

> "In the absence of an objection based on the religious beliefs of the decedent, autopsies shall be performed in all cases of human death occurring in the following … deaths of inmates of jail, prison, or penitentiary … unless the suspected cause of death is a known condition for which the inmate, prisoner or

[1854] Wisconsin Statute 979.025, Autopsy of correctional inmate.(1).
[1855] 10 Guam Code § 81105. Autopsies. (a)(b)(c). "Autopsies **may** be conducted".
[1856] Commonwealth of the Northern Mariana Islands Code § 2633. *Office of Medical Examiner: Medical Examiner: Duties.* "If a death occurs under conditions suggesting poisoning, violence, or unusual circumstances, and the cause and manner of death cannot otherwise be satisfactorily ascertained." https://cnmilaw.org/pdf/cmc_section/T1/2633.pdf.
[1857] 25 L.P.R.A § 3588. Investigación de causa de muerte—Circunstancias (4); 25 L.P.R.A §3589.
[1858] V.I. Code tit. 3, § 115 (2019) (b).

> suspect is hospitalized and being treated at the time of death, and the medical examiner's investigation, review of hospital records, and examination of the decedent's body permit him or her to determine the cause of death beyond a reasonable doubt without an autopsy, and no other issues of public interest compel his or her conclusion that an autopsy is necessary".[1859]

Key features within this include the explicit acknowledgement of religious objection and the high bar needed by the medical examiner to justify *not* conducting an autopsy apart from health reasons ("when examination of the decedent's body permit him or her to determine the cause of death beyond a reasonable doubt without an autopsy"). Importantly, the code also includes the idea of public interest, where if "no other issues of public interest compel his or her conclusion that an autopsy is necessary," then the medical examiner is not required to perform an autopsy.

New Jersey Public Law 2018, c.623 (C.26:6B-3) defines all deaths of incarcerated persons as "Compelling public interest."[1860] NJ Revised Statute § 26:6B-10 states: "A medical examiner shall conduct a medicolegal investigation of a death in this State, as determined to be necessary to establish identity and the cause and manner of death, and to resolve any issues or potential issues of public health and of legal concern."[1861] The medicolegal investigation is used to determine whether an autopsy is necessary.[1862] While this conclusion is not concrete, the repetition of "public" in both mandatory autopsy and medicolegal investigation points at the ability for public health and law findings to be factored into the right of the dead for autopsy, thus deriving the right to autopsy from both intrinsic and external means. New Jersey code thus outlines a strong standard of mandatory autopsy for all in custody deaths.

Beyond protecting the basic right to autopsy and investigation, New Jersey also specifies who is allowed to authorize an autopsy apart from judgement of the medical examiner, naming seven actors: county or intercounty medical examiner, the Chief State Medical Examiner, an assignment judge of the Superior Court, the county prosecutor, the Attorney General, or the commissioner of health.[1863] The inclusive group of officials mentioned ideally allow the right to autopsy to be protected, given the more individuals with such power lead to a higher chance of authorizing an autopsy given eight individuals, instead of one, have the power to do so.

Additionally, New Jersey code also clearly outlines who is able to conduct an autopsy. This includes three categories of individuals: (a) the county/ intercounty medical examiner or assistant county/intercounty medical examiner, provided the individual performing the autopsy is under the supervision of a pathologist certified by the American Board of Pathology (ABPath) or the American Osteopathic Board of Pathology (AOBPa); (b) the Chief State Medical Examiner (CSME) or the Deputy CSME; or (c) such competent forensic pathologists as authorized by the CSME. Within the categories, explicit standards are used when referring to various levels of

---

[1859] N.J. Admin. Code § 8:70-1.1 - Mandatory autopsies (a).
[1860] P.L. 2018, Chap. 62, Senate No. 976, (approved July 3, 2018) 3c. https://pub.njleg.state.nj.us/Bills/2018/AL18/62_.PDF.
[1861] New Jersey Revised Statutes §26:6B-10a. 12 (2025).
[1862] New Jersey Revised Statutes, §26:6B-10(c) (2025), "Criteria for conduct of a medicolegal investigation of death," https://law.justia.com/codes/new-jersey/title-26/section-26-6b-10/.
[1863] New Jersey Revised Statutes, §26:6B-10 Criteria for conduct of a medicolegal investigation of a death. 6.

medical officials. These clearly stated guidelines provide a professional baseline for who may conduct the autopsy that is clearly connected to their qualifications.

Finally, New Jersey law explicitly states that in the absence of a compelling public interest, an autopsy shall not be performed if an immediate family member, or, if not available, a friend, objects on the basis of the decedent's religious beliefs or where there is clear reason to believe the procedure would violate such. In cases of dispute, where the medical examiner asserts a compelling public interest, the law requires 48 hours' notice to the objecting party. During this period, the objecting party may seek judicial review in the Superior Court. The court may waive the waiting period upon ex parte motion if delay would compromise the accuracy of the autopsy or pose a significant threat to public health or safety. If the court ultimately denies authorization and no stay is issued, the body must be immediately released for burial. Notably, such cases are given priority on court dockets, and the statute mandates that bodies "Bodies shall be treated with dignity and respect commensurate with the goals of this act".[1864] Importantly, New Jersey code specifies that court action related to the deceased autopsy shall have preference over all other cases, and that during this process.[1865] New Jersey uses both rhetoric and detail in the autopsy procedure and objection procedure to uphold the scientific standards of investigation and the religious wishes of the deceased.

Worth noting are specific policies across jurisdictions that best fulfill metrics due to thoroughness and/or transparency. The explicit right to an independent and private autopsy is protected in Indiana and Oklahoma, where for the latter if the Chief Medical Examiner chooses not to perform an autopsy, the Office must inform the person legally entitled to the deceased's body that they have a right to request a private autopsy at their personal expense.[1866] In Indiana, state law affirms that the next of kin always have the right to order an autopsy, where the cost of the autopsy may be borne by the family if the coroner does not justify the legal need.[1867] Both policies show a legal effort to protect families' awareness of private autopsy pathways. Oklahoma's unique strength lies in the pinpointing of a specific actor who is tasked with informing the next of kin of this right upon a very specific scenario of being denied an autopsy by the Chief Medical Examiner. Among the six U.S. territories (American Samoa, D.C., Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands), three of them explicitly require the familial consent and approval of autopsy.

VI. Worst Practices

Every jurisdiction met at least two of the nine metrics by virtue of the descriptive nature of who may authorize and conduct an autopsy in each jurisdiction. However, similar to Section B on Investigation, much of the worst practices in autopsy are constituted by an omission of detail, creating room for ambiguity, inconsistency, and scientific inaccuracy. Failure for jurisdictions to state under what circumstances may an autopsy or investigation be given, who has the authority to authorize and conduct such, as well as external considerations on the right to independent

[1864] New Jersey Rev Statute§ 26:6B-10, Criteria for conduct of a medicolegal investigation of a death. 6 ; New Jersey Rev Statute § 26:6B-10 Criteria for conduct of a medicolegal investigation of a death. 6. d.2.
[1865] New Jersey Rev Statute § 26:6B-10, Criteria for conduct of a medicolegal investigation of a death. 6.
[1866] Oklahoma. Stat. tit. 63, § 944.3(A)(3) (2025).
[1867] § 501.2.4 Ordering of Autopsy by Person Other than the Coroner.

autopsy, a requested presence during the autopsy, as well as timeline, are all important to a cohesive and thoughtful process that ensures accuracy with as little encroachment as possible.

Maryland: Pursuant to MD Code § 5-308, investigations in Maryland are not mandatory. Instead, investigations may be conducted in circumstances of death caused "(i) By violence; (ii) By suicide; (iii) By casualty; (iv) Suddenly, if the deceased was in apparent good health or unattended by a physician; or (v) In any suspicious or unusual manner." While many deaths in custody may ultimately fall into one of the above categories, it is unclear who determines causes of death and by what means, if not scientific. Facilities may mislabel the cause of death for various reasons, including personal error/bias, avoidance of legal liability, expenditure of resources, or uncertainty. In this case, investigations should serve as a checking mechanism to ensure the cause of death can be clearly determined, and an autopsy is not necessary.

Similarly, autopsies in Maryland are not required for deaths in custody nor specifically required for potentially unlawful or suspicious deaths. Instead, Maryland Health Statute § 5-309 states that an autopsy may be performed "If the medical examiner who investigates a medical examiner's case considers an autopsy necessary." Having the medical examiner be the sole authority to decide when an autopsy is necessary creates a narrow and potentially biased system of granting autopsy for inmate death, given the medical examiner may rely on different criteria apart from criminal or legal investigators to determine whether an autopsy should be performed. For this reason, medical examiners should be able to refer to requests from legal representatives and have their input influence their determination to have an autopsy. Moreover, statute § 5-309, subclause (e) states that the Chief Medical Examiner shall set a reasonable fee for performing an autopsy by an authorized pathologist.

Finally, Maryland statute does not mention policies regarding timeline of autopsy, ability for next-of-kin to request independent or private autopsy, or specifications around who is allowed to be present at the autopsy. These additional considerations, while not integral to the performance of the autopsy, are important in preserving the dignity of the deceased and next-of-kin while balancing the demands of performing a scientifically accurate autopsy.

North Dakota: Investigations are not mandatory for all deaths in custody. Instead, such deaths are considered "Reportable Circumstances" that require notification to the medical county coroner.[1868]11-19.1-20 of North Dakota code states that upon notification, "The coroner or any individual acting as a coroner shall actively consult with the state forensic examiner's office in every death involving an inmate of a state, county, or city penal institution." It is thus the coroner or state's attorney's decision to decide whether an investigation is necessary, which may be

[1868] North Dakota Century Code § 11-19.1-01.

legitimate in many cases, but many leave the opportunity for misjudgement or unmediated conflicts of interest.

Pursuant to North Dakota statute 11-19.1-11, “The coroner or the coroner's medical deputy, if the coroner deems it necessary, may take custody of the deceased human body for the purpose of autopsy. When the coroner does not deem an autopsy necessary, the sheriff or state's attorney may direct an autopsy be performed.” While both investigations and autopsy authorization authority is given to more than one official, the lack of circumstantial detail that would warrant an investigation or autopsy is worrying. There is no mention of the type of death, level of suspicion, or degree of certainty officials must have when ordering or deciding not to order a medical procedure.

Finally, North Dakota statute similarly does not mention policies regarding timeline of autopsy, ability for next-of-kin to request independent or private autopsy, or specifications around who is allowed to be present at the autopsy. These additional considerations, while not integral to the performance of the autopsy, are important in preserving the dignity of the deceased and next-of-kin while balancing the demands of performing a scientifically accurate autopsy.

VII. Recommendations for model policy

The core value of autopsies lies in their ability to determine and confirm cause of death for legal, medical, and investigative purposes. Because jurisdictions vary in medicolegal structure and available resources, policies should be designed to be applied as consistently as possible within available capacity. Policies should set clear expectations for when investigations and autopsies are required, who is responsible, and how findings are documented.

1. *Mandatory Medical Investigation*

In the event of all deaths occurring in custody, excluding those from natural causes, jurisdictions should strive for mandatory investigations by a medical professional to confirm identity and cause of death. Investigations serve as a filter for deaths that are presumably natural and those that are the result of violence or unlawful activity. Policies should not rely solely on initial assumptions, even seemingly natural deaths should be subject to appropriate review to ensure accuracy and accountability.

2. *Detailed and Prompt Autopsy in event of an unlawful death*

While mandatory autopsies for every inmate death may not be necessary nor feasible given resource constraints, jurisdictions should strive to clearly outline in which circumstances an autopsy will be required. Furthermore, jurisdictions should establish medical standards for who is allowed to conduct the autopsy, such as whether the coroner/medical examiner is certified by a recognized professional board (i.e. the American Board of Pathology or American Osteopathic

Board of Pathology). In circumstances where trainees or those in the process of gaining accreditation are performing the autopsy, there should always be a supervisor who has such accreditation. The autopsy should aim to not only include a list of the findings and injuries, but must also provide an interpretation of them in the form of a completed autopsy report.

Given the complexity of autopsies, strict timelines may not always be appropriate. However, policies should emphasize prompt completion so that investigative and legal processes are not delayed. If time or resource constraints affect the examination, those limitations should be documented in the final report.[1869]

3. *Granting legitimate authority to order, conduct, and object to Autopsies*

Jurisdictions should avoid leaving the sole decision making authority to order an autopsy to the medical examiner, coroner, or other official delegated to perform the autopsy. Instead, jurisdictions should require the ability for the family, legal investigator, state/county attorney, and independent oversight body to request an autopsy by which the medical examiner/coroner may take into consideration and document rationale for granting or rejecting such request.

4. *Balancing Interests of the family and the state in independent autopsy, timeline, and autopsy presence requirements.*

Jurisdictions should seek to consider the potential emotional disruption the deceased's next of kin may experience during the autopsy process. To the extent possible, family members should also be consulted prior to an autopsy. They should be entitled to have a representative present during the autopsy if requested, and there should be an established procedure allowing family members to object to the autopsy fairly and have this objection be strongly considered alongside legal considerations, including unlawful activity or public health interests.

5. *Record of Autopsy*

After the autopsy is completed, it is crucial that relevant findings be diligently documented for the reference of jurisdictional authorities and those with legal or emotional proximity to the deceased.[1870] All aspects of the autopsy should be documented in institutional records. At a minimum, documentation should include: (1) the date, time, and location of the autopsy; (2) the name and role of the forensic pathologist and any assistants; and (3) the identity and role of any other individuals present. If multiple individuals conduct the autopsy, one should be designated

[1869] Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) [ST/]HR/PUB/17/4, G.1.155. p. 27. According to the Minnesota Protocols on the Investigation of Potentially Unlawful Death, the deceased's body should be available to the forensic doctor for a reasonable minimum period sufficient to ensure an adequate and unhurried examination (e.g. 12 hours). Furthermore, the Protocol states that if unacceptable or unrealistic time conditions are imposed, the forensic doctor should be able to refuse to perform a compromised examination and should prepare a report explaining this position. If the doctor chooses to proceed, he or she should include in the autopsy report an explanation of the limitations or impediments.

[1870] Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) [ST/]HR/PUB/17/4, D.1. p. 38.

as the lead. The final report should include both findings and their interpretation of such.[1871] Clear documentation supports accountability, allows for later review by investigators or oversight bodies, and provides an accurate record for the deceased's family.

VIII. Grid of all jurisdictions and key metrics[1872]

Table 19. **Right to Autopsy Grid**

Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
CBP	No.[1873]	Defer to local and state policy	Defer to local and state policy	Yes.[1874]	Defer to local and state policy	Defer to local and state policy	Defer to local and state policy	Defer to local and state policy	Defer to local and state policy
ICE	No.[1875]	Defer to local and state policy.[1876]	Defer to local and state policy	Yes.[1877]	Defer to local and state policy	Defer to local and state policy	Defer to local and state policy	Defer to local and state policy	Defer to local and state policy

[1871] Ibid.

[1872] Green shading indicates that there is a policy that fulfills the requirements of the metric. Red shading indicates that there is no policy that fulfills this metric, but a policy exists within the issue area. Red shading does not mean that the metric is explicitly negative (N does not guarantee that there is no existing policy, but rather that existing accessible policies within this issue area do not mention it). White shading and Unspecified stands for No Available Policy, indicating that no policy in the issue area is accessible during the time of research. Oftentimes for consular notification, individual policy from local or county police departments or agencies will include policy, while state departments will not have an accessible policy. In this case, the cell is also shaded red for N, but will include additional detail in the corresponding footnotes. A parenthetical (Local) or (County) is placed to signify metrics that are fulfilled on a local or county level but not definitely on a jurisdictional level.

[1873] Regarding Subsection 4, which required CBP to conduct an autopsy related to each reportable death, Committee staff acknowledged CBP does not have the capability or authority to independently perform autopsies. "CBP OPR agreed to continue the practice of requesting local authorities to conduct autopsies for all in-custody deaths and to the extent permissible by law or regulation, CBP Office of Professional Responsibility (OPR) will coordinate with medical examiners (ME) to ensure autopsy-related data is available for review by CBP medical personnel as well as independent clinicians supporting CBP OPR mortality reviews."

[1874] CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody, p. 4.

[1875] In ICE's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.

[1876] ICE's National Detention Standards (NDS) in 2025 under "Authority to order Autopsies": "The facility shall make autopsy arrangements in coordination with ICE/ERO."

[1877] ICE OPR Inspections Program Office, "Incident Inspections and Detainee Death Reviews Statement of Work", 4."ERAU is responsible for conducting administrative reviews of all deaths of individuals in ICE custody".

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
FBOP	Yes.[1878]	No.	Yes.[1879]	Yes.[1880]	Warden of BOP facility.	Defer to state policy for details on procedure.[1881]	Yes. Performed within 48-hours.[1882]	Defer to state policy for details on procedure.[1883]	Defer to local and state policy.
Alabama	Yes.[1884]	No.[1885]	Yes.[1886]	Yes.[1887]	Governor, the Attorney General, any circuit judge, or any district attorney in the State of Alabama.[1888] Coroner, after examination by	No; Yes (County).[1890]	No.[1891]	No.[1892]	A physician or surgeon.[1893] County Medical Examiner for Mobile County.[1894]

[1878] BOP Program Statement 6080.01 p. 2, Part 4 Section A Subsection 2, 1994, is the most up to date public information regarding BOP policy on autopsies for in-custody deaths; Code of Federal Relations (CFR) 28 § 549.80 - Authority to Conduct Autopsies.
[1879] CFR 28 § 549.80 - Authority to Conduct Autopsies. Cases of homicide, suicide, fatal illness, accident, or sudden unexplained death only when the Warden determines an autopsy is required to "to detect a crime, maintain discipline, protect the health or safety of other inmates, remedy official misconduct, or defend the United States or its employees from civil liability arising from the administration of the facility.:
[1880] FBOP Program Statement 6013.01, Health Services Quality Improvement p. 10.
[1881] CFR 28 § 549.80 - Authority to Conduct Autopsies; BOP Program Statement 6080.01.
[1882] BOP Program Statement 6080.01.
[1883] BOP Program Statement 6031.05, CN-2.
[1884] Code of Alabama Section 15-4-2(c).
[1885] In Alabama's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1886] Alabama Code § 36-18-2. "Said investigations of unlawful, suspicious or unnatural deaths and crimes as are ordered by the Governor, the Attorney General, any circuit judge, or any district attorney in the State of Alabama."
[1887] Alabama Code § 36-18-2.
[1888] Ibid.
[1890] In Alabama's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; (Local) Mobile County Section 45-49-171.66 Autopsy or Postmortem Examination.
[1891] In Alabama's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1892] Ibid.
[1893] Section 15-4-2 Examination of Body and Report by Coroner; Postmortem, Autopsy or Internal Examination of Body and Report by Physician or Surgeon. (c)
[1894] Section 45-49-171.66 Autopsy or Postmortem Examination.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					surgeon and physician.[1889]				
Alaska	Yes.[1895]	No.[1896]	No.[1897]	Yes.[1898]	The State Medical Examiner.[1899]	No.[1900]	No.[1901]	No.[1902]	The state medical examiner or the deputy medical examiner.[1903]
Arizona	No.[1904]	No.[1905]	No.[1906]	Yes. All deaths besides those due to natural	County Medical Examiner.[1908]	No.[1909]	No.[1910]	No.[1911]	Forensic pathologist[1912]

[1889] Section 15-4-2 Examination of Body and Report by Coroner; Postmortem, Autopsy or Internal Examination of Body and Report by Physician or Surgeon (c) "In a death where the county medical examiner does not deem it advisable and in the public interest that an autopsy be performed, but the next of kin of the deceased requests that an autopsy be performed, the state medical examiner, or a designated pathologist, may perform the autopsy and the cost therefor shall be paid by the next of kin."
[1895] Alaska DOC policy 104.04, p. 1.
[1896] In Alaska's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1897] Alaska Statutes Title 12. Code of Criminal Procedure § 12.65.005. Duty to notify state medical examiner. (a)7. Up to the "opinion of the state medical examiner".
[1898] Alaska Statutes Title 12. Code of Criminal Procedure § 12.65.005. Duty to notify state medical examiner.(a)7.
[1899] Alaska Statute § 12.65.020 (2025) Section (a) 6. https://law.justia.com/codes/alaska/title-12/chapter-65/article-1/section-12-65-020/
[1900] In Alaska's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1901] IIbid.
[1902] In Alaska's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1903] Alaska Statute § 12.65.020. Section (a) 6.
[1904] Arizona. Rev. Stat. Ann. § 11-594. Section 4, 5.
[1905] In Arizona's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1906] IIbi.
[1908] Ariz. Rev. Stat. Ann. § 11-594.(A)(2), (B).
[1909] In Arizona's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1910] Ibid.
[1911] Ibid.
[1912] Ariz. Rev. Stat. Ann. § 11-592. (B), (D).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
				causes.[1] [907]					
Arkansas	Yes.[1913]	Yes.[1914] Unless natural.	Yes.[1915]	No.[1916]	Director of the State Crime Laboratory, as well as many others in footnote.[1917]	Yes.[1918] There is a charge of up to three thousand dollars for each autopsy requested by non-law enforcement officials.[1]	No.[1920]	Yes. Laboratory Toxicologist. [1921]	State medical examiner, the pathologist.[1922]

[1907] House Bill 11-593. Reporting of certain deaths; failure to report; classification. Section B.
[1913] Arkansas Administrative Rules 0855: Investigation-and-Transportation-of-Deceased-Inmates II.B.
[1914]Arkansas Code § 12-12-318, 3(a)(e). County coroner of the county in which death occurs or is discovered 3(A)(e). "unless there is sufficient antemortem medical and investigative information documented and available that would otherwise require a postmortem examination: … The death is apparently nonnatural and occurred while the person was in the custody of a local, state, or federal institution"
[1915] Arkansas Code § 12-12-318 (3)(A)(i); AR Code § 12-12-315. If an inmate died without medical attention because they were under religious practice, then an autopsy is not required.
[1916] Arkansas Code § 12-12-318, 3A(e). ;"'Postmortem examination' for unnatural death is required."; AR Code § 12-12-315 (2024). "If an inmate died without medical attention because they were under religious practice, then an investigation is not required."
[1917] Death in Custody Reporting Act Arkansas Implementation Plan 2023, all deaths come to the Arkansas State Crime Lab (ASCL)'s Medical Examiner for autopsies. AR Code § 12-12-318, 2A. County coroner of the county in which death occurs or is discovered 3(A)(e).

(ii) Prosecuting attorney of the jurisdiction in which death occurs or is discovered;
(iii) County sheriff of the county in which death occurs or is discovered;
(iv) Chief of police of the city in which death occurs or is discovered;
(v) Board of Corrections or its designee, or the Director of the Division of Correction or his or her designee if the person was in the care, custody, or control of the Division of Correction at the time of death; or
(vi) Director of the Division of Arkansas State Police or his or her designee.

[1918] Arkansas Code § 12-12-318 (f)(3).
[1920] In Arkansas' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1921] Arkansas County Coroners 2022 Procedures Manual, 7. Cooperation Between Police and Medical Investigators, p 45.
[1922] Arkansas Code § 20-18-601(B)(i).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
						[919]			
California	Yes.[1923]	No.[1924]	Yes.[1925]	Yes.[1926]	The Coroner, but requires notification of the physician or next-of-kin within 24 hours. If no reply, can perform an autopsy.[1927]	No. [1928]	No.[1929]	Yes.[1930]	Examining licensed physician and surgeon.[1931]
Colorado	Yes.[1932]	No.[1933]	Yes.[1934]	Yes.[1935]	The Coroner or the District Attorney.[1936]	No.[1937]	No.[1938]	Yes. Board-certified forensic pathologist if a pathology	A board certified forensic pathologist, a pathology resident, or forensic pathology

[1919] Arkansas County Code § 12-12-314 – Fees.
[1923] California Department of Corrections and Rehabilitation (DOCR). Department Operations Manual (DOM) § 51070.7, "Responsibility of Senior Custody Staff Member."(a)(2).
[1924] In California's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1925] California Gov't Code Title 3. CCR 27491.4. "who died suddenly, unexpectedly, or whose death is unexplained or unknown, or suspected to be the result of an accident, suicide, or criminal act."
[1926] California DOCR DOM § 51070.7(a)(2).
[1927] California Gov't Code Title 3. CCR 27491.4.
[1928] In California's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1929] Ibid.
[1930] California Gov't Code Title 3. CCR 27491.4. "Only individuals who are directly involved in the investigation of the death of the decedent may be present".
[1931] California Gov't Code Title 3. CCR 27491.4(a).
[1932] Colorado Revised Statute § 30-10-606 (1f).
[1933] In Colorado's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1934] Colorado Revised Statute § 30-10-606.5 1.a. "all unnatural deaths";
[1935] Colorado Revised Statute § 30-10-606 (1f).
[1936] Colo. Rev. Stat. Ann. § 30-10-606.
[1937] In Colorado's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1938] Ibid.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
								resident or forensic pathology fellow is performing the autopsy[1939]	fellow.[1940]
Connecticut	Yes.[1941]	No.[1942]	No.[1943]	Yes, save for those obviously from natural causes.[1944]	The Chief Medical Examiner or the Deputy Chief Medical Examiner, an associate medical examiner or an authorized assistant medical examiner, and The Office of the Inspector General. [1945]	Yes.[1946]	No. The autopsy need not be after notification of next-of-kin.[1947]	Yes.[1948]	The Chief Medical Examiner and Certified Pathologists.[1949]

[1939] CO Rev Stat § 30-10-606.5 (2)(d), (e).
[1940] CO Rev Stat § 30-10-606.5 (2)(a).
[1941] Connecticut Gen. Stat. § 19a-406. Section 7(1).
[1942] In Connecticut's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1943] Ibid.
[1944] Connecticut Gen. Stat. § 19a-406. Section 7.
[1945] Colorado § 19a-406.. Section 7(a) Powers and duties of Chief Medical Examiner. Certified pathologists. Autopsies; (b) "Any deputy chief state's attorney, state's attorney or assistant state's attorney, including from the Office of the Inspector General pursuant to section 51-277e, shall have the right to require an autopsy by a pathologist so designated in any case in which there is a suspicion that death resulted from a criminal act"
[1946] CT Gen. Stat. § 19a-286 (b).
[1947] In Connecticut's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1948] Connecticut Gen. Stat § 19a-406. Section 7(a). "If a medical examiner has reason to suspect that a homicide has been committed, the autopsy shall be performed at the Office of the Chief Medical Examiner or by a designated pathologist in the presence of at least one other designated pathologist if such other pathologist is immediately available. A detailed description of the findings of all autopsies shall be written or dictated during their progress."
[1949] Connecticut Gen. Stat. § 19a-406.. Section 7(b) "certified by the Department of Public Health".

Table 19. **Right to Autopsy Grid**

Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
D.C.	Yes.[1950]	No.[1951]	Yes.[1952]	Yes.[1953]	Chief Medical Examiner or the United States Attorney.[1954]	No.[1955]	Yes. Autopsy reports of deaths of homicide are completed within 60 days. For all other manners of death, reports are completed within 90 days.[1956]	Limited to medical examiners, autopsy staff (mortuary staff), OCME investigators, and members of the Police Dept, US or State Attorneys investigating, appropriate trainees.[1957]	A qualified pathologist.[1958] The CME, other medical examiners, and medicolegal investigators.[1959]

[1950] D.C. Code § 5–1409. Examination; further investigation and autopsy. (b); OCME POLICY. II.A. Full Autopsy. "All deaths in police custody, Unexplained deaths of wards of the city or otherwise incarcerated."
[1951] In D.C. 's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1952] D.C. Code § 5–1409(b); OCME POLICY. II.A "All deaths in police custody, Unexplained deaths of wards of the city or otherwise incarcerated;"
[1953] D.C. Code § 5–1405(b)(9); D.C. Code § 5–1409(a).
[1954] D.C. Code § 5–1409(b).
[1955] In D.C.'s analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1956] Office of the Chief Medical Examiner, "FAQs" How long does it take to obtain autopsy reports?.
[1957] OCME Policy, FORENSIC PATHOLOGY (AUTOPSY). II. D.
[1958] D.C. Code § 5–1409(b) "further investigation as to the cause or manner of death is required or the public interest so requires"
[1959] D.C. Code § 5–1405(a).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Delaware	Yes.[1960]	No.[1961]	No.[1962]	Yes.[1963]	The medical examiner, may be requested by the Attorney General.[1964]	No.[1965]	Yes.[1966] The Medical Examiner shall prepare a written report and file cause of death in the Division of Forensic Science within 90 days after investigation.[1967]	No.[1968]	Unspecified. [1969]

[1960] Delaware DOC Policy A-09 VII. section I.
[1961] In Delaware's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1962] In Delaware's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; Delaware Code 29 § 4706 (a). p. 165: "in the opinion of the Medical Examiner an autopsy is necessary in the public interest or as shall be requested by the Attorney General, the same shall be performed by the Chief Medical Examiner, an Assistant Medical Examiner or by such other competent pathologists as may be designated by the Chief Medical Examiner"
[1963] Delaware Code 29 § 4706(a). p. 165.
[1964] Delaware DOC Policy A-09. Section C.
[1965]In Delaware's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1966] Delaware DOC Policy A-09. Section I.
[1967] Delaware Code § 4707. Postmortem examination; autopsy reports.
[1968] In Delaware's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1969] Delaware DOC Policy A-09. Section C.2.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Florida	Yes.[1970]	No.[1971]	Yes.[1972]	No.[1973]	The district Medical Examiner or as requested by the state attorney.[1974]	No.[1975]	No.[1976]	A supervising pathologist in the autopsy room.[1977]	Pathologists or directly supervised residents in pathology.[1978]
Georgia	Yes.[1979]	No.[1980]	No (only requeste	Yes.[1982]	Coroner or Medical	Yes.[1987]	No. Yes, (county).	No.[1989]	Local medical examiner, which

[1970] Fla. Admin. Code Ann. R. 11G-2.003 Investigation, Section 5.
[1971] In Florida's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1972] Fla. Admin. Code Ann. R. 11G-2.003, Section 5. "Absent good cause, an autopsy shall be performed when:
(a) A reasonable suspicion exists that a death might be by criminal violence or by any violence sustained in prison, a penal institution, or police custody.
(b) A reasonable suspicion exists that the death is by accident, suicide or poison, unless: 1. The death is by poison and the deceased has survived in a hospital for a time sufficient to metabolize the poison, or 2. The death is by accident or suicide and the cause of death can be determined from a review of the circumstances, history, and available medical records.
(c) The death of a child is apparently natural and occurs suddenly while in apparent good health. (d) The circumstances of death are unusual or suspicious by reason of the body being unidentified after investigation, charred, or completely or partially skeletonized."
[1973] In Florida's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1974] Florida Statute 406.11 Examinations, investigations, and autopsies (2)(a).
[1975] In Florida's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1976] In Florida's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1977] Fla. Admin. Code Ann. R. 11G-2.003 Investigation, Section 2.
[1978] Fla. Admin. Code Ann. R. 11G-2.003 Investigation. (2).
[1979] Georgia Comp. Rules & Regs. 125-2-4-.20 - Death and Interment.
[1980] Georgia Bureau of Investigation, Division of Forensic Sciences, ME Frequently Asked Questions, "Is an autopsy always necessary?" https://dofs-gbi.georgia.gov/departments/medical-examiners-office/me-faq.
[1982] Georgia Death Investigation Act, Official Code of Georgia Annotated (OCGA) 45-16-24; Coroner's office, Cherokee County: Frequently Asked Questions. "Autopsies are always performed in suspected homicides"https://www.cherokeecountyga.gov/Coroners-Office/frequently-asked-questions/
[1987] In Georgia's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.; (County) Frequently Asked Questions, Emanuel County " Do I have to pay for an autopsy to be done?".
[1989] In Georgia's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
			d).[1981]		Examiner.[1983] County coroners, local officials, and state officials can request an autopsy.[1984] No family consent needed.[1985] The medical examiner shall consider the opinions of the coroner and the peace officer.[1986]		DeKalb County: "Upon receiving the deceased, an autopsy is conducted within 24 to 48 hours".[1988]		is a licensed physician appointed by the state medical examiner.[1990]
Hawaii	Yes.[1991]	No.[1992]	Yes.[1993]	Yes.[1994]	The Coroner's physician or the medical examiner.[1995]	No.[1997]	No.[1998]	No.[1999]	Anatomic or forensic pathologist certified as such

[1981] Georgia Comp. R. & Regs. R. 125-2-4-.20 - Death and Interment. "When an inmate dies suddenly or violently, or under unusual circumstances without an attending physician, notwithstanding the presence of witnesses, In all instances an autopsy will be requested."
[1983] OCGA § 45-16- 22; Georgia DOC Standard Operating Procedures, 208.03 Death of an Offender, F.3c.
[1984] Medical Examiner Frequently Asked Questions, Georgia Bureau of Investigation Division of Forensic Sciences, "Can a citizen request an autopsy?".
[1985] Coroner's office, Cherokee County: Frequently Asked Questions. "Will an autopsy be performed?"
[1986] Georgia Code § 45-16-22.
[1988] Frequently Asked Questions, DeKalb County
[1990] Georgia Code § 45-16-23 (2024) (b).
[1991] Hawaii Revised Statute § 841-14.
[1992] City and County of Honolulu, Frequently Asked Questions, "An autopsy is not required in every case, and family permission is not needed for the Medical Examiner to perform one when it is necessary under State and City laws." https://www.honolulu.gov/med/questions/.
[1993] Hawaii Rev. Stat. § 841-14. "An autopsy of the remains of any human body appearing to have come to death under any of the circumstances set forth in section 841-3 is necessary in the interest of the public safety or welfare, that person shall cause to have performed, such an autopsy".
[1994] Hawaii Rev. Stat. § 841-3 Duties. (a).
[1995] Hawaii Revised Statute § 841-18.
[1997] In Hawaii's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[1998] Ibid.
[1999] Ibid.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					Coroner, or of the coroner's physician, or of the prosecuting attorney, or of the chief of police (in the city and county of Honolulu)[1996]				by the American Board of Pathology (ABPath). [2000]
Idaho	Yes.[2001]	No. [2002]	Yes.[2003]	Yes.[2004]	The coroner or county prosecutor. [2005]	No (County) .[2006]	No.[2007]	No.[2008]	Person authorized to practice medicine and surgery in the state of Idaho.

[1996] Hawaii Rev. Stat. §841-14 Autopsies and further investigations. (a)
[2000] Hawaii Rev. Stat. §841-14.5 Performance of autopsy by pathologist.
[2001] Idaho DOC Policy 312.02.01.001.
[2002] In Hawaii's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2003] Idaho DOC policy 312.02.01.001 Section 1. Introduction "The coroner will decide if an autopsy will be performed; however, the IDOC will seek an autopsy when death was caused by violence or was sudden or unexpected"; Idaho Admin. Code r. 06.01.01.312 - Deceased Inmates 02. Autopsy and Inquest. "The Department shall seek an autopsy in all cases of violent or sudden and unexpected death."
[2004] Idaho DOC policy 401.06.03.011 Section 3, "The facility health authority is responsible for requesting a postmortem examination be conducted by a coroner, and for sharing the results of the examination with the health authority. The facility health authority will provide the request for the examination to the health authority, as well as any refusal by the coroner to perform the exam, when applicable."; Idaho Code Ann. § 19-4301(d) "What types of deaths are required to be investigated?" .
[2005] Idaho Code Ann.§ 19-4301.B.
[2006] In Idaho's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric. Bannock County included on Coroner Website the right to private autopsy.
[2007] In Idaho's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2008] Ibid.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Illinois	Yes.[2009]	Yes.[2010]	Yes.[2011]	No.[2012]	The Agency Medical Director.[2013]	No.[2014]	No.[2015]	No.[2016]	Licensed physicians appointed or designated by the coroner.[2017]
Indiana	Yes.[2018]	Yes.[2019]	Yes.[2020] Includes Best practices / ways to determine	No.[2022]	The Coroner. [2023] Four others: the county prosecuting attorney, the county health, the judge of the	Yes.[2025]	No.[2026]	No.[2027]	Pathologist certified by the ABPath in anatomic pathology, or a physician responsible to

[2009] Illinois Comp. Stat. Ann. 55 § 5/3-3015- Circumstances under which autopsy to be performed.
[2010] Illinois Comp. Stat. Ann. 55 § 5/3-3015- Circumstances under which autopsy to be performed. "where a death has occurred while being pursued, apprehended, or taken into custody by or while in the custody of any law enforcement agency, it is declared that the public interest requires that an autopsy be performed, and it shall be the duty and responsibility of the coroner to cause an autopsy to be performed".
[2011] Illinois Comp. Statute 55 § 5/3-3015- Circumstances under which autopsy to be performed.
[2012] In Illinois' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2013] Illinois DOC policy 01.12.111 Section F 1 c.
[2014] In Illinois' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2015] Ibid.
[2016] Ibid.
[2017] Illinois Compiled Statutes 55 § 5/3-3013, Sec. 3-3013.(e). Preliminary investigations; blood and urine analysis; summoning jury; reports; (55 ILCS 5/3-3014) (from Ch. 34, par. 3-3014) Sec. 3-3014. Autopsy to be performed by licensed physician; costs; reports.
[2018] Indiana Statute § 501.2.2 Cases That Always Require an Autopsy. 10.
[2019] § 501.2.2 Cases That Always Require an Autopsy. 10.
[2020] Section 501.2 Ordering an Autopsy. "When the cause and manner of death cannot be established at the death scene an autopsy is required. A death case with an obvious cause and manner of death may require an autopsy for legal documentation." pg. 141. "If in doubt, request an autopsy be performed." Pg. 142.
[2022] Indiana Code § 36-2-14-6.
[2023] Section 104.3, Coroner's Investigation of Death
[2025] Indiana State Coroners Training Board. *Coroner's Training Manual* § 501.2.4 Ordering of Autopsy by Person Other than the Coroner. "In the latter case the cost of the autopsy may be borne by the family if the coroner does not justify the legal need."
[2026] In Indiana's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2027] Ibid.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
			whether to request autopsy or not.[2021]		Circuit Court may order an autopsy, and the family or next of kin always have the right to order an autopsy.[2024]				such a person.[2028]
Iowa	Yes.[2029]	Yes.[2030]	Yes.[2031]	Yes.[2032]	State medical examiner, the county medical examiner, or the county attorney[2033]	No.[2034]	No.[2035]	No.[2036]	Office of the State medical examiner.[2037] Forensic pathologist licensed to practice medicine and surgery in Iowa and certified by the ABPath.[2038]

[2021] Indiana State Coroners Training Board. *Coroner's Training Manual*§ 501.2.1
[2024] Indiana State Coroners Training Board. *Coroner's Training Manual* § 501.2.4 Ordering of Autopsy by Person Other than the Coroner. First the county prosecuting attorney may mandate the coroner to order an autopsy, if the coroner fails to order one on his/her own volition. When this occurs, funds from the coroner's budget must be used to pay for the autopsy. Second, the county health officer may order an autopsy if the death could be a threat to public health. Third, the judge of the Circuit Court may order an autopsy, over the objection of the decedent's family or next of kin. Fourth, the family or next of kin always have the right to order an autopsy.
[2028] Indiana State Coroners Training Board. *Coroner's Training Manual* § 501.2 Ordering an Autopsy.
[2029] Iowa Administrative Code — Rule 641.127.3(1).
[2030] Iowa Administrative Code — Rule 641.127.3(4)(b)(6).
[2031] Iowa Admin Code — Rule 641.127.3(1) Autopsy required. (k). Deaths in a prison, jail or correctional institution or under police custody, where there is not a natural disease process that accounts for the death.
[2032] Iowa Code § 331.802(3)(f) Deaths — reported and investigated.
[2033] Iowa Administrative Code — Rule 641.127.3(3) Other deaths; Iowa Admin. Code 127.3(4)(a).
[2034] In Iowa's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2035] Ibid.
[2036] Ibid.
[2037] Iowa Administrative Code — Rule 641.127.3(6) Who may perform..
https://www.legis.iowa.gov/docs/iac/rule/641.127.3.pdf The following types of deaths shall be transported to the office of the state medical examiner for autopsy unless otherwise approved by the state medical examiner: All deaths of inmates occurring in any institutions under the department of corrections as outlined in Iowa Code section 904.102, excluding those deaths that result from a pre-existing medical condition."
[2038] Iowa Administrative Code — Rule 641.127.3 127.3(4). b.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Kansas	Yes.[2039]	No.[2040]	No.[2041]	No.[2042]	The county coroner or by request by the district or county attorney.[2043]	No.[2044]	No.[2045]	No.[2046]	Pathologist.[2047]
Kentucky	Yes.[2048]	No.[2049]	No.[2050]	Yes.[2051]	The Coroner, the Commonwealth's attorney can petition the District or Circuit Court if the coroner	No (County).[2053]	No.[2054]	No.[2055]	Board-certified forensic pathologist.[2056]

[2039] Kansas Internal Management Policy & Procedure (P&P) 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, VII. 1.
[2040] In Kansas' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2041] Ibid.
[2042] In Kansas' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; Kentucky DOC Policy 8.7 Section B.
[2043] Kansas Internal Management Policy & Procedure, 01-114D Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident, VII.C.1.
[2044] In Kansas' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2045] Ibid.
[2046] Ibid.
[2047] Kansas Statute § 22a-233(a).
[2048] Kentucky Revised Statute § 72.025 Circumstances requiring post-mortem examination to be performed by coroner.
[2049] In Kentucky's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2050] Ibid.
[2051] Kentucky Rev. Stat. § 72.025. Section 5.
[2053] In Kentucky's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; Frankfurt County" will assist you in securing the services of a pathologist for a private autopsy", https://www.franklincountycoronerky.com/common-questions.
[2054] In Kentucky's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2055] Ibid.
[2056] Kentucky Rev. Stat. § 72.240.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					refuses.[2052]				
Louisiana	Yes.[2057]	No.[2058]	Yes.[2059]	Yes.[2060]	The Coroner.[2061]	No.[2062]	No.[2063]	No.[2064]	Coroner or competent physician.[2065]
Maine	Yes.	No.[2066]	No.[2067]	Yes.[2068]	The medical examiner, the Chief Medical Examiner, the district attorney for the district where the death occurred, or the Attorney General.[2069]	No.[2070]	No.[2071]	Yes.[2072]	The medical examiner, with the approval of the Chief Medical Examiner[2073]

[2052] Ky. Stat. § 72.445 County or Commonwealth's attorney may petition court to order autopsy; Ky. Stat 75-52,147. No such investigation by the Kansas bureau of investigation shall be required if the cause of death is determined to be natural, by a qualified autopsy, preliminary autopsy report or death certificate or the prisoner was regularly attended by a licensed physician.
[2057] Maine Public Law Sec. 2. 30-A MRSA §1562-A
[2058] In Louisiana's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2059] Louisiana Revised Statute 13 § 5713.B1. for any death where "there is a reasonable probability that a breach of law contributed to the individual's deaths".
[2060] Louisiana Rev. Stat. 13 § 571 A.12. "Deaths in prison or while serving a sentence."
[2061] Louisiana Rev. Stat. 13 § 5713(B)(1).
[2062] In Louisiana's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2063] Ibid.
[2064] Ibid.
[2065] La. Code Crim. Proc. Ann. art. 102(A).
[2066] In Maine's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2067] Maine Revised Statute 22 § 3028.
[2068] Maine Rev. Stat. 22 § 3025.1(D).
[2069] Maine Revised Statute 22 § 3045; Maine Revised Statute 22 § 3028(8).
[2070] In Maine's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2071] Ibid.
[2072] Office of the Attorney General's Death Investigation Protocol, pg 3. "Investigating officer or representative if examination/autopsy is done by either the Office of the Chief Medical Examiner or a medico-legal investigator."
[2073] Maine Rev. Stat. 22 § 3028.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Maryland	No.[2074]	No.[2075]	Not specifically related to prisons.[2076]	No.[2077]	Medical Examiner.[2078]	No.[2079]	No.[2080]	No.[2081]	The Chief Medical Examiner, a deputy chief medical examiner, an assistant medical examiner.[2082]
Massachusetts	Yes.[2083]	No.[2084]	No.[2085]	Yes.[2086]	The medical examiner or the district attorney.[2087]	Yes. Next of kin may have a	Yes. OCME medical examiners are responsible for	No.[2091]	Certified forensic pathology physician.[2092]

[2074] No specific code in death prisons.
[2075] In Maryland's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2076] In Maryland's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric, only provided broader circumstances around death that would warrant an investigation.
[2077] Maryland General Health Code § 5-308
[2078] Maryland General Health Code § 5-309.b(1). If the family of the deceased objects to an autopsy on religious grounds, the autopsy may not be performed unless authorized by the Chief Medical Examiner or by the Chief Medical Examiner's designee
[2079] In Maryland's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2080] Ibid.
[2081] Ibid.
[2082] Maryland General Health Code § 5-310 (b)(1). "the Chief Medical Examiner, a deputy chief medical examiner, an assistant medical examiner [all of whom must be pathologists or receive certification within 3 years], or a pathologist authorized by the Chief Medical Examiner shall perform the autopsy"
[2083] Massachusetts General Laws ch. 38, § 4. Section 3.7.
[2084] In Massachusetts' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2085] In Massachusetts' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2086] Mass. Gen. Laws ch. 38 § 4. Section 3.7.
[2087] Mass. Gen. Laws ch. 38 § 4.
[2091] In Massachusetts' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2092] Massachusetts General Court, "Chapter 38, Section 2: Chief Medical Examiner; Qualifications; Appointment; Powers and Duties; District Medical Examiners,". "The chief medical examiner shall be a physician who is a diplomate of the American Board of Pathology with certification in anatomic pathology and subspecialty certification in forensic pathology, a graduate of an approved fellowship program in forensic medicine and licensed to practice medicine in the commonwealth and must reside within the commonwealth within six months after his appointment."

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
						physician of choice present.[2088] If next of kin fails to designate a physician within forty-eight hours of the death, the right is waived.[2089]	issuing an autopsy report within 90 days of an autopsy.[2090]		
Michigan	Yes.[2093]	No.[2094]	No.[2095]	Yes. (only for deaths within a county or city jail, deaths	County Medical Examiner.[2097] The Warden can request an autopsy in consultation with the Chief Medical Officer.	No.[2099]	No.[2100]	No.[2101]	The county medical examiner.[2102]

[2088] Mass. Gen. Laws ch. 40 § 36A.
[2089] Mass. Gen. Laws ch. 40 § 36A.
[2090] According to its medical examiner policy guidelines.
[2093] Michigan DOC Policy Directive 04.06.110, I.
[2094] In Michigan's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2095] In Michigan's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2097] M.C.L.A. § 52.202(2), Investigation by county medical examiner as to cause and manner of death; prisoners; medical records, papers, or documents; exemption from disclosure; definitions; MCLA 52.205. Section 5(5) the county medical examiner may order and conduct the autopsy with or without the consent of the next of kin of the decedent.
[2099] In Michigan's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2100] Ibid.
[2101] Ibid.
[2102] 1953 PA 181, § 7; MCLA 52.205; Section 5.(3).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
				in state prisons are not included).[2096]	[2098]				
Minnesota	Yes.[2103]	No.[2104]	Yes.[2105]	Yes.[2106]	The coroner or medical examiner.[2107]	No.[2108]	Yes. "Performed without unnecessary delay." [2109]	No.[2110]	Certified Forensic pathologist.[2111]
Mississippi	Yes.[2112]	Yes.[2113]	Yes.[2114]	Yes.[2115]	The State Medical Examiner.[2116]	No.[2117]	No.[2118]	No.[2119]	Forensic pathologist who is certified by the American

[2096] Michigan Compiled Law Annotated (M.C.L.A.) 1953 PA 181 § 52.207; Michigan DOC Policy Directive 04.06.110.F.: "Department medical staff shall not be designated as a representative of the county ME to investigate deaths within a correctional facility, since this arrangement may create an unavoidable conflict of interest."
[2098] M.C.L.A. § 52.207, "Investigations may be ordered by the prosecuting attorney, the general attorney, or a petition filed by 6 county electors."
[2103] Minnesota Statute §390.11.
[2104] In Minnesota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2105] Minn. Stat. §390.11, Subd. 1a.Commissioner of corrections; investigation of deaths. "For deaths occurring within a facility licensed by the Department of Corrections, the coroner or medical examiner shall ensure that a forensic pathologist who is certified by the American Board of Pathology reviews each death and performs an autopsy on all unnatural, unattended, or unexpected deaths and others as necessary."
[2106] Minn. Stat. §390.11. Subdivision 1. Reports of death. (6).
[2107] Minn. Stat. §390.11 Subd. 2.
[2108] In Minnesota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2109] Minn. Stat. §390.11 Subd. 2.
[2110] In Minnesota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2111] Minn. Stat. §390.11 Subd. 1a. "Certified by the ABPath".
[2112] Mississippi Code § 47-5-151- Death of prisoner; investigations, inquests, and autopsies; fees; penalties.
[2113] Mississippi Code § 47-5-151.
[2114] Ibid.
[2115] Ibid.
[2116] Ibid.
[2117] In Mississippi's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2118] Ibid.
[2119] Ibid.

Table 19. **Right to Autopsy Grid**

Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
									Board of Pathology.[2120]
Missouri	Yes.[2121]	No.[2122]	Yes.[2123]	Yes.[2124]	The county coroner or medical examiner.[2125]	No.[2126]	No.[2127]	No.[2128]	The medical examiner if he is a pathologist or by such competent pathologist as may be authorized and employed by the medical examiner.[2129]
Montana	Yes.[2130]	Yes.[2131]	Yes.[2132]	Yes.[2133]	Facility Administrators.[2134] Coroner, county attorney, or attorney general may	Yes.[2136]	Yes. Postmortem investigation should be done within 30 days.[2137]	No.[2138]	State medical examiner or a deputy state medical examiner.[2139] A coroner who

[2120] Mississippi Code § 41-61-65.
[2121] Missouri. Ann. Stat. § 58.451.
[2122] In Missouri's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2123] Mo. Ann. Stat. § 58.451. "If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner determines that a further examination is necessary in the public interest".
[2124] Mo. Rev. Stat. § 58.451, "any death as the result of illness or injury while in the custody of the law must be reported and investigated by the county coroner."
[2125] Mo. Rev. Stat. § 58.451 (8); Mo. Ann. Stat. § 58.725.
[2126] In Missouri's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2127] Ibid.
[2128] Ibid.
[2129] Mo. Ann. Stat. § 58.725;
[2130] Montana Title 46. Criminal Procedure § 46-4-103. Postmortem examination--when conducted, scope
[2131] Montana Title 46. Criminal Procedure § 46-4-103. 6.a.i
[2132] Montana Title 46. Criminal Procedure § 46-4-103. 6.a.i
[2133] Montana DOC Policy No. DOC 4.5.34 "Offender Death", p. 678.
[2134] Montana DOC Policy No. DOC 4.5.34 "Offender Death", p. 678.
[2136] Montana Code Ann. § 50-21-103. Limitations on right to perform autopsy or dissection. (4) ;
[2137] Montana DOC Policy Directive 4.5.34- Offender Death, E.3.a.
[2138] In Montana's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2139] Montana Code Ann. § 46-4-103 (6).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					require one.[2135]				also serves as a peace officer may not conduct an inquest into an inmate death.[2140]
Nebraska	Yes.[2141]	No.[2142]	Yes.[2143]	Yes.[2144]	The County coroner.[2145]	No.[2146]	No.[2147]	No.[2148]	Coroner or coroner's physician.[2149]
Nevada	Yes.[2150]	Yes.[2151]	Yes.[2152]	Yes.[2153]	The Director, in consultation with the Medical Director and the	No.[2155]	Yes. The next-of-kin has 72 hours to object to the	No.[2157]	Forensic Pathologist.[2158]

[2135] Montana Title 46. Criminal Procedure § 46-4-103 (1).
[2140] Montana Code Ann. § 46-4-201. (4)(a)(i).
[2141] Nebraska Rev. Stat. § 23-1822. Death during apprehension or custody; county coroner; duties.
[2142] In Nebraska's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2143] Nebraska Rev. Stat. § 23-1821. Death during apprehension or custody; notice required; penalty."the coroner or coroner's physician shall perform an examination, a test, or an autopsy as he or she may deem necessary to establish, by a reasonable degree of medical certainty, the cause or causes of death"; Neb. Rev. Stat. § 23-1824. "The county coroner or coroner's physician shall perform, at county expense, an autopsy on any person less than nineteen years of age who dies a sudden death".
[2144] Office of Inspector General of the Nebraska Correctional System, Summary of Investigative Report NO. OP-140111 2024-04, "The NDCS health services division also conducts a morbidity and mortality review (MMR) any time a person dies in the Department's custody."
[2145] 3-1822. Death during apprehension or custody; county coroner; duties.
[2146] In Nebraska's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2147] Ibid.
[2148] Ibid.
[2149] 3-1822. Death during apprehension or custody; county coroner; duties.
[2150] Nevada DOC Administrative Regulation 420.01. (9).
[2151] Nevada DOC Administrative Regulation 420.01. (9).
[2152] Nevada DOC Administrative Regulation 420.01. (9).
[2153] Nevada Revised Stat. § 209.3815.
[2155] In Nevada's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2157] In Nevada's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2158] NV Rev. Stat. § 259.053.1.Postmortem examination by forensic pathologist: Determination of cause of death; death certificate.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					Inspector General, can request the Coroner. Next of kin may object.[2154]		autopsy.[2156]		
New Hampshire	Yes.[2159]	No.[2160]	No.[2161]	Yes.[2162]	The attorney general, a county attorney, or the commissioner of health and human services.[2163]	No.[2164]	No.[2165]	No.[2166]	The supervising medical examiner who must be a pathologist.[2167]
New Jersey	Yes.[2168]	Yes.[2169]	Yes.[2170]	Yes.[2171]	The county medical examiner, Chief medical examiner, Superior Court judge, county attorney,	No.[2173]	Yes. The medical examiner must provide 48 hours' notice to the objecting party before autopsy,	Yes. Autopsy is under the supervision of a pathologist	The county/ intercounty ME, assistant county/intercounty medical examiner, the CSME, the DCSME; or

[2154] NV Rev. Stat. § 209.3815. 1. 2.
[2156] NV Rev. Stat. § 209.3815. 2.
[2159] NV Rev. Stat. § 209.3815.
[2160] In New Hampshire's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2161] In New Hampshire's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; N.H. Rev. Stat. Ann. § 611-B:17.I.
[2162] N.H. Rev. Stat. Ann. § 611-B:11. 2m.
[2163] N.H. Rev. Stat. Ann. § 611-B:17.I.
[2164] In New Hampshire's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2165] In New Hampshire's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2166] Ibid.
[2167] NH Rev. Stat. § 611-B:15.I.
[2168] NJ Administrative Code § 8:70-1.1 - Mandatory autopsies (a)(4).
[2169] NJ Admin. Code § 8:70-1.1. (a)(4).
[2170] NJ Rev. Stat. 26 §6B-10, Criteria for conduct of a medicolegal investigation of a death. 10a.(12).
[2171] NJ Rev. Stat. 26 § 6B-10. 10a.(12).
[2173] In New Jersey's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					Attorney General or Commissioner of health.[2172]		during which time the objector may seek review in the Superior Court.[2174]	certified by the ABPath or the American Osteopathic Board of Pathology.	competent forensic pathologists authorized by the CSME.[2175]
New Mexico	Yes.[2176]	No.[2177]	Yes.[2178]	Yes.[2179]	Investigators, State medical investigators, or the district attorney may authorize without family consent.[2180]	Yes.[2181]	The regional director of psychiatry will provide a psychology autopsy report within 14 days of an inmate suicide.[2182]	No.[2183]	Pathologist.[2184]
New York	Yes.[2185]	Yes.[2186]	Yes.[2187]	Yes.[2188]	County Coroner	Yes.[2190]	Decedent's	No.[2192]	The coroner,

[2172] NJ Rev. Stat. 26 § 6B-10, Criteria for conduct of a medicolegal investigation of a death. 6.
[2174] NJ Rev. Stat. 26 §6B-11, Determination of necessity for autopsy. c.
[2175] New Jersey Revised Statute 26 § 6B-10, 6ab.
[2176] New Mexico Corrections Department-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death C.3. d.
[2177] In New Mexico's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2178] New Mexico Corrections Department-172100. C.3. d.
[2179] New Mexico Administrative Code § 7.3.2.12 - Investigation - Examination. 3.
[2180] New Mexico Administrative Code § 7.3.2.12 - Investigation - Examination. B.2.
[2181] New Mexico Administrative Code § 7.3.2.12. B.2.
[2182] New Mexico Corrections Department-172100. C.3. d.
[2183] In New Mexico's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2184] New York DOC Directive 4013, III. Notification procedure, C. 1.; County Law Ch. 11, Art. 17-A Section 674(5)
[2185] NYDOC Directive 4013, III. Notification procedure, C. 1.; County Law Ch. 11, Art. 17-A Section 674(5)
[2186] NYDOC Directive 4013, III. C. 1.; County Law Ch. 11, Art. 17-A Section 674(5)
[2187] County Law Ch. 11, Art. 17-A Section 673(e)
[2188] New York Consolidated Laws, County Law - CNT § 673. Deaths concerning which a coroner, coroner and coroner's physician or medical examiner has jurisdiction to investigate.(e).
[2190] N.Y. County Law § 674 (McKinney).5.
[2192] NYDOC Directive 4013, III. Notification procedure, C. 1.; County Law Section 674(5).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					or Medical Examiner.[2189]		next-of-kin or friend are legally able to object in 48 hours of death.[2191]		coroner's physician or medical examiner.[2193]
North Carolina	Yes.[2194]	Yes.[2195]	No.[2196]	Yes.[2197]	Investigating medical examiner or the Chief Medical Examiner, or if requested by the district attorney or any superior court judge.	Yes.[2198]	No.[2199]	No.[2200]	Chief Medical Examiner or pathologist authorized by the CME.[2201]
North Dakota	No.[2202]	No.[2203]	No.[2204]	No.[2205]	Coroners, county sheriff, state attorney, or state forensic	No.[2207]	No.[2208]	No.[2209]	State forensic examiner or by the state forensic

[2189] Public health law section 4210(C), Limitations to dissection or autopsy.
[2191] NYDOC and Community Supervision. Directive 4013. C.1.
[2193] N.Y. County Law § 674 (McKinney).5.
[2194] North Carolina Gen. Statute § 130A-383; DOC Policy Ch. F.4104;
[2195] DOC Policy Ch. F.4104;
[2196] County Law Section 674(5).
[2197] North Carolina Gen. Statute § 130A-383.
[2198] North Carolina Gen. Statute §130A-389(b); N.C. Gen. Stat. §130A-385(a1). "In cases where the next-of-kin request an autopsy in which neither the Chief Medical Examiner nor the investigating medical examiner recommend an autopsy, the Chief Medical Examiner or pathologist may perform said autopsy with the $5800 autopsy cost paid for by the next-of kin."
[2199] In North Carolina's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2200] Ibid.
[2201] North Carolina Gen. Statute §130A-389(1); North Carolina Gen. Statute §130A-389(2).
[2202] In North Dakota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2203] Ibid.
[2204] Ibid.
[2205] North Dakota Century Code 11-19.1-20. State forensic examiner - Required consultation.
[2207] In North Dakota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2208] Ibid.
[2209] Ibid.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					examiner.[2206]				examiner's authorized pathologist.[2210]
Ohio	Yes.[2211]	Yes.[2212]	Yes.[2213]	No.[2214]	The coroner.[2215]	No.[2216]	No.[2217]	No.[2218]	The coroner, deputy coroner, or pathologist.[2219]
Oklahoma	Yes.[2220]	No.[2221]	No.[2222]	Yes.[2223]	The Chief Medical Examiner, their designee, or a district attorney.[2224]	Yes.[2225]	Yes.[2226]	No.[2227]	Chief Medical Examiner or designee.[2228]

[2206] North Dakota Century Code § 11-19.1-11. Autopsies--Notice of results. 1-2; 11-19.1-18. State forensic examiner - Authority - Costs.
[2210] North Dakota Century Code § 11-19.1-11. Autopsies--Notice of results. 2.
[2211] Ohio Department of Rehabilitation and Correction, Incarcerated Person Deaths VI.D.4.
[2212] Ohio Department of Rehabilitation and Correction, Incarcerated Person Deaths VI.D.4. "Unless the inmate was diagnosed with terminal illness."
[2213] Ohio Department of Rehabilitation and Correction, Incarcerated Person Deaths VI.D.4.
[2214] In Ohio's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; Ohio Department of Rehabilitation and Correction, Incarcerated Person Deaths VI.D.4.a..
[2215] Section 313.12 | Notice to coroner of violent, suspicious, unusual or sudden death. A(1)(c).
[2216] In Ohio's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2217] Ibid.
[2218] Ibid.
[2219] Ohio Revised. Code Ann. § 313.131.B.
[2220] Oklahoma Statute 63 § 938. A6.
[2221] In Oklahoma's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2222] Ibid.
[2223] Ok. Stat. 63 § 938. A6.
[2224] Ok. Stat. 63 § 944. A.
[2225] Ok. Stat. 63 § 944.3. A.3. 'If the Office of the Chief Medical Examiner chooses not to conduct an autopsy, the Office must inform the person legally entitled to the deceased's body that they have a right to request a private autopsy at their personal expense."
[2226] Ok. Stat 63 § 945. B. "Complete report of the autopsy filed to the OCME "without unnecessary delay".
[2227] In Oklahoma's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2228] Ok. Stat 63 § 945. A.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Oregon	Yes.[2229]	Yes.[2230]	Yes.[2231]	Yes.[2232]	The Chief Medical Examiner.[2233]	No.[2234]	No.[2235]	No.[2236]	Pathologists.[2237]
Pennsylvania	Yes.[2238]	No.[2239]	Yes.[2240]	Yes.[2241]	The County Coroner.[2242]	Yes.[2243]	No.[2244]	No.[2245]	The coroner.

[2229] Oregon DOC Division 27 Death (AIC) Rule 291-027-0030 "Assessment and Security" (12).
[2230] Oregon DOC Division 27 Death (AIC) 291-027-0030(12).
[2231] Oregon DOC Division 27 Death (AIC) 291-027-0030(12).
[2232] Oregon Revised Statutes. (O.R.S.) 146.090 Deaths requiring investigation, 1(c).
[2233] O.R.S 146.045, Duties of Chief Medical Examiner 2(b).
[2234] In Oregon's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2235] Ibid.
[2236] Ibid.
[2237] O.R.S. 146.045(2)(b).
[2238] Pennsylvania DOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9. D.4 " Investigation of an Inmate Death, 9-2.
[2239] In Pennsylvania's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2240] Pennsylvania Statutes Title 16 P.S. Counties § 9521. Coroner to investigate facts in deaths under suspicious circumstances; PDOC Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9. D.4. 9-2.
[2241] Pennsylvania Code § 93.13 (b). "Inmate deaths, except those which occur under medical supervision and as a result of natural causes, shall be promptly investigated by the State Police." ; 16 Pa. Stat. Ann. § 1237. § 13918. Coroner's investigation. (a)(8).
[2242] Lancaster County, Pennsylvania, "Frequently Asked Questions— Why are autopsies performed?"
[2243] Lancaster County, Pennsylvania, "Frequently Asked Questions— Why are autopsies performed?"
[2244] In Pennsylvania's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2245] Ibid.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Rhode Island	No.[2246]	No.[2247]	Yes.[2248]	No.[2249]	The Medical Examiner.[2250] Next of kin may object to Superior court.[2251]	No.[2252]	Yes. [2253]	No.[2254]	The medical examiner.[2255]
South Carolina	Yes.[2256]	Yes.[2257]	Yes.[2258]	No.[2259]	The county coroner or solicitor.[2260]	No.[2261]	No.[2262]	No.[2263]	The coroner.[2264]

[2246] In Rhode Island's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2247] Ibid.
[2248] Rhode Island. Gen. Laws Ann. § 23-4-4, Jurisdiction.
"1) Death by a homicide, suicide, or casualty;
(2) Death due to a criminal abortion;
(3) Death due to an accident involving lack of due care on the part of a person other than the deceased;
(4) Death which is the immediate or remote consequences of any physical or toxic injury incurred while the deceased person was employed;
(5) Death due to the use of addictive or unidentifiable chemical agents; or (6) Death due to an infectious agent capable of spreading an epidemic within the state."
[2249] In Rhode Island's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; Rhode Island DOC Policy No. 18.09-3, "Death of Inmates under RIDOC Supervision" C.1.i.c. If the death is considered untimely, there will be an autopsy requirement.
[2250] R.I. Code R. 216-RICR-60-10-1.12 (A). "Wait forty-eight hours after notice of the autopsy is given to the objecting party. 30 days to perform a psychological autopsy in cases of suspected suicide."
[2251] R.I. Gen. Laws § 23-4-4.1 (d).
[2252] In Rhode Island's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2253] Rhode Island DOC Policy No. 18.09-3. IV.B.4.
[2254] In Rhode Island's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2255] R.I. Gen. Laws § 23-4-4.1.
[2256] S.C. Code § 17-7-10. Coroners or solicitors shall order autopsies; autopsy to be ordered upon death of persons in penal institutions Autopsy required unless under natural circumstances.
[2257] S.C.Code § 17-7-10..
[2258] S.C. Code § 17-7-10..
[2259] South Carolina Law Enforcement Division, Death in Custody Reporting Act Implementation Plan (2024).
[2260] South Carolina DOC, Policy/Procedure HS-18.04, 7.1 "Inmate Death" (Updated July 1, 2008).
[2261] In South Carolina's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2262] Ibid.
[2263] Ibid.
[2264] S.C. Code Ann. § 17-725, Autopsy on unidentified body; preservation of DNA samples.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
South Dakota	No.[2265]	No.[2266]	Yes.[2267]	Yes.[2268]	The state's attorney, sheriff, or coroner.[2269]	Yes.[2270]	No.[2271]	No.[2272]	Physician or surgeon.[2273]
Tennessee	Yes.[2274]	No.[2275]	Yes.[2276]	Yes.[2277]	The district attorney general.[2278] County medical examiners and/or investigators in consultation	No.[2280]	No.[2281]	No.[2282]	Accredited forensic pathologists.[2283] The county medical examiner or a designated pathologist.[2284]

[2265] In South Dakota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric; 23-14-9.1. Autopsy ordered by state's attorney, sheriff, or coroner;
[2266] In South Dakota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2267] South Dakota Codified Law 23-14-9.1. "Unlawful means or in public interest."
[2268] South Dakota Cod. Law 23-14-18(3) Deaths to be investigated by coroner.
[2269] South Dakota Cod. Law 23-14-9.1. Autopsy ordered by state's attorney, sheriff, or coroner.
[2270] South Dakota Cod. Law 34-26-2. Autopsy authorized. "An autopsy may be performed upon the body of a deceased person by a physician or surgeon whenever so authorized in writing, or by electronically recorded telephone communication:

(1) By the decedent during the decedent's lifetime; or
(2) By the decedent's surviving spouse; or
(3) If the surviving spouse is incompetent or not available or if there be no surviving spouse, by an adult child, parent, brother, or sister of the decedent. However, such autopsy may not be performed under a consent given as required by this subdivision if, before such autopsy is performed, any adult child or parent of the decedent objects in writing to the physician or surgeon by whom the autopsy is to be performed;"

[2271] In South Dakota's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2272] Ibid.
[2273] South Dakota Cod. Law 23-14-9.1.
[2274] Tenn. Code Ann. § 38-7-108. Death under suspicious, unusual or unnatural circumstances.
[2275] In Tennessee's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2276] Tennessee Code Annotated § 38-7-106(a).
[2277] Tenn. Code Ann. § 38-7-109, Investigation by County Medical Examiner, (a).
[2278] Tenn. Code Ann. § 38-7-109(b).
[2280] In Tennessee's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2281] Ibid.
[2282] Ibid.
[2283] Tenn. Code Ann. § 38-7-106, Section 7.
[2284] Tenn. Code Ann. § 38-7-109 (b); § 38-7-105; TN Code § 38-7-105(a). "all autopsies must be performed at a facility accredited by the National Association of Medical Examiners (NAME)."

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					with the regional forensic center.[2279]				
Texas	Yes.[2285]	No.[2286]	No.[2287]	Yes.[2288]	Medical examiner, or upon request of district attorney, criminal district attorney, or county attorney.[2289]	Yes.[2290]	Yes. [2291]	No.[2292]	Medical examiner or a duly authorized deputy, an ordered physician.[2293]
Utah	No.[2294]	No.[2295]	No.[2296]	Yes.[2297]	The attorney general or an assistant attorney general, district and	Yes.[2299]	No.[2300]	No.[2301]	Medical examiner or a regional certified pathologist.[2302]

[2279] Tennessee Department of Health Office of the State Chief Medical Examiner County Pamphlet "FAQ".
[2285] Texas Criminal Code Art. 49.04. Deaths Requiring an Inquest (a)(1); Art. 49.09. Body Disinterred or Cremated.
[2286] In Texas' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2287] In Texas' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2288] Texas Criminal Code Art. 49.04.(a)(1); Texas Criminal Code Art. 49.18. Death in Custody. (b).
[2289] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual (CMHC), (2025); Texas Gov't Code ch. 501, Sec. 501.055. Report of Inmate Death.
[2290] Texas Criminal Code Art. 49.34; Texas Autopsy Services, "Understanding When a Private Autopsy Is Necessary in Texas": "must be the legal next of kin of the deceased or a legal representative of the next of kin such as a lawyer or guardian".
[2291] Texas Code of Criminal Procedure § 9(a). "Autopsy shall be immediately performed."
[2292] In Texas' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2293] Texas Criminal Code Art. 49.10. Autopsies and Test.
[2294] In Utah's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2295] Ibid.
[2296] Ibid.
[2297] Utah Code 26B-8-205 "Jurisdiction of medical examiner." (9).
[2299] Utah Code 26B-8-224(c) Autopsies -- Persons eligible to authorize..
[2300] In Utah's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2301] Ibid.
[2302] Utah Code § 26B-8-204 (2).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					county attorney with criminal jurisdiction, a deputy of the district or county attorney, or a peace officer.[2298]				
Vermont	Yes.[2303]	No.[2304]	Yes.[2305]	Yes.[2306]	The State Attorney or Chief Medical Examiner.[2307]	No.[2308]	No.[2309]	No.[2310]	Chief Medical Examiner or designee.[2311]
Virginia	Yes.[2312]	Yes.[2313]	Yes.[2314]	Yes.[2315]	Medical Examiner, the facility physician or Chief Physician	Yes.[2317]	No.[2318]	No.[2319]	the Chief Medical Examiner or an Assistant Chief Medical

[2298] Utah Code § 26B-8-204 "Investigation of Deaths—Requests for Autopsies" (1).
[2303] Vermont Statutes Annotated 18 § 5205. Death certificate when no attending physician and in other circumstances; autopsy. (a).
[2304] In Vermont's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2305] V.S.A. 18 § 5205(f). "if either deem it necessary and in the interest of public health, welfare, and safety, or in furtherance of the administration of the law, may order an autopsy".
[2306] V.S.A. 18 § 5205(a), (b).
[2307] V.S.A. 18 § 5205(f).
[2308] In Vermont's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2309] Ibid.
[2310] Ibid.
[2311] V.S.A. 18 § 5205.; U.S. Department of Justice, Death in Custody Reporting Act (DCRA) State Implementation Plan—Vermont, Bureau of Justice Assistance, (2024).
[2312] Virginia Code Annotated § 32.1-285. Autopsies.
[2313] Va. Code Ann. § 32.1-285.V.II.C
[2314] Va. Code Ann § 32.1-285(A).
[2315] Virginia Code §32.1-283, Investigation of deaths; obtaining consent to removal of organs, etc.; fees,
[2317] Va. Code Ann. §54.1-2973. Persons who may authorize postmortem examination of decedent's body. "FAQ" Only the legal next of kin or individual (family member or non-family member) with durable power of attorney can authorize an autopsy; Va. Code Ann. § 32.1-285.
[2318] In Virginia's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2319] Ibid.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					can request.[2316]				Examiner.[2320]
Washington	Yes.[2321]	No.[2322]	No.[2323]	Yes.[2324]	Coroner/Medical Examiner.[2325] The Superintendent can request.[2326]	No.[2327]	No.[2328]	No.[2329]	The coroner, the medical examiner, or the attending physician.[2330]
West Virginia	Yes.[2331]	No.[2332]	No.[2333]	Yes.[2334]	The Chief Medical Examiner or county medical examiner.[2335] May be requested by either the prosecuting	No.[2337]	Yes.[2338]	No.[2339]	Chief medical examiner or designee, staff, or by a designated certified competent pathologist

[2316] Va. Code Ann. § 32.1-285(A).
[2320] Va. Code §32.1-283.
[2321] Wash. Rev. Code Ann. § 68.50.010.
[2322] In Washington's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2323] Ibid.
[2324] Wash. Rev. Code Ann. § 68.50.010.
[2325] Washington DOC Policy 620.200.
[2326] Washington DOC Policy 440.000 Personal Property in Prisons. Revised October 13, 2023.
[2327] In Washington's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2328] Ibid.
[2329] Ibid.
[2330] Revised Code of Washington 68.50.105 Autopsies, postmortems—Reports and records confidential—Exceptions.
[2331] West Virginia Code Annotated §61-12-10. When autopsies made and by whom performed; records of date investigated; copies of records and information; reporting requirements.
[2332] W. Va. Code Ann §61-12-10.(a).
[2333] West Virginia Division of Corrections and Rehabilitation, Policy Directive 456.01: Death in Custody, "In the event of an inmate suicide, a psychological autopsy will also be performed by the mental health provider."
[2334] W. Va. Code Ann. § 61-12-8(a).
[2335] W. Va Code Ann. §61-12-10(a).
[2337] In West Virginia's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2338] W. Va Code Ann. §61-12-10(a). Autopsy conducted within 72 hours of the time the decedent was received. The facility Medical Director will provide a written morbidity and mortality review report within 30 days of the death.
[2339] In West Virginia's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
					attorney or the judge of the circuit court or other court of record.[2336]				[2340]
Wisconsin	Yes.[2341]	Yes.[2342]	Yes.[2343]	Yes.[2344]	The coroner or medical examiner. The facility manager can request.[2345]	Yes.[2346]	No.[2347]	No.[2348]	Licensed physician who has specialized training in pathology.[2349]
Wyoming	Yes.[2350]	No.[2351]	No.[2352]	Yes.[2353]	Coroner or jury.[2354] District Attorney.[2355]	No.[2356]	Yes.[2357] "Autopsy results should be made as	No.[2358]	Physician or surgeon.[2359]

[2336] W. Va. Code Ann. §61-12-10.
[2340] W. Va. Code Ann. §61-12-10."certified by forensic pathology or have completed an ABPath fellowship in forensic pathology."
[2341] Wisconsin DOC, DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policy and Procedures, (2024).
[2342] Wisconsin Stat. 979.025 Autopsy of correctional inmate.(1).
[2343] Wisconsin Stat. 979.025 (1).
[2344] Wisconsin DOC, DAI Policy 300.00.09. X. Facility Mortality Review (K).
[2345] Wisconsin DOC, DAI Policy 300.00.09..
[2346] Wis. Stat. 979.22 Autopsies and toxicological services by medical examiners.
[2347] In Wisconsin's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2348] In Wisconsin's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2349] Wis. Stat. Ann. § 979.02. Investigation of deaths.
[2350] Wyoming Statutes § 7-4-201. Reports of death; investigation; summoning of jurors; fees and costs; inspection of medical records. (b).(iii).
[2351] In Wyoming's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2352] Ibid.
[2353] Wyo. Stat. 7-4-201(b) ; Wyo. Stat. 7-4-104.(A)(i)(G).
[2354] Wyo. Stat. § 7-4-209. Postmortem examination; liability limitation. (a).
[2355] Wyo Stat. § 7-4-209. (b).
[2356] In Wyoming's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2357] Wyo. Stat. 7-4-201(b)(iii). "Autopsy results should be made as soon as possible."
[2358] In Wyoming's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2359] Wyo Stat. § 7-4-209(a), (b).

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
							soon as possible."		
American Samoa	No.[2360]	No.[2361]	No.[2362]	Yes.[2363]	The Attorney General, Coroner, or the Director of Health.[2364] Need familial approval.[2365]	No.[2366]	No.[2367]	No.[2368]	Duly licensed physician or Samoan medical officer.[2369]
Guam	No.[2370]	No.[2371]	Yes.[2372]	No.[2373]	Attorney General or a court of competent jurisdiction.[2374]	No.[2375]	No.[2376]	No.[2377]	Office of Post-Mortem Examinations.[2378]

[2360] In American Samoa's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2361] Ibid.
[2362] Ibid.
[2363] America Samoa Code Annotated 13.0520(b); "the pelenuu must report any death as soon as possible for investigation to the Attorney General. If doing so is not possible, the pelenuu must report the death to a local Department of Health representative."
[2364] A.S.C.A 13.0522(a).
[2365] A.S.C.A 25.0417.
[2366] In American Samoa's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2367] Ibid.
[2368] Ibid.
[2369] A.S.C.A 13.0522(a).
[2370] In Guam's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2371] Ibid.
[2372] Guam Code Annotated 10 § 81105.(a)(b)(c).
[2373] G.C.A. 10 §81104.
[2374] G.C.A. 10 §81105(f).
[2375] In Guam's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2376] Ibid.
[2377] Ibid.
[2378] G.C.A. 10 §81105(f).; G.C.A. 10 §81104."He must have current certification in Forensic Pathology by the American Board of Pathology or the American Osteopathic Board of Pathology"

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
Northern Mariana Islands	Yes.[2379]	No.[2380]	Yes.[2381]	No.[2382]	Commonwealth Healthcare Corporation (CHCC) or the Attorney General. [2383] Needs familial consent.[2384]	No.[2385]	No.[2386]	No.[2387]	Physician.[2388]
Puerto Rico	Yes.[2389]	Yes.[2390]	Yes.[2391]	Yes.[2392]	By request of the prosecutor, trial judge, or Commissioner of the Forensic Science Bureau.[2393]	No.[2394]	Yes. [2395]	No.[2396]	Any qualified physician.[2397]

[2379] Commonwealth of the Northern Mariana Islands FY 2023 Justice Assistance Grant Application Death in Custody Reporting Act (DCRA) Implementation Plan. "There are no specific written operation procedures that address Death of a person detained, arrested or in the custody of Police".
[2380] In Northern Mariana Islands' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2381] Commonwealth Code of Northern Mariana Islands (CMC) tit. 1, div. 2, §2633. Office of Medical Examiner: Medical Examiner: Duties. "If a death occurs under conditions suggesting poisoning, violence, or unusual circumstances, and the cause and manner of death cannot otherwise be satisfactorily ascertained."
[2382] Commonwealth of the Northern Mariana Islands FY 2023 Justice Assistance Grant Application Death in Custody Reporting Act (DCRA) Implementation Plan, p. 8.
[2383] CMC tit. 1, div. 2, §2633.
[2384] CMC tit. 1, div. 2, §2633.
[2385] In Northern Mariana Islands' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2386] Ibid.
[2387] IIbid.
[2388] CMC Public Law No. 15-50, Section 15.(c). p. 13.
[2389] Laws of Puerto Rico Annotated (L.P.R.A) 34 § 3012—Mandatory Autopsy.
[2390] L.P.R.A 25 §3589. p. 39.
[2391] L.P.R.A 25 §3589. p. 39.
[2392] L.P.R.A 25 § 3592. p. 41.
[2393] L.P.R.A. 25 §3608. p. 46.; L.P.R.A. 34 § 3013— Autopsy by Request of Investigating Authorities.
[2394] In Puerto Rico's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2395] L.P.R.A 25 § 3595. p. 41.
[2396] In Puerto Rico's analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2397] L.P.R.A. 25 §3608. p. 46.

Table 19. **Right to Autopsy Grid**									
Jurisdiction	Autopsy	Req. Autopsy	Unlawful Autopsy	Req. Investigation	Authority to Order	Private/ Independent Right	Timeline	Presence during Autopsy	Authority to Conduct
U.S. Virgin Islands	Yes.[2398]	No.[2399]	No.[2400]	Yes. [2401]	The medical examiner, requested by the Attorney General, the United States Attorney or the Police Commissioner.[2402] The deceased's representative can object.[2403]	No.[2404]	Yes.[2405]	No.[2406]	Medical Examiner.[2407]

f. Chapter 6: Respecting Religious and Cultural Practices

I. Executive Summary

Jurisdictional requirements to respect the religious rights and cultural practices of the deceased following a death in government custody are extremely limited across the country. While religious practice is clearly legally protected for living in-custody individuals,[2408] the religious rights of the deceased are not adequately covered in jurisdictional policies. Only 37 of the 59

[2398] Virgin Islands Code, Title 3, Chapter 8, §115, "Medical Examiners; general duties; investigation; advice; consultation, examinations; analyses and reports," https://law.justia.com/codes/virgin-islands/title-3/chapter-8/115/.
[2399] In the U.S. Virgin Islands' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2400] Ibid.
[2401] Virgin Islands Code, Title 3, Chapter 8, §115(a)(2)(vi), https://law.justia.com/codes/virgin-islands/title-3/chapter-8/115/.
[2402] Virgin Islands Code, Title 3, Chapter 8, §115(d).
[2403] V.I. Code 19 § 865. "Post-mortem examinations cannot be performed if the deceased individual's representative objects, unless there are reasonable groups to believe the individual's death was caused or influenced by an illegal act, a quarantinable disease, or suicide."
[2404] In the U.S. Virgin Islands' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2405] Virgin Islands Code, Title 3, Chapter 8, §115(d), (Medical Examiner shall perform autopsy within 24 hours after the acquisition of the body).
[2406] In the U.S. Virgin Islands' analyzed policies within the issue area of autopsy for deaths in custody, there is no explicit policy satisfying this metric.
[2407] Virgin Islands Code, Title 3, Chapter 8, §115(d).
[2408] Pell v. Procunier, 417 U.S. 817, 822, 94 S. Ct. 2800, 2804, 41 L. Ed. 2d 495 (1974).

jurisdictions even mention respecting religious practices in their statutes and Department of Correction's policies, and the vast majority of jurisdictions do not respect religious practices regarding post-mortem examination and disposition of the body. Jurisdictions therefore lack transparency and dignity in how they will respect the religious practices of the deceased and their family. Even so, California, Rhode Island, Florida, and Arizona have best practices which help to preserve the dignity of the deceased by recognizing their religious rights and practices post-mortem. These practices therefore influenced the model policies recommended in this chapter.

II. Problem Statement

Policies and practices related to respecting the religious and cultural rights of people who die in prison to a proper disposition and burial are limited. As the Supreme Court asserted in *Pell v. Procunier*, "a prison inmate retains those First Amendment rights that are not inconsistent with his status as a prisoner or with the legitimate penological objectives of the corrections system."[2409] The rights and regulations regarding the disposition and burial of people who die in state prisons, however, are largely dependent on each state.

State laws differ in the responsibility over bodies after death and procedures for how burials are conducted if bodies are not claimed. These disparities are particularly disrespectful to particular religious minorities, including Muslim incarcerated people. Islam has strict guidelines on burial practices that include washing and shrouding the body in preparation for burial, which should occur as soon as possible.[2410] Muslims are over-represented in United States prisons; a report from Muslim Advocates collected data from each states' Department of Corrections and found that "9 percent of the state prison population is Muslim."[2411] In Hinduism, for the exception of young children (who should be buried), disposition of the body– by burning the body–is a part of the religious ceremony.[2412] Religious practices following death therefore drastically differ: cremation is the accepted method of disposition in Hinduism, while in Islam, burial is the accepted method. No matter the faith, practices following death are an integral aspect of religion and religious practice.[2413] It is for this reason that respecting the religious rights of an in-custody individual means respecting those rights post-mortem, as well as when the individual is living.

[2409] Pell v. Procunier, 417 U.S. 817, 822, 94 S. Ct. 2800, 2804, 41 L. Ed. 2d 495 (1974).
[2410] Petras Bahadur, "Rituals and Beliefs Surrounding Death in Islam," *Journal of Adventist Mission Studies* 16, no. 1 (2020): p. 179-180, https://doi.org/10.32597/jams/vol16/iss1/13/.
[2411] Muslim Advocates, *Fulfilling The Promise of Free Exercise for All: Muslim Prisoner Accommodation in State Prisons* (Washington, DC: Muslim Advocates, 2019), p. 15, https://muslimadvocates.org/wp-content/uploads/2019/07/FULFILLING-THE-PROMISE-OF-FREE-EXERCISE-FOR-ALL-Muslim-Prisoner-Accommodation-In-State-Prisons-for-distribution-7_23.pdf.
[2412] T. S. Rukmani, "Hindu Afterlife Beliefs and Funerary Practice," in *The Routledge Companion to Death and Dying*, 1st Edition (Routledge, 2017), p. 111, https://www.taylorfrancis.com/reader/download/0db56485-abb5-4b16-aefa-6b168fd02efd/chapter/pdf?context=ubx.
[2413] T. S. Rukmani, "Hindu Afterlife Beliefs and Funerary Practice," in *The Routledge Companion to Death and Dying*, 1st Edition (Routledge, 2017), p. 111, https://www.taylorfrancis.com/reader/download/0db56485-abb5-4b16-aefa-6b168fd02efd/chapter/pdf?context=ubx; Petras Bahadur, "Rituals and Beliefs Surrounding Death in Islam," *Journal of Adventist Mission Studies* 16, no. 1 (2020): p. 179-180, https://doi.org/10.32597/jams/vol16/iss1/13/.

Respecting religious and cultural practices are instrumental to respecting both the dignity of the dead and their families. Disrespecting the religious practices of a deceased individual who died in custody is likely to violate the religious beliefs and practices of the family, and interrupt the grieving process. This can make necessary grieving and closure for loved ones and family members nearly impossible.

III. Policy Metrics

Table 20. **Respecting Religious and Cultural Practices Metric Definitions**

Metric	Metric Definition
Existence of Policy	Policy or statute that mentions respecting religious practice
Individual or Familial Practices	A policy which explicitly mentions respecting the religious beliefs of the deceased individual or mentions familial involvement to ensure that religious practices and beliefs of the deceased are met.
Clergy Notification or Disposition	Role of chaplain/clergy in notification, disposition
Autopsy Objection	Consideration of religious objection to autopsy
Cremation v. Burial	Authorization of cremation vs burial (in ensuring disposition doesn't go against religious beliefs)
Clergy Burial	Role of chaplain/clergy in burial (if done by department)

Note: All six metrics can be answered through the binary Yes/No, in that the jurisdiction either has a policy that fulfills the metric or does not. In a few cases, a jurisdiction has a policy which partially fulfills the metric. This is counted as fulfilling the metric for the purposes of the jurisdiction's performance.

IV. Summary of Jurisdiction Performance

Table 21. **Respecting Religious and Cultural Practices Jurisdiction Performance**

Existence of Policy	**37 jurisdictions** have a policy that mentions respecting religious practice.
Individual or Familial Practices	**26 jurisdictions** respect the religious practices of the deceased or the deceased's family in notification, disposition, or burial.

Table 21. **Respecting Religious and Cultural Practices Jurisdiction Performance**	
Clergy Notification or Disposition	Chaplain or Clergy had a role in family notification and disposition in the policies of **14 jurisdictions**.
Autopsy Objection	**16 jurisdictions** allow for religious objections to be considered in autopsy.
Cremation v. Burial	**13 jurisdictions** have a policy authorizing or respecting the religious need for burial, rather than cremation.
Clergy Burial	Chaplain or Clergy have a role in the burial, when the burial is conducted by the department, in **11 jurisdictions**.

Note: When a metric was partially fulfilled, it was counted as fulfilled for the purposes of this grid and the map below.

Jurisdictions generally have limited information in their policies and statutes regarding respecting religious and cultural rights. Of the 59 jurisdictions examined, 37 of the jurisdictions have a policy or statute that mentions respecting religious practice. This respect for religious practice, however, ranges from involvement by a chaplain or clergyperson in notification, disposition, and burial to the recognition of religious objection by the deceased or their family to autopsy and cremation.

Twenty-six of the 59 jurisdictions have a policy which explicitly mentions respecting the religious beliefs of the deceased individual or mentions familial involvement to ensure that religious practices and beliefs of the deceased are met. This includes how the jurisdiction notifies the family and discusses religious preferences and practices of the deceased, how the facility disposes of the body and whether they consider the religious beliefs of the deceased in disposition, and whether established religious beliefs of the deceased individual and their family are considered in burial, such as in the memorial service. Chaplain and Clergy have a role in family notification and disposition in the policies of 14 jurisdictions.

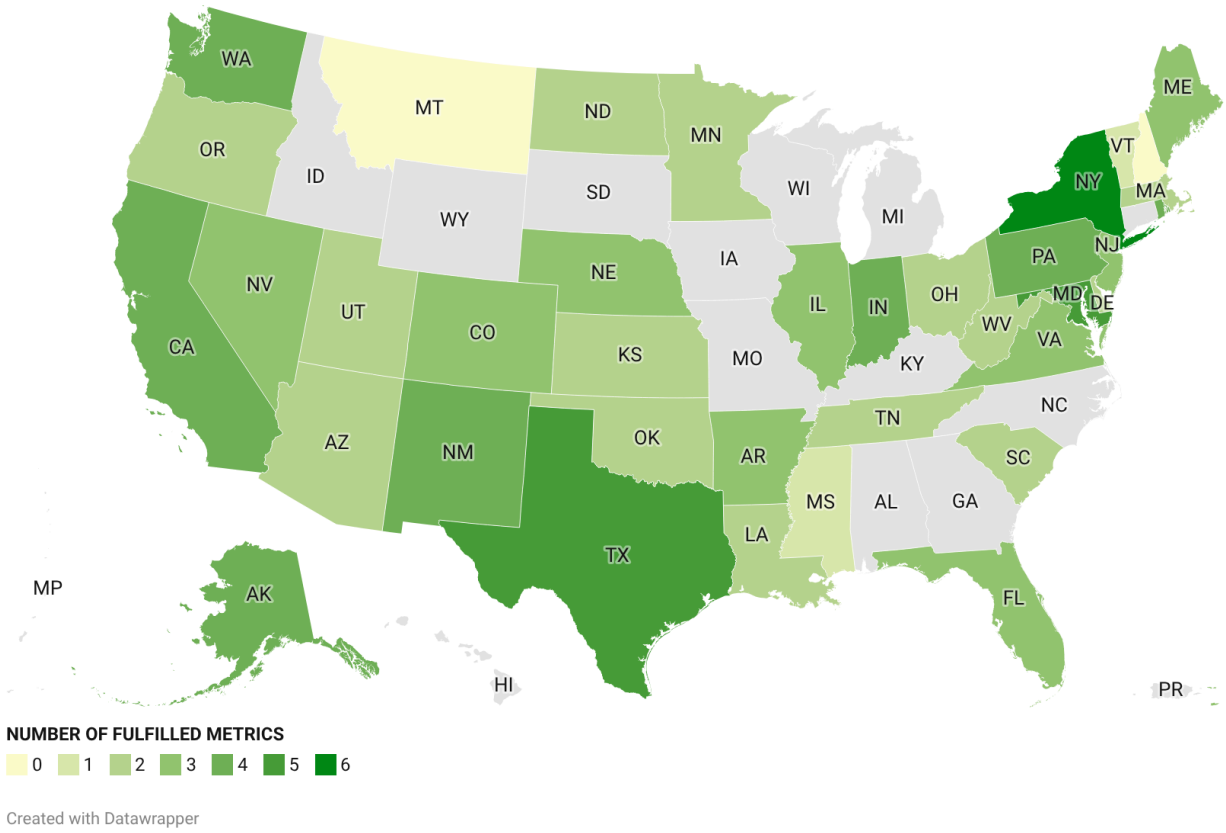


Figure 13. DOC Religious Rights and Cultural Practices Respected By Fulfilled Metrics
Note: For the purposes of this map, when a metric was partially fulfilled, it was counted as fulfilled.

Of the 59 jurisdictions examined, 16, or only around one-quarter of jurisdictions, allow for religious objections to be considered in autopsy. Only 13 of the jurisdictions have a policy authorizing or respecting the religious need for burial, rather than cremation. This means that more than three-quarters of jurisdictions arguably can forcibly cremate a body, even if it goes against the deceased's religious beliefs. While two states explicitly noted that if the body was not claimed, the department would cremate the body, 10 states explicitly took the religious beliefs that had been identified by either the deceased or the deceased's family into consideration when determining how the department would dispose of the body.

Chaplain or Clergy have a role in the burial–when the burial is conducted by the department–in 11, or less than one-fifth, of jurisdictions.

V. Best Practices

Four states: California, Rhode Island, Florida, and Arizona have practices worth highlighting. These practices regarding the role of the chaplain, autopsy, respecting the deceased's and family members of the deceased's religious beliefs in disposal of remains, are practices that should be replicated.

California: In California, when an inmate dies in prison, a chaplain that is of the deceased's faith is allowed to perform a ceremony that aligns with the inmate's faith.[2414] The policy doesn't just stop there. The chaplain of the faith of the inmate is responsible for completing any specific religious requirements and consulting with family members, if requested.[2415] This is one example of a best practice regarding how the chaplain that is well versed on the religious practices and beliefs of the deceased inmate, given that they are of the same faith, is able to respect that inmate's religious beliefs through the role that they are given to be involved in the deceased's burial. Furthermore, communication with the family of the deceased is an additional step to help ensure that the deceased's wishes and religious beliefs are being met in their burial.

Rhode Island: In Rhode Island, the RIDOC explicitly mentions that the Institutional Chaplain of the affected facility should contact the Imam if the deceased inmate was Muslim.[2416] Having the Chaplain of the deceased's faith notify the deceased's family of their death is a way to respect the religious beliefs of both the deceased and the family.

Rhode Island's policies regarding respecting religious wishes during post-mortem autopsy are robust, and balance respecting religious practices and beliefs with understanding the need for post-mortem examinations. Rhode Island statute states "the absence of a compelling public necessity, no dissection or autopsy shall be performed over the objection of a surviving relative or friend of the deceased that the procedure is contrary to the religious belief of the decedent."[2417] If the relative is unavailable, the objection may be raised on the decedent's behalf by the next most closely related person. The official who has authority to order a dissection or autopsy of the decedent's body may require a relative to present an affidavit stating relationship to the decedent, the religious affiliation of the decedent, if any, that the decedent had religious objection to an autopsy, the basis for that belief, and that they will assume responsibility for the lawful disposition of the body of the deceased.[2418] The ability for friends and relatives of the deceased to object to the autopsy decreased the likelihood that the deceased would be put through an autopsy that was against their religious beliefs.

If the medical examiner determines there is a compelling public necessity under subsection (b)(1)(i) or (b)(1)(ii) to perform an autopsy or dissection, and a member of the deceased's immediate family or if absent, friend objects that the autopsy or dissection on the grounds of religious beliefs, then no autopsy shall be performed until 48 hours after notice of the autopsy is

---

[2414] 15 CCR § 3999.417, https://govt.westlaw.com/calregs/Document/IE195F5315A1F11EC8227000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=%28sc.Default%29.

[2415] California DCR, *51070.14: Responsibility of Chaplain* (2008), https://www.cdcr.ca.gov/operations-manual/dom/chapter-5-adult-custody-and-security-operations/article-7-inmate-deaths-serious-injury-or-illness-notification/.

[2416] Rhode Island Department of Corrections, *18.09-3: Death of Inmates under RIDOC Supervision,* sec. IV(A)(4)(a)(b). (Providence, RI: Rhode Island Department of Corrections);

[2417] R.I. Gen. Laws § 23-4-4.1, Health and Safety ("Procedure for performance of autopsies against a family's religious beliefs").

[2418] R.I. Gen. Laws § 23-4-4.1, Health and Safety ("Procedure for performance of autopsies against a family's religious beliefs"), sec. 2.

given to the objecting party. During this 48 hour period, the objecting party may institute action in the superior court to determine the propriety of the dissection or autopsy, but the court may dispense with the waiting period upon ex parte motion if it determines that the delay may harm the accuracy of the autopsy or dissection.[2419] This courtesy is a great best practice in ensuring that the family who has objected to the autopsy is made aware that the medical examiner will go ahead with the autopsy, and is given the chance to either take action to continue to argue against the autopsy, or to come to terms with the fact that the deceased will be put through an examination that is against their religious beliefs.

Importantly, Rhode Island R.I. Gen. Laws § 23-4-4.1 mentions "all dissections or autopsies performed pursuant to this section shall be the least intrusive procedure consistent with the compelling state interest as defined in this section."[2420] Ensuring that the autopsy, if deemed a necessity, is the least intrusive as possible is again a great best practice for respecting the dignity of the deceased, and their religious rights.

Florida: In Florida, prior to disposal of remains, the DOC must make sure that if the remains are to be cremated, this does not go against the religious beliefs of the inmate.[2421] The DOC states in its policy that "When cremation is the option selected for disposal, the institution or facility shall: (a) Ensure that cremation is not prohibited by the tenets of the faith preference of the deceased inmate; and (b) Inform family members, whenever possible and practical, that disposal of the body is to be by cremation."[2422] Therefore, the DOC must know or otherwise determine the faith of the deceased inmate and the body will not be cremated if the faith of the deceased is known to be opposed to cremation. This policy therefore clearly respects an inmate's religious belief and understands that some religious beliefs are opposed to cremation. Additionally, it respects the deceased's family as well, and ensures that the deceased would not be opposed to cremation by notifying family members prior to the disposition of the body. This is a particularly powerful policy for a jurisdiction to maintain in disposition of the body when it has not been claimed by the next-of-kin or another family member.

Arizona: In Arizona, if the body is not claimed by the next-of-kin or a family member, religious organizations have the ability to assume responsibility, both legally or financially, of the body.[2423] This policy therefore allows for respecting the religious rights of the deceased in their disposition by allowing a religious organization to help with the disposition. Allowing a religious organization to claim responsibility for the body when it has not otherwise been claimed allows a religious organization of the deceased's faith to ensure that the deceased has a burial that aligns with their religious beliefs.

[2419] R.I. Gen. Laws § 23-4-4.1, Health and Safety ("Procedure for performance of autopsies against a family's religious beliefs"), sec. 3d.
[2420] R.I. Gen. Laws § 23-4-4.1, Health and Safety ("Procedure for performance of autopsies against a family's religious beliefs"), sec. 3c.
[2421] Florida DOC, *33-602.112: Inmate Death Notification Process*, sec. 3A, https://flrules.org/gateway/notice_Files.asp?ID=30319695.
[2422] Florida DOC, *33-602.112: Inmate Death Notification Process*, sec. 3, https://flrules.org/gateway/notice_Files.asp?ID=30319695.
[2423] ADCCR, *Department Order 711: Notification of Inmate Hospitalization or Death*, 2026, sec. 4.3, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf.

If the inmate was a member of a Native American Tribe that is federally recognized, then the tribe is recognized as the next of kin, and the tribe should have the ability to help with any arrangements regarding burial, a funeral, or disposition.[2424] This policy additionally means that the deceased is more likely to have someone who will claim responsibility for their body and will ensure that their disposition and burial is aligned with the tribe's religious beliefs regarding death.

VI. Worst Practices

Among practices regarding respecting religious and cultural practices, Mississippi, South Carolina, and West Virginia have practices worth mentioning, as they have policies which actively disrespect these practices, and should therefore be avoided. These states do not, however, necessarily have the worst overall practices when it comes to respecting religious and cultural practices. While Mississippi has no practices which respect religious and cultural rights, South Carolina and West Virginia both have policies which fulfill other metrics in respecting these rights. These policies and metrics are therefore not mentioned in this section.

South Carolina: While South Carolina policies respect religious practices in how clergy is involved in the notification of death,[2425] South Carolina also has a policy which disrespects religious and cultural practices in how the department will dispose of remains when they are not otherwise claimed. The policy states that "if the family is not located or does not claim the body, SCDC will contact the funeral home to cremate the body. The family can claim the ashes, or they will be spread in the SCDC cemetery within 30 days after cremation."[2426] Therefore, if the family of the deceased is not located, the SCDC will cremate the body of the deceased. The policy does not provide an exception or alternative if this form of disposition goes against the religious practices or beliefs of the individual and/or the individual's family. Additionally, the policy does not specify the amount of time that the facility will wait for the family to claim the body, or how many attempts they will make to locate the family before cremating of the body. Therefore, this policy is capable of violating the religious practices of the deceased, as well as the wishes of the deceased's family.

South Carolina additionally disrespects the religious practices and rights of the deceased by allowing the county coroner to determine if an autopsy is required, without providing information on how someone could object to the autopsy.[2427] Therefore, an autopsy is likely to be conducted even if this examination would violate the religious practices of the deceased, and the next of kin or another family member would not have the ability to prevent the examination.

[2424] ADCCR, *Department Order 711: Notification of Inmate Hospitalization or Death*, 2026, sec. 3.6.5, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf.
[2425] South Carolina Department of Corrections, *Policy/Procedure PS-10-05: Inmate Religion*, sec. 8.2.1 https://doc.sc.gov/sites/doc/files/Documents/policy/PS-10-05.pdf.
[2426] South Carolina Department of Corrections, *Policy/Procedure PS-10-05: Inmate Religion*, sec. 14.2 https://doc.sc.gov/sites/doc/files/Documents/policy/PS-10-05.pdf.
[2427] South Carolina Department of Corrections, *Policy/Procedure HS-18.04, Inmate Death*, updated July 1, 2008, sec 7.1, https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-HS-18.04-Inmate-Death-Updated-July-1-2008.pdf.

West Virginia: West Virginia does not ensure that the disposition of a body will not violate religious practices. If a family member does not claim the remains of the deceased, the policy states that "the Superintendent/designee shall have the authority and is hereby permitted to make a contractual agreement with a local funeral home for the purpose of burying or cremating the remains." [2428] The policy clarifies that in West Virginia, the decision on whether the body will be buried or cremated should be based on "whichever is the least expensive."[2429] Therefore, the decision on how the body will be disposed of is made solely on an economical basis (based solely on the cheapest option available), and does not take the deceased's religious beliefs or practices into consideration. The disposal is thus likely to go against any religious beliefs or practices of the deceased or their family, even if they were previously identified by the department.

In the case of respecting religious and cultural practices, DOC policies across all jurisdictions are extremely limited. Therefore, aside from the practices highlighted above, worst practices include not having any policies that respect religious and cultural practices, as well as not making these policies easily accessible to families of the deceased. When policies are not easily accessible, families will not know if the religious and cultural practices of their loved one will be respected following death.

VII. Recommendations for Model Policy

1. *Existence of DOC Manual Which Outlines Religious Rights and Practices Post-Mortem*

Every DOC should have a manual for in-custody individuals that outlines their religious rights and practices. This should include religious rights and practices that continue post-mortem, and the decisions that in-custody individuals can make prior to death regarding practices that would occur post-mortem. These decisions should include indicating preferences regarding cremation and burial, as well as other religious practices which they would like recognized post-mortem.

DOC policies that outline the practices and procedures that must be followed when an in-custody death occurs should include the recommended model policies outlined below.

2. *Recognition of Individual Preferences Expressed Prior to Death, As Well As Familial Rights Following Death*

Any religious or cultural practices which the deceased expressed prior to their death regarding disposition and burial should be recognized and followed accordingly, in consultation with a clergyperson. Any religious or cultural practices which the family of the deceased expresses should be recognized and be followed by the family in disposition and burial of the deceased, with the aid of a clergyperson, if requested.

[2428]West Virginia Division of Corrections and Rehabilitation Bereavement Guide for Family and Friends. https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf VII

[2429]West Virginia Division of Corrections and Rehabilitation, *Bereavement Guide for Family and Friends*, p. 7-10, https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf.

If the deceased was a member of a recognized Native American Tribe, then the tribe should be recognized as a family member of next-of-kin, and be able to take possession of the body in the absence of a recognized next-of-kin or family member.

If the body of the deceased is not claimed by the next-of-kin or a family member following various attempts to reach them, and the department will have to dispose of the body and provide a burial, religious organizations (preferably organizations that align with the faith of the deceased) can instead claim possession of the body. Religious organizations can claim the physical remains, or they can claim responsibility of the body legally and financially, such as paying for the body to be buried in alignment with religious practices.

3. *Clergy Shall Be Included in Notifying the Next-Of-Kin and Decisions Regarding Departmental Disposal of the Body Following a Death*

Clergy, preferably a clergyperson of the deceased's faith, should be involved in notifying the next-of-kin and the family of the deceased of the death.

Clergy, preferably a clergyperson of the deceased's faith, should be involved in any departmental decisions regarding disposition of the body.

4. *Family Members Should Have the Right to Object to Autopsy*

Next-of-kin and family members of the deceased should be notified prior to an autopsy, conducted by a coroner or medical examiner. Family members are then able to express their objection to an autopsy, on the grounds that it violates the religious or cultural beliefs of the deceased or the family. The medical examiner may decide that an autopsy must still be performed because of compelling public necessity. If this is the case, then the medical examiner must inform the person who objected to the autopsy, and the medical examiner must wait 48 hours prior to performing the autopsy. If the family member chooses to do so, they can spend this time pursuing further legal action to prevent the autopsy.

5. *There Should Not be a Default Method of Disposition*

If the body has not been claimed by the next of kin or a family member, and the department must dispose of the body, religious observances should be respected in the disposition of the body. If the deceased previously authorized a form of disposition prior to their death through a written and signed form, then the body should be disposed of in accordance with that authorization. Otherwise, family members can authorize the department on a form of disposition which they feel aligns with the deceased's practices. If the disposition is conducted by the facility because notification to family has been unsuccessful, the department should dispose of the body in accordance with the religious views that the deceased expressed while in custody.

6. *Clergy Should be Involved in Decisions Regarding Burial When Requested by the Family or Conducted by the Facility*

If necessary or requested by the family during notification, the clergy of the facility should with any religious or cultural provisions requested by the deceased or the family in the burial of the remains. A clergymember can perform a memorial service if requested by the family.

If the body of the deceased has not been claimed, and the department must bury the remains, then a clergy member of the deceased's faith (when possible) should be involved in all decisions regarding burial, and should ensure that the burial aligns with the deceased's faith. The clergymember should perform a memorial service that aligns with the religious practices of the deceased.

VIII. Grid of All Jurisdictions and Key Metrics

Table 22. **Respecting Religious and Cultural Practices Grid**

Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
CBP	N/A[2430]	N/A[2431]	N/A[2432]	N/A[2433]	N/A[2434]	N/A[2435]

[2430] The CBP does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths. Department of Homeland Security and U.S. Customs and Border Protection, "Notification and Review Procedures for Certain Deaths and Deaths in Custody," 2013, https://www.cbp.gov/sites/default/files/2025-08/intc-37477_signed_notification_and_review_procedures_9.1.23_redacted_002.pdf; does not mention respecting religious practices in notification, disposition, or burial. Office for Civil Rights and Civil Liberties, "Fiscal Year 2024 Annual Report," January 2026, p. 4, 16, https://www.dhs.gov/sites/default/files/2026-02/26_0206_crcl_crcl-annual-report-fy24-final_508.pdf; mentions processing a complaint for religious accommodation for CBP. This complaint, however, appears unrelated to in-custody deaths.
[2431] The CBP does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2432] Ibid.
[2433] Ibid.
[2434] Ibid.
[2435] Ibid.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
ICE	Yes[2436]	Yes[2437]	Yes[2438]	No, Previously[2439]	N/A[2440]	Yes[2441]

[2436] DOJ, *Guidance for Federal, State, Tribal, Local, and Territorial Law Enforcement Agencies on Best Practices for Providing Official Notification of Deaths in Custody* (Washington, DC: U.S. DOJ, 2019), 5, https://www.ojp.gov/library/publications/guidance-deaths-in-custody; ICE, National Detention Standards: Revised 2025, Standard 4.6, "B. Death Occurring in ICE/ERO Custody" PDF (Washington, DC: ICE, 2025), 135. https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf.

[2437] DOJ, *Guidance for Federal, State, Tribal, Local, and Territorial Law Enforcement Agencies on Best Practices for Providing Official Notification of Deaths in Custody* (Washington, DC: U.S. DOJ, 2019), 5, https://www.ojp.gov/library/publications/guidance-deaths-in-custody; Oregon Department of Justice, Death Notification Pocket Guide (Salem, OR: Oregon DOJ, 2015), https://www.doj.state.or.us/wp-content/uploads/2017/03/DeathNotification_PocketGuide_9-15.pdf; The DOJ encourages that, "If possible, the Death Notification Team should gain awareness of any relevant cultural and religious practices of the decedent and the notified individuals" and during notification of death meetings that the Death Notification Team avoid religious phrases.

[2438] ICE, National Detention Standards: Revised 2025, Standard 4.6, "B. Death Occurring in ICE/ERO Custody" PDF (Washington, DC: ICE, 2025), 135. https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf.

[2439] ICE, Performance-Based National Detention Standards (2011, rev. 2016), Sec. 4.7, Terminal Illness, Advance Directives and Death I.3., at 343, https://www.ice.gov/doclib/detentionstandards/2011/4-7.pdf.

[2440] ICE policies do not mention respecting religious practice in burial rather than cremation.

[2441] ICE, National Detention Standards: Revised 2025, Standard 4.6, "B. Death Occurring in ICE/ERO Custody" PDF (Washington, DC: ICE, 2025), 135. https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf; the 2025 NDS allows, where appropriate, for the facility chaplain to provide advice about religious considerations that could influence the decision about the disposition of remains.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
FBOP	Yes[2442]	Yes[2443]	Yes[2444]	Yes[2445]	Partial[2446]	Yes[2447]
Alabama	N/A[2448]	N/A[2449]	N/A[2450]	N/A[2451]	N/A[2452]	N/A[2453]

[2442] BOP, *Program Statement 6080.01: Autopsies, Authority to Order*, https://www.bop.gov/policy/progstat/6080_001.pdf; BOP, *Program Statement 5360.09:Religious Beliefs and Practice,* p. 8, https://www.bop.gov/policy/progstat/5360_010_cn.pdf.

[2443] BOP, *Program Statement 6031.05 CN-2: Patient Care*, sec. 23, https://www.bop.gov/policy/progstat/6031_005_cn-2.pdf. SERIOUS ILLNESS, SERIOUS INJURY, AND DEATH PROCEDURES; prior to autopsies or embalming, BOP facilities should consult with their institutional Religious Services personnel and determine the deceased inmate's religious preferences to ensure no religious prohibitions exist.

[2444]BOP, *Program Statement 6080.01: Autopsies, Authority to Order*, sec 4(c)(4), https://www.bop.gov/policy/progstat/6080_001.pdf.

[2445]BOP, *Program Statement 6080.01: Autopsies, Authority to Order*, sec 4(c)(4), https://www.bop.gov/policy/progstat/6080_001.pdf; state and local provisions protecting religious beliefs regarding autopsies should be observed to the extent that such considerations are consistent with the needs of an autopsy. BOP, *Program Statement 6080.01: Autopsies, Authority to Order*, sec 4(b)(2), https://www.bop.gov/policy/progstat/6080_001.pdf.

[2446]BOP, *Program Statement 6080.01: Autopsies, Authority to Order*, sec 4(b)(2), https://www.bop.gov/policy/progstat/6080_001.pdf; autopsies should ordinarily occur within 48 hours, which may impact whether religious or cultural practices regarding quickness of burial can be honored.

[2447] BOP, Program Statement 5360.09: Religious Beliefs and Practices, p. 8, https://www.bop.gov/policy/progstat/5360_010_cn.pdf; chaplains coordinate religious rituals for death and may advise the Warden on religious considerations concerning autopsies and disposition of remains.

[2448] Alabama does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.

[2449] Ibid.

[2450] Ibid.

[2451] Ibid.

[2452] Ibid.

[2453] Ibid.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Alaska	Yes[2454]	N/A[2455]	Yes[2456]	Yes[2457]	N/A[2458]	Yes[2459]
Arizona	Yes[2460]	Partial[2461]	No[2462]	No[2463]	N/A[2464]	No[2465]

[2454]Alaska DOC, *Policy 104.04: Death of A Prisoner*, sec. C 1, https://doc.alaska.gov/pnp/pdf/104.04.pdf.
[2455]Alaska does not have a policy that mentions respecting individual or familial religious practices.
[2456]Alaska DOC, *Policy 104.04: Death of A Prisoner*, sec. C 1, https://doc.alaska.gov/pnp/pdf/104.04.pdf; The Chaplaincy Coordinator can work with the next of kin to make arrangements.
[2457]"State Medical Examiner's Office," State of Alaska | Department of Health, accessed May 11, 2026, https://health.alaska.gov/en/division-of-public-health/state-medical-examiner/; the State Medical Examiner's Office allows for the next of kin to tell the office that they do not want an autopsy to be conducted for religious or cultural reasons, but this is not the final determining factor and the Examiner's Office makes the final decision on whether or not an autopsy will be performed.
[2458]Alaska policies do not mention respecting religious practice in burial rather than cremation.
[2459]Alaska DOC, *Policy 104.04: Death of A Prisoner*, sec. C 1, https://doc.alaska.gov/pnp/pdf/104.04.pdf; The Chaplaincy Coordinator can work with the next of kin to make arrangements to acquire General Relief Burial Funds if the next of kin does not have the resources required for disposition of remains.
[2460]ADCCR, *Department Order 711: Notification of Inmate Hospitalization or Death*, 2026, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf.
[2461]ADCCR, *Department Order 711: Notification of Inmate Hospitalization or Death*, 2026, sec. 3.6.5, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf; if the inmate was a member of a Native American Tribe that is federally recognized, then the tribe is recognized as the next of kin, and the tribe should have the ability to help with any arrangements regarding burial, a funeral, or disposition.
[2462] Arizona policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2463]ADCCR, *Department Order 922: Inmate Donor Program*, 2026, sec. 5, https://corrections.az.gov/sites/default/files/documents/policies/900/0922.pdf; the Medical Examiner is given sole authority to determine organ donation for the inmate who has died.
[2464] Arizona policies do not mention respecting religious practice in burial rather than cremation.
[2465] Arizona policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Arkansas	Yes[2466]	Yes[2467]	No[2468]	N/A[2469]	Yes[2470]	No[2471]

[2466]Arkansas DOC, A*dministrative Directive 12-31: Inmate Death – Disposition of Remains - Designated Emergency Contacts,* 2012, sec. C, https://arktimes.com/wp-content/uploads/2019/03/pdf-ad_2012-031_inmate_death_____disposition_of_remains_-_design.pdf; House Bill No. 1409, 87th General Assembly of Arkansas, 2009, sec. D 1, https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FBills%2F2009%2FPublic%2FHB1409%2FHB1409-020920090830.pdf.

[2467]House Bill No. 1409, 87th General Assembly of Arkansas, 2009, sec. D 1, https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FBills%2F2009%2FPublic%2FHB1409%2FHB1409-020920090830.pdf; Arkansas DOC, A*dministrative Directive 12-31: Inmate Death – Disposition of Remains - Designated Emergency Contacts,* 2012, sec. C, https://arktimes.com/wp-content/uploads/2019/03/pdf-ad_2012-031_inmate_death_____disposition_of_remains_-_design.pdf; If the body is not claimed but also not cremated due to the existence of a statement that aligns with the Arkansas Final Disposition Rights Act of 2009, then the body will be buried in a cemetery.

[2468]Arkansas policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.

[2469]Arkansas policy does not mention respecting autopsy objection or not respecting objection.

[2470]Arkansas DOC, A*dministrative Directive 12-31: Inmate Death – Disposition of Remains - Designated Emergency Contacts,* 2012, sec. C, https://arktimes.com/wp-content/uploads/2019/03/pdf-ad_2012-031_inmate_death_____disposition_of_remains_-_design.pdf; prior to an inmate's death, they have the ability to sign a statement that says that they oppose cremation. If, however, the inmate does not have such a statement and the family is not opposed to cremation due to a religious conflict on the part of the inmate, then the body is cremated when it is released from the Medical Examiner.

[2471]Arkansas policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**

Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
California	Yes[2472]	Yes[2473]	Yes[2474]	N/A[2475]	N/A[2476]	Yes[2477]
Colorado	Yes[2478]	N/A[2479]	No[2480]	N/A[2481]	Yes[2482]	Yes[2483]
Connecticut	N/A[2484]	N/A[2485]	N/A[2486]	N/A[2487]	N/A[2488]	N/A[2489]

[2472] 15 CCR § 3999.417, https://govt.westlaw.com/calregs/Document/IE195F5315A1F11EC8227000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=%28sc.Default%29; California DCR, *51070.14: Responsibility of Chaplain* (2008), https://www.cdcr.ca.gov/operations-manual/dom/chapter-5-adult-custody-and-security-operations/article-7-inmate-deaths-serious-injury-or-illness-notification/.

[2473] California DCR, *51070.14: Responsibility of Chaplain* (2008), https://www.cdcr.ca.gov/operations-manual/dom/chapter-5-adult-custody-and-security-operations/article-7-inmate-deaths-serious-injury-or-illness-notification/;
The facility chaplain of the faith of the inmate is responsible for completing any specific religious requirements and consulting with family members, if requested.

[2474] California DCR, *51070.14: Responsibility of Chaplain* (2008), https://www.cdcr.ca.gov/operations-manual/dom/chapter-5-adult-custody-and-security-operations/article-7-inmate-deaths-serious-injury-or-illness-notification/.

[2475] California policy does not mention respecting autopsy objection or not respecting objection.

[2476] California policies do not mention respecting religious practice in burial rather than cremation.

[2477] 15 CCR § 3999.417, https://govt.westlaw.com/calregs/Document/IE195F5315A1F11EC8227000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=%28sc.Default%29; when an inmate dies in prison, a chaplain that is of the deceased's faith is allowed to perform a ceremony that aligns with the inmate's faith.

[2478] Colorado DOC, *AR 850-10: Emergency Notification*, 2026, sec. IV(C), https://drive.google.com/file/d/15pL3NBdIpzsWzx0_008nOlqCY-KXYP6G/view.

[2479] Colorado does not have a policy that mentions respecting individual or familial religious practices.

[2480] Colorado policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.

[2481] Colorado policy does not mention respecting autopsy objection or not respecting objection.

[2482] Colorado DOC, *AR 850-10: Emergency Notification*, 2026, sec. IV(C), https://drive.google.com/file/d/15pL3NBdIpzsWzx0_008nOlqCY-KXYP6G/view; burial over cremation of unclaimed deceased inmate.

[2483] Colorado DOC, *AR 850-10: Emergency Notification*, 2026, sec. IV(C), https://drive.google.com/file/d/15pL3NBdIpzsWzx0_008nOlqCY-KXYP6G/view; if the cremains of the deceased inmate are not claimed, then the Faith and Citizens Programs office is responsible for conducting a non-denominational burial service and laying cremains to rest.

[2484] Connecticut does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.

[2485] Ibid.

[2486] Ibid.

[2487] Ibid.

[2488] Ibid.

[2489] Ibid.

Table 22. **Respecting Religious and Cultural Practices Grid**

Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
D.C.	Yes[2490]	Yes[2491]	Yes[2492]	No[2493]	N/A[2494]	No[2495]
Delaware	Yes[2496]	Yes[2497]	No[2498]	N/A[2499]	N/A[2500]	No[2501]
Florida	Yes[2502]	Yes[2503]	No[2504]	N/A[2505]	Yes[2506]	No[2507]
Georgia	N/A[2508]	N/A[2509]	N/A[2510]	N/A[2511]	N/A[2512]	N/A[2513]

[2490]District of Columbia DOC, *Policy and Procedure 4410.1J: Religious Programs,* 2024, p.12, https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PP%204410.1J-Religious%20Services-2023.8.24_0.pdf.
[2491] Ibid.
[2492] Ibid.
[2493]D.C. Law § 5–1409, https://code.dccouncil.gov/us/dc/council/code/sections/5-1409; consent from the next of kin is not required to perform an autopsy.
[2494] D.C. policies do not mention respecting religious practice in burial rather than cremation.
[2495] D.C. policies that mention respecting religious practice do not mention clergy involvement in burial.
[2496]12 Del. C. § 260.8 Definitions, https://delcode.delaware.gov/title12/c002/sc03/index.html.
[2497]12 Del. C. § 260.8 Definitions, https://delcode.delaware.gov/title12/c002/sc03/index.html; religious and cultural belief must be considered in determining whether disposition is "reasonable under the circumstances." Religious and cultural beliefs in disposition of remains are therefore deemed equally as important as financial feasibility.
[2498] Delaware policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2499] Delaware policy does not mention respecting autopsy objection or not respecting objection.
[2500] Delaware policies do not mention respecting religious practice in burial rather than cremation.
[2501] Delaware policies that mention respecting religious practice do not mention clergy involvement in burial.
[2502]Florida DOC, *33-602.112: Inmate Death Notification Process*, sec. 3A, https://flrules.org/gateway/notice_Files.asp?ID=30319695.
[2503]Florida DOC, *33-602.112: Inmate Death Notification Process*, sec. 3A, https://flrules.org/gateway/notice_Files.asp?ID=30319695.
[2504]Florida policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2505]Florida policy does not mention respecting autopsy objection or not respecting objection.
[2506]Florida DOC, *33-602.112: Inmate Death Notification Process*, sec. 3A, https://flrules.org/gateway/notice_Files.asp?ID=30319695; prior to disposal of remains, the DOC must make sure that if the remains are to be cremated this does not go against the religious beliefs of the inmate.
[2507]Florida policies that mention respecting religious practice do not mention clergy involvement in burial.
[2508]Georgia does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2509] Ibid.
[2510] Ibid.
[2511] Ibid.
[2512] Ibid.
[2513] Ibid.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Hawaii	N/A[2514]	N/A[2515]	N/A[2516]	N/A[2517]	N/A[2518]	N/A[2519]
Idaho	N/A[2520]	N/A[2521]	N/A[2522]	N/A[2523]	N/A[2524]	N/A[2525]
Illinois	Yes[2526]	Yes[2527]	No[2528]	N/A[2529]	Yes[2530]	No[2531]

[2514]Hawaii does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2515] Ibid.
[2516] Ibid.
[2517] Ibid.
[2518] Ibid.
[2519] Ibid.
[2520]Idaho does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2521] Ibid.
[2522] Ibid.
[2523] Ibid.
[2524] Ibid.
[2525] Ibid.
[2526]Illinois DOC, *Policy 02.42.107: Processing Accounts of Deceasecd Individuals in Custody*, 2023, sec. 2E, https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/fiscal-and-business-management/242107%20Processing%20Accounts%20of%20Deceased%20Individuals%20in%20Custody.pdf.
[2527]Illinois DOC, *Policy 02.42.107: Processing Accounts of Deceasecd Individuals in Custody*, 2023, sec. 2E, https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/fiscal-and-business-management/242107%20Processing%20Accounts%20of%20Deceased%20Individuals%20in%20Custody.pdf.
[2528]Illinois policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2529] Illinois policy does not mention respecting autopsy objection or not respecting objection.
[2530]Illinois DOC, *Policy 02.42.107: Processing Accounts of Deceasecd Individuals in Custody*, 2023, sec. 2E, https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/fiscal-and-business-management/242107%20Processing%20Accounts%20of%20Deceased%20Individuals%20in%20Custody.pdf; no one should authorize the cremation of the inmate's body without written consent from the next of kin or the legal guardian.
[2531]Illinois policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Indiana	Yes[2532]	Yes[2533]	Yes[2534]	N/A[2535]	N/A[2536]	Yes[2537]
Iowa	N/A[2538]	N/A[2539]	N/A[2540]	N/A[2541]	N/A[2542]	N/A[2543]
Kansas	Yes[2544]	N/A[2545]	No[2546]	Yes[2547]	N/A[2548]	No[2549]

[2532]Indiana DOC, *Policy and Administrative Procedure 01-03-101: Religious Services,* 2022, sec. G, https://www.in.gov/idoc/files/policy-and-procedure/policies/01-03-101-Religious-Services-3-1-2022.pdf.
[2533]Indiana DOC, *Policy and Administrative Procedure 01-03-101: Religious Services,* 2022, sec. G, https://www.in.gov/idoc/files/policy-and-procedure/policies/01-03-101-Religious-Services-3-1-2022.pdf; "Incarcerated individuals desiring specific practices after their death must make arrangements with their family or emergency contact on record."
[2534]Indiana DOC, *Policy and Administrative Procedure 01-03-101: Religious Services,* 2022, sec. G, https://www.in.gov/idoc/files/policy-and-procedure/policies/01-03-101-Religious-Services-3-1-2022.pdf; Chaplains are notified of the death and can notify the emergency contact and provide care.
[2535]Indiana policy does not mention respecting autopsy objection or not respecting objection.
[2536]Indiana policies do not mention respecting religious practice in burial rather than cremation.
[2537]Indiana DOC, *Policy and Administrative Procedure 01-03-101: Religious Services,* 2022, sec. G, https://www.in.gov/idoc/files/policy-and-procedure/policies/01-03-101-Religious-Services-3-1-2022.pdf; If the body is not claimed, the facility Chaplain will be involved in the burial or otherwise disposition of remains. A Chaplain may conduct a burial service, which "shall reflect the deceased incarcerated individual's religious preference."
[2538] Iowa does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2539] Ibid.
[2540] Ibid.
[2541] Ibid.
[2542] Ibid.
[2543] Ibid.
[2544]Kansas DOC, *Policy 01-114D: Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident*, 2025, sec. VII(C), https://public.powerdms.com/KansasDOC/tree/documents/1546601.
[2545] Kansas does not have a policy that mentions respecting individual or familial religious practices.
[2546] Kansas policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2547]Kansas DOC, *Policy 01-114D: Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident*, 2025, sec. VII(C), https://public.powerdms.com/KansasDOC/tree/documents/1546601; Exceptions can be made to autopsy requirements for religious objections. Such objections must be approved by the Director of Health Care Services and the Secretary of Corrections.
[2548] Kansas policies do not mention respecting religious practice in burial rather than cremation.
[2549] Kansas policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**

Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Kentucky	N/A[2550]	N/A[2551]	N/A[2552]	N/A[2553]	N/A[2554]	N/A[2555]
Louisiana	Yes[2556]	N/A[2557]	No[2558]	Yes[2559]	N/A[2560]	No[2561]
Maine	Yes[2562]	Yes[2563]	No[2564]	N/A[2565]	Yes[2566]	No[2567]

[2550] Kentucky does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2551] Ibid.
[2552] Ibid.
[2553] Ibid.
[2554] Ibid.
[2555] Ibid.
[2556]LA Rev Stat §13:5713 (2025), sec. D, https://law.justia.com/codes/louisiana/revised-statutes/title-13/rs-13-5713/.
[2557] Louisiana does not have a policy that mentions respecting individual or familial religious practices.
[2558] Louisiana policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2559]LA Rev Stat §13:5713 (2025), sec. D, https://law.justia.com/codes/louisiana/revised-statutes/title-13/rs-13-5713/; Families of deceased individuals can object to an autopsy on religious grounds, provided that the coroner does not find that an autopsy is necessary for public safety, health, or welfare. In cases where the coroner finds necessity for an autopsy despite religious objections, the coroner must provide reasoning for the autopsy's necessity in writing.
[2560] Louisiana policies do not mention respecting religious practice in burial rather than cremation.
[2561] Louisiana policies that mention respecting religious practice do not mention clergy involvement in burial.
[2562]Maine DOC, *Policy 18.21: Prisoner Death,* 2017, sec. D(6), https://www.maine.gov/future/sites/maine.gov.corrections/files/inline-files/18.21%20PRISONER%20DEATH.pdf.
[2563]Maine DOC, *Policy 18.21: Prisoner Death,* 2017, sec. D(6), https://www.maine.gov/future/sites/maine.gov.corrections/files/inline-files/18.21%20PRISONER%20DEATH.pdf; The Chief Administrative Officer must bury, rather than cremate the body if the individual was known to be a member of a religion prohibiting cremation. In these circumstances, the final disposition would be through burial instead of cremation.
[2564]Maine policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2565]Maine policy does not mention respecting autopsy objection or not respecting objection.
[2566]Maine DOC, *Policy 18.21: Prisoner Death,* 2017, sec. D(6), https://www.maine.gov/future/sites/maine.gov.corrections/files/inline-files/18.21%20PRISONER%20DEATH.pdf.
[2567]Maine policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Maryland	Yes[2568]	Yes[2569]	Yes[2570]	Yes[2571]	Yes[2572]	No[2573]
Massachusetts	Yes[2574]	N/A[2575]	No[2576]	N/A[2577]	N/A[2578]	Yes[2579]
Michigan	N/A[2580]	N/A[2581]	N/A[2582]	N/A[2583]	N/A[2584]	N/A[2585]

[2568]Maryland Department of Public Safety and Correctional Services, *OPS.140.0002: Religious Services Manual*, 2017, https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=1482; MD Code, Health - General, § 5-309 (2025), sec. 2, https://law.justia.com/codes/maryland/health-general/title-5/subtitle-3/section-5-309/.
[2569]Maryland Department of Public Safety and Correctional Services, *OPS.140.0002: Religious Services Manual*, 2017, https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=1482; MD Code, Health - General, § 5-309 (2025), sec. 2, https://law.justia.com/codes/maryland/health-general/title-5/subtitle-3/section-5-309/; as the policy relates to respect of religious and cultural practices, the next of kin notification by the chaplain must communicate any religious request regarding burial that was made prior to the individual's death. Any religious related burial preparations are the responsibility of the individual's family.
[2570]Maryland Department of Public Safety and Correctional Services, *OPS.140.0002.19: Religious Services Manual*, 2017, sec. G, https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=1482.
[2571]MD Code, Health - General, § 5-309 (2025), sec. 2, https://law.justia.com/codes/maryland/health-general/title-5/subtitle-3/section-5-309/; the family of an individual who has died may object to an autopsy due to religious practices. However, the autopsy may be performed if authorized by the Chief Medical Examiner or a designee.
[2572]Maryland Department of Public Safety and Correctional Services, *OPS.140.0002: Religious Services Manual*, 2017, https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=1482; MD Code, Health - General, § 5-309 (2025), sec. 2, https://law.justia.com/codes/maryland/health-general/title-5/subtitle-3/section-5-309/.
[2573]Maryland policies that mention respecting religious practice do not mention clergy involvement in burial.
[2574]Massachusetts DOC, *103 DOC 622: Death Procedures,* 2026, sec. 622.10 and 622.11, https://www.mass.gov/doc/doc-622-death-procedures/download.
[2575]Massachusetts does not have a policy that mentions respecting individual or familial religious practices.
[2576]Massachusetts policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2577]Massachusetts policy does not mention respecting autopsy objection or not respecting objection.
[2578]Massachusetts policies do not mention respecting religious practice in burial rather than cremation.
[2579]Massachusetts DOC, *103 DOC 622: Death Procedures,* 2026, sec. 622.10 and 622.11, https://www.mass.gov/doc/doc-622-death-procedures/download; When carried out by the department, a clergy member must be present for burial service. The clergy member is preferably a member of the individual's religion.
[2580]Michigan does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2581] Ibid.
[2582] Ibid.
[2583] Ibid.
[2584] Ibid.
[2585] Ibid.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Minnesota	Yes[2586]	N/A[2587]	No[2588]	Partial, dependent on classification of death[2589]	N/A[2590]	No[2591]
Mississippi	N/A[2592]	N/A[2593]	N/A[2594]	Yes[2595]	N/A[2596]	N/A[2597]
Missouri	N/A[2598]	N/A[2599]	N/A[2600]	N/A[2601]	N/A[2602]	N/A[2603]

[2586]Minn. Stat. §390.11 (2010), subd. 2b, https://www.revisor.mn.gov/statutes/2010/cite/390.11.
[2587]Minnesota does not have a policy that mentions respecting individual or familial religious practices.
[2588] Minnesota policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2589]Minn. Stat. §390.11 (2010), subd. 2b, https://www.revisor.mn.gov/statutes/2010/cite/390.11; the representative of the individual who died in state custody may object to an autopsy. Deaths in custody that are classified as "unnatural, unattended, or unexpected" qualify under having "compelling state interest", meaning that religious objections cannot be respected. In all other cases, the coroner or medical examiner may require an affidavit expressing said religious objection. However, the coroner or medical examiner may separately determine there is a compelling state interest and can initiate a court order process to authorize the autopsy. In cases where an autopsy is carried out even after submission of a written religious objection, the least intrusive procedure that still fulfills the state's compelling interest for an autopsy is mandated.
[2590]Minnesota policies do not mention respecting religious practice in burial rather than cremation.
[2591]Minnesota policies that mention respecting religious practice do not mention clergy involvement in burial.
[2592]Mississippi does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2593] Ibid.
[2594]Ibid.
[2595] Mississippi Code § 47-5-151 (2025), https://codes.findlaw.com/ms/title-47-prisons-and-prisoners-probation-and-parole/ms-code-sect-47-5-151/; all deaths of inmates in MDOC custody are required to be autopsied. "Department of Public Safety Frequently Asked Questions," Mississippi Department of Public Safety, accessed May 11, 2026, https://www.dps.ms.gov/; family or next-of-kin can object to autopsies based on religious, cultural, or other beliefs. The State Medical Examiner may be able to accommodate these beliefs by mitigating various parts of the autopsy; however, if they determine that an autopsy is necessary then the family will be able to petition a court prior to the autopsy.
[2596]Mississippi policies do not mention respecting religious practice in burial rather than cremation.
[2597]Mississippi does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2598]Missouri does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2599] Ibid.
[2600] Ibid.
[2601] Ibid.
[2602] Ibid.
[2603] Ibid.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Montana	N/A[2604]	N/A[2605]	N/A[2606]	No[2607]	N/A[2608]	N/A[2609]
Nebraska	Yes[2610]	Yes[2611]	No[2612]	No[2613]	Yes[2614]	No[2615]
Nevada	Yes[2616]	Yes[2617]	No[2618]	Yes[2619]	N/A[2620]	No[2621]

[2604]Montana does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2605] Ibid.
[2606] Ibid.
[2607]Montana Code § 46-4-103 (2024), sec. 6(a)(i) and (ii), https://codes.findlaw.com/mt/title-46-criminal-procedure/mt-st-46-4-103/; postmortem examinations are required for all deaths in custody and next-of-kin permission is not required, religious or cultural practices or beliefs regarding autopsies or time limits for burials may not be respected.
[2608]Montana policies do not mention respecting religious practice in burial rather than cremation.
[2609]Montana does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2610]Neb. Rev. Stat. § 30-2223, sec. 1, https://nebraskalegislature.gov/laws/statutes.php?statute=30-2223.
[2611]Neb. Rev. Stat. § 30-2223, sec. 1, https://nebraskalegislature.gov/laws/statutes.php?statute=30-2223; Individuals specify the manner and conditions of disposition of their remains through legally binding instructions, allowing religious or cultural burial preferences to be honored after death.
[2612] Nebraska policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2613] Neb. Rev. Stat. § 23-1822, https://nebraskalegislature.gov/laws/statutes.php?statute=23-1822; the coroner has the discretion to perform an autopsy or other post-mortem examinations, there is no mention of religious exceptions.
[2614]Neb. Rev. Stat. § 30-2223, sec. 1, https://nebraskalegislature.gov/laws/statutes.php?statute=30-2223.
[2615] Nebraska policies that mention respecting religious practice do not mention clergy involvement in burial.
[2616]NV Rev Stat § 209.3815 (2025), https://law.justia.com/codes/nevada/chapter-209/statute-209-3815/.
[2617]NV Rev Stat § 209.3815 (2025), https://law.justia.com/codes/nevada/chapter-209/statute-209-3815/.
[2618] Nevada policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2619]NV Rev Stat § 209.3815 (2025), https://law.justia.com/codes/nevada/chapter-209/statute-209-3815/; A coroner will be requested to conduct an autopsy for all deaths in custody if the next-of-kin consents to the autopsy or does not notify the Deputy Director of Operations of any objections within 72-hours.
[2620]Nevada policies do not mention respecting religious practice in burial rather than cremation.
[2621]Nevada policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**

Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
New Hampshire	N/A[2622]	N/A[2623]	N/A[2624]	No[2625]	N/A[2626]	N/A[2627]
New Jersey	Yes[2628]	N/A[2629]	No[2630]	Yes[2631]	Yes[2632]	No[2633]

[2622]New Hampshire does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2623] Ibid.
[2624] Ibid.
[2625]NH Rev Stat § 611-B:15 (2025), sec. I & II, https://law.justia.com/codes/new-hampshire/title-lix/chapter-611-b/section-611-b-15/; The medical examiner has the discretion to decide if a post-mortem external examination of the body is necessary and if an autopsy is necessary.
[2626]New Hampshire policies do not mention respecting religious practice in burial rather than cremation.
[2627]New Hampshire does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2628]NJ Rev Stat § 26:6B-11 (2025), https://law.justia.com/codes/new-jersey/title-26/section-26-6b-11/; N.J. Admin. Code § 10A:16-7.5, sec. A-d, https://www.law.cornell.edu/regulations/new-jersey/N-J-A-C-10A-16-7-5.
[2629] New Jersey does not have a policy that mentions respecting individual or familial religious practices.
[2630] New Jersey policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2631] NJ Rev Stat § 26:6B-11 (2025), https://law.justia.com/codes/new-jersey/title-26/section-26-6b-11/. C and e; an autopsy generally cannot be performed if a member of the decedent's immediate family, or a friend if no family is available, objects on the basis that the procedure would violate the decedent's religious beliefs, unless there is a compelling public necessity. If a medical examiner believes such necessity exists despite a religious objection, the examiner must provide 48 hours' notice to the objecting party, during which time the objector may seek review in the Superior Court. All bodies must be treated with dignity and respect consistent with the purposes of the medical examiner system.
[2632]N.J. Admin. Code § 10A:16-7.5, sec. A-d, https://www.law.cornell.edu/regulations/new-jersey/N-J-A-C-10A-16-7-5; when an inmate's body is unclaimed or the next-of-kin is unwilling to claim the body, the correctional facility will arrange for a burial or cremation, where it is reasonably believed that it would not violate the deceased's religious beliefs.
[2633] New Jersey policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
New Mexico	Yes[2634]	Yes[2635]	No[2636]	Yes[2637]	Yes[2638]	No[2639]

[2634]N.M. Admin. Code § 7.3.2.12, B, https://www.law.cornell.edu/regulations/new-mexico/N-M-Admin-Code-SS-7.3.2.12; New Mexico Statutes Chapter 24. Health and Safety § 24-11-6.1 (2024), sec. A-D, https://codes.findlaw.com/nm/chapter-24-health-and-safety/nm-st-sect-24-11-6-1/.

[2635]New Mexico Statutes Chapter 24. Health and Safety § 24-11-6.1 (2024), sec. D, https://codes.findlaw.com/nm/chapter-24-health-and-safety/nm-st-sect-24-11-6-1/; After any legally required autopsy or postmortem examination, the state medical investigator must make reasonable efforts to consult with the surviving spouse or next of kin about how the deceased's remains will be handled. Unless otherwise required by law, the investigator must return all body parts to the body, and if requested, must provide written confirmation to the spouse or next of kin that all body parts have been replaced.

[2636] New Mexico policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.

[2637]New Mexico Statutes Chapter 24. Health and Safety § 24-11-6.1 (2024), sec. A-C, https://codes.findlaw.com/nm/chapter-24-health-and-safety/nm-st-sect-24-11-6-1/; in deaths under OMI jurisdiction, the state medical investigator or district attorney may authorize an autopsy without family consent, although family objections may be considered. If the deceased is a member of a federally recognized Indian nation, tribe or pueblo, the state medical examiner should try to avoid an autopsy whenever possible and use the least invasive means possible to satisfy the investigator's legal duties. If an autopsy cannot be avoided, next-of-kin or the deceased's Indian nation, tribe or pueblo should be notified. If requested by the deceased's next of kin, or, if no family member is identified, by an Indian nation, tribe, or pueblo through a designated representative, the state medical examiner must allow a tribal law enforcement officer from the decedent's tribe to be present during the autopsy.

[2638]New Mexico Statutes Chapter 24. Health and Safety § 24-11-6.1 (2024), sec. D, https://codes.findlaw.com/nm/chapter-24-health-and-safety/nm-st-sect-24-11-6-1/;

[2639]New Mexico policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**

Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
New York	Yes[2640]	Yes[2641]	Yes[2642]	Yes[2643]	Partial[2644]	Yes[2645]
North Carolina	N/A[2646]	N/A[2647]	N/A[2648]	N/A[2649]	N/A[2650]	N/A[2651]
North Dakota	Yes[2652]	Yes[2653]	No[2654]	N/A[2655]	N/A[2656]	No[2657]

[2640]New York Department of Corrections and Community Supervision, *Directive 4013: Incarcerated Individual Deaths-Administrative Responsibility*, 2025, https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf.
[2641]New York Department of Corrections and Community Supervision, *Directive 4013: Incarcerated Individual Deaths-Administrative Responsibility*, 2025, sec. III D, https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf.
[2642]New York Department of Corrections and Community Supervision, *Directive 4013: Incarcerated Individual Deaths-Administrative Responsibility*, 2025, sec. III C 3, https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf.; Chaplain helps to notify the next of kin.
[2643]New York Department of Corrections and Community Supervision, *Directive 4013: Incarcerated Individual Deaths-Administrative Responsibility*, 2025, sec. III C 1, https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf; the descendent's next of kin, or friend, can object to autopsy within 48 hours of the death.
[2644]New York Department of Corrections and Community Supervision, *Directive 4013: Incarcerated Individual Deaths-Administrative Responsibility*, 2025, sec. III D 3 and VI B, https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf; In notification, the next of kin is told alternatives for a funeral service, regarding cremation and burial. If 48 hours pass since the death of the incarcerated, and the next of kin has not taken responsibility for the funeral nor advised on a "desired burial method", then the Department will decide on a suitable funeral.
[2645]New York Department of Corrections and Community Supervision, *Directive 4013: Incarcerated Individual Deaths-Administrative Responsibility*, 2025, sec. VI B, https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf.; In the case where a next of kin has not taken responsibility, a facility Chaplain "would assist the 'burial' facility in conducting an appropriate burial service."
[2646]North Carolina does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2647] Ibid.
[2648] Ibid.
[2649] Ibid.
[2650] Ibid.
[2651] Ibid.
[2652]North Dakota Century Code Title 23. Health and Safety § 23-06-03, 2024, sec. 6, https://codes.findlaw.com/nd/title-23-health-and-safety/nd-cent-code-sect-23-06-03/.
[2653]North Dakota Century Code Title 23. Health and Safety § 23-06-03, 2024, sec. 6, https://codes.findlaw.com/nd/title-23-health-and-safety/nd-cent-code-sect-23-06-03/; The human service zone should create a process to review the deceased's religious beliefs in burial. If the deceased did not leave behind enough to cover funeral costs, an application for human service zone assistance must be submitted and the correctional facility must designate a staff member to arrange and supervise final disposition.
[2654]North Dakota policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2655]North Dakota policy does not mention respecting autopsy objection or not respecting objection.
[2656]North Dakota policies do not mention respecting religious practice in burial rather than cremation.
[2657]North Dakota policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Ohio	Yes[2658]	N/A[2659]	No[2660]	Yes, objections are considered[2661]	N/A[2662]	No[2663]
Oklahoma	Yes[2664]	N/A[2665]	No[2666]	N/A[2667]	No[2668]	Yes[2669]

[2658] Ohio DOC, *66-ILL-02: Incarcerated Person Deaths*, 2026, https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6.

[2659] Ohio does not have a policy that mentions respecting individual or familial religious practices.

[2660] Ohio policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.

[2661] Ohio Department of Rehabilitation and Correction, *66-ILL-02: Incarcerated Person Deaths*, January 12, 2026, Section I, https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6; the coroner decides if an autopsy is warranted and will be advised of the deceased's religious beliefs. If family or friends object to an autopsy because it conflicts with the deceased's religious beliefs, the coroner must consider that objection. If the coroner still believes an autopsy is needed, the coroner may ask a court for permission to proceed. If the court approves the autopsy, it must be performed using the least intrusive procedures possible. If the coroner knows the autopsy will conflict with the deceased's religious beliefs but determines an autopsy must be performed, they should avoid removing any specimens unless doing so is required by a compelling public need. If specimens are removed under such circumstances, the coroner must return them as soon as reasonably possible to the individual who has the legal authority to handle the disposition of the body.

[2662] Ohio policies do not mention respecting religious practice in burial rather than cremation.

[2663] Ohio policies that mention respecting religious practice do not mention clergy involvement in burial.

[2664] Oklahoma DOC, *OP-140111: Inmate Death, Injury and Illness Notification and Procedures*, p. 5-6, https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf.

[2665] Oklahoma does not have a policy that mentions respecting individual or familial religious practices.

[2666] Oklahoma policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.

[2667] Oklahoma policy does not mention respecting autopsy objection or not respecting objection.

[2668] Oklahoma DOC, *OP-140111: Inmate Death, Injury and Illness Notification and Procedures*, p. 5, https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf.; remains that are unclaimed are cremated.

[2669] Oklahoma DOC, *OP-140111: Inmate Death, Injury and Illness Notification and Procedures*, p. 6, https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf; once the remains have been cremated, the Chaplain is responsible for collecting the remains and delivering them to the cemetery.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Oregon	Yes[2670]	Partial[2671]	No[2672]	No[2673]	N/A[2674]	No[2675]
Pennsylvania	Yes[2676]	Yes[2677]	Yes[2678]	N/A[2679]	N/A[2680]	Yes[2681]

[2670]Oregon DOC, *291-027-0065: Disposition of Remains*, https://secure.sos.state.or.us/oard/viewSingleRule.action;JSESSIONID_OARD=GFuG3VqF4B2lhcAD177058006bEQU1WEfPCprOQGZrERyUDtypyX!1961356686?ruleVrsnRsn=37603.
[2671]Oregon DOC, *291-027-0065: Disposition of Remains*, sec. 2, https://secure.sos.state.or.us/oard/viewSingleRule.action;JSESSIONID_OARD=GFuG3VqF4B2lhcAD177058006bEQU1WEfPCprOQGZrERyUDtypyX!1961356686?ruleVrsnRsn=37603; inmates make arrangements prior to their death with their emergency contact "concerning any religious or personal preferences that they have regarding the disposition of their remains." If the emergency contact does not claim responsibility for the final disposition of remains, the DOC is responsible.
[2672]Oregon policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2673]Oregon DOC, *291-027-0030*, sec. 12, https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=880; autopsies are required for all inmate deaths.
[2674]Oregon policies do not mention respecting religious practice in burial rather than cremation.
[2675]Oregon policies that mention respecting religious practice do not mention clergy involvement in burial.
[2676] PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," E. 1. "Funeral Arrangements" 9-3.
[2677]PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," E. 1. "Funeral Arrangements" 9-3; If the family prefers that the Department does not participate, "their wishes shall be honored."
[2678]PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," E. 1. "Funeral Arrangements" 9-3; the chaplain may assist in Funeral Arrangements upon the release of the decedent's body after post-mortem examination.
[2679]Pennsylvania policy does not mention respecting autopsy objection or not respecting objection.
[2680]Pennsylvania policies do not mention respecting religious practice in burial rather than cremation.
[2681]PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," E. 1. "Funeral Arrangements" 9-3; facility's chaplain shall attend the funeral services of the deceased, arrange for another state correctional facility chaplain to attend, and/or offer to assist local clergy.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Rhode Island	Yes[2682]	Yes, mainly regarding autopsy[2683]	Yes[2684]	Yes[2685]	N/A[2686]	No[2687]
South Carolina	Yes[2688]	No[2689]	Yes[2690]	No[2691]	No[2692]	No[2693]

[2682] Rhode Island Department of Corrections, Policy No. 18.09-3, "Death of Inmates under RIDOC Supervision" IV(A)(4)(a). (Providence, RI: Rhode Island Department of Corrections); R.I. Gen. Laws § 23-4-4.1, Health and Safety

[2683] R.I. Gen. Laws § 23-4-11, Health and Safety ("Effects and Property of Deceased") e; Regarding autopsy, if the court finds that the petitioner has established a demonstrable need for the autopsy or dissection that, under all circumstances of the case, outweighs the state's interest in observing the decedent's religious beliefs, it shall grant the relief sought in the petition. However, if the petition is denied, and no stay is granted by the court, the body shall immediately be released for burial to the surviving relative or friend.

[2684] Rhode Island Department of Corrections, Policy No. 18.09-3, "Death of Inmates under RIDOC Supervision" IV(A)(4)(a)(b). (Providence, RI: Rhode Island Department of Corrections); Upon discovery of inmate death, the Shift Commander/designee will contact the appropriate Institutional Chaplain based on the inmate's religious affiliation. Notably, RIDOC explicitly mentions that the Institutional Chaplain of the affected facility should contact the Imam if the deceased inmate was Muslim. If contact cannot be made with the Institutional Chaplain within thirty minutes, the Shift Commander/designee will attempt to contact one from another facility.

[2685] R.I. Gen. Laws § 23-4-4.1, Health and Safety ("Procedure for performance of autopsies against a family's religious beliefs"); "the absence of a compelling public necessity, no dissection or autopsy shall be performed over the objection of a surviving relative or friend of the deceased that the procedure is contrary to the religious belief of the decedent."

[2686]Rhode Island policies do not mention respecting religious practice in burial rather than cremation.

[2687]Rhode Island policies that mention respecting religious practice do not mention clergy involvement in burial.

[2688]South Carolina Department of Corrections, Policy/Procedure HS-18.04, "Inmate Death" (July 1, 2008), https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-HS-18.04-Inmate-Death-Updated-July-1-2008.pdf; South Carolina Department of Corrections, Policy/Procedure PS-10-05, "Inmate Religion," 14.2.2 https://doc.sc.gov/sites/doc/files/Documents/policy/PS-10-05.pdf.

[2689]South Carolina Department of Corrections, Policy/Procedure PS-10-05, "Inmate Religion," 14.2 https://doc.sc.gov/sites/doc/files/Documents/policy/PS-10-05.pdf

[2690]South Carolina Department of Corrections, Policy/Procedure PS-10-05, "Inmate Religion," 8.2.1 https://doc.sc.gov/sites/doc/files/Documents/policy/PS-10-05.pdf; the Institutional Chaplain will notify family members how and when their funeral home can pick up the body from the pathologist. The family may claim the body and provide a funeral. South Carolina Department of Corrections, Policy/Procedure PS-10-05, "Inmate Religion," 14.2.2 https://doc.sc.gov/sites/doc/files/Documents/policy/PS-10-05.pdf;the Chaplain is responsible for notifying the inmates next-of-kin as outlined in SCDC Policy/Procedure PS-10.05, "Inmate Religion" only after the doctor or coroner has verified the death.

[2691]South Carolina Department of Corrections, Policy/Procedure HS-18.04, "Inmate Death" (Updated July 1, 2008), 7.1. https://www.incarcerationtransparency.org/wp-content/uploads/2022/12/SCDC-Policy-and-Procedure-HS-18.04-Inmate-Death-Updated-July-1-2008.pdf; county coroner determines if an autopsy is required.

[2692]South Carolina Department of Corrections, Policy/Procedure PS-10-05, "Inmate Religion," 14.2.2 https://doc.sc.gov/sites/doc/files/Documents/policy/PS-10-05.pdf; "if the family is not located or does not claim the body, SCDC will contact the funeral home to cremate the body. The family can claim the ashes, or they will be spread in the SCDC cemetery within 30 days after cremation."

[2693]South Carolina policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**

Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
South Dakota	N/A[2694]	N/A[2695]	N/A[2696]	N/A[2697]	N/A[2698]	N/A[2699]
Tennessee	Yes[2700]	N/A[2701]	No[2702]	N/A[2703]	N/A[2704]	Yes, conducting memorial service[2705]
Texas	Yes[2706]	Yes[2707]	Yes[2708]	Yes[2709]	Yes[2710]	No[2711]

[2694] South Dakota does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2695] Ibid.
[2696] Ibid.
[2697] Ibid.
[2698] Ibid.
[2699] Ibid.
[2700] Tennessee Department of Correction, Policy/Procedure 118-01, "RELIGIOUS SERVICES," (2021). https://www.tn.gov/content/dam/tn/correction/documents/118-01.pdf, 11.
[2701] Tennessee does not have a policy that mentions respecting individual or familial religious practices.
[2702] Tennessee policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2703] Tennessee policy does not mention respecting autopsy objection or not respecting objection.
[2704] Tennessee policies do not mention respecting religious practice in burial rather than cremation.
[2705] Tennessee Department of Correction, Policy/Procedure 118-01, "RELIGIOUS SERVICES," (2021). https://www.tn.gov/content/dam/tn/correction/documents/118-01.pdf; with the approval of the Warden/Superintendent, the institutional Chaplain may conduct memorial services for deceased inmates.
[2706] Texas Correctional Managed Health Care Policy Manual, *A-11.1: Procedures to Be Followed in Cases of Inmate Death,* 2025, https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf.
[2707] Texas Correctional Managed Health Care Policy Manual, *A-11.1: Procedures to Be Followed in Cases of Inmate Death,* 2025, II Notification II E, https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf.https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf.
[2708] Texas Correctional Managed Health Care Policy Manual, *A-11.1: Procedures to Be Followed in Cases of Inmate Death,* 2025, II Notification II E, https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf; the Chaplain will notify the next of kin of the inmate's death.
[2709] Texas Correctional Managed Health Care Policy Manual, *A-11.1: Procedures to Be Followed in Cases of Inmate Death,* 2025, II Notification A, https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf; "the Chaplain will explain that unless the next of kin objects within eight hours of the stated time of death, an autopsy will be conducted on the inmate."
[2710] Texas Correctional Managed Health Care Policy Manual, *A-11.1: Procedures to Be Followed in Cases of Inmate Death,* 2025, II Notification II E, https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf. "The Huntsville Unit shall not make arrangements to bury the inmate until it receives either an email or fax from the family stating that it does not wish to claim the body or, in cases where the family cannot be located, an e-mail message from the Chaplain who tried to locate the family."
[2711] Texas policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Utah	Yes[2712]	N/A[2713]	No[2714]	Yes[2715]	N/A[2716]	No[2717]
Vermont	N/A[2718]	Yes[2719]	No[2720]	N/A[2721]	N/A[2722]	N/A[2723]

[2712]Utah Code § 26B-8-204 (2023), "Investigation of Deaths—Requests for Autopsies," https://le.utah.gov/xcode/Title26B/Chapter8/26B-8-S204.html; Utah Code § 26B-8-207 (2024), sec. (3)(a), https://le.utah.gov/xcode/Title26B/Chapter8/26B-8-S207.html?v=C26B-8-S207_2023050320230503.
[2713]Utah does not have a policy that mentions respecting individual or familial religious practices.
[2714]Utah policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2715]Utah Code § 26B-8-204 (2023), "Investigation of Deaths—Requests for Autopsies," https://le.utah.gov/xcode/Title26B/Chapter8/26B-8-S204.html; if the deceased chose not to be seen or treated by a health care professional for a spiritual or religious reason, a district attorney, county attorney, or law enforcement agency, may not request an autopsy or inquest solely because of the deceased's choice. Utah Code § 26B-8-207 (2024), sec. (3)(a), https://le.utah.gov/xcode/Title26B/Chapter8/26B-8-S207.html?v=C26B-8-S207_2023050320230503; the medical examiner or medical examiner's designee may not conduct a requested autopsy if the medical examiner or designee determines that the request violates the deceased's spiritual or religious wishes or if the cause of death can be determined without performing an autopsy.
[2716]Utah policies do not mention respecting religious practice in burial rather than cremation.
[2717]Utah policies that mention respecting religious practice do not mention clergy involvement in burial.
[2718]Vermont Department of Corrections. Death Response and Review Policy. Policy No. 353. Agency of Human Services, effective August 29, 2024. https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf; while there is no explicit policy mentioning religious rights, there are policies to respect the deceased's wishes in death.
[2719]Vermont Department of Corrections. Death Response and Review Policy. Policy No. 353. Agency of Human Services, effective August 29, 2024. https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf; Inmates have advanced directives that include appointment of an agent, final arrangements of incarcerated individuals' remains and funeral goods and services.
[2720]Vermont policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2721]Vermont policy does not mention respecting autopsy objection or not respecting objection.
[2722]Vermont policies do not mention respecting religious practice in burial rather than cremation.
[2723]Vermont does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
Virginia[2724]	Yes[2725]	Yes[2726]	Yes[2727]	N/A[2728]	N/A[2729]	No[2730]
Washington	Yes[2731]	Partial[2732]	Partial[2733]	N/A[2734]	Partial[2735]	No[2736]

[2724]Virginia Department of Corrections, Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death— Bereavement Guide for Family and Friends, December 1, 2024 (amended April 17, 2025), https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4-a2.pdf; when notifying the next-of-kin of an inmate's death, staff should "be careful not to state any personal religious beliefs you may hold."
[2725]Virginia Department of Corrections, Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death— Bereavement Guide for Family and Friends, December 1, 2024 (amended April 17, 2025), https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4-a2.pdf.
[2726]Virginia Department of Corrections, Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death— Bereavement Guide for Family and Friends, December 1, 2024 (amended April 17, 2025), https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4-a2.pdf; the deceased person may have expressed wishes to VADOC staff regarding any cultural or religious rituals or affiliations they would like honored. If the next-of-kin knows the deceased person's spiritual or cultural practices follow time-sensitive traditions or cultural and/or religious requirements, they should immediately tell the Institutional Staff member. If timing is not a factor, then they may make personal, independent arrangements following the release of the deceased person's body.
[2727]Virginia Department of Corrections, Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death— Bereavement Guide for Family and Friends, December 1, 2024 (amended April 17, 2025), https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4-a2.pdf; as the deceased person's designated next of kin or designated Emergency Contact, the Institutional Staff member will share this information to assist in respecting the deceased person's end-of-life wishes.
[2728] Virginia policy does not mention respecting autopsy objection or not respecting objection.
[2729] Virginia policies do not mention respecting religious practice in burial rather than cremation.
[2730] Virginia policies that mention respecting religious practice do not mention clergy involvement in burial.
[2731] Washington State Department of Corrections, Policy 620.200: Death of Incarcerated Individuals (Olympia, WA: Washington State Department of Corrections, revised September 27, 2021). A, "Family Notification," https://doc.wa.gov/sites/default/files/data/files/620200.pdf.
[2732] Washington State Department of Corrections, Policy 620.200: Death of Incarcerated Individuals (Olympia, WA: Washington State Department of Corrections, revised September 27, 2021)
Family Notification," https://doc.wa.gov/sites/default/files/data/files/620200.pdf; the Religious Coordinator will have an updated list of seriously ill patients, to which the Coordinator will review protocols relative to the individuals' faith traditions.
[2733]Washington State Department of Corrections, Policy 620.200: Death of Incarcerated Individuals (Olympia, WA: Washington State Department of Corrections, revised September 27, 2021)
Family Notification" and "Disposition of Remains" C 2, https://doc.wa.gov/sites/default/files/data/files/620200.pdf; if applicable, the Religious Coordinator can notify the immediate family or designated emergency contact in lieu of the original designee. The Coordinator may also be consulted regarding the disposition of remains.
[2734] Washington policy does not mention respecting autopsy objection or not respecting objection.
[2735] Washington State Department of Corrections, Policy 620.200: Death of Incarcerated Individuals (Olympia, WA: Washington State Department of Corrections, revised September 27, 2021) "Disposition of Remains" C 2, https://doc.wa.gov/sites/default/files/data/files/620200.pdf; the DOC may authorize minimal funeral services, transportation, and disposition of up to $1,000 for the remains if there are extenuating circumstances, including if the local minimum standard service of cremation is against the individual's faith tradition.
[2736] Washington policies that mention respecting religious practice do not mention clergy involvement in burial.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
West Virginia	Yes[2737]	Yes[2738]	No[2739]	N/A[2740]	No[2741]	No[2742]
Wisconsin	N/A[2743]	N/A[2744]	N/A[2745]	N/A[2746]	N/A[2747]	N/A[2748]
Wyoming	N/A[2749]	N/A[2750]	N/A[2751]	N/A[2752]	N/A[2753]	N/A[2754]

[2737]West Virginia Division of Corrections and Rehabilitation, *Bereavement Guide for Family and Friends*, https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf.
[2738]West Virginia Division of Corrections and Rehabilitation, *Bereavement Guide for Family and Friends*, https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf.; facility staff members can share with the next-of-kin or emergency contact any end-of-life wishes that the deceased person may have expressed, such as a Do Not Resuscitate Order (DNR) or a willingness to participate in an organ donor program, religious rituals and funeral arrangements or if they have given someone their power of attorney. If the next-of-kin knows the decedent's spiritual or cultural practices, and if they must follow time-sensitive traditions or cultural and/or religious requirements, they should immediately tell the designated facility staff member.
[2739] West Virginia policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2740] West Virginia policy does not mention respecting autopsy objection or not respecting objection.
[2741]West Virginia Division of Corrections and Rehabilitation, *Bereavement Guide for Family and Friends*, sec. VII, https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf; if a family member does not claim the remains, "the Superintendent/designee shall have the authority and is hereby permitted to make a contractual agreement with a local funeral home for the purpose of burying or cremating the remains (whichever is the least expensive)."
[2742]West Virginia policies that mention respecting religious practice do not mention clergy involvement in burial.
[2743]Wisconsin does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2744] Ibid.
[2745] Ibid.
[2746] Ibid.
[2747] Ibid.
[2748] Ibid.
[2749]Wyo. Stat., Title 7 (2024), "CRIMINAL PROCEDURE"; Wyoming state statute does not explicitly acknowledge cultural and religious rights in relation to prisoner deaths in custody. Wyoming Department of Corrections, Policy and Procedure (P&P) #5.600, "Inmate Religious Activities" (Cheyenne: Wyoming Department of Corrections, current version), available on Wyoming DOC's policies page, Jan 2025. https://drive.google.com/file/d/1Hvx2rY7H2nG_8hPRfAdyHEULR42hsTV3/view; Wyoming Department of Corrections does has established Policies and Procedures regarding inmate religious activities, but does not specify anything related to inmate deaths.
[2750]Wyoming does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2751] Ibid.
[2752] Ibid.
[2753]Wyoming policies do not mention respecting religious practice in burial rather than cremation.
[2754]Wyoming does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
American Samoa	N/A[2755]	N/A[2756]	N/A[2757]	N/A[2758]	N/A[2759]	N/A[2760]
Guam	N/A[2761]	N/A[2762]	N/A[2763]	N/A[2764]	N/A[2765]	N/A[2766]
Northern Mariana Islands	N/A[2767]	N/A[2768]	N/A[2769]	N/A[2770]	N/A[2771]	N/A[2772]
Puerto Rico	N/A[2773]	N/A[2774]	N/A[2775]	N/A[2776]	N/A[2777]	N/A[2778]

[2755]American Samoa does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2756]Ibid.
[2757]Ibid.
[2758]Ibid.
[2759]Ibid.
[2760]Ibid.
[2761]Guam does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2762] Ibid.
[2763] Ibid.
[2764] Ibid.
[2765] Ibid.
[2766] Ibid.
[2767]Northern Mariana Islands do not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2768] Ibid.
[2769] Ibid.
[2770] Ibid.
[2771] Ibid.
[2772] Ibid.
[2773]Puerto Rico does not have accessible policies/statutes that mention respecting religious practice concerning in-custody deaths.
[2774] Ibid.
[2775] Ibid.
[2776] Ibid.
[2777] Ibid.
[2778] Ibid.

Table 22. **Respecting Religious and Cultural Practices Grid**						
Jurisdiction	Existence of Policy	Individual or Familial Practices	Clergy Notification or Disposition	Autopsy Objection	Cremation	Clergy Burial
U.S. Virgin Islands	Yes[2779]	Yes, in terms of post-mortem examinations[2780]	No[2781]	Yes[2782]	N/A[2783]	No[2784]

g. Chapter 7: Independent Investigation and Oversight of Deaths

I. Executive Summary

Investigation and independent oversight processes following in-custody deaths are largely inconsistent and inadequate. Every jurisdictions' Department of Corrections requires investigation for at least a subset of deaths (when the death was unnatural or suspicious) and 44 of the 59 jurisdictions require investigation for all in-custody deaths. The policies for how deaths will be investigated, as well as the timeline and requirements for investigation, are often lacking. There is frequently no policy in place to ensure that corrective actions are taken to prevent further in-custody deaths. This, combined with the lack of independent oversight bodies across the majority of jurisdictions, means that jurisdictions do not have methods to hold their Department of Corrections' facilities accountable for deaths which occur under their watch. Despite the lack of dignity, transparency, and accountability in investigation and oversight processes, Nebraska, Delaware, and Missouri's Department of Corrections have best practices surrounding independent investigation and oversight which inform the recommended model policies in this chapter.

II. Problem Statement

Investigation of deaths in DOC facilities are instrumental to respecting the dignity of the dead. Understanding the cause and manner of death of an individual who died in custody provides

[2779] 19 V.I.C. § 865.
[2780] 19 V.I.C. § 865.
[2781] U.S. Virgin Islands policies that mention respecting religious practice do not mention clergy involvement in notification or disposition.
[2782] 19 V.I.C. § 865; post-mortem examinations cannot be performed if the deceased individual's representative objects, unless there are reasonable groups to believe the individual's death was caused or influenced by an illegal act, a quarantinable disease, or suicide.
[2783] U.S. Virgin Islands policies do not mention respecting religious practice in burial rather than cremation.
[2784] U.S. Virgin Islands policies that mention respecting religious practice do not mention clergy involvement in burial.

closure for loved ones and family members following family notification of death. If the death was a result of criminal activity, such as homicide, investigation ensures that this cause of death is determined and that steps can be taken to ensure that justice is served, for the dignity of the deceased and their family. Investigation additionally ensures that policies and practices can be changed to ensure that further deaths–due to criminal activity or a lack of access to healthcare–for example, can be remedied. If the cause and manner of death violated jurisdiction or DOC policies and practices already in place, then investigation can additionally determine corrective actions and preventative measures to hinder future violations.

Independent oversight is instrumental to ensuring that DOC facilities comply with mandated state and DOC policies and practices. Oversight bodies keep DOC facilities accountable for investigating deaths, determining failures within the department and corrective action to prevent future failures. In doing so, oversight bodies and investigations are contributory to the dignity of the dead. Moreover, they additionally contribute to respecting the rights of living individuals currently in DOC custody, by ensuring that preventative measures are in place to provide in-custody individuals with adequate healthcare and living conditions, and simultaneously limiting future in-custody deaths.

III. Policy Metrics

Table 23. **Investigation of Deaths and Independent Oversight Metric Definitions**

Metric	Metric Definition
Required Investigations	Are investigations required for all deaths or only a subset of deaths?
Requested Investigations	For an investigation to be conducted, must it be requested? If so, who within the Department of Corrections requests investigations?
Conducting Investigations	Who conducts investigations?
Internal Mortality Review	Is there an Internal Mortality Review?
Independent Oversight Body	Is there an independent oversight body?
Recommendations	Does the investigative person/body make recommendations regarding corrective actions that should be made to policies and/or practices?
Recommendations	Do these recommendations require a response or follow up by the

Table 23. **Investigation of Deaths and Independent Oversight Metric Definitions**	
Metric	**Metric Definition**
Response	federal agency or DOC facility?

Note: Six of the seven metrics can be answered through the binary Yes/No. The only metric that cannot be answered through this binary is "Conducting Investigations."

IV. Summary of Jurisdiction Performance

Table 24. **Investigation of Deaths and Independent Oversight Jurisdiction Performance**	
Required Investigations	**44 jurisdictions** require investigations for all in-custody deaths. 15 jurisdictions require investigations for a subset of in-custody deaths.
Requested Investigations	Investigations are requested by someone in the DOC in **5 jurisdictions**.
Conducting Investigations	Investigations are conducted by either a medical examiner, coroner, and/or other DOC authority in **every jurisdiction**.
Internal Mortality Review	**23 jurisdictions** have internal mortality reviews.
Independent Oversight Body	**24 jurisdictions** have independent oversight bodies.
Recommendations	**31 jurisdictions** provide recommendations for changes to policy or practice.
Recommendations Response	**17 jurisdictions** require a response or follow up to recommendations.

Note: When a metric was partially fulfilled, it was counted as fulfilled for the purposes of this grid and the map below.

Investigation of deaths and independent oversight of deaths in custody across the nation varies dramatically. Forty-four jurisdictions require investigations for all in-custody deaths. Fifteen jurisdictions only require investigations for a subset of in-custody deaths. When investigations are only required for a subset of in-custody deaths, these are typically deaths that were deemed unexpected, unattended, unnatural, violent, or suspicious. Among the 59 jurisdictions examined, five of the jurisdictions required someone within the department of corrections to request that an

investigation be conducted. In all jurisdictions, there was a procedure for how investigations were conducted and by what person or body.

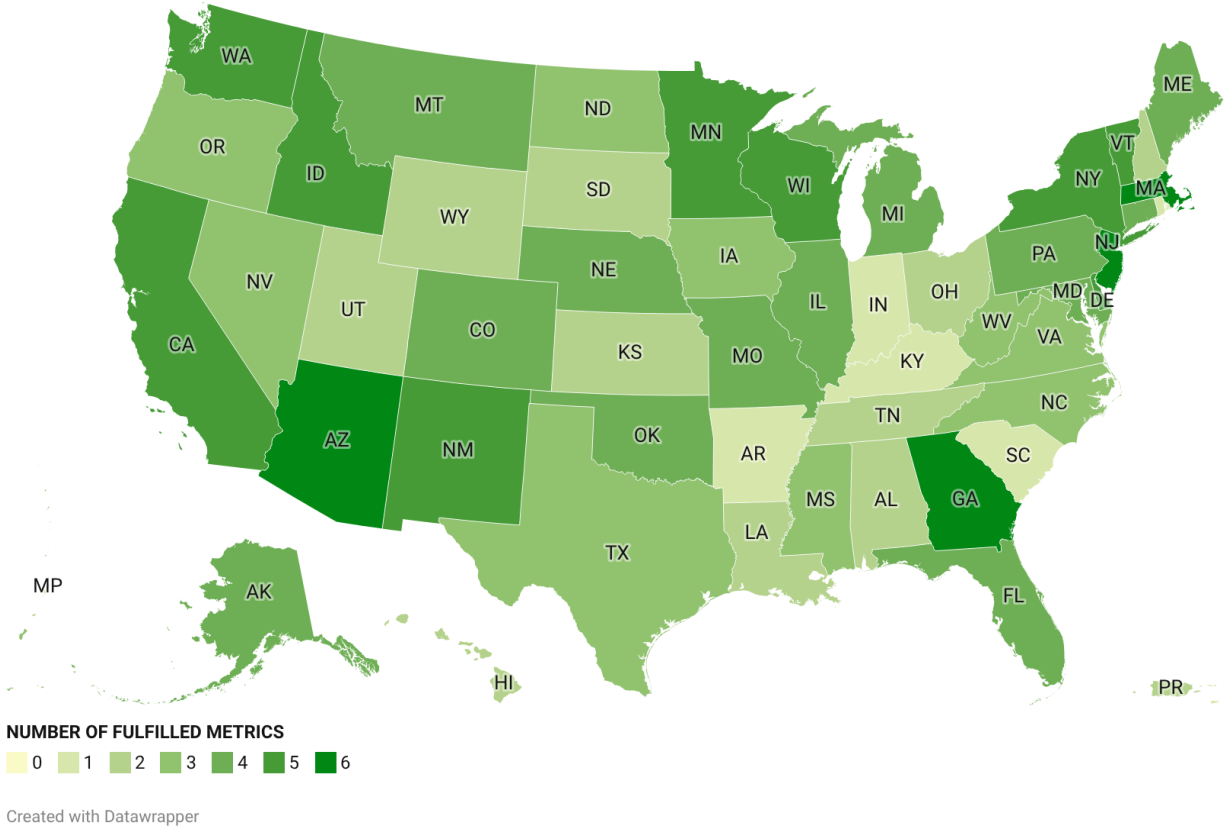


Figure 14. DOC Investigation of Death and Independent Oversight Policies by Fulfilled Metrics[2785]

While the majority of jurisdictions require investigation for all deaths in custody, internal reviews and independent oversight remain limited. Only 23 of 59 jurisdictions have internal mortality reviews, and only 24 of 59 jurisdictions have independent oversight bodies. Common examples of independent oversight bodies include healthcare review committees, an Office of the Ombudsman, and the Office of the Inspector General.

[2785] While this issue has seven metrics, the most amount of metrics that any individual state or territory fulfilled was six of the seven metrics. For the purposes of this map, if a jurisdiction had an answer to the "Conducting Investigations" metric, then this counted as a metric that the jurisdiction satisfied. Besides the exception of a jurisdiction that only requires investigation for a subset of deaths, a metric was counted as fulfilled when it was partially fulfilled, for the purposes of this map. If a jurisdiction only required investigation for a subset of deaths, that metric was not fulfilled.

Thirty-one of 59 jurisdictions have policies that require the investigative person/body to make recommendations regarding corrective actions that should be made to policies and/or practices. While more than half of the jurisdictions therefore make recommendations for corrective actions on how the department of corrections should update or change policies to limit further deaths in custody, only 17 of 59 jurisdictions require a response or follow up by the federal agency or DOC facility to the report submitted or recommendations requested from an investigation. Therefore, while recommendations for corrective action can be made, many jurisdictions often do not have policies in place which require these recommendations and corrective actions to be implemented, or even read and considered.

In total, four jurisdictions only have investigations which are conducted by a medical examiner or a coroner's office: South Dakota, Louisiana, Hawaii, and Alabama. In the remaining 55 jurisdictions, there are additional methods of investigation and oversight. These methods are, however, extremely varied and inconsistent. In Indiana, for example, investigations are conducted by both a coroner and a local law enforcement agency. In Rhode Island, investigations are conducted by a medical examiner and the state police. Aside from internal mortality reviews and oversight bodies, other methods of investigation frequently include the state's law enforcement division or agency, a bureau of investigation, or facility employees, administrators, or medical directors.

V. Best Practices

Nebraska, Delaware, and Missouri have best practices worth mentioning. These practices include internal investigations and independent oversight investigations and practices.

Nebraska: Neb. Rev. Stat. § 29-1401 requires district courts to convene a grand jury when an inmate dies in custody.[2786] Law enforcement from the jurisdiction where the death occurred must secure the scene, gather evidence, and investigate the death as any other homicide.[2787] The county attorney who is also the prosecuting attorney must appoint a three-officer investigative team trained in homicide investigations, and at least two investigators must be from outside the agency where the death occurred.[2788] The investigative team then examines the evidence and presents findings to the prosecuting attorney. A grand jury must be convened within 30 days after the coroner's certification of death unless the court grants an extension.[2789] If a physician certifies the

[2786]Neb. Rev. Stat. § 29-1401 sec. 4, https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401; specifically states "District courts shall call a grand jury in each case upon certification by the county coroner or coroner's physician that a person has died while being apprehended by or while in the custody of a law enforcement officer or detention personnel."
[2787]Neb. Rev. Stat. § 29-1401 sec. 4(a), https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401.
[2788]Neb. Rev. Stat. § 29-1401 sec. 4(b), https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401.
[2789]Neb. Rev. Stat. § 29-1401 sec. 4(c), https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401; Nebraska State Court Form, GJ 1:18: Grand Jury Charge (2024), https://nebraskajudicial.gov/sites/default/files/GJ-1-18.pdf.

death as natural causes, the prosecutor may present that finding to the grand jury without appointing the external investigative team.[2790] A January 2026 press release by the NDCS on an inmate death stated that "As is the case whenever an inmate dies in the custody of the Nebraska Department of Correctional Services (NDCS), a grand jury will conduct an investigation."[2791] This is a unique policy that no other jurisdiction across the country has. This policy is extremely thorough in ensuring that every in custody death is investigated and taken seriously.

The Office of Inspector General (OIG) of the Nebraska Correctional System was created in 2015 to increase oversight and accountability of the NDCS.[2792] The OIG is housed within the Division of Legislative Oversight, which reports to the Legislative Oversight Committee.[2793] The DOC must report all deaths in custody and the commencement and conclusion of all criminal investigations into said deaths as soon as possible. OIG must investigate all deaths in custody.[2794] However these are not criminal investigations and are a part of systemic oversight. OIG releases an annual report with its findings and recommendations; the latest annual report is the Inspector General of Corrections 2025 Annual Report.[2795] OIG also releases detailed reports on specific deaths in custody.[2796]

Essentially, Nebraska has three independent bodies which conduct investigations into deaths in custody and provide oversight for the department of corrections. These bodies are: a grand jury, a three-officer investigator team appointed by the prosecuting attorney, and the Office of the Inspector General. All of these bodies are required to investigate all in custody deaths. This is a great policy, as it ensures that the dignity of the deceased and their family will be respected, as their death will be investigated, the cause of death will be determined, and changes will be made to limit future occurrences of death due to the same manner of death.

[2790]Neb. Rev. Stat. § 29-1401 sec. 4(d), https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401.
[2791]"Inmate Deaths," Nebraska Department of Correctional Services (NDCS), January 20, 2026, https://corrections.nebraska.gov/inmate-deaths.
[2792]"Office of Inspector General of the Nebraska Correctional System," Nebraska Legislature, 2015, https://nebraskalegislature.gov/divisions/oig_ndcs.php; "Nebraska," *National Resoruce Center for Correctional Oversight*, 2015, https://prisonoversight.org/oversight-bodies/prison-oversight/nebraska/.
[2793]"Legislative Oversight," Nebraska Legislature, https://nebraskalegislature.gov/divisions/oversight.php#:~:text=The%20Division%20of%20Legislative%20Oversight,statutory%20goals%2C%20and%20operate%20efficiently.
[2794] Neb. Rev. Stat. § 50-1906 sec 1(b) and 3, https://nebraskalegislature.gov/laws/statutes.php?statute=50-1906; "2025 Annual Report," Office of Inspector General of the Nebraska Correctional System, 2025, p. 10, https://nebraskalegislature.gov/FloorDocs/109/PDF/Agencies/Inspector_General_of_the_Nebraska_Correctional_System/600_20250915-155923.pdf. "The OIG investigates all deaths and serious injury incidents within the state correctional system."
[2795]"2025 Annual Report," Office of Inspector General of the Nebraska Correctional System, 2025, https://nebraskalegislature.gov/FloorDocs/109/PDF/Agencies/Inspector_General_of_the_Nebraska_Correctional_System/600_20250915-155923.pdf.
[2796]"Death of incarcerated man in 'double-bunked' NSP restrictive housing cell Summary of Investigative Report No. 2024-04," Office of the Inspector General of the Nebraska Correctional System, November 12, 2024, https://nebraskalegislature.gov/pdf/reports/public_counsel/death_incarcerated_2024-04.pdf.

Delaware: Investigations of all in-custody deaths are conducted by the Clinical Morbidity and Mortality Review Process. An incident summary is required to be submitted to the Clinical Morbidity and Mortality Committee within 24 hours of the death. The Committee is made up of the medical and healthcare staff of the facility, healthcare staff of the Bureau of Healthcare, Substance Abuse, and Mental Health Services, and various other administrators. The committee is tasked with investigating the death, identifying corrective actions that can be taken, and answering the following questions: "Could the medical response at the time of death be improved? Was an earlier intervention possible? If a death occurred, independent of the cause of death, is there any way to improve patient care?"[2797] This is a great model policy of how an internal mortality review process can be clearly and explicitly established. The makeup and role of the committee is clear, and clearly stating that it must investigate all in custody deaths ensures that cause of death can be determined and necessary corrective measures can be made by the facility to prevent future deaths.

Additionally, Delaware has an Adult Correction Healthcare Review Committee, whose role includes reviewing medical records, including autopsies, of inmates who died in custody.[2798] This is an independent committee made up of 10 members, 9 voting members and 3 non-voting members. The 9 voting members include a physician, a forensic psychologist, a psychologist, a registered nurse, "a member of the Delaware Bar," a substance abuse treatment specialist, a healthcare professional, a nonprofit representative, and a psychiatrist.[2799] The Adult Correction Healthcare Review Committee is also tasked at reviewing mortality and morbidity review reports and monthly summaries and reports on service in correction facilities. The Committee will then advise the Commissioner, Governor, and legislature on changes that they deem necessary, as well as on identifying areas that are strong and areas that require improvement.[2800] This is a great model policy of an independent oversight body. The body is composed of individuals whose specialties ensure that they can successfully investigate deaths in custody and determine if any corrective actions must be made by the department of corrections to prevent future deaths. The fact that this committee is made up of specialists who do not have a connection to the department of corrections ensures that the department is held accountable for actions and deaths that occur under their jurisdiction.

Missouri: The MDOC Communications Director stated in a 2026 interview with The Appeal that all deaths in custody are investigated by MDOC's investigative unit and local law enforcement is notified. She also stated that MDOC requests autopsies for all deaths, except those caused by

[2797]Delaware DOC, *11 A-09: Procedure in the Event of an Offender Death or Incident of Self-Directed Violence* (2023), Sec. VI and VII, https://doc.delaware.gov/assets/documents/policies/policy_11-A-09.pdf.
[2798]11 Del. C. § 6518 sec n., Adult Correction Healthcare Review Committee. https://delcode.delaware.gov/title11/c065/sc02/index.html.
[2799]11 Del C. § 6518 sec a-d., Adult Correction Healthcare Review Committee. https://delcode.delaware.gov/title11/c065/sc02/index.html.
[2800]11 Del. C. § 6518 sec n., Adult Correction Healthcare Review Committee. https://delcode.delaware.gov/title11/c065/sc02/index.html.

terminal illness.[2801] The Division of Adult Institutions is also supposed to ensure that death in custody investigations are transparent and accurate. However, there are no publicly available policy manuals or procedures directly from MDOC on their death in custody investigations.

The MDOC Glossary website includes the following terms related to death in custody responses:

> ***Administrative Mortality Review*** *An assessment of correctional and emergency response actions surrounding an offender's death for the purpose of identifying areas where facility operations, policies, and procedures can be improved. (12-6-14, IS11-11.1)*
> ***Clinical Mortality Review*** *An assessment of the clinical care provided and the circumstances leading up to a death for the purpose of identifying areas of patient care or system policies and procedures that can be improved. (12-6-14, IS11-11.1)*[2802]

However 12-6-14, IS11-11.1 is not publicly available and neither term is listed in the Missouri DOC Inmate Handbook.[2803] The Administrative and Clinical Mortality Reviews are great ways to ensure that investigations into in custody deaths are thorough and provide the department with corrective actions to prevent future deaths. However, the fact that the policies in which these policies are supposedly described in further detail are not publicly available is unfortunate. Preferably, the jurisdiction would have clear policies on the steps that would be taken by the Administrative Mortality Review and the Clinical Mortality Review, following an in custody death.

Counties in Missouri either use a coroner system or a medical examiner system. According to Mo. Rev. Stat. § 58.451, any death as the result of illness or injury while in the custody of the law must be reported and investigated by the county coroner. The coroner takes custody of the body and must fully investigate the medical causes of and manner of death. The coroner notes the names and addresses of all the witnesses of the death. If after their preliminary investigation, the coroner believes a more extensive inquiry and examination is necessary, the coroner must issue a coroner's warrant which requires the county sheriff to summon six citizens of the county to inquire into the cause of death.[2804] Similarly, according to Mo. Rev. Stat. § 58.720, in counties with medical examiners, deaths in custody also trigger investigations.[2805] Medical examinations of in custody deaths are often crucial to determining the cause of death of the deceased and if the cause of death was due to criminal activity. This is, therefore, an important policy to have. Requiring medical examinations can, however, have drawbacks, as these examinations often

---

[2801]E. J. Haas, *Secrecy, Inaccurate Records Stymie Families' Search for Truth in Missouri Prison Deaths*, February 2, 2026, https://theappeal.org/missouri-prison-death-records-secrecy/.
[2802]"Glossary," Missouri Department of Corrections, accessed May 7, 2026, https://doc.mo.gov/glossary.
[2803]"Offender Rulebook," Missouri Department of Corrections, accessed May 7, 2026, https://doc.mo.gov/sites/doc/files/media/pdf/2019/04/Offender_Rulebook_REVISED_2019.pdf.
[2804]Mo. Rev. Stat. § 58.451 sec. 9 (2020), https://revisor.mo.gov/main/OneSection.aspx?section=58.451#BOTTOM.
[2805]Mo. Rev. Stat. § 58.720 sec. 1(4)(c) (2020), https://revisor.mo.gov/main/OneSection.aspx?section=58.720.

make respecting religious and cultural rights of the deceased, for example, more difficult. Having policies on how the deceased can establish their religious preferences, or how the family of the deceased can object to medical examinations such as autopsy, is crucial to respecting the dignity of the deceased.

In 2025, House Bill 603 was introduced to establish an ombudsperson for the Missouri Department of Corrections who would establish a state wide reporting system to collect data and review complaints related to deaths of incarcerated people.[2806] The ombudsperson would also be required to submit a report including a summary of all the inmate deaths occurring at each MDOC facility.[2807] HB 603 had a public hearing in April 2025 but is currently not on the Missouri House of Representative's calendar.[2808] A similar bill, SB378, was introduced in the Missouri Senate in 2025 to establish a state ombudsman's office with the authority to inspect each MDOC facility at least once a year and review any inmate deaths.[2809] However, since being voted on by the Judiciary and Civil and Criminal Jurisprudence Committee, no action for the bill has occurred.[2810] Various other jurisdictions have an ombudsperson as a method of oversight for the department of corrections. This is a great policy, and it is particularly exciting that the bill in the Missouri Senate specifically mentions that the ombudsman's office would review inmate deaths.

VI. Worst Practices

For independent oversight and investigation of deaths, some of the worst practices are not requiring investigation for all in-custody deaths, having internal mortality review bodies, not having an independent oversight body, and not requiring recommendations on changes that should be made to prevent further in-custody deaths, or a response by the facility or the DOC to those recommendations on how corrective actions will be implemented.

Three states that follow some of these worst practices are Wyoming, Louisiana, and Virginia. While these states currently have some practices implemented that should be avoided, this does not mean that all of the practices of these states regarding investigation of in-custody deaths and independent oversight align with worst practices, as some of these states have a mix of beneficial and harmful practices.

[2806]House Bill No. 603, 103rd General Assembly of Missouri, 218.015 sec. 2(5)(a), https://documents.house.mo.gov/billtracking/bills251/hlrbillspdf/1463H.01I.pdf.
[2807] House Bill No. 603, 103rd General Assembly of Missouri, 218.019 sec. 1(9), https://documents.house.mo.gov/billtracking/bills251/hlrbillspdf/1463H.01I.pdf.
[2808]"Missouri House of Representatives - Bill Information for HB603," accessed May 7, 2026, https://archive.house.mo.gov/bill.aspx?bill=HB603&year=2025&code=R.
[2809]Senate Bill No. 378, 103rd General Assembly of Missouri, 217.960 sec 3(10), https://legiscan.com/MO/text/SB378/id/3030963.
[2810]"Missouri SB378 | 2025 | Regular Session," LegiScan, accessed May 7, 2026, https://legiscan.com/MO/bill/SB378/2025.

Wyoming: Wyoming only requires investigation for a subset of in-custody deaths, when the cause of death was violent.[2811] An investigation can, however, be requested. Upon the Department's written request, a county coroner, law enforcement officer, or other individual possessing information related to a violent death shall submit a violent death report to the Department in the form and manner prescribed by the Department.[2812] Investigations are conducted by the Wyoming Department of Health. The department collects information on violent deaths through the Wyoming Violent Death Reporting System (WYVDRS), which was established in April, 2023.[2813] A policy which only requires investigation of death when the cause was violent, and otherwise requires investigation to be requested, means that a death could have occurred under unnatural or suspicious circumstances but would fall through the cracks and not be investigated because the cause of death was not known to be due to violence. This is, therefore, a worst practice.

Wyoming does not have an independent oversight body. The county sheriff is responsible for their own compliance with legal limitations on jailers' conduct.[2814] Additionally, none of the policies found regarding investigation of deaths provide any suggestions for recommendations or corrective actions to prevent future in-custody deaths. Therefore, in addition to the fact that many in-custody deaths occur without an investigation, there is no measure to ensure that the facility and the state DOC as a whole requests investigations for in-custody deaths when necessary. There is no oversight body that ensures that corrective actions are made following in-custody deaths to prevent future deaths in DOC facilities, and there are no publicly accessible policies in which recommendations or corrective actions are suggested by an investigative or oversight body to prevent future deaths.

Louisiana: Louisiana does not have an internal mortality review nor an independent oversight body that provides oversight of in-custody deaths for the DOC.[2815] The College of Law at the Loyola University of New Orleans found in a report published in June 2023 that "prisons, jails, and detention centers in Louisiana operate without independent oversight, mandatory standards,

---

[2811]048-1 Wyo. Code R. §§ 1-3 - Definitions, https://www.law.cornell.edu/regulations/wyoming/agency-048/subagency-0037/chapter-1/048-1-Wyo-Code-R-SSSS-1-3.
[2812]048-1 Wyo. Code R. §§ 1-4 - Violent Death Report, https://www.law.cornell.edu/regulations/wyoming/agency-048/subagency-0080/chapter-1/048-1-Wyo-Code-R-SSSS-1-4.
[2813]048-1 Wyo. Code R. §§ 1-3 - Definitions, https://www.law.cornell.edu/regulations/wyoming/agency-048/subagency-0037/chapter-1/048-1-Wyo-Code-R-SSSS-1-3.
[2814]Shane Sanderson, "Wyoming's jails are among the deadliest in the nation for suicide," WyoFile, October 4, 2023, https://wyofile.com/wyomings-jails-are-among-the-deadliest-in-the-nation-for-suicide/.
[2815]"Incarceration Transparency, Louisiana Deaths Behind Bars 2015-2021," Loyola University New Orleans, 2023, https://www.incarcerationtransparency.org/wp-content/uploads/2023/06/Death-Behind-Bars-Report-2023-Final-06.05.23.pdf.

or public transparency.[2816] Additionally, while the Louisiana Commission of Law Enforcement (LCLE) reports on the number of in-custody deaths in the state to the BJA,[2817] there is no information publically accessible on who conducts investigations, besides that the coroner is responsible for conducting an autopsy to determine the cause of death.[2818] Therefore, there are no policies in place to ensure that the DOC is held responsible for how deaths are investigated and is thoroughly investigating in-custody deaths. Additionally, there is no oversight body to ensure that DOC facilities investigations are thoroughly conducted and that corrective actions are made to prevent future in-custody deaths.

VII. Recommendations for Model Policy

Recommendations for model policy for investigations and independent oversight focus on accountability, transparency, and recommendations for improvements to prevent future deaths. In addition to the model policies outlined below, policies should incorporate best practices across various other issue areas relating to dignity of the dead. For example, when investigations are conducted, transparency regarding the process of the investigation should be relayed to the family following notification of the death, and religious and cultural practices should be respected regarding autopsy and post-mortem examinations.

1. Require Investigations by an Internal Mortality Review for All Deaths

Investigations should be required for all in-custody deaths, not solely by the coroner or medical examiner but by an internal mortality review.

2. DOC Facility Should Notify the Investigator When a Death Occurs

If investigations are required for all in-custody deaths, then investigations do not need to be requested. Nonetheless, the supervisor and/or warden at the DOC facility should notify those in charge of conducting investigations (the medical examiner/coroner and internal mortality review) as soon as possible following the death or within 24 hours, whichever comes first.

3. Investigations Should Be Conducted by an Internal Mortality Review Committee

---

[2816]"Incarceration Transparency, Louisiana Deaths Behind Bars 2015-2021," Loyola University New Orleans, 2023, p. 8, https://www.incarcerationtransparency.org/wp-content/uploads/2023/06/Death-Behind-Bars-Report-2023-Final-06.05.23.pdf.

[2817]"Incarceration Transparency, Louisiana Deaths Behind Bars 2015-2021," Loyola University New Orleans, 2023, p. 12, https://www.incarcerationtransparency.org/wp-content/uploads/2023/06/Death-Behind-Bars-Report-2023-Final-06.05.23.pdf.

[2818]LA Rev Stat §13:5713 (2025), https://law.justia.com/codes/louisiana/revised-statutes/title-13/rs-13-5713/.

Investigations should include an examination by the medical examiner or coroner to determine the cause of death, but this should be one aspect of the investigation into the death. Investigations should be conducted by the internal mortality review. The medical examiner or coroner can be a member of this mortality review committee, or alternatively, they can report their findings to the mortality review, immediately following the conclusion of the post-mortem examination and their findings regarding cause and manner of death, as well as any other information which the examination revealed.

4. Internal Morality Review Committees Should Be Required To Review Every Death

Every DOC should have an internal mortality review that reviews every in-custody death. The internal mortality review should be notified immediately following the death of an individual in-custody. The committee should be composed of medical and healthcare staff of the facility, mental health staff, and facility administrators, including the warden or administrator of the facility or their designee and the supervisor that was on duty when the death occurred. The medical examiner or coroner who conducts the post-mortem examination of the body can also be a member of the committee. If this individual is not a member of the committee, then a report of their findings should be sent to the committee, including the results of any autopsies or other examinations conducted and the cause and manner of death that was determined, to the committee as soon as possible. The internal mortality review committee should provide a report of their findings, including the cause and manner of death of the individual, any practices, actions, or circumstances that occurred at the facility that contributed to their death, and recommendations of changes that should be made to prevent future deaths of similar manner, to the Commissioner of the DOC, independent review committee, and the Office of the Corrections Ombudsperson.

5. An Independent Oversight Body Should Investigate all Deaths and DOC Facilities

Every state should have an independent body that is not associated with the DOC. The role of this body is to investigate and provide oversight and accountability, in order to ensure transparency, to the DOC. This body should take the form of a review committee of healthcare and mental health professionals. The members of this body should have no connection to the DOC. The role of this body is to review the investigations of in-custody deaths and to ensure that investigations were thoroughly conducted. This body should meet monthly to review all in-custody deaths. Additionally, every state should have an Office of the Corrections Ombudsperson, as an independent agency with an Ombudsperson appointed by the state's Governor or legislative body. The role of this body is to provide oversight for DOC facilities and the DOC overall. The ombudsperson should review practices in place and how these practices either prevent or are detrimental to in-custody deaths. Both the review committee and the ombudsperson should review healthcare policies and practices in place at the facility. Then,

recommendations should be provided on how to improve policies and practices to prevent future in-custody deaths.

6. *Investigative Bodies (Internal and Oversight) Should Make Recommendations for Corrective Actions*

Recommendations should be made by both the internal mortality review and both independent oversight bodies (the review committee and the Office of the Ombudsperson). These recommendations should be made in the form of a monthly report (following investigation of the in-custody deaths by the review committee), and they should be given to the warden or administrator of the DOC facility in which the death had occurred, the Commissioner of the DOC, and a copy should be provided to the Governor and the legislative body.

7. *The DOC Facility Should be Required to Respond to Recommendations Describing How Corrective Actions Will Be Implemented*

The warden or administrator of the DOC facility and the Commissioner of the DOC should acknowledge the receipt of the recommendations and provide an update on how corrective actions will be implemented (or an explanation on how corrective actions are in the process of being implemented) within a month of receiving the review committee and Office of the Ombudsperson's report. This acknowledgement should be sent to both the review committee and the Office of the Ombudsperson, and a copy should be sent to the Governor and the legislative body.

VIII. Grid of All Jurisdictions and Key Metrics

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
CBP	Yes, all in-custody deaths[2819]	N/A[2820]	Office of Professional Responsibility[2821]	No[2822]	Yes, Office for Civil Rights and Civil Liberties, Office of the Immigration Detention Ombudsman[2823], U.S. Government Accountability Office,[2824] Office of the Inspector	Yes[2826]	Yes[2827]

[2819]"Notification and Review Procedures for Certain Deaths and Deaths in Custody," U.S. Customs and Border Patrol, 2023, In-Custody Deaths p. 2, https://www.cbp.gov/sites/default/files/2025-08/intc-37477_signed_notification_and_review_procedures_9.1.23_redacted_002.pdf.

[2820] Investigations do not need to be requested, they are required for all in-custody deaths.

[2821] "Notification and Review Procedures for Certain Deaths and Deaths in Custody," U.S. Customs and Border Patrol, 2023, https://www.cbp.gov/sites/default/files/2025-08/intc-37477_signed_notification_and_review_procedures_9.1.23_redacted_002.pdf; CBP must notify the local agents for the OPR and the OIG immediately following a CBP in-custody death or a reportable non-custodial death. Within 72 hours of an in custody death or reportable non-custodial death, CBP Watch must notify both CRCL and CBP Watch.

[2822]Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[2823] "OIDO Annual Report 2023," Office of the Immigration Detention Ombudsman, 2023, p. 5, https://www.dhs.gov/sites/default/files/2026-05/24_0329_oido_2023-annual-report-to-congress-508.pdf; the Office of the Immigration Detention Ombudsman (OIDO) is an independent, neutral, and confidential office, overseeing detention facility conditions for both U.S. Immigration and Customs Enforcement (ICE) and CBP.

[2824] "Notification and Review Procedures for Certain Deaths and Deaths in Custody," U.S. Customs and Border Patrol, 2023, https://www.cbp.gov/sites/default/files/2025-08/intc-37477_signed_notification_and_review_procedures_9.1.23_redacted_002.pdf; "Southwest Border: CBP Should Improve Oversight of Medical Care for Individuals in Custody," U.S. Government and Accountability Office, 2026, https://www.google.com/url?q=https://www.gao.gov/products/gao-26-107425&sa=D&source=docs&ust=1778219266800906&usg=AOvVaw1TVtQ_NyCND3nJTKBR6Ezl.

[2826] 6 USC § 205 (2026), https://uscode.house.gov/view.xhtml?req=(title:6%20section:205%20edition:prelim); the Office of the Immigration Detention Ombudsman (OIDO) makes recommendations on changes in an annual report to Congress.

[2827] 6 USC § 205 (2026), sec. (d)(1), https://uscode.house.gov/view.xhtml?req=(title:6%20section:205%20edition:prelim); the Director of ICE and Commissioner of CBP are required to formally respond to the Ombudsman's recommendations within 60 days of receiving them.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
					General[2825]		

[2825]"About Us, " Office of Inspector General, U.S. Department of Homeland Security, https://www.oig.dhs.gov/about; 5. U.S.C. § 417, sec. (c); 5. U.S.C. § 417, sec. (e); 5 U.S.C. § 417, sec. (a)(2)(F); 5 U.S.C. § 417, sec. (a)(2)(G); the Inspector General is responsible for working with the CRCL on relevant information on investigations on civil rights and civil liberties, and referring relevant cases to the CRCL when the Inspector General does not investigate.

ICE[2828]	Yes, all in-custody deaths.[2829]	N/A[2830]	Office of Detention Oversight,[2831] External Reviews and Analysis Unit[2832]	No[2833]	Yes, Office of the Immigration Detention Ombudsman[2834]	Yes[2835]	Yes[2836]
FBOP	Yes, all in-custody deaths.[2837]	N/A[2838]	Office of the Inspector General,[2839][284][2]	Mortality Reviews[284][2]	Yes, Department of Justice	Yes[2844]	No[2845]

[2828] American Civil Liberties Union, American Oversight, and Physicians for Human Rights, Deadly Failures: Preventable Deaths in U.S. Immigration Detention, July 1, 2024, https://assets.aclu.org/live/uploads/2024/06/2024-07-01-ICE-Detainee-Deaths.pdf "Findings and Analysis," 33; ICE has issued financial penalties against detention facilities on only three occasions out of the 70 deaths that have taken place between 2017 and June 2024, the date of this report's publication.

[2829] ACLU, DWN, NIJC, Fatal Neglect: How ICE Ignores Deaths in Detention (2016), https://www.aclu.org/publications/fatalneglect-how-ice-ignores-death-detention; CE OPR Inspections Program Office, "INCIDENT INSPECTIONS AND DETAINEE DEATH REVIEWS STATEMENT OF WORK", July 12, 2025, 4. https://sam.gov/api/prod/opps/v3/opportunities/resources/files/deef8a62e5c9498b83ffe982371b94ea/download?&status=archived&token=; ERAU is responsible for conducting administrative reviews of all deaths of individuals in ICE custody.

[2830] Investigations do not need to be requested, they are required for all in-custody deaths.

[2831] U.S. Immigration and Customs Enforcement, Office of Detention Oversight Inspections: Fiscal Year 2021 Report to Congress, March 23, 2022, https://www.dhs.gov/sites/default/files/2022-05/ICE%20-%20Office%20of%20Detention%20Oversight%20Inspections.pdf; ACLU, DWN, NIJC, Fatal Neglect: How ICE Ignores Deaths in Detention (2016), https://www.aclu.org/publications/fatalneglect-how-ice-ignores-death-detention; the ODO submits yearly reports titled Office of Detention Oversight Inspections.

[2832] U.S. Immigration and Customs Enforcement, "Office of Professional Responsibility," 2026, https://www.ice.gov/about-ice/opr.

[2833] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[2834] "OIDO Annual Report 2023," Office of the Immigration Detention Ombudsman, 2023, p. 5, https://www.dhs.gov/sites/default/files/2026-05/24_0329_oido_2023-annual-report-to-congress-508.pdf;; the Office of the Immigration Detention Ombudsman (OIDO) is an independent, neutral, and confidential office, overseeing detention facility conditions for both U.S. Immigration and Customs Enforcement (ICE) and CBP.

[2835] 6 USC § 205, sec. (a); 6 USC § 205, sec. (b), https://uscode.house.gov/view.xhtml?req=(title:6%20section:205%20edition:prelim); the Office of the Immigration Detention Ombudsman (OIDO) makes recommendations on changes in an annual report to Congress; ACLU, DWN, NIJC, Fatal Neglect: How ICE Ignores Deaths in Detention (2016), https://www.aclu.org/publications/fatalneglect-how-ice-ignores-death-detention; Office of Detention Oversight inspections are "too infrequent to ensure the facilities implement all deficiency corrections," and ICE "does not adequately follow up on identified deficiencies or consistently hold facilities accountable for correcting them."

[2836] 6 USC § 205, sec. (d)(1), https://uscode.house.gov/view.xhtml?req=(title:6%20section:205%20edition:prelim); the Director of ICE and Commissioner of CBP are required to formally respond to the Ombudsman's recommendations within 60 days of receiving them.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			[0] Mortality Reviews[2841]		Ombudsman[2843]		
Alabama[2846]	Yes, all in-custody deaths[2847]	N/A[2848]	Coroner-Medical Examiners'	N/A[2850]	N/A[2851]	N/A[2852]	N/A[2853]

[2837] BOP, *Program Statement 6013.01: Health Services Quality Improvement,* p. 10, https://www.bop.gov/policy/progstat/6013_001.pdf.
[2838] Investigations do not need to be requested, they are required for all in-custody deaths.
[2839] https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-1999-title5a-node20&edition=1999 Section 4(d)
[2842]BOP, *Program Statement 6013.01: Health Services Quality Improvement,* p. 10-11, https://www.bop.gov/policy/progstat/6013_001.pdf; multilevel system reviews of every inmate death, other than those legally authorized by execution, to evaluate the health care delivery system, identify strengths and weaknesses, and make corrections if necessary. BOP, *Program Statement 6013.01: Health Services Quality Improvement,* p. 15, https://www.bop.gov/policy/progstat/6013_001.pdf; The Morality Review Committee can use its findings to implement improvements through the institution's Quality Improvement Program, with progress monitored by the Regional HSA and Clinical Speciality Consultant. The Office of Quality Management (OQM) will also review the Multilevel Mortality Review Report with an external physician consultant and provide recommendations for institutional improvement.
[2844]"Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions," Department of Justice, February 2024, p. 2, 77, https://oig.justice.gov/sites/default/files/reports/24-041.pdf; the Office of the Inspector General outlined recommendations for improvement in the 2024 report.
[2845]"Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions," Department of Justice, February 2024, p. 2, 77, https://oig.justice.gov/sites/default/files/reports/24-041.pdf; does not suggest that a response or follow up to recommendations is required.
[2841] BOP, *Program Statement 6013.01: Health Services Quality Improvement,* p. 10-11, https://www.bop.gov/policy/progstat/6013_001.pdf
[2843]"Federal Prison Oversight Act," 2024, https://www.congress.gov/118/plaws/publ71/PLAW-118publ71.pdf, SEC. 2. (3) OMBUDSMAN.— (A) i-iv and (2) INSPECTIONS OF COVERED FACILITIES BY THE INSPECTOR GENERAL "(B) INSPECTION CRITERIA. i, III; addresses the concerns of incarcerated individuals, their families, and prison staff across all 122 prisons, refer their complaints to the appropriate Federal agencies, and conduct inquiries and provide recommendations. However, the Ombudsman cannot investigate allegations of criminal misconduct or administrative misconduct by BOP or DOJ personnel.
[2846]AL Code § 45-49-171.63 (2024), https://law.justia.com/codes/alabama/2024/title-45/chapter-49/article-17/part-2/division-4/section-45-49-171-63/; in Mobile County, deaths are investigated by the county medical examiner.
[2847]AL Code § 45-37-60.07 (2025), https://law.justia.com/codes/alabama/title-45/chapter-37/article-6/part-1/section-45-37-60-07/; All deaths that occur in a prison or penal institution will be investigated by the Coroner-Medical Examiners' Commission.
[2848]Investigations do not need to be requested, they are required for all in-custody deaths.
[2850]Aside from medical investigations, Alabama does not have a publicly accessible policy that outlines how investigations are conducted.
[2851]Alabama does not have a publicly accessible policy that outlines oversight of the DOC or deaths.
[2852]Aside from medical investigations, Alabama does not have a publicly accessible policy that outlines how investigations are conducted.
[2853]Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			Commission[28] [49]				
Alaska	Yes, all in-custody deaths[2854]	N/A[2855]	Alaska State Troopers and the DOC Death Investigation	No[2857]	No[2858]	Yes[2859]	Yes, recommendations must be addressed "within a reasonable

[2840] https://oig.justice.gov/sites/default/files/reports/24-041.pdf p. 2, 77; released a report on the "Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions" assessing the circumstances surrounding inmate deaths at BOP facilities from FY2014 to FY2021 to identify management and systemic issues related to the deaths.

[2849]AL Code § 45-37-60.07 (2025), https://law.justia.com/codes/alabama/title-45/chapter-37/article-6/part-1/section-45-37-60-07/; Alabama DOC, *AR 629:Inmate Suicide Prvention Program*, 2024, sec. K 1 and 2, https://doc.alabama.gov/docs/AdminRegs/AR629.pdf; risk assessment reviews and reports are conducted quarterly to prevent and limit in-custody deaths caused by suicide. The Vendor Psychiatric Director is responsible for summarizing quarterly reviews into a report that will be submitted to the ADOC Director of Mental Health Services and the ADOC Director of Psychiatry by the 10th of every month. The Vendor Regional Psychologist is responsible for submitting a form that reviews the death of the inmate who died by suicide within 30 days, for purposes of the Quality Improvement Program for deaths that occur by suicide.

[2854]Alaska DOC, *Policy 104.04: Death of A Prisoner*, 2023, https://doc.alaska.gov/pnp/pdf/104.04.pdf; When an in-custody death occurs, the Department is responsible for conducting "a confidential investigation to determine the cause and circumstances surrounding the death as well as any related deficiencies in policies, procedures, or practices." Additionally, DOC policy 104.04 Section C 1. And Section D Alaska DOC, *Policy 104.04: Death of A Prisoner*, 2023, https://doc.alaska.gov/pnp/pdf/104.04.pdf; AST (Alaska State Troopers) conducts an investigation when an inmate unexpectedly dies in-custody. The DOC has a Death Investigation Team that is appointed by the Director of Institutions and the Director of Health and Rehabilitation Services. When a death occurs unexpectedly, the team is charged with inspecting the scene, reviewing evidence from the Superintendent, conducting interviews, reviewing property, and providing the Chief Medical Officer with any relevant medical files and autopsy report. A Death Investigation lead Investigator is tasked with briefing the DOC executive team on the death within 72 hours, completing the Death Investigation Checklist, determining the status of the investigation from the AST, ensuring medical records are obtained from the Medical Examiner, and providing the Assistant Attorney General with the final Death Investigation Report.

[2855] Investigations do not need to be requested, they are required for all in-custody deaths.

[2857] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[2858] Corinne Smith, "Alaska Department of Corrections Reports Record-Tying 18 Deaths in Custody This Year," *Alaska Beacon*, December 19, 2025, https://alaskabeacon.com/2025/12/19/alaska-department-of-corrections-reports-record-tying-18-deaths-in-custody-to-date-in-2025/; As of 2025, however, there have been calls to reinstate an independent oversight body, such as a unit that was created for internal investigation in 2016 but only existed until 2018 when budget cuts led to its termination.

[2859]Alaska DOC, *Policy 104.04: Death of A Prisoner*, 2023, sec. D 3 E, https://doc.alaska.gov/pnp/pdf/104.04.pdf; The Death Investigation Team will "submit all Security, Medical, and Mental Health Observations and Recommendations to the Commissioner's designee."

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			Team.[2856]				timeframe."[2860]
Arizona	Yes, all in-custody deaths[2861]	Yes, investigations are requested by the Warden, Deputy Warden, or Bureau Administrator	Internal Affairs,[2863] The Joint Mortality Review Committee (JMRC)[2864] and the Complete	Yes, Complex Mortality Review Committee [2866]	No[2867]	Yes[2868]	Yes[2869]

[2856]Alaska DOC, *Policy 104.04: Death of A Prisoner*, 2023, sec. C 1, https://doc.alaska.gov/pnp/pdf/104.04.pdf; Alaska DOC, *Policy 104.04: Death of A Prisoner*, 2023, sec. D, https://doc.alaska.gov/pnp/pdf/104.04.pdf
[2860]Alaska DOC, *Policy 104.04: Death of A Prisoner*, 2023, sec. E, https://doc.alaska.gov/pnp/pdf/104.04.pdf; the Commissioner's designee will work with the Director of Institutions to ensure that all recommendations are "addressed and completed within a reasonable timeframe."
[2861]ADCCR, *DO 711: Notification of Inmate Hospitalization or Death*, 2023, Section 3.9, https://corrections.az.gov/sites/default/files/documents/policies/700/DO%20711%20-%20Eff.%2012-8-23.pdf; the Criminal Investigations Unit is responsible for conducting an investigation when an individual dies in custody, in order to determine "the cause and manner of death." Additionally, ADCCR, DO 601: Internal Affairs Investigations and Employee Discipline, 2024, Section 1.2, https://corrections.az.gov/sites/default/files/documents/policies/600/DO%20601.pdf.
[2863] Arizona Department of Corrections, Rehabilitation and Reentry, Department Order Manual, *DO 601: Internal Affairs Investigations and Employee Discipline*, 2024, Section 1.2, https://corrections.az.gov/sites/default/files/documents/policies/600/DO%20601.pdf.
[2864]Arizona Department of Corrections, Rehabilitation and Reentry, Department Order Manual, *DO 1105: Inmate Mortality Review*, 2024, Section 3.3, https://corrections.az.gov/sites/default/files/documents/policies/1100/DO%201105%20-%20Eff.%2011-15-24.pdf;; the JMRC meets monthly to review all inmate deaths within 30 days of the death. The JMRC includes members of the ADCCR and CHP that can help to review the death of an inmate.
[2866]Arizona Department of Corrections, Rehabilitation and Reentry, Department Order Manual, *DO 1105: Inmate Mortality Review*, 2024, Sections 3.2.1.2 and 3.4, https://corrections.az.gov/sites/default/files/documents/policies/1100/DO%201105%20-%20Eff.%2011-15-24.pdf;.
[2867]Arizona policies do not mention an independent oversight body.
[2868]Arizona Department of Corrections, Rehabilitation and Reentry, Department Order Manual, *DO 1105: Inmate Mortality Review*, 2024, Section 3.3, https://corrections.az.gov/sites/default/files/documents/policies/1100/DO%201105%20-%20Eff.%2011-15-24.pdf; The JMRC determines actions that can be corrected and policies and procedures that should be changed. This is done in accordance with reviewing the healthcare that was provided and whether it was appropriate.
[2869]ADCCR, *DO 1105: Inmate Mortality Review*, 2024, Section 3.3, https://corrections.az.gov/sites/default/files/documents/policies/1100/DO%201105%20-%20Eff.%2011-15-24.pdf; the CHP Regional Medical Director reviews the report to identify errors and how a corrective plan can be developed and implemented statewide to prevent similar events from occurring again.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
		[2862]	Mortality Review Committee (CMRC)[2865]				
Arkansas	Subset, in violent, unnatural, suspicious cases[2870]	No[2871]	The Arkansas State Crime Laboratory[2872]	N/A[2873]	N/A[2874]	N/A[2875]	N/A[2876]
California	Yes, all in-custody	N/A[2878]	Facility administrator	No[2880]	Yes, Director of In-Custody	Yes, by the Director of	Yes[2883]

[2862]Arizona Department of Corrections, Rehabilitation and Reentry, Department Order Manual, *DO 601: Internal Affairs Investigations and Employee Discipline*, 2024, sec. 1.2.1, https://corrections.az.gov/sites/default/files/documents/policies/600/DO%20601.pdf.
[2865]ADCCR, *DO 1105: Inmate Mortality Review*, 2024, sec. 3.2.1.2, 3.4, https://corrections.az.gov/sites/default/files/documents/policies/1100/DO%201105%20-%20Eff.%2011-15-24.pdf;; a committee at the prison complex where the inmate death occurred that conducts mortality reviews for inmate deaths at the complex. Following the JMRC review, if toxicology and autopsy reports were not yet available, the CMRC will meet to review the reports within three business days of receiving them.
[2870]Arkansas DOC, 855: Investigation and Transportation of Deceased Inmates, 2018, sec. II B, https://media.ark.org/doc/AR-0855-Investigation-and-Transportation-of-Deceased-Inmates.pdf; an investigation will occur if the death was due to violence, unknown or unnatural, unexpected, suspicious, caused by a public health threat, not under the case of a physician, or when requested by the Director of the Department of Correction. Additionally, AR Code § 12-12-318 (2024) 3A(e). ;"'Postmortem examination' for unnatural death is required."; AR Code § 12-12-315 (2024). "If an inmate died without medical attention because they were under religious practice, then an investigation is not required."
[2871] Investigations are required for all violent, unnatural, and suspicious deaths. Arkansas policies do not mention requests for investigations.
[2872]Arkansas DOC, 855: Investigation and Transportation of Deceased Inmates, 2018, sec. II B, https://media.ark.org/doc/AR-0855-Investigation-and-Transportation-of-Deceased-Inmates.pdf Arkansas State Crime Laboratory, https://www.dps.arkansas.gov/wp-content/uploads/2020/05/me_pamphlet.pdf.
[2873]Aside from medical investigations, Arkansas does not have a publicly accessible policy that outlines how investigations are conducted.
[2874]Arkansas does not have a publicly accessible policy that outlines oversight of the DOC or deaths.
[2875]Aside from medical investigations, Arkansas does not have a publicly accessible policy that outlines how investigations are conducted.
[2876]Ibid.
[2878] Investigations do not need to be requested, they are required for all in-custody deaths.
[2880]Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[2883]Title 7 CCR 6034, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6034&lawCode=PEN; within 90 days, the administrator of the facility is responsible for providing an implementation timeline for the recommendations.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	deaths[2877]		and health administrator, and team.[2879]		Death Review[2881]	In-Custody Death Review[2882]	
Colorado	Yes, all in-custody deaths[2884]	N/A[2885]	Inspector General Investigator,[2886] Quality Management	Yes, Quality Management Program Committee	No[2889]	Yes[2890]	No[2891]

[2877] DOC policy 8.2 sec 10, https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf.
[2879]Board of State and Community Corrections, 1046, https://www.bscc.ca.gov/wp-content/uploads/2024/06/Adult-Title-15-Section-1046-Final.pdf; the facility administrator and the health administrator are required to develop policies for conducting reviews of deaths in custody within 30 days of the inmate's death. The initial review of a death will include the facility administrator, the health administrator, a physician or healthcare professional, and supervision staff of relevance. The facility administrator will then submit the initial report to the BSCC within 60 days of the death.
[2881]Title 7 CCR 6034, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6034&lawCode=PEN; the Governor appoints a Director of In-Custody Death Review for a six-year term, within the Board of state and Community Corrections. The Director is responsible for reviewing the investigations of inmate death.
[2882]Title 7 CCR 6034, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6034&lawCode=PEN; the Director of In-Custody Death Review makes recommendations based on this review regarding changes to policies, practices, staffing, delivery of healthcare, and more.
[2884]Colorado DOC, *AR 700-10: Offender Health Services,* sec. IV A, https://drive.google.com/file/d/1Ta6xh8eEXMFgg8nfNPWoT5GmdS4uWPjg/view.
[2885]Investigations do not need to be requested, they are required for all in-custody deaths.
[2886]Colorado DOC, *AR 100-07: Reportable Incidents and Incident Tracking System*, sec. D, https://drive.google.com/file/d/11xFPgVkX7y5O0WWMbTmxNJ7vMjK63k9k/view.
[2889]Colorado policies do not mention an independent oversight body.
[2890]Colorado DOC AR 700-10 Section A. https://drive.google.com/file/d/1Ta6xh8eEXMFgg8nfNPWoT5GmdS4uWPjg/view; "review and monitoring of plans of action" and "re-evaluating problems or concerns to determine if corrective measures have achieved and sustained desired results."
[2891]Colorado DOC AR 700-10 Section A. https://drive.google.com/file/d/1Ta6xh8eEXMFgg8nfNPWoT5GmdS4uWPjg/view; does not suggest that a response or follow up to recommendations is required.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			Program.[2887]	[2888]			
Connecticut	Yes, all in-custody deaths[2892]	N/A[2893]	Security Division Investigation and/or the Medical Panel Review[2894]	Yes, Medical Panel Review[2895]	Yes, Office of the Correction Ombuds, Correction Advisory Committee[2896]	No[2897]	No[2898]

[2887] Colorado DOC AR 700-10 Section IV C 4 and 8. https://drive.google.com/file/d/1Ta6xh8eEXMFgg8nfNPWoT5GmdS4uWPjg/view; the program conducts "quality occurrence reporting and review." They will assign reports on in-custody deaths to natural deaths and unexpected deaths where a quality issue was identified and an error occurred. These cases will then be assigned a health care provider to review the case and present it to the QMP committee. If there appears to be a quality issue that resulted in a death, then the case will be discussed at the QMP committee meeting.

[2888] Colorado DOC 700-10 Section IV D https://drive.google.com/file/d/1Ta6xh8eEXMFgg8nfNPWoT5GmdS4uWPjg/view; members of the QMP committee include the QMP administrator, coordinators for medical and behavioral health services, a private prison medical monitor, a private prison mental health monitor, the chief medical officer, the chief of clinical operations, the chief of behavioral health services, and the chief of psychiatry. There will also be appointed members, which include the health services administrator, a health care provider, and a mental health clinician. The committee meets monthly.

[2892] DOC policy 8.2 Sec 10. https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf

[2893] Investigations do not need to be requested, they are required for all in-custody deaths.

[2894] DOC policy 8.2 Sec 10. https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf; DOC policy 1.10 Section 9 https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0110pdf.pdf?la=en; the Security Division Investigations only initiate investigations following an authorization from the Commissioner, Deputy Commissioner, or designee. Requests can be made for a joint investigation with an outside law enforcement agency by the Commissioner or designee, or a joint investigation with Health Services or other agencies or departments by the Commissioner or designee. The investigation will be completed within 60 business days.

[2895] DOC policy 8.2 Sec 10. https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf

[2896] https://prisonoversight.org/oversight-bodies/prison-oversight/connecticut/; https://www.cga.ct.gov/2022/act/Pa/pdf/2022PA-00018-R00SB-00459-PA.PDF.

[2897] Connecticut policies regarding investigations do not mention recommendations for corrective action.

[2898] Ibid..

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
D.C.	Yes, all in-custody deaths[2899]	N/A[2900]	Office of the Chief Medical Examiner (OCME)[2901]	No[2902]	Yes, Corrections Information Council[2903]	Yes[2904]	No[2905]
Delaware	Yes, all in-custody deaths[2906]	N/A[2907]	The Clinical Morbidity and Mortality Review,[2908]	Yes, the Clinical Morbidity and	Yes, the Adult Correction Healthcare Review	Yes[2912]	No[2913]

[2899] Code of the District of Columbia, §5-1405, "Deaths–determinations and investigations; cremations," https://code.dccouncil.gov/us/dc/council/code/sections/5-1405; https://ocme.dc.gov/page/ocme-faqs; all in custody deaths; D.C. investigates all "deaths of persons while in the legal custody of the district."
[2900] Investigations do not need to be requested, they are required for all in-custody deaths.
[2901] Code of the District of Columbia, §5-1405, "Deaths–determinations and investigations; cremations," https://code.dccouncil.gov/us/dc/council/code/sections/5-1405;
[2902] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[2903] https://prisonoversight.org/oversight-bodies/prison-oversight/district-of-columbia/; https://cic.dc.gov/page/about-dc-corrections-information-council; https://code.dccouncil.gov/us/dc/council/code/sections/24-101.01; monitors conditions in confinement facilities where D.C. residents are incarcerated. "This includes facilities operated by the Federal Bureau of Prisons (FBOP), the DC Department of Corrections (DOC), and private contractors. The CIC reports its observations and recommendations to the DC Mayor, the DC Council, Congresswoman Norton, the DC Deputy Mayor for Public Safety and Justice, the Director of the FBOP, the Director of the DOC, and the DC community."
[2904] https://cic.dc.gov/page/about-dc-corrections-information-council; the CIC releases an annual report on the issues that must be addressed in confinement which are affecting DC incarcerated residents. https://code.dccouncil.gov/us/dc/council/code/sections/24-101.01; the CIC makes recommendations to the Bureau of Prisons and Department of Corrections. They submit a report to the Director of the Bureau of Prisons, the Mayor, the Council, and the Director of the Department of Corrections on "the conditions of confinement of District of Columbia inmates in Department of Corrections custody."
[2905] "About the DC Corrections Information Council," DC Corrections Information Council, accessed May 11, 2026, https://cic.dc.gov/page/about-dc-corrections-information-council; does not suggest that a response or follow up to recommendations is required.
[2906] https://doc.delaware.gov/assets/documents/policies/policy_11-A-09.pdf
[2907] Investigations do not need to be requested, they are required for all in-custody deaths.
[2908] https://doc.delaware.gov/assets/documents/policies/policy_11-A-09.pdf
[2912] §6518.n Adult Correction Healthcare Review Committee. https://delcode.delaware.gov/title11/c065/sc02/index.html; the Adult Correction Healthcare Review Committee is also tasked at reviewing mortality and morbidity review reports and monthly summaries and reports on service in correction facilities. The Committee will then advise the Commissioner, Governor, and legislature on changes that they deem necessary, as well as on identifying areas that are strong and areas that require improvement.
[2913] § 6518.n Adult Correction Healthcare Review Committee. https://delcode.delaware.gov/title11/c065/sc02/index.html; the policy does not explicitly require a response from the Commissioner of the Department of Correction, or the department as a whole, regarding the recommendations for changes made by the committee.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			and the Adult Correction Healthcare Review Committee[2909]	Mortality Review[2910]	Committee[2911]		
Florida	Subset, as necessary[2914]	No[2915]	The Medical Examiner[2916]	No[2917]	Yes, the Correctional Medical Authority[2918]	Yes[2919]	Yes[2920]

[2909] § 6518.n Adult Correction Healthcare Review Committee. https://delcode.delaware.gov/title11/c065/sc02/index.html

[2910] https://doc.delaware.gov/assets/documents/policies/policy_11-A-09.pdf

[2911] § 6518.a-d Adult Correction Healthcare Review Committee. https://delcode.delaware.gov/title11/c065/sc02/index.html; an independent committee made up of 10 members, 9 voting members and 3 non-voting members. The 9 voting members include a physician, a forensic psychologist, a psychologist, a registered nurse, "a member of the Delaware Bar," a substance abuse treatment specialist, a healthcare professional, a nonprofit representative, and a psychiatrist. They review medical records and autopsies of inmates who died in custody.

[2914] 11G-2.003 Investigation. https://flrules.org/gateway/notice_Files.asp?ID=; https://www.law.cornell.edu/regulations/florida/Fla-Admin-Code-Ann-R-11G-2-003; A medical examiner investigates "in order to determine the cause of death and such circumstances surrounding it as are necessary and in the public interest."

[2915] Investigations are conducted when necessary. Florida policies do not mention requests for investigations.

[2916] 11G-2.003 Investigation. https://flrules.org/gateway/notice_Files.asp?ID=.

[2917] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[2918] 945.602 State of Florida Correctional Medical Authority; creation; members. https://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0900-0999/0945/0945.html; an independent body made up of physicians, nurses, dentists, and mental health specialists that are not employed by the Department of Corrections.

[2919]https://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0900-0999/0945/0945.html 945.603; the Correctional Medical Authority advises and makes recommendations regarding both health care services, both physical and mental.

[2920]https://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0900-0999/0945/0945.html 945.6031; it is then a requirement that the DOC takes steps to fix any deficiencies in the healthcare system that were noted as life-threatening, by making a corrective action plan for the Authority following 3 days of receiving anything that was deemed life-threatening.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
Georgia	Yes, all in-custody deaths[2921]	N/A[2922]	The Medical Examiner[2923]	Yes, the Morality Review Committee,[2924]Administrative Morality Review[2925]	Yes, the Morality Review Committee[2926]	Yes[2927]	Yes[2928]
Hawaii	Yes, all in-custody deaths[2929]	N/A[2930]	The coroner and the Medical Examiner.[2931]	N/A[2932]	N/A[2933]	N/A[2934]	N/A[2935]

[2921] https://dofs-gbi.georgia.gov/ga-death-investigation-act.
[2922] Investigations do not need to be requested, they are required for all in-custody deaths.
[2923] https://dofs-gbi.georgia.gov/ga-death-investigation-act.
[2924] GDC Policy Number 507.04.67 Section 4 D. https://public.powerdms.com/GADOC/documents/106404; a Clinical Mortality Peer Review is conducted for all deaths in custody. The committee must include the Health Service Administrator, the institutional Medical Director, a physician, and the Regional Medical Director. Other members of the committee can include the Director of Nursing, a dentist, or a pharmacist. Other health care providers that are not peers may be called to assist in understanding the case and dismissed following their interview with the committee. Mortality review forms will be mailed to the GDC Office of Health Services within 31 working days of the offender's death, the Peer Review having been completed within 21 working days.
[2925] GDC Policy Number 507.04.67 Section 4 E, https://public.powerdms.com/GADOC/documents/106404.
[2926] GDC Policy Number 507.04.67 Section 4 D. https://public.powerdms.com/GADOC/documents/106404.
[2927] GDC Policy Number 507.04.67 Section 4 E. https://public.powerdms.com/GADOC/documents/106404; the Administrative Mortality Review establishes facts to ensure compliance with a standard of care, educate healthcare staff on causes of death, and correct deficiencies that have been identified that contribute to inmate deaths. An Administrative Morality Review is required to be sent to the GDC Health Services within 20 days of an offender's death,with the form having been completed within 15 working days of the offender's death.
[2928] GDC Policy Number 507.04.67 Section 4 E. https://public.powerdms.com/GADOC/documents/106404; suggestions for corrective actions should be implemented through the CQI (Continuous Quality Improvement) program at the facility.
[2929] Hawaii Statute Title 38. §841-3 https://law.justia.com/codes/hawaii/title-38/chapter-841/section-841-3/; When a death in prison occurs, it is investigated.
[2930] Investigations do not need to be requested, they are required for all in-custody deaths.
[2931] FAQs. https://www.honolulu.gov/med/; the Medical Examiner is always involved in investigating and determining the cause of death for deaths that happened in prison.
[2932] Aside from medical investigations, Hawaii does not have a publicly accessible policy that outlines how investigations are conducted.
[2933] Hawaii does not have a publicly accessible policy that outlines oversight of the DOC or deaths.
[2934] Aside from medical investigations, Hawaii does not have a publicly accessible policy that outlines how investigations are conducted.
[2935] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
Idaho	Yes, all in-custody deaths[2936]	N/A[2937]	Internal Incident Review (individual or panel) and the Clinical Mortality Review[2938]	Yes, the Clinical Mortality Review[2939]	No[2940]	Yes, recommendations made by the Clinical Mortality Review and the Internal Incident Review.[2941]	Partial[2942]
Illinois	Subset, when	No[2944]	The Internal	Yes (for	No[2947]	Yes, in Juvenile	Yes, by the

[2936] Idaho DOC policy 105.02.01.001 section 3 https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=282867&dbid=0&repo=LFICHE&searchid=4b49e0dd-07bc-40a7-9d46-6a05f65d6bab

[2937] Investigations do not need to be requested, they are required for all in-custody deaths.

[2938] Idaho DOC policy 105.02.01.001 section 8 https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=282867&dbid=0&repo=LFICHE&searchid=4b49e0dd-07bc-40a7-9d46-6a05f65d6bab; the Internal Incident Review is conducted by either an individual or a three member panel, and can be requested by a warden or district manager. The SIR is requested for a serious incident from the director, deputy director, division chiefs, facility heads, or district manager. The director or deputy director must accept the SIR request and appoint a chairperson for the review panel, and they also must approve an SIR report. The SIR always consists of a panel, and they convene within 14 working days, unless a criminal or internal incident review does not allow them to do so.

[2939] IDOC policy 401.06.03.011 Section 5 https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=1745346&dbid=0&repo=LFICHE&searchid=bd218f70-09c7-4486-af9a-22b06593d9ef; jointly conducted by the facility health authority and the facility medical director, the Clinical Mortality Review will submit a written report to the health authority within 30 days. The report should include the inmate's name and IDOC number, age, time and location of death, medical history, events leading up to the death, diagnosis as presently determined, the cause of death, timeliness and appropriateness of healthcare received both prior to and surrounding the inmate's death, whether housing and healthcare was sufficient, and a narrative with any further conclusions, findings, and recommendations signed by participants in the review process.

[2940] Idaho policies do not mention an independent oversight body.

[2941] Idaho DOC policy 105.02.01.001 section 8 https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=282867&dbid=0&repo=LFICHE&searchid=4b49e0dd-07bc-40a7-9d46-6a05f65d6bab; DOC policy 401.06.03.011 Section 5 https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=1745346&dbid=0&repo=LFICHE&searchid=bd218f70-09c7-4486-af9a-22b06593d9ef.

[2942] IDOC policy 401.06.03.011 Section 5 https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=1745346&dbid=0&repo=LFICHE&searchid=bd218f70-09c7-4486-af9a-22b06593d9ef; the health authority must review the report by the Clinical Mortality Review and "determine whether the death may be part of an emerging pattern or indicative of opportunities for improvement in the overall healthcare delivery system."

[2944] Investigations are required when necessary to determine cause of death. Illinois policies do not mention requests for investigations.

[2947] Illinois policies do not mention an independent oversight body.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	necessary to determine cause of death[2943]		Investigator[2945]	Juveniles), Department of Juvenile Justice Mortality Review Team[2946]		cases[2948]	Director of Juvenile Justice[2949]
Indiana	Subset, all unnatural deaths[2950]	No[2951]	The coroner and the local law	N/A[2953]	N/A[2954]	N/A[2955]	No, but there is a plan to reduce violence[2956]

[2943] Illinois DOC policy 01.12.111 Section F. https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/112111%20Reporting%20of%20Deaths.pdf

[2945] Illinois DOC policy 01.12.111 Section F 1 j. https://idoc.illinois.gov/content/dam/soi/en/web/idoc/aboutus/policies/policies/administration-organization-and-management/112111%20Reporting%20of%20Deaths.pdf; will review the deceased's medical records and may request a summary of pertinent medical information to be kept in the file. Medical records will be given to the Agency Medical Director, along with investigative reports, autopsy reports, and the death certificate. Investigative and autopsy reports will also be submitted to the Chief Legal Counsel, and investigative reports will be sent to the Deputy Director or Chief and the Chief of Investigations and Intelligence.

[2946] 730 ILCS 195/15 https://www.ilga.gov/Legislation/ILCS/Articles?ActID=3268&ChapterID=55&Chapter=CORRECTIONS&MajorTopic=RIGHTS%20AND%20REMEDIES; conducts mortality reviews on all youth who die in-custody. The Director of the Department of Juvenile Justice will create a mortality review team and appoint both a chairperson and members within 30 days of a youth's death. The team will consist of a physician, a representative from the department, the state's attorney, a representative from local law enforcement, a psychologist or psychiatrist, a local health department representative, a designee from the Board of Education, etc.

[2948] 730 ILCS 190/20 https://www.ilga.gov/Legislation/ILCS/Articles?ActID=3268&ChapterID=55&Chapter=CORRECTIONS&MajorTopic=RIGHTS%20AND%20REMEDIES; the review team is responsible for determining the cause of death, evaluating the department's systems, and providing recommendations to the Director to prevent deaths of youth who are in the custody of the department.

[2949] 730 ILCS 190/20 https://www.ilga.gov/Legislation/ILCS/Articles?ActID=3268&ChapterID=55&Chapter=CORRECTIONS&MajorTopic=RIGHTS%20AND%20REMEDIES

[2950] https://codes.findlaw.com/in/title-36-local-government/in-code-sect-36-2-14-6/ Section 6 a

[2951] Investigations are required for all unnatural deaths. Indiana policies do not mention requests for investigations.

[2953] Aside from medical investigations, Indiana does not have a publicly accessible policy that outlines how investigations are conducted.

[2954] Indiana does not have a publicly accessible policy that outlines oversight of the DOC or deaths.

[2955] Aside from medical investigations, Indiana does not have a publicly accessible policy that outlines how investigations are conducted.

[2956] https://www.in.gov/idoc/files/policy-and-procedure/policies/02-03-114-Incident-Monitoring-4-1-2022.pdf IDOC policy 02-03-114 Section XII; the Incident Management database will be reviewed to reduce violence by identifying trends in repeated incidences.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			enforcement agency[2952]				
Iowa	Yes, all in-custody deaths.[2957]	N/A[2958]	Medical Examiner,[2959] Iowa Department of Public Safety, Division of Criminal Investigation[2960]	N/A[2961]	Yes, Office of the Ombudsman[2962]	N/A[2963]	N/A[2964]
Kansas	Subset, all unnatural	N[2966]	The Kansas Bureau of	Yes, conducted	No, Not independent[296]	No[2970]	No[2971]

[2952] https://codes.findlaw.com/in/title-36-local-government/in-code-sect-36-2-14-6/ Section 6 a
[2957] https://www.legis.iowa.gov/docs/code/331.802.pdf Section C; All deaths of people in prison or a correctional institution are investigated.
[2958] Investigations do not need to be requested, they are required for all in-custody deaths.
[2959] https://www.legis.iowa.gov/docs/code/331.802.pdf; https://bja.ojp.gov/doc/dcra-plan-ia.pdf p 3-4
[2960] https://bja.ojp.gov/doc/dcra-plan-ia.pdf page 4; investigates cases "requiring criminal investigation."
[2961] Aside from medical investigations, Iowa does not have a publicly accessible policy that outlines how investigations are conducted.
[2962] https://www.legis.iowa.gov/docs/ico/chapter/2C.pdf Chapter 2 C; https://prisonoversight.org/oversight-bodies/prison-oversight/iowa/
[2963]Aside from medical investigations, Iowa does not have a publicly accessible policy that outlines how investigations are conducted.
[2964] Aside from medical investigations, Iowa does not have a publicly accessible policy that outlines how investigations are conducted.
[2966] Investigations are required for all unnatural deaths. Kansas policies do not mention requests for investigations.
[2970] Kansas policies regarding investigations do not mention recommendations for corrective action.
[2971] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	deaths[2965]		Investigation[2967]	by the Director of Healthcare Compliance[2968]	[9]		
Kentucky	Subset, insinuates in cases of homicide and unnatural death[2972]	No[2973]	Deputy Commissioner of Adult Institutions [2974]	No[2975]	No[2976]	No[2977]	No[2978]

[2965] K.S.A. 75-52,147 https://www.kslegislature.gov/li_2012/b2011_12/statute/075_000_0000_chapter/075_052_0000_article/075_052_0; Investigations are required when the cause of death was unnatural. When the cause of death was natural, "An investigation is not required." This is determined and "certified by an autopsy, death certificate, or licensed physician of the prisoner, who attended to him."

[2967] K.S.A. 19-1935 https://www.kslegislature.gov/li/b2025_26/statute/019_000_0000_chapter/019_019_0000_article/019_019_0035_section/019_019_0035_k/; investigation of every in-custody death of the city or county is required by the Kansas Bureau of Investigation.

[2968] Kansas DOC Policy 01-114D Section VIII https://public.powerdms.com/KansasDOC/tree/documents/1546601; The Director of Healthcare Compliance will conduct a mortality review of every in-custody death that occurs in DOC facilities. The review will be kept within the KDOC Central Office.

[2972] Kentucky DOC Policy 8.7 Section B https://corrections.ky.gov/About/cpp/Documents/08/CPP%208.7%20Effective%202025%20-%202-4-25.pdf; the Commissioner and Deputy Commissioner of Institutions will be notified in the case of homicide or unnatural death.

[2973] Investigations are required in cases of homicide and unnatural death. Kentucky policies do not mention requests for investigations.

[2974] Kentucky DOC Policy 8.7 Section B https://corrections.ky.gov/About/cpp/Documents/08/CPP%208.7%20Effective%202025%20-%202-4-25.pdf

[2975] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[2976] https://apps.legislature.ky.gov/recorddocuments/bill/19RS/hb264/orig_bill.pdf, https://apps.legislature.ky.gov/record/19rs/hb264.html; In 2019, a bill was introduced to create a new section of KRS Chapter 441 that would create an External Detainee Fatality Review Panel. The bill appears to not have made it past being introduced to the House and referred to the judiciary in February of 2019.

[2977] Kentucky policies regarding investigations do not mention recommendations for corrective action.

[2978] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**

Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
Louisiana	Yes, all in-custody deaths[2979]	N/A[2980]	The Coroner[2981]	No[2982]	No[2983]	N/A[2984]	N/A[2985]
Maine	Yes, insinuates all in-custody deaths[2986]	N/A[2987]	Health Services Administrator and the DOC Director of Operations[2988]	Yes, conducted by the Health Services Administrator, Mortality and Morbidity	No[2990]	Yes[2991]	No[2992]

[2969] K.S.A. 75-52,147 https://www.kslegislature.gov/li_2012/b2011_12/statute/075_000_0000_chapter/075_052_0000_article/075_052_0147_section/075_052_0147_k/; the Bureau will create a report of their findings for each in-custody death and will make it available to the Senate Judiciary Committee, the House Corrections and Juvenile Justice Committee, and the legislature. The report will become available to the public through Kansas' Open Records Act.
[2979] LA Rev Stat §13:5713 https://law.justia.com/codes/louisiana/revised-statutes/title-13/rs-13-5713/; All deaths "in prison or while serving a sentence" are investigated by the coroner.
[2980] Investigations do not need to be requested, they are required for all in-custody deaths.
[2981] LA Rev Stat §13:5713 https://law.justia.com/codes/louisiana/revised-statutes/title-13/rs-13-5713/; The coroner conducts an autopsy in order to determine the cause of death.
[2982]Incarceration Transparency, Louisiana Deaths Behind Bars 2015-2021
[2983] Incarceration Transparency, Louisiana Deaths Behind Bars 2015-2021
[2984] Aside from medical investigations, Louisiana does not have a publicly accessible policy that outlines how investigations are conducted.
[2985] Ibid.
[2986] 18.21(AF) Adult Resident Death Procedure C
[2987] Investigations do not need to be requested, they are required for all in-custody deaths.
[2988] 18.21(AF) Adult Resident Death Procedure C; the facility Health Services Administrator (HSA) must complete an initial mortality review within thirty (30) days of the individual's death, including a review of the individual's healthcare record and the Medical Examiner's Report. Unless the individual's death was expected, an additional operational death in custody review is required to be carried out by the Department's Director of Operations within 60 days of the death.
[2990] Maine policies do not mention an independent oversight body.
[2991] 18.21(AF) Adult Resident Death Procedure C; The Department of Corrections evaluates if any non-health care related events may have contributed to the individual's death, such as staff training, staff patterns, staff actions, or compliance.
[2992] 18.21(AF) Adult Resident Death Procedure C; does not suggest that a response or follow up to recommendations is required.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
				Meeting[2989]			
Maryland	Subset, all unattended or concerning deaths[2993]	No[2994]	Medical Examiner,[2995] Executive Mortality Review Committee[2996]	Yes, Executive Mortality Review Committee[2997], Quarterly Qualitative Mortality Review Committee[2998]	Yes, Office of Correctional Ombudsman[2999]	Yes[3000]	No[3001]
Massachusetts	Yes, Medical Examiner takes	Yes[3003]	Medical Investigation Response	Yes, the Performance	No[3006]	Yes[3007]	Yes[3008]

[2989] 18.21(AF) Adult Resident Death Procedure C; at the next Mortality and Morbidity meeting, the HSA presents this initial review, notifying department staff who need to attend. Following the Morbidity and Mortality meeting, the HSA must complete a written initial mortality report, including any relevant staff input that was shared during the meeting.
[2993] DOC Policy OPS.270.0003 - 0.5(A)
[2994] Investigations are required for all unattended or concerning deaths. Maryland policies do not mention requests for investigations.
[2995] An Independent Audit of Restraint-Related Death Investigations pg. 9
[2996] DOC Policy OPS.270.0003 - 0.5(A)
[2997] DOC Policy OPS.270.0003 - 0.5(A); conducts a structured and non-punitive review of in custody deaths within the Department.
[2998] DOC Policy OPS.270.0003 - 0.5(A); DOC Policy OPS.270.0003 - 0.5(B); obligated to meet quarterly to review all deaths of incarcerated individuals, review EMRC reports from the preceding quarter, and review relevant submitted facility corrective action plans.
[2999] https://prisonoversight.org/oversight-bodies/prison-oversight/maryland/
[3000] DOC Policy OPS.270.0003 - 0.5(A); The EMRC identifies and corrects any issues, policy or practice gaps, training needs, or other necessary improvements for the Department.
[3001] DOC Policy OPS.270.0003 - 0.5(A); does not suggest that a response or follow up to recommendations is required.
[3003] 103 DOC 622.08; the Deputy Commissioner of the Prison Division has the role of activating the Medical Investigation Team.
[3006] Massachusetts policies do not mention an independent oversight body.
[3007] 103 DOC 622.09; final reports and recommendations will be sent by the Mortality Review Committee. Once they have been sent to relevant entities, they have a maximum of 30 days to respond, returning them to the Director of Clinical Services or Director of Behavioral Health for review.
[3008] 103 DOC 622.09; a report on the progress of recommendations must be submitted to the Assistant Deputy Commissioner of Clinical Services and Deputy Commissioner of Classification, Programs and Reentry Services.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	jurisdiction of all deaths[3002]		Team[3004]	Mortality Review Committee (see restrictions)[3005]			
Michigan	Subset, all unexpected deaths[3009]	No[3010]	Internal Affairs, Inspector[3011]	No[3012]	Yes, Legislative Corrections Ombudsman[3013]	Yes[3014]	Yes[3015]
Minnesota	Subset, all violent and unusual or unnatural	No[3017]	Forensic Pathologist Specialist[3018], DOC director	Yes, the Medical Death Review	Yes, Office of the Ombuds for Corrections	Yes[3022]	Yes[3023]

[3002] 103 DOC 622.05
[3004] 103 DOC 622.08
[3005] 103 DOC 622.09; for deaths by suicide or occuring within seventy-two hours of being sent to an outside hospital, giving the Deputy Commissioner of Clinical Services and Reentry authorization to waive this requirement if the individual's end of life was expected imminently before their death.
[3009] PD 04.06.110(J)
[3010] Investigations are required for all unexpected deaths. Michigan policies do not mention requests for investigations.
[3011] PD 01.01.140(U); an Internal Affairs monitored investigation means that the investigation is handled by the facility, however, investigations of unexpected deaths specifically must be assigned to an Inspector or higher-level employee.
[3012] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3013] M.C.L.A 4.354; the Ombudsman may investigate after receiving a complaint from an incarcerated individual, legislator, of themself concerning an administrative act alleged to violate law or departmental policy.
[3014] PD 01.05.120; the Post Incident zReport, submitted to the Deputy Director, should include a plan of action as well as any staff responsible for correcting any deficiencies.
[3015] PD 01.05.120 Y-BB; Director, Deputy Director, or ADD may request a post-incident review for further analysis, in which the Director may convene a Post Incident Review Committee that would request further information or investigation.
[3017] Investigations are required for all violent, unusual, or unnatural deaths. Minnesota policies do not mention requests for investigations.
[3018] DOC Policy 203.230; within the Office of Special Investigations (OSI).
[3022] DOC Policy 500.220; within the same 30 days of the individual's death, the DOC medical director must conduct a preliminary medical review, including clinic diagnosis, anatomical diagnosis, and recommendations for immediate correction action, when needed.
[3023] DOC Policy 203.230; the tracking of any corrective actions is done by the health, recovery, and programming director, including information on recommended corrective actions and the person responsible for them, the action taken, and the completed date.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	deaths[3016]		of nursing[3019]	Committee [3020]	(OBFC)[3021]		
Mississippi	Yes, all in-custody deaths[3024]	N/A[3025]	State Medical Examiner[3026]	No[3027]	Yes, Corrections and Criminal Justice Oversight Task Force[3028]	No, but DOJ has investigated MDOC and made recommendations, such as in 2024[3029]	No[3030]
Missouri	Yes, all	N/A[3032]	The DOC's	Yes,	No, there have	Yes[3036]	No[3037]

[3016] https://www.revisor.mn.gov/statutes/2010/cite/390.11; in-custody deaths of individuals "who have not been hospitalized primarily for organic disease" should be reported to the coroner or medical examiner for investigation. Minn. Stat. 390.32 Subd. 1; This statute says that investigations are required by the sheriff for violent and unusual deaths.
[3019] DOC Policy 500.220; DOC director of nursing is obligated to conduct a preliminary review focusing on nursing practices within 30 days of the individual's death.
[3020] DOC Policy 500.220; the DOC medical director must convene a medical death review within 90 days of the death, or when all necessary records for review are available.
[3021] Minn. Stat. 241.93; establishes the powers of the ombudsperson, as well as processes for investigations, receival of complaints, and processes following the conclusion of an investigation. Minn. Stat. 241.93 - Subd. 4; the ombudsperson may receive complaints from any sources and also may investigate any action of an administrative agency, through personal motivation or as a result of another's complaint. Once completing the investigation of a complaint, the ombudsperson must notify the complainant, the administrative agency, and the relevant official.
[3024] Mississippi Code Title 47. Prisons and Prisoners; Probation and Parole § 47-5-151; All deaths found on MDOC premises will be investigated.
[3025] Investigations do not need to be requested, they are required for all in-custody deaths.
[3026] Mississippi Code Title 47. Prisons and Prisoners; Probation and Parole § 47-5-151; The district attorney provides the State medical examiner's investigative report to a grand jury who decides whether the report indicates suspicion or wrongdoing and if a thorough investigation into the cause of death is needed.
[3027] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3028] 2014_House Bill 585.Page 179-180, Section 68; In 2014, the Mississippi Legislature established a Corrections and Criminal Justice Oversight Task Force to submit annual reports on the criminal justice system with recommendations for improvement. The Corrections and Criminal Justice Oversight Task Force includes the Commissioner of the Department of Corrections and the President of the Mississippi's Sheriff's Association. https://www.themarshallproject.org/2026/02/04/mississippi-prisons-deaths-oversight-bill#:~:text=Following%20the%20news%20investigation%2C%20prison,can%20sit%20on%20the%20committee; the task force has no enforcement authority.
[3029] https://www.justice.gov/crt/media/1340191/dl page 57, D. Deaths and sentinel events; these recommendations indicate that there were no existing policies or procedures for centralizing autopsies, investigating deaths, or reviewing deaths.
[3030] https://www.justice.gov/crt/media/1340191/dl page 57, D. Deaths and sentinel events;
[3032] Investigations do not need to be requested, they are required for all in-custody deaths.
[3036] https://doc.mo.gov/glossary; Administrative Mortality Review and Clinical Mortality Review include identifying areas of improvement.
[3037] https://doc.mo.gov/glossary; does not suggest that a response or follow up to recommendations is required.

Table 25. **Independent Oversight and Investigation of Deaths Grid**

Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	in-custody deaths[3031]		investigative unit, local law enforcement, county coroner[3033]	Administrative Mortality Review and Clinical Mortality Review[3034]	been recent bills to establish an Ombudsperson[3035]		
Montana	Yes, all in-custody deaths[3038]	N/A[3039]	Medical Examiner or Coroner, Morality Reviews[3040]	Yes, Clinical Morality Review and Administrative Review[3041]	No[3042]	Yes[3043]	No[3044]

[3031] https://theappeal.org/missouri-prison-death-records-secrecy/
[3033] https://theappeal.org/missouri-prison-death-records-secrecy/; all deaths in custody are investigated by MDOC's investigative unit and local law enforcement is notified.
[3034] https://doc.mo.gov/glossary; note, however, 12-6-14, IS11-11.1 is not publicly available and neither term is listed in the Missouri DOC Inmate Handbook.
[3035] House Bill No. 603 Page 4, 218.015, 2 (5) (a); House Bill No. 603 Page 8, 218.019, 1 (9); bill introduced in 2025 to establish an ombudsperson for the Missouri Department of Corrections who would establish a state wide reporting system to collect data and review complaints related to deaths of incarcerated people. The ombudsperson would also be required to submit a report including a summary of all the inmate deaths occurring at each MDOC facility. There is also a similar bill in the State Senate (MO SB378 page 6, 217.960, 3 (10)).
[3038] Montana Department of Corrections Policies Policy No. DOC 4.5.34 "OFFENDER DEATH," 680, F. Review by Medical Examiner/Coroner ; MWP-4.5.34-Inmate-Death
[3039] Investigations do not need to be requested, they are required for all in-custody deaths.
[3040] Montana Department of Corrections Policies Policy No. DOC 4.5.34 "OFFENDER DEATH," 680, F. Review by Medical Examiner/Coroner ; MWP-4.5.34-Inmate-Death; Montana Department of Corrections Policies Policy No. DOC 4.5.34 "OFFENDER DEATH," 679-680, E. Death Reviews and F. Review by Medical Examiner/Coroner
[3041] Montana Department of Corrections Policies Policy No. DOC 4.5.34 "OFFENDER DEATH," 679-680, E. Death Reviews and F. Review by Medical Examiner/Coroner; the policy requires a multidisciplinary Clinical Mortality Review within thirty to sixty working days involving legal, medical, mental health, and custody personnel to assess symptom patterns, intervention adequacy, and systemic issues. A separate administrative review with custody staff is also conducted.
[3042] Montana policies do not mention an independent oversight body.
[3043] Montana State Prison Standard Operating Procedures Manual MSP HS A-09 PROCEDURES IN THE EVENT OF INMATE DEATH," page 717, D. Mortality Review; corrective action recommended following mortality reviews is monitored and reviewed via Continuous Quality Improvement (CQI) process.
[3044] Montana State Prison Standard Operating Procedures Manual MSP HS A-09 PROCEDURES IN THE EVENT OF INMATE DEATH," page 717, D. Mortality Review; does not suggest that a response or follow up to recommendations is required.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
Nebraska	Yes, all in-custody deaths[3045]	N/A[3046]	Grand Jury, three-officer investigative team,[3047] Office of Inspector General[3048]	No[3049]	Yes, external investigative team[3050] and Office of Inspector General[3051]	Yes[3052]	No[3053]
Nevada	Yes, all in-custody deaths[3054]	N/A[3055]	Coroners, DOC Inspector	No[3057]	Partial, Office of Ombudsman[30]	No[3059]	No[3060]

[3045] Neb. Rev. Stat. § 29-1401 4; requires district courts to convene a grand jury when an inmate dies in custody.
[3046] Investigations do not need to be requested, they are required for all in-custody deaths.
[3047] Neb. Rev. Stat. § 29-1401 4; specifically states "District courts shall call a grand jury in each case upon certification by the county coroner or coroner's physician that a person has died while being apprehended by or while in the custody of a law enforcement officer or detention personnel."
[3048] Office of Inspector General of the Nebraska Correctional System ; NRCCO Office of the Inspector General of the Nebraska Correctional System (OIG); https://nebraskalegislature.gov/divisions/oversight.php#:~:text=The%20Division%20of%20Legislative%20Oversight,statutory%20goals%2C%20and%20operate%20efficiently; The OIG is housed within the Division of Legislative Oversight, which reports to the Legislative Oversight Committee.
[3049] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3050] Neb. Rev. Stat. § 29-1401 4 (c) ; GJ-1-18.; the county attorney who is also the prosecuting attorney must appoint a three-officer investigative team trained in homicide investigations, and at least two investigators must be from outside the agency where the death occurred.# The investigative team then examines the evidence and presents findings to the prosecuting attorney. A grand jury must be convened within 30 days after the coroner's certification of death unless the court grants an extension.
[3051] Office of Inspector General of the Nebraska Correctional System ; NRCCO Office of the Inspector General of the Nebraska Correctional System (OIG); the Office of Inspector General (OIG) of the Nebraska Correctional System was created in 2015 to increase oversight and accountability of the NDCS.
[3052] Inspector General of Corrections 2025 Annual Report
[3053] Inspector General of Corrections 2025 Annual Report; does not suggest that a response or follow up to recommendations is required.
[3054] AR 420 Inmate Death or Serious Injury ProcedureRequest Document Remediation - AR 420 Inmate Death or Serious Injury Procedure 420.1 6C
[3055] Investigations do not need to be requested, they are required for all in-custody deaths.
[3057] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3059] Nevada policies regarding investigations do not mention recommendations for corrective action.
[3060] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			General and law enforcement officials[3056]		[58]		
New Hampshire[3061]	Yes, all in-custody deaths.[3062]	N/A[3063]	Investigations Bureau, Medical Examiners[3064]	No[3065]	N/A[3066]	No[3067]	No[3068]
New Jersey	Yes, all in-custody	Yes, Chief State Medical	Medical Examiner,	No[3074]	Yes, Office of the	Yes[3076]	Yes[3077]

[3056] AR 420 Inmate Death or Serious Injury ProcedureRequest Document Remediation - AR 420 Inmate Death or Serious Injury Procedure 420.1 6C; AR 420 Inmate Death or Serious Injury ProcedureRequest Document Remediation - AR 420 Inmate Death or Serious Injury Procedure 420.1 10; Criminal investigations are conducted by the Department of Correction's Inspector General and relevant law enforcement officials like the local sheriff, Department of Public Safety, Investigations Division, and Attorney General.
[3058] https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10460/Text section 2.5; in 2023, Assembly Bill 452 created the Office of the Ombudsperson for Offenders. The Office of the Ombudsperson is supposed to be impartial and operationally independent; however, it is an office within the Nevada DOC and the Board of State Prison Commissioners appoints the Ombudsperson, https://prisonoversight.org/oversight-bodies/prison-oversight/nevada/; however, no one has been appointed to lead the Office of the Ombudsperson, none of the annual statutorily mandated reports have been issued, and the Office of the Ombudsperson does not have a website.
[3061] https://public.powerdms.com/NHDCNH/tree/documents/2484400; NHDC PPD 358 Crime Scene Investigations is not publicly available to give more insights into how investigations are conducted.
[3062] https://law.justia.com/codes/new-hampshire/title-lix/chapter-611-b/section-611-b-11/; The medical examiner will investigate all deaths "occurring in legal custody, including any death that occurs in any prison or penal institution." https://www.corrections.nh.gov/sites/g/files/ehbemt536/files/documents/1073-internal-affairs-policy.pdf d (8); all deaths that occur when foul play was suspected will be investigated by the Investigations Bureau.
[3063] Investigations do not need to be requested, they are required for all in-custody deaths.
[3064]https://www.corrections.nh.gov/sites/g/files/ehbemt536/files/documents/1073-internal-affairs-policy.pdf d (8); The Investigations Bureau within the Division of Professional Standard is in charge of investigating in custody deaths. https://law.justia.com/codes/new-hampshire/title-lix/chapter-611-b/section-611-b-11/
[3065] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3066] New Hampshire does not have a publicly accessible policy that outlines oversight of the DOC or deaths.
[3067] New Hampshire policies regarding investigations do not mention recommendations for corrective action.
[3068] Ibid.
[3074] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3076]https://trackbill.com/bill/new-jersey-assembly-bill-3979-dignity-for-incarcerated-primary-caretaker-parents-act/1590603/ section 9. b page 10.
[3077]https://trackbill.com/bill/new-jersey-assembly-bill-3979-dignity-for-incarcerated-primary-caretaker-parents-act/1590603/ section 9. b page 10.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	deaths.[3069]	Examiner[3070]	Attorney General,[3071] Independent Investigator,[3072] OPIA[3073]		Corrections Ombudsperson[3075]		
New Mexico	Yes, all in-custody deaths[3078]	N/A[3079]	Office of the Medical Examiner, Mortality Review Committees[3080]	Yes, the Complex Mortality Review Committee and the Joint Mortality Review Committee	No[3082]	Yes[3083]	Yes[3084]

[3069] https://law.justia.com/codes/new-jersey/title-26/section-26-6b-10/

[3070]https://law.justia.com/codes/new-jersey/title-26/section-26-6b-10/ c. 3(a); the investigative findings and collected evidence must be made available to the county prosecutor and the Chief State Medical Examiner at their request.

[3071] https://www.nj.gov/oag/excellence/docs/2019-4_Independent_Prosecutor_Directive.pdf; the Attorney General must supervise the investigation of all in-custody deaths but the protocols for the investigation depends on whether the death could plausibly be linked to law-enforcement use of force.

[3072] H. Step 8: Grand Jury Proceedings. 11-12; in cases of use of force.

[3073] III. Death-in-Custody Investigations C. Death not involving use of force. 13; oversees the investigation and assigns investigators from the county prosecutor's office where the death occurred.

[3075] https://law.justia.com/codes/new-jersey/title-52/section-52-27ee-26/ a & e. https://law.justia.com/codes/new-jersey/title-52/section-52-27ee-28/ b. 15; the New Jersey Office of the Corrections Ombudsperson is an independent agency within the Department of the Treasury and appointed by the Governor to serve five-year terms. While deaths in custody are not specifically mentioned in Corrections Ombudsperson authorizing statute, the Ombudsperson is authorized to review criminal investigations and ensure their accuracy and impartiality without itself investigating alleged criminal behavior.

[3078] https://www.cd.nm.gov/wp-content/uploads/2023/12/CD-172100.pdf A. In the event of an inmate death.

[3079] Investigations do not need to be requested, they are required for all in-custody deaths.

[3080] https://www.cd.nm.gov/wp-content/uploads/2023/12/CD-172100.pdf A. In the event of an inmate death; B. CONFIDENTIALITY OF THE QUALITY REVIEW FINDINGS: and C. Joint Mortality Review Committee (JMRC) page 2-3.

[3082] New Mexico policies do not mention an independent oversight body.

[3083] B. CONFIDENTIALITY OF THE QUALITY REVIEW FINDINGS: and C. Joint Mortality Review Committee (JMRC) page 2-3; the JMRC makes recommendations on policy and procedural changes of staff, as well as avoidable deaths.

[3084] Ibid Section C 2; the New Mexico Corrections Department (NMCD) medical director must "recommend any corrective action plans" based on the report. The report is additionally sent to the deputy director of prisons for the NMCD.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
				[3081]			
New York	Yes, all in-custody deaths[3085]	N/A[3086]	State Commission of Corrections Medical Review Board,[3087] Office of Special Investigations [3088]	No[3089]	Partial[3090]	Yes[3091]	Yes[3092]
North Carolina	Yes, all in-custody deaths[3093]	N/A[3094]	Department of Adult Correction, law	No[3096]	Partial, the State Bureau of Investigations.	No[3098]	No[3099]

[3081] B. CONFIDENTIALITY OF THE QUALITY REVIEW FINDINGS: and C. Joint Mortality Review Committee (JMRC) page 2-3; for all deaths of inmates in NMCD custody, the facility Health Services will convene a Complex Mortality Review Committee, made up of staff from the facility, and then a Joint Mortality Review Committee, made up of NMCD Health Services Bureau staff, to review the autopsy and toxicology and the health care provided and provide recommendations for corrective action. In the case of an inmate suicide, a Suicide Review Committee is also convened.
[3085] https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf page 6; SCOC must submit a report on the incarcerated individual's death and send the information to the medical review board, within 10 days of the death.
[3086] Investigations do not need to be requested, they are required for all in-custody deaths.
[3087] https://doccs.ny.gov/system/files/documents/2025/11/4013-public.pdf page 6; https://doccs.ny.gov/system/files/documents/2025/05/0700.pdf page 4,5.
[3088] https://doccs.ny.gov/system/files/documents/2025/05/0700.pdf
[3089] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3090] https://prisonoversight.org/oversight-bodies/prison-oversight/new-york/; the Correctional Association of New York provides oversight to the state's facilities.
[3091] https://doccs.ny.gov/system/files/documents/2025/05/0700.pdf page 9; OSI writes recommendations to improve the policy and operations of the department. They write recommendations to the Deputy Commissioner.
[3092] https://doccs.ny.gov/system/files/documents/2025/05/0700.pdf page 9; A written response to the recommendations, accepting them or providing reason for why they will not be accepted, "shall be provided to OSI by the relevant Deputy Commissioner within 45 days of the recommendation(s)."
[3093] DOC Policy Ch. F.4105(1); requires the institution to investigate all deaths in prison, completing the investigation cover sheet summary and forwarding it to the Facility Head.
[3094] Investigations do not need to be requested, they are required for all in-custody deaths.
[3096] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3098] North Carolina policies regarding investigations do not mention recommendations for corrective action.
[3099] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			enforcement[3095]		[3097]		
North Dakota[3100]	Yes, all in-custody deaths.[3101]	Yes, facilities request investigation from the Bureau of Criminal Investigation or the Highway Patrol[3102]	Coroner and State Forensic Examiner's offices, Bureau of Criminal Investigation[3103]	No[3104]	No[3105]	No[3106]	No[3107]

[3095] N.C. Gen. Stat. §148-25; DOC Policy Ch. F.4105(d)

[3097] NC SBI Website - History Page; NC SBI 2025-2029 Strategic Plan; the N.C. State Bureau of Investigation (SBI) is an independent cabinet-level agency under the Department of Public Safety, directly reporting to the governor, supporting state and local law enforcement agencies on death in custody cases. However, the SBI does not conduct original criminal investigations on deaths in custody.

[3100]https://www.docr.nd.gov/sites/www/files/documents/jails/Jail%20Standards/2026%20Correctional%20Facility%20Standards.pdf 10-11 standard 28; significant Incident Reporting forms must be submitted to the DOCR Office of Facility Inspections within one hour of deaths in custody; if notification time exceeds an hour then a justification must be given for the delay.

[3101] https://codes.findlaw.com/nd/title-11-counties/nd-cent-code-sect-11-19-1-01/ 5 (n); the local coroners office and the State Forensic Examiner's Office investigate all in custody deaths.

[3102] https://codes.findlaw.com/nd/title-11-counties/nd-cent-code-sect-11-19-1-01/5 (n)

[3103] https://codes.findlaw.com/nd/title-11-counties/nd-cent-code-sect-11-19-1-20/

[3104] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[3105] https://www.docr.nd.gov/correctional-facility-standards-inspections; N.D.C.C. § 12-44.1-24 requires the NDDOC to appoint a correctional facility inspector to inspect each correctional facility once a year to ensure that NDDOC rules and regulations are being followed.

[3106] North Dakota policies regarding investigations do not mention recommendations for corrective action.

[3107] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
Ohio	Subset, determined by the managing officer [3108]	No[3109]	Institutional Investigator, Ohio State Highway Patrol[3110]	No[3111]	Partial[3112]	No[3113]	No[3114]
Oklahoma	Yes, all in-custody	N/A[3116]	Chief Medical Examiner,	Yes, mortality	Partial[3120]	No[3121]	No[3122]

[3108]https://drc.ohio.gov/wps/wcm/connect/gov/a6b8bdc4-d3b9-43c7-871c-90cb4e4f3374/09-INV-04.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-a6b8bdc4-d3b9-43c7-871c-90cb4e4f3374-pLC8lbSn 1, 7; while each ODRC facility must have an institutional investigator, if they uncover evidence that could lead to a criminal investigation, they must receive authorization from the Ohio State Highway Patrol or other agencies conducting a criminal investigation to proceed with their administrative investigation.

[3109] Investigations are conducted when deemed necessary by the managing officer. Ohio policies do not mention requests for investigations.

[3110]https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6 D.2;
https://drc.ohio.gov/wps/wcm/connect/gov/ad7accf2-b0cd-40e5-b42d-d1ff43adf17d/66-ILL-02.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-ad7accf2-b0cd-40e5-b42d-d1ff43adf17d-pM65oV6 D

[3111] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[3112] https://law.justia.com/codes/ohio/2024/title-1/chapter-103/section-103-71/,
https://law.justia.com/codes/ohio/2024/title-1/chapter-103/section-103-73/,
https://www.legislature.ohio.gov/legislation/136/hb96/documents;
https://search-prod.lis.state.oh.us/api/v2/general_assembly_136/legislation/hb96/07_EN/pdf/,
https://codes.ohio.gov/ohio-revised-code/section-109.39,
https://www.ohioattorneygeneral.gov/Files/Reports/CFIS-Annual-Reports/2025-CFIS-AR_WEB.aspx; finally, Ohio Rev. Code § 103.71, effective 2023, established the Correctional Institution Inspection Committee (CIIC), a subcommittee of the Legislative Service Commission, to inspect ORDC facilities biannually and report its findings to the General Assembly. owever, the 2025-27 Ohio state budget (HB 96) completely defunded and abolished CIIC and instead established the Office of Correctional Facility Inspection Services (CFIS) within the attorney general's office. CFIS released its 2025 Annual Report but deaths in custody were not addressed.

[3113] Ohio policies regarding investigations do not mention recommendations for corrective action.

[3114] Ibid.

[3116] Investigations do not need to be requested, they are required for all in-custody deaths.

[3120] https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf page 3l if the mortality review is conducted by the "independent professional review organization." Additionally, in cases in which there is a "quality concern," the Chief Medical Officer appoints a physician, who appoints a Mortality Review Committee of four clinicians to prepare a secondary review and report of the death.

[3121] Oklahoma policies regarding investigations do not mention recommendations for corrective action.

[3122] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	deaths[3115]		law enforcement agency,[3117] Office of Inspector General[3118]	reviews, Mortality Review Committee [3119]			
Oregon	Yes, all adult in-custody deaths[3123]	N/A[3124]	State Police, Office of the Inspector General,[3125] Medical Examiner[3126]	No[3127]	Yes, Ombudsman appointed by the Governor.[3128]	No[3129]	No[3130]
Pennsylvania	Yes, all	N/A[3133]	Clinical	Yes,	No[3136]	Yes[3137]	No, Not

[3115] https://www.ohioattorneygeneral.gov/Files/Reports/CFIS-Annual-Reports/2025-CFIS-AR_WEB.aspx; the Office of the Chief Medical Examiner is notified of all inmate deaths. OCME decides whether an autopsy, external examination, and/or medical records needs to be reviewed to determine cause and manner of death.
[3117] https://law.justia.com/codes/oklahoma/title-63/section-63-945/ C.1
[3118] https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf page 1; in cases where the death was suspicious or unexpected.
[3119] https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf page 3; conducted by either medical administrative staff and/or "an independent professional review organization" within 30 days of the death. A Mortality Review Committee is only convened if a secondary review is deemed necessary, due to a "significant quality concern" with the first review.
[3123] https://www.oregon.gov/doc/rules-and-policies/Documents/70-1-4.pdf Section II A, Section III D 5.
[3124] Investigations do not need to be requested, they are required for all in-custody deaths.
[3125] https://www.oregon.gov/doc/rules-and-policies/Documents/70-1-4.pdf Section III D, Section 10; Oregon State Police are responsible for investigating Adult in Custody deaths. The Office of the Inspector General is responsible for investigating deaths that involve criminal acts.
[3126] https://oregon.public.law/statutes/ors_146.095 1.
[3127] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3128] https://prisonoversight.org/oversight-bodies/prison-oversight/oregon/.
[3129] Oregon policies regarding investigations do not mention recommendations for corrective action.
[3130] Ibid.
[3133] Investigations do not need to be requested, they are required for all in-custody deaths.
[3136] Pennsylvania policies do not mention an independent oversight body.
[3137] PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-10; recommendations and plans-of-action shall be included in the clinical review.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
[3131]	in-custody deaths.[3132]		Review Committee, Suicide Prevention Committee[3134]	Clinical Review Committee [3135]			required[3138]
Rhode Island	Subset, all suspicious deaths[3139]	No[3140]	State Medical Examiners, State Police[3141]	No[3142]	No[3143]	No[3144]	No[3145]

[3131] PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-10; Specific cases for suicide, including a Clinical Review Team.
[3132] PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-4; in events of a non-suicide death, a clinical review shall be conducted as soon as possible after receipt of relevant information.
[3134] PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-4; PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-10.
[3135] PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-4; the clinical review committee consists of the Deputy Superintendent for Centralized Services (DSCS), the Deputy Superintendent for Facilities Management (DSFM), CHCA, and appropriate medical staff. The Medical Director/designee shall serve as chairperson of the clinical review. The clinical review committee shall conduct a thorough review of the inmate's medical record, history of the fatal condition, and a review of events that precipitated the death.
[3138] PDOC, Management and Administration of Health Care Procedures Manual § 13.1.1, Section 9, "Notification and Clinical Review of Inmate Deaths, Attempted Suicides, and Serious Self-Injurious Behavior," 9-4; the Chief of Clinical Services may elect to perform an on-site clinical review, along with the Assistant Medical Director, and the Regional Quality Improvement (QI) Director within 60 days of receipt of the signed report to review procedures and clinical care related to the inmate's death.
[3139] https://law.justia.com/codes/rhode-island/title-23/chapter-23-4/section-23-4-7/ Section A
[3140] Investigations are required for all suspicious deaths. Rhode Island policies do not mention requests for investigations.
[3141] R.I. Gen. Laws § 23-4-6, Health and Safety ("State medical examiners commission"); Tim White, "Advocates Seek Greater Transparency from RIDOC After Inmate Deaths," WPRI-TV 12, https://www.wpri.com/news/local-news/west-bay/advocates-seek-greater-transparency-from-ridoc-after-inmate-deaths/
[3142] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3143]Tim White, "Advocates Seek Greater Transparency from RIDOC After Inmate Deaths," WPRI-TV 12, https://www.wpri.com/news/local-news/west-bay/advocates-seek-greater-transparency-from-ridoc-after-inmate-deaths/.
[3144] Rhode Island policies regarding investigations do not mention recommendations for corrective action.
[3145] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
South Carolina	Subset, for "almost every suspicious death in custody"[3146]	No[3147]	South Carolina Law Enforcement Division[3148]	No[3149]	No, South Carolina Law Enforcement Division[3150]	No[3151]	No[3152]
South Dakota	Yes, all in-custody deaths[3153]	N/A[3154]	The County Coroner[3155]	N/A[3156]	N/A[3157]	N/A[3158]	N/A[3159]
Tennessee	Yes, all in-custody	N/A[3161]	Tennessee Bureau of	No[3163]	No[3164]	No[3165]	No[3166]

[3146]South Carolina Law Enforcement Division, Death in Custody Reporting Act Implementation Plan (South Carolina Law Enforcement Division, 2024), https://bja.ojp.gov/doc/dcra-plan-sc.pdf.
[3147] Investigations are required for suspicious deaths. South Carolina policies do not mention requests for investigations.
[3148]South Carolina Law Enforcement Division, Death in Custody Reporting Act Implementation Plan (South Carolina Law Enforcement Division, 2024), https://bja.ojp.gov/doc/dcra-plan-sc.pdf.
[3149] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3150]South Carolina Law Enforcement Division, Death in Custody Reporting Act Implementation Plan (South Carolina Law Enforcement Division, 2024), https://bja.ojp.gov/doc/dcra-plan-sc.pdf; SLED acts as an independent investigator for local agencies.
[3151] South Carolina policies regarding investigations do not mention recommendations for corrective action.
[3152] South Carolina policies regarding investigations do not mention recommendations for corrective action.
[3153]23-14-18. Deaths to be investigated by coroner https://sdlegislature.gov/Statutes/23-14-18; the county coroner will investigate all deaths of correctional facilities.
[3154] Investigations do not need to be requested, they are required for all in-custody deaths.
[3155]23-14-18. Deaths to be investigated by coroner https://sdlegislature.gov/Statutes/23-14-18; the county coroner will investigate all deaths of correctional facilities.
[3156]Aside from medical investigations, South Dakota does not have a publicly accessible policy that outlines how investigations are conducted.
[3157]South Dakota does not have a publicly accessible policy that outlines oversight of the DOC or deaths.
[3158]Aside from medical investigations, South Dakota does not have a publicly accessible policy that outlines how investigations are conducted.
[3159]Ibid.
[3161] Investigations do not need to be requested, they are required for all in-custody deaths.
[3163] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.
[3164] Tennessee Office of Criminal Justice Programs, Death in Custody Reporting Act (DCRA) State Implementation Plan (U.S. Department of Justice, Bureau of Justice Assistance), https://bja.ojp.gov/doc/dcra-plan-tn.pdf; The OCJP Quality Assurance Unit (QA) as responsible for collecting and submitting DCRA Data, and exercises oversight on unfinished or pending investigations.
[3165] Tennessee policies regarding investigations do not mention recommendations for corrective action.
[3166] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	deaths[3160]		Investigation[3162]				
Texas[3167]	Yes, all in-custody deaths[3168]	N/A[3169]	Joint Morality Review Committee, Regional and Cluster Medical Director,[3170] Inspector	Yes, the Joint Morality Review Committee[3172]	No[3173]	No[3174]	No[3175]

[3160] Tenn. Code Ann. § 38-7-109, Investigation by County Medical Examiner. (a) https://law.justia.com/codes/tennessee/title-38/chapter-7/part-1/section-38-7-109/; the county medical examiner will investigate the circumstances of all reported deaths. Additionally, Tennessee Office of Criminal Justice Programs, Death in Custody Reporting Act (DCRA) State Implementation Plan (U.S. Department of Justice, Bureau of Justice Assistance), https://bja.ojp.gov/doc/dcra-plan-tn.pdf; Manner of death is determined through an investigation. Tennessee's Victim Services Unit ensures that TBI's mission is upheld by providing nonjudgmental social, informational, and practical support to all crime victims and survivors working with TBI.

[3162] Tennessee Office of Criminal Justice Programs, Death in Custody Reporting Act (DCRA) State Implementation Plan (U.S. Department of Justice, Bureau of Justice Assistance), https://bja.ojp.gov/doc/dcra-plan-tn.pdf; The TBI CJIS Support Center produces a law enforcement-related deaths report which provides information on the qualifying incidents that are submitted to TBI by state and local law enforcement agencies.

[3167] Texas Legislature. Texas Health & Safety Code Sec. 672.002. ESTABLISHMENT OF REVIEW TEAM. https://statutes.capitol.texas.gov/?tab=1&code=HS&chapter=HS.672&artSec=672.001; The Texas Health and Safety Code §§ 672.001-.013 permits, but does not require, a county to establish an adult fatality review team that may conduct reviews of unexpected deaths.

[3168] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual, effective April 15, 2025.VIII. Joint Mortality Review Committee; In addition to any unit-level death review that is performed, CMHC Policy Manual A-11.1 states that a Joint Mortality Review Committee will review each inmate death.

[3169]Investigations do not need to be requested, they are required for all in-custody deaths.

[3170] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual, effective April 15, 2025.VIII. Joint Mortality Review Committee.

[3172] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual, effective April 15, 2025.VIII. Joint Mortality Review Committee; The Committee serves as "a quality assurance/improvement activity that is protected from disclosure under Chapter 161.031-161.032 of the Texas Health and Safety Code".

[3173] Texas policies do not mention an independent oversight body.

[3174]Texas policies regarding investigations do not mention recommendations for corrective action.

[3175] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			General[3171]				
Utah	Yes, all in-custody deaths[3176]	N/A[3177]	Utah Commission on Criminal and Juvenile Justice[3178]	No[3179]	No[3180]	No[3181]	No[3182]
Vermont	Yes, all in-custody	N/A[3184]	Correctional Investigations	Yes[3186]	Yes, Prisoner's Rights Office	Yes[3188]	No[3189]

[3171] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death, A-11.1, Correctional Managed Health Care Policy Manual, effective April 15, 2025.VIII. Joint Mortality Review Committee; When an inmate's death does not occur from natural causes (such as suicide, homicide, accident, unexpected death or any death the physician is not willing to certify, or similar situations) other, the Warden/Facility Administrator shall contact the precinct Justice of the Peace, the nearest Justice of the Peace serving the county, or the county judge if no Justice of the Peace is available and notify the Inspector General's office or local law enforcement. State law requires the Justice of the Peace or Medical Examiner to personally inspect the body and to conduct an inquest as to the cause of the death.

[3176] https://le.utah.gov/xcode/Title26B/Chapter8/26B-8-S205.html?v=C26B-8-S205_2023050320230503; the medical examiner's office will investigate all deaths that occur in prisons. Bureau of Justice Assistance, Implementation Plan for Utah's DCRA (Death in Custody Reporting Act) Data Collection Infrastructure (Washington, DC: U.S. Department of Justice, October 2023), https://bja.ojp.gov/doc/dcra-plan-ut.pdf; the reporting of inmate mortality to be reported to the Utah Commission on Criminal and Juvenile Justice (CCJJ) is required. There is no policy found that indicates when in-custody deaths must be investigated.

[3177] Investigations do not need to be requested, they are required for all in-custody deaths.

[3178] Bureau of Justice Assistance, "Implementation plan for Utah's DCRA (Death in Custody Reporting Act) data collection infrastructure," (October 2023), https://bja.ojp.gov/doc/dcra-plan-ut.pdf.

[3179] Of the policies analyzed regarding who conducts investigations and independent oversight, there is no mention of an internal mortality review.

[3180] BillTrack50, "Bill Details — 1917922," BillTrack50, https://www.billtrack50.com/billdetail/1917922; a bill that would have increased standards and inspections for state correctional facilities and county jails failed to pass during the 2026 General Session of the Utah House of Representatives.

[3181] Utah policies regarding investigations do not mention recommendations for corrective action.

[3182] Ibid.

[3184] Investigations do not need to be requested, they are required for all in-custody deaths.

[3186] https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf Section 3; A team of DOC staff including representatives from the CIU, the Health and Wellness Division, and Facility Operations Division shall meet within 30 days of the completion of the medical review and CIU investigation to review all findings and implement recommendations.

[3188] National Resource Center for Correctional Oversight. "Vermont: Prison Oversight Bodies," https://prisonoversight.org/oversight-bodies/prison-oversight/vermont/ (while the PRO does not typically generate public materials, the Defender General and PRO attorneys testify before the Legislature and make recommendations on proposed legislation affecting people under sentence).

[3189] National Resource Center for Correctional Oversight, "Vermont: Prison Oversight Bodies," https://prisonoversight.org/oversight-bodies/prison-oversight/vermont/ (does not suggest that a response or follow up to recommendations is required).

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	deaths[3183]		Unit, Prisoner's Rights Office[3185]		(PRO)[3187]		
Virginia	Subset, all unnatural deaths[3190]	No[3191]	Office of Law Enforcement Services[3192]	No[3193]	Yes, designated Ombudsman[3194]	Yes[3195]	No[3196]

[3183] Vermont General Assembly. 13 V.S.A. § 5259: Duty to Investigate. In Title 13: Crimes and Criminal Procedure, Chapter 163: Public Defenders. https://legislature.vermont.gov/statutes/section/13/163/05259; the Defender General has a duty to investigate all deaths in custody.
[3185] https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf Section 3; When there is a death of an incarcerated individual in a DOC facility, the facilities shall gather and provide all pertinent documentation to the Correctional Investigations Unit (CIU) so that they can complete an independent investigation, where the CIU shall investigate and document their facts and recommendations in a final report. Vermont General Assembly. 13 V.S.A. § 5259: Duty to Investigate. In Title 13: Crimes and Criminal Procedure, Chapter 163: Public Defenders. https://legislature.vermont.gov/statutes/section/13/163/05259
[3187]Vermont General Assembly. 13 V.S.A. § 5259: Duty to Investigate. In Title 13: Crimes and Criminal Procedure, Chapter 163: Public Defenders. https://legislature.vermont.gov/statutes/section/13/163/05259; the Prisoners' Rights Office (PRO) is part of the Office of the Defender General. The PRO was created to investigate deaths in custody as well as suicide attempts, assaults, uses of force, and other incidents that result in at least 24 hours of hospitalization.
[3190]Virginia DOC, *Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death,* 2025, sec. F3, https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4.pdf; the OLES has sole authority to conduct investigations into unnatural death; homicide, accident, or suicide and/or death by unknown causes of inmates or CCAP probationers/parolees.
[3191] Investigations are required for all unnatural deaths. Virginia policies do not mention requests for investigations.
[3192]Virginia DOC, *Operating Procedure 038.4: Notification of Serious Injury, Illness, or Death,* 2025, sec. F3, https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4.pdf.
[3193] https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4.pdf F3
[3194] Va. Code Ann. Title 53.1, Chapter 1, Article 4 — Office of the Department of Corrections Ombudsman, Code of Virginia, https://law.lis.virginia.gov/vacodefull/title53.1/chapter1/article4/; virginia also has a designated Ombudsman for oversight on DOC facilities and in custody deaths. By statute, VADOC has 20 days to respond to the Unit's written requests for information, and five days to respond if the documents relate to certain topics, such as deaths in custody. If needed, the Unit is empowered to subpoena VADOC.
[3195] Va. Code § 9.1-192.1, "Civilian Deaths in Custody; Annual Report," Code of Virginia (2024), https://law.lis.virginia.gov/vacode/title9.1/chapter1/section9.1-192.1/; Virginia Department of Criminal Justice Services (DCJS) and the BLRJ shall analyze reported data submitted to determine how such information can be used to reduce the number of such deaths. The Director of the DCJS and the BLRJ will each annually report the findings and recommendations resulting from this analysis to the Governor, the General Assembly, and the Attorney General beginning on or before July 1, 2025, and each July 1 thereafter.
[3196] Va. Code § 9.1-192.1, "Civilian Deaths in Custody; Annual Report," Code of Virginia (2024), https://law.lis.virginia.gov/vacode/title9.1/chapter1/section9.1-192.1/; does not suggest that a response or follow up to recommendations is required.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
Washington	Yes, all in-custody deaths[3197]	N/A[3198]	Health Services Mortality Review Committee, Unexpected Fatality Review Team[3199]	Yes, Health Services Mortality Review Committee [3200]	No,[3201] but there is an ombuds who serves on the unexpected fatality review team[3202]	Yes[3203]	Yes[3204]

[3197]Washington State Department of Corrections, *Policy 620.200: Death of Incarcerated Individuals* (Olympia, WA: Washington State Department of Corrections, revised September 27, 2021). "Debriefing"; requires a debriefing following the death of an incarcerated individual.
[3198] Investigations do not need to be requested, they are required for all in-custody deaths.
[3199]Washington State Department of Health, Unexpected Fatality Review: 25IA-0025 (Washington State Department of Health), https://doh.wa.gov/sites/default/files/2026-03/UnexpectedFatalityReview-25IA-0025.pdf; Washington State Department of Corrections, Policy 620.200: Death of Incarcerated Individuals (Olympia, WA: Washington State Department of Corrections, revised September 27, 2021). "Debriefing".
[3200] Washington State Department of Corrections, *Policy 620.200: Death of Incarcerated Individuals* (Olympia, WA: Washington State Department of Corrections, revised September 27, 2021). "Debriefing"; the Health Services Mortality Review Committee will conduct a mortality case review for every death occurring in Department custody. This is to "identify opportunities for system improvement and quality of care delivery."
[3201] Washington State Legislature, SB 5005: Concerning Transparency, Public Safety, and Independent Oversight of the City, County, and Regional Jail System in Washington State, 2025–26 Reg. Sess., https://app.leg.wa.gov/billsummary?BillNumber=5005&Year=2025; most recently, Senate Bill 5005 attempted to create an independent statewide jail oversight body but died in legislation and was replaced by a substitute bill.
[3202]Wash. Rev. Code § 72.09.770, Unexpected Fatality Review—Records—Discovery, https://app.leg.wa.gov/RCW/default.aspx?cite=72.09.770&pdf=true; there is an unexpected fatality review team convened under any case in which the death of an incarcerated individual is unexpected, or any case identified by the Office of the Corrections Ombuds for review. Wash. Rev. Code § 43.06C.080, Unexpected Fatality Review Team—Duties, https://app.leg.wa.gov/RCW/default.aspx?cite=43.06C.080; The Office of the Corrections Ombuds designates an ombuds to serve as a member of the unexpected fatality review team.
[3203]Washington State Department of Health, Unexpected Fatality Review: 25IA-0025 (Washington State Department of Health), https://doh.wa.gov/sites/default/files/2026-03/UnexpectedFatalityReview-25IA-0025.pdf; a review must include an analysis of the root cause or causes of the expected fatality, and an associated corrective action plan for the jail to address identified root causes and recommendations made by the unexpected fatality review team. Washington State Legislature, Wash. Rev. Code § 72.09.770, Unexpected Fatality Review—Records—Discovery, 1.c. https://app.leg.wa.gov/rcw/default.aspx?cite=72.09.770; the stated primary purpose of the review is " the development of recommendations to the department and legislature regarding changes in practices or policies to prevent fatalities and strengthen safety and health protections for prisoners in the custody of the department."
[3204]Wash. Rev. Code § 72.09.770, Unexpected Fatality Review—Records—Discovery, Washington State Legislature, https://app.leg.wa.gov/rcw/default.aspx?cite=72.09.770; Upon conclusion of an unexpected fatality review, the department shall, within 120 days following the fatality, issue a report on the results of the review, unless the governor has given an extension. Reports are published with mandatory corrective action plans within 10 days of the review.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
West Virginia	Yes, all in-custody deaths[3205]	N/A[3206]	Superintendent or designee, the facility Medical Director, other relevant healthcare and facility staff[3207]	Yes, mortality review[3208]	No[3209]	No[3210]	No[3211]
Wisconsin	Yes, all	N/A[3213]	BHS Medical	Yes,	No[3216]	Yes[3217]	Yes[3218]

[3205]West Virginia Division of Corrections and Rehabilitation, *Policy Directive 456.03: Death in Custody* (West Virginia Department of Homeland Security, Division of Corrections and Rehabilitation),. 1. VIII; all offender deaths go through a mortality review.
[3206]Investigations do not need to be requested, they are required for all in-custody deaths.
[3207]West Virginia Division of Corrections and Rehabilitation, *Policy Directive 456.03: Death in Custody* (West Virginia Department of Homeland Security, Division of Corrections and Rehabilitation),. 1. IX; a meeting with the Superintendent or designee, the facility Medical Director and other relevant healthcare and facility staff will be conducted to facilitate discussion of the circumstances surrounding the death, staff response and appropriateness of clinical care provided (if applicable). The agency physician may also attend.
[3208]West Virginia Division of Corrections and Rehabilitation, *Policy Directive 456.03: Death in Custody* (West Virginia Department of Homeland Security, Division of Corrections and Rehabilitation),. 1. VIII; the facility Medical Director provides a morbidity and mortality review report to the Superintendent, within 30 days of an inmate death. The physician also does "an independent written morbidity and mortality review."
[3209]West Virginia Division of Corrections and Rehabilitation, *Bereavement Guide for Family and Friends*, https://dcr.wv.gov/aboutus/SiteAssets/Pages/Policies/WVDCR%20PD%20456.03%20Death%20in%20Custody.pdf; the Governor has the authority to direct the Department of Homeland Security (DHS) to investigate correctional facilities, and has done so before. This does not constitute an independent oversight mechanism.
[3210] West Virginia policies regarding investigations do not mention recommendations for corrective action.
[3211] Ibid.
[3213] Investigations do not need to be requested, they are required for all in-custody deaths.
[3216] Wisconsin Public Radio, "Following Inmate Deaths, Milwaukee County Approves Outside Audit of Jail," February 8, 2024, https://www.wpr.org/news/inmate-deaths-milwaukee-county-jail-outside-audit; Counties in Wisconsin do have the power to hire independent investigators for review. Previously, Milwaukee County hired an independent auditor in 2024 to study operations at the downtown jail after the deaths of six incarcerated people over 14 months.
[3217]Wisconsin Department of Corrections, *DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policies and Procedures*, sec. Q, https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf; during the facility mortality review, areas of improvement related to the death shall be identified and entered on the DOC-3356: Inmate/Youth Death Review.
[3218]Wisconsin Department of Corrections, *DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policies and Procedures*, sec. Q, https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf; within 10 working days of the review, the BHS Program Support Supervisor shall send the DOC-3356 to the DOC Secretary and the Division Administrator, by which facilities shall implement and monitor recommended corrective actions identified through the facility's Continuous Quality Improvement program for systemic issues under DAI Policy 500.10.27, and by the patient safety program for staff-related issues under DAI Policy 500.10.33.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
	in-custody deaths[3212]		Director/Associate Medical Director and the facility mortality review[3214]	facility mortality review[3215]			
Wyoming	Subset, in cases of violent death, or when it is "a coroner's case"[3219]	Yes, in cases of coroner and law enforcement investigation[3220]	Wyoming Department of Health[3221]	N/A[3222]	No[3223]	N/A[3224]	N/A[3225]

[3212] Wisconsin Department of Corrections, *DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policies and Procedures*, sec. X, https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf; all deaths will be reviewed by the facility mortality review within 20 working days of the death. For all unanticipated deaths an additional review at the DAI/Bureau of Health Services (BHS) level shall occur within 30 working days.
[3214] Wisconsin Department of Corrections, *DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policies and Procedures*, sec. D.E.F., https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf; The BHS Medical Director/Associate Medical Director shall make the determination of whether the death is anticipated or unanticipated. Facility mortality reviews shall occur within 20 working days of all deaths.
[3215]Wisconsin Department of Corrections, *DAI Policy 300.00.09: Death of Persons in Our Care, Division of Adult Institutions Policies and Procedures*, sec. J, https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf; The supervising facility is responsible for the primary make-up of the facility Mortality Review Team, which shall address: the adequacy of health care practices, clinical judgment, utilization of expertise, staff training and staffing issues, presence and appropriateness of facility policies and procedures, implementation of facility policies and procedures, notification and involvement of appropriate family members, and notification of external agencies.
[3219]048-1 Wyo. Code R. §§ 1-3 - Definitions; state law places authority to investigate violent deaths within the hands of the Wyoming Department of Health to collect information on all violent deaths in Wyoming. https://wyoleg.gov/statutes/compress/title07.pdf 7-4-201; The coroner will investigate the deaths of an individual who "is found dead and the death appears to have occurred under circumstances indicating the death is a coroner's case."
[3220]048-1 Wyo. Code R. §§ 1-4 - Violent Death Report; upon the Department's written request, a county coroner, law enforcement officer, or other individual possessing information related to a violent death shall submit a violent death report to the Department in the form and manner prescribed by the Department.
[3221]048-1 Wyo. Code R. §§ 1-3 - Definitions; collects information on violent deaths through the Wyoming Violent Death Reporting System (WYVDRS), which was established in April, 2023.
[3222]Aside from medical investigations, Wyoming does not have a publicly accessible policy that outlines how investigations are conducted.
[3223]Shane Sanderson, "Wyoming's jails are among the deadliest in the nation for suicide," WyoFile, October 4, 2023, https://wyofile.com/wyomings-jails-are-among-the-deadliest-in-the-nation-for-suicide; Wyoming doesn't have a regulatory mechanism providing independent oversight of county jails, instead the county sheriff is responsible for their own compliance with legal limitations on jailers' conduct.
[3224]Aside from medical investigations, Wyoming does not have a publicly accessible policy that outlines how investigations are conducted.
[3225] Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
American Samoa	Yes, all in-custody deaths[3226]	N/A[3227]	Attorney General, Department of Health representative [3228]	N/A[3229]	N/A[3230]	Yes, in annual reports[3231]	No[3232]
Guam	Yes, all in-custody deaths[3233]	N/A[3234]	Internal Affairs investigators, Guam Police	N/A[3236]	N/A[3237]	Yes[3238]	No[3239]

[3226]American Samoa Code Annotated, §13.0520(b), https://asbar.org/code-annotated/13-0520-procedure-upon-discovery-of-dead-body-report-required/ (the pelenuu must report any death as soon as possible for investigation to the Attorney General. If doing so is not possible, the pelenuu must report the death to a local Department of Health representative).
[3227] Investigations do not need to be requested, they are required for all in-custody deaths.
[3228] American Samoa Code Annotated, §13.0520(b), https://asbar.org/code-annotated/13-0520-procedure-upon-discovery-of-dead-body-report-required/ (the local Department of Health representative may investigate as a coroner and report findings to the Attorney General).
[3229]American Samoa's policies that are publically accessible and outline how investigations are conducted are limited.
[3230]American Samoa policies do not mention an independent oversight body.
[3231] "American Samoa Implementation Plan for the Death in Custody Reporting Act (DCRA)," https://bja.ojp.gov/doc/dcra-plan-as.pdf; Annual reports will include investigation outcomes, and corrective actions for prevention.
[3232] "American Samoa Implementation Plan for the Death in Custody Reporting Act (DCRA)," https://bja.ojp.gov/doc/dcra-plan-as.pdf; does not suggest that a response or follow up to recommendations is required.
[3233] Guam, *General Order Number 1.13*, sec. IV(A); notification by the facility supervisor to the Guam Police Department as well as the Internal Affairs Supervisor is required. Internal investigative protocols are executed by Internal Affairs
[3234] Investigations do not need to be requested, they are required for all in-custody deaths.
[3236] Guam's policies that are publically accessible and outline how investigations are conducted are limited.
[3237] Guam policies do not mention an independent oversight body.
[3238]Guam, *General Order Number 1.13*, sec. IV(C) and (D); the Internal Affairs investigator is required to submit a preliminary report with preliminary findings to the Director of Corrections within 24 hours, with a final report including findings and recommendations for "corrective actions" as necessary.
[3239] Guam, *General Order Number 1.13*, sec. IV(C) and (D); does not suggest that a response or follow up to recommendations is required.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			Department[3235]				
Northern Mariana Islands	Yes, all in-custody deaths[3240]	N/A[3241]	Criminal Investigation Bureau.[3242]	N/A[3243]	N/A[3244]	N/A[3245]	N/A[3246]
Puerto Rico	Yes, all in-custody deaths[3247]	N/A[3248]	Auxiliary Secretariat for Investigations (SAISC),[3249] Department	N/A[3251]	N/A[3252]	N/A[3253]	N/A[3254]

[3235]Guam, *General Order Number 1.13*, sec. IV(C) and (D); IA investigators must work with the Guam Police Department or other external entity to analyze any physical evidence in conjunction with forensic experts in order to determine what happened before the individual's death. In use of force incidents, investigators are also responsible for assessing whether or not this was in congruence with departmental policies, as well as determining if the force had an influence on the individual's death outcome. In working with the Guam Police Department or other external agency, IA investigators also must review medical records, autopsy reports, and expert opinions to determine the cause and manner of death, as well as if any pre-existing conditions had an impact on the circumstances. It is required that the investigation is timely, impartial, and transparent.

[3240]"Commonwealth of the Northern Mariana Islands FY 2023 Justice Assistance Grant Application Death in Custody Reporting Act (DCRA) Implementation Plan," US Department of Justice, 2023, https://cjpa.cnmi.gov/assets/docs/jag/fy23-dcra-implementation-plan.pdf; the Shift Commander reports deaths in custody to the Department of Public Safety Central, waits for the Criminal Investigation Bureau to conduct the necessary investigation, and cooperates with investigators.

[3241]Investigations do not need to be requested, they are required for all in-custody deaths.

[3242]NMIAC §150-10-710, https://cnmilaw.org/pdf/admincode/T150/T150-10.pdf; the sworn personnel officially performing the preliminary investigation of an incident are responsible for the preliminary investigation. The Criminal Investigation Bureau is part of the Department of Public Safety.

[3243]Northern Mariana Islands' policies that are publically accessible and outline how investigations are conducted are limited.

[3244]Northern Mariana Islands policies do not mention an independent oversight body.

[3245]Northern Mariana Islands' policies that are publically accessible and outline how investigations are conducted are limited.

[3246] Ibid.

[3247]Northern Mariana Islands DOC, *Administrative Order AC-2005-04*, sec. IV; the supervisor is required to notify the Puerto Rico Police Bureau regarding all deaths. The officer is required to notify the supervisor regarding all deaths that occur. The supervisor will notify the Prosecutor, and the guard commander and superintendent, who must notify the regional director and the regional security director.

[3248]Investigations do not need to be requested, they are required for all in-custody deaths.

[3249]Northern Mariana Islands DOC, *Administrative Order AC-2005-04*, sec. IV; regional directors must immediately notify the Secretary of Administration of Correction, the Auxiliary Administrator for Security, and the Auxiliary Secretariat for Investigations (SAISC).

[3251]Puerto Rico's policies that are publically accessible and outline how investigations are conducted are limited.

[3252]Puerto Rico policies do not mention an independent oversight body.

[3253]Puerto Rico's policies that are publically accessible and outline how investigations are conducted are limited.

[3254]Ibid.

Table 25. **Independent Oversight and Investigation of Deaths Grid**							
Jurisdiction	Required Investigations	Requested Investigations	Conducting Investigations	Internal Mortality Review	Independent Oversight Body	Recommendations	Recommendations Response
			of Justice of Puerto Rico[3250]				
U.S. Virgin Islands[3255]	Subset, suspicious deaths and deaths that did not receive medical intervention.[3256]	No[3257]	Commissioner or local law enforcement[3258]	N/A[3259]	N/A[3260]	N/A[3261]	N/A[3262]

h. Chapter 8: Public Notification of Deaths in Custody

I. Executive Summary

Public notification of deaths in custody advance transparency and accountability in government, giving the public and relevant stakeholders information that may be used to assess conditions and treatment of individuals in custody and also implement corrective actions for improvements. From a larger view, statistical reporting on deaths in custody allows the public to get a broader view of how deaths in custody are occurring within a respective jurisdiction. To evaluate existing

[3250]"Death in Custody Reporting Act State Implementation Plan for Puerto Rico," Government of Puerto Rico Department of Justice, sec. 3, https://bja.ojp.gov/doc/dcra-plan-pr.pdf; The Department of Justice of Puerto Rico is responsible for investigating and prosecuting individuals that potentially violated criminal law which contributed to an individual's death.
[3255]19 V.I.C. § 865; there are no publicly accessible relevant policies regarding their Department of Corrections, and a limited statutory and regulatory framework for all eight issue areas.
[3256]19 V.I.C. § 863; when an individual discovers a deceased individual without having received medical intervention, they must notify the Commissioner or local police official for investigation and certification. Additionally, any individual suspecting any fault, neglect, or misbehavior of any person requires immediate notification to the respective parties.
[3257]Investigations are required for suspicious deaths, as well as for deaths that did not receive medical intervention. U.S. Virgin Islands policies do not mention requests for investigations.
[3258]19 V.I.C. § 863
[3259]U.S. Virgin Island's policies that are publically accessible and outline how investigations are conducted are limited.
[3260]U.S. Virgin Islands policies do not mention an independent oversight body.
[3261]U.S. Virgin Island's policies that are publically accessible and outline how investigations are conducted are limited.
[3262] Ibid

policies on public notification of individual deaths in custody and of statistical reporting platforms, we established eight metrics to assess: mandatory or discretionary notification standard; reporting timeline; authority to decide whether to report; responsibility to report; specific type of reporting practice; requirement for next-of-kin notification prior to reporting; required reporting information; and public access to a Department statistical reporting mechanism.

The analysis reveals that for many jurisdictions, public notification after an individual's death in custody is discretionary—leaving room for internal bias to influence decisions on which deaths and what information to report. To further substantiate this, findings show that while 31 jurisdictions contain a public notification policy, only 10 of those jurisdictions contain an explicit mandate of public notification upon an individual's death in custody. Similarly, only 19 jurisdictions have an independently publicly accessible statistical reporting mechanism for deaths in custody. As for respect for families, 20 jurisdictions explicitly require notification of next-of-kin prior to public notification, with only South Dakota explicitly considering the wishes of the decedent's family in relation to the respective public notification policy. This reveals a fundamental tension between government transparency and respect for the decedents' family. Through reflecting on this tension, considering the analysis, and keeping in mind best practices such as California and Washington, D.C., we present model policy recommendations for public notification processes grounded in accountability, transparency, and dignity for the individual and their families.

II. Problem Statement

Public notification of deaths in government custody upholds foundational principles of transparency and accountability. The government is responsible for maintaining the safety and supporting the health of incarcerated individuals. Deaths in custody point to potential failures of the government to protect the rights of deceased individuals. On an individual level, the disclosure of deaths in custody informs the public of processes and critical events concerning the agency and the treatment of individuals in custody. Additionally, consistent public notification upon deaths in custody allows for the public and for relevant stakeholders to notice patterns of concern and evaluate potential corrective actions agencies may take in improving humane detention and incarceration environments. When the public does not have access to information regarding in-custody deaths occurring in government agencies, they are deprived of the knowledge of government processes and of the opportunity to hold government institutions accountable.

III. Policy Metrics

Pursuant to the Deaths in Custody Reporting Act of 2013, state and federal law enforcement agencies are mandated to collect and report death in custody information.[3263] Death in custody information is reported to the U.S. Department of Justice through the Bureau of Justice

[3263] Death in Custody Reporting Act of 2013, 18 U.S.C. § 4001 (2018).

Assistance (BJA).[3264] Our analysis of public notification does not analyze compliance with the DCRA. Rather, *public notification* as an issue area specifically refers to (1) policies surrounding notification and/or release to the media/public upon the in custody death of an incarcerated individual in government custody and (2) existing publicly accessible statistical reporting mechanism on in-custody deaths.

We constructed eight metrics for this issue area, with the first seven specifically encompassing notification and/or release to the media/public. These seven include: (1) If release/notification is mandatory or discretionary, (2) timeline for release/notification, (3) authority for determining whether or not to release/notify in jurisdictions with discretionary policies, (4) who is responsible for release/notification, (5) specific type of release/notification listed in respective policy, (6) if there is a mandate to refrain from release/notification until next-of-kin has been notified, and (7) if there is any required information to include in the release/notification. Metric eight encompasses the second aspect of public notification, which is (8) whether or not there is some kind of statistical reporting mechanism available publicly on the jurisdiction's website or state government entity, separate from BJS reporting of DCRA data.

Table 26. **Public Notification Evaluation Metrics**

Policies Surrounding public notification of Individual Deaths	
Metric	**Metric Definition**
Notification Standard	Is public notification mandatory, discretionary, not required, and/or dependent on specific causes of death?
Timeline	What is the listed timeline, descriptively or through explicit time maximums, for completion of public notification?
Authority	For jurisdictions where the notification standard is not "mandatory", who has the authority to determine public notification?
Reporting Type	Does the relevant policy list specific types of public notification?
Post-NOK Mandate	Is it explicitly stated that the next-of-kin must be notified, or efforts to contact the next-of-kin must be pursued, prior to public notification?
Required Information	Does the notification require specific information to be included in the relevant notification?
Statistical Reporting Mechanism other than the DCRA	

[3264] "Death in Custody Reporting Act (DCRA) Data Collection | Overview | Bureau of Justice Assistance," accessed May 9, 2026, https://bja.ojp.gov/program/dcra/overview.

Table 26. **Public Notification Evaluation Metrics**	
Statistical Reporting	Does the jurisdiction have a statistical reporting mechanism that is publicly available for trends in deaths (e.g. updated dashboard, quarterly statistical reports, etc, annual reports)?

IV. Summary of Jurisdiction Performance

Table 27. **public notification Jurisdiction Performance**	
Notification Standard	**10 jurisdictions** have a mandatory public notification policy of deaths in custody.[3265]
Timeline	**11 jurisdictions** have a listed timeline for public notification, 10 of which are jurisdictions that have a mandatory public notification policy.[3266]
Authority	All **15 jurisdictions** with a proactive discretionary notification policy explicitly assign a specific staff member(s) authority over which deaths to report.[3267]
Responsibility	**28 jurisdictions** have responsibility to notify allocated to the Department or a particular individual, with 20 of which involve the Communications/Media Department.[3268]
Reporting Type	**7 jurisdictions** specifically require a notification of death to the respective agency/department website.[3269]
Post-NOK Mandate	**20 of the 31 jurisdictions** with release/notification policies require prior notification to next-of-kin.[3270]

[3265] CBP, ICE, BOP, AK, CA, HI, NV, NY, SD, DC.
[3266] CBP (72h), ICE ("Timely" for interim notice, 30 days for Detainee Death Report), BOP ("Promptly"), AZ (1 business day; mandatory for unnatural deaths), CA (10 days for post to Department website) HI (9 days for death notification report to Department website), NV ("as soon as possible"; within 24 hours for Warden to notify Public Information Officer), NY (48 hours after family notification for website notice), TN ("Timely manner" for press release), SD (In practice, 48 hours since death for press release given provision for circumstances in which next of kin has not been reached within 48 hours since death), DC (Within 3 days of death/24 hours from NOK notification, notification to Department website)
[3267] AL, CO, GA, IA, ME, MD, MA, MI, MN, MT, NJ, OR, PA, TN, GU. IN excluded as policy is per media request. VA and WV excluded in this count given that Bereavement Guides are not official policy directives.
[3268] CBP, ICE, BOP, AK, AZ, AR, CA, CO, GA, HI, IN, IA, ME, MD, MA, MI, MN, MT, NV, NJ, NY, OH, OR, SD, TN, VA, GU, DC.
[3269] CBP, ICE, AK, CA, HI, NY, DC. NV excluded as there is not an explicit policy, but in practice language implies that it's mandatory.
[3270] CBP, ICE, BOP, AK, AZ, AR, CA, CO, DC, GA, IN, ME, MD, MI, MT, NY, OH, OR, PA, SD.

Required Information	**4 jurisdictions** proactively require specific thresholds of information to be released, which all have mandatory public website notification policies.[3271]
Statistical Reporting	**19 jurisdictions** have an independently publicly accessible statistical reporting mechanism for deaths in custody.[3272]

Public Notification to the Media and/or Public of an Individual Death

Public notification of deaths in custody is generally not an agency priority across the nation. Overall, 31 jurisdictions have some policy relating to the release/notification of deaths in custody.[3273] See figure 15 below for an overall assessment of DOC public notification policies.

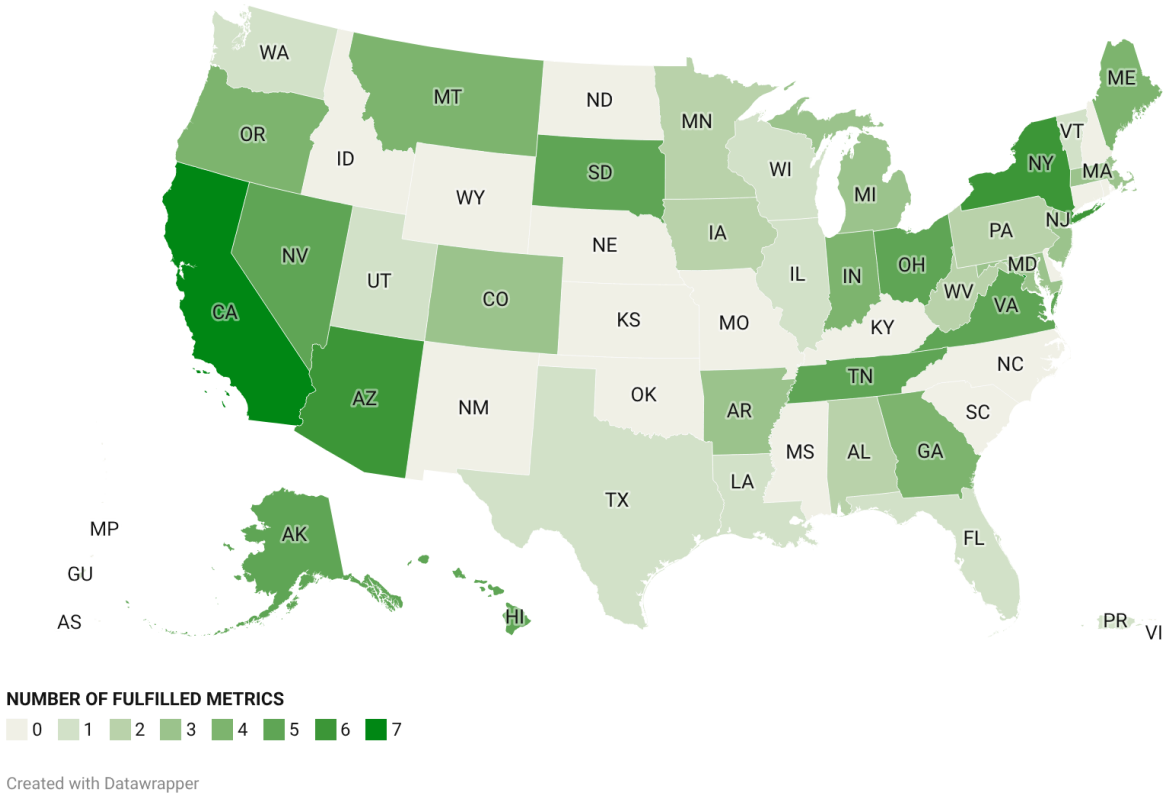


Figure 15. DOC Public Notification Policy Upon In-Custody Death by Fulfilled Metrics
Note: See Grid of All Jurisdictions and Key Metrics for respective jurisdiction notes and analysis strategy.

[3271] ICE, AK, CA, HI.
[3272] CBP, AZ, CA, FL, IL, LA, MT, NV, NY, OH, OK, TN, TX, UT, VT, VA, WA, WI, DC — IL, LA (orange), OK, VT (orange), TX, UT, WA, WI, PR
[3273] CBP, ICE, BOP, AL, AK, AZ, AR, CA, CO, GA, HI, IN, IA, ME, MD, MA, MI, MN, MT, NV, NJ, NY, OR, PA, SD, TN, Guam, DC. VA and VW are excluded given that Bereavement Guides are not official policy directives.

Only 10 jurisdictions have a mandatory public notification of deaths in custody, with an additional two having a mandatory public notification for specific types of death (suicide and unnatural deaths).[3274] Conversely, 15 jurisdictions have policies where proactive release/notification is discretionary.[3275] Out of the 11 jurisdictions with a listed timeline for public notification, 10 of them are the respective jurisdictions with a mandatory public notification policy.[3276] Seven jurisdictions specifically require a notification of death to the respective agency/department website: The quickest turnaround for mandatory website notification following in-custody death is three days (Washington, D.C.) , with the longest timeline being 10 days (California) following the individual's death.[3277] Four jurisdictions have a descriptive timeline for release to the media, with examples being language of "promptly" and "as soon as possible.".[3278] The majority of these 11 jurisdictions require next of kin notification prior to public notification, which contextualizes the respective timelines. As for next of kin notification, 20 of the 31 jurisdictions with release/notification policies require prior notification to next-of-kin.[3279] However, South Dakota is the only jurisdiction that explicitly considers wishes of the decedent's family within the public release policy. When family is notified of an individual's death, they will also be informed that a press release will be posted and are given the right to request a delay of the press release of a maximum of 48 hours to notify the rest of their immediate family.

Authority and responsibility relating to public release/notification demonstrate a wide variance in responsible parties. While most jurisdictions place authority and responsibility for notification on the Public Information Officer or respective office relating to media, public affairs, and communications, some jurisdictions such as Iowa place authority in deciding which cases result in media/public notification on the Department Chief of Staff, respectively. Policies mandating certain information to be included in releases, whether discretionary or mandatory, are rare. Of the 31 jurisdictions with a public notification policy, only four jurisdictions proactively require specific thresholds of information to be released, all of which are jurisdictions with mandatory public website notification policies.[3280] However, a number of jurisdictions do include information that "may" be released in press releases.

Statistical Reporting of Deaths in Custody

[3274] CBP, ICE, BOP, AK, CA, HI, NV, NY, SD, DC — AZ (unnatural), AR (suicides)
[3275] AL, CO, GA, IA, ME, MD, MA, MI, MN, MT, NJ, OR, PA, TN, GU. IN excluded as policy is per media request. VA and WV excluded in this count given that Bereavement Guides are not official policy directives.
[3276] CBP (72h), ICE ("Timely" for interim notice, 30 days for Detainee Death Report), BOP ("Promptly"), AZ (1 business day; mandatory for unnatural deaths), CA (10 days for post to Department website) HI (9 days for death notification report to Department website), NV ("as soon as possible"; within 24 hours for Warden to notify Public Information Officer), NY (48 hours after family notification for website notice), TN ("Timely manner" for press release), SD (In practice, 48 hours since death for press release given provision for circumstances in which next of kin has not been reached within 48 hours since death), DC (Within 3 days of death/24 hours from NOK notification, notification to Department website).
[3277] CBP, ICE, AK, CA, HI, NY, DC. NV excluded as there is not an explicit policy, but in practice language implies that it's mandatory.
[3278] ICE ("Timely" for interim notice, 30 days for Detainee Death Report), BOP ("Promptly"), NV ("as soon as possible"; within 24 hours for Warden to notify Public Information Officer), TN ("Timely manner" for press release)
[3279] CBP, ICE, BOP, AK, AZ, AR, CA, CO, DC, GA, IN, ME, MD, MI, MT, NY, OH, OR, PA, SD
[3280] ICE, AK, CA, HI.

Nineteen out of 59 jurisdictions have an independently publicly accessible statistical reporting mechanism for deaths in custody, nine of which do not have any policies relating to public release/notification upon an individual death.[3281] See Figure 16 below for a visual representation by jurisdiction.

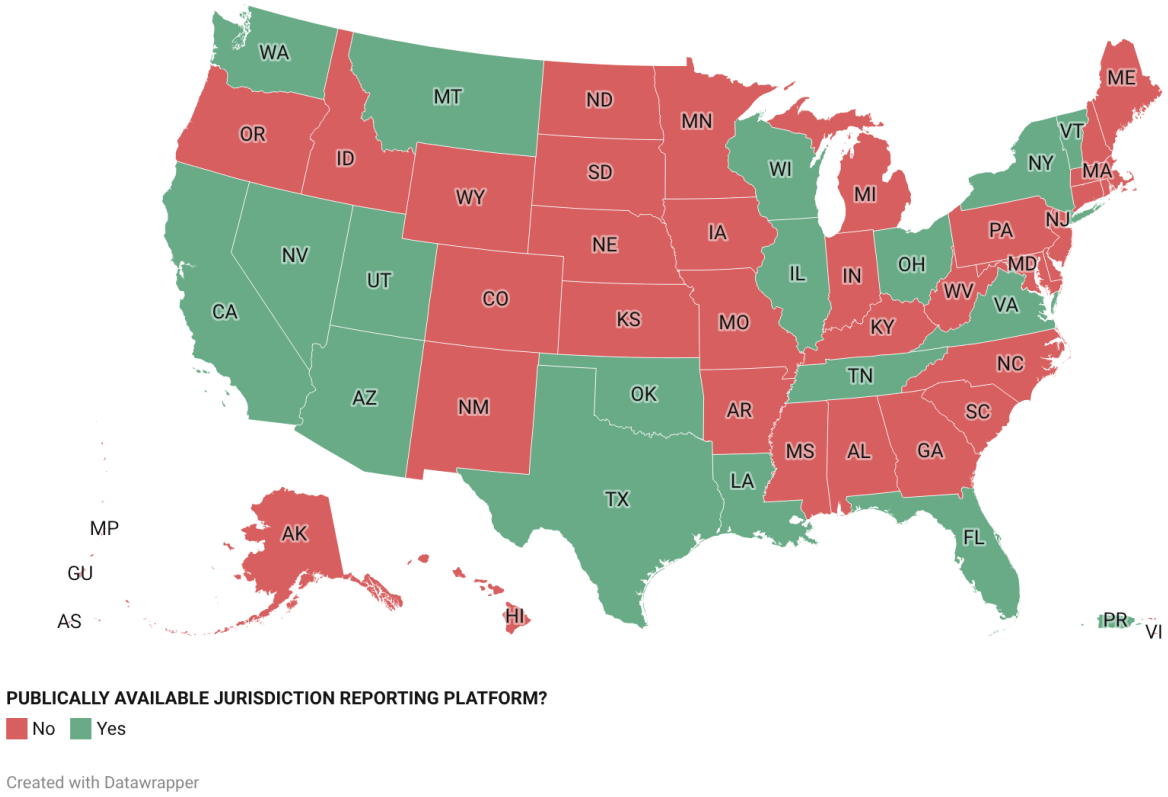


Figure 16. Jurisdiction Overview of Statistical Reporting Platforms
Note: See Grid of All Jurisdictions and Key Metrics for respective jurisdiction notes and analysis strategy.

The level of detail and capacity across these jurisdictions varies greatly—with some jurisdictions publishing quarterly or annual statistics, and others including interactive statistical dashboards of death in custody. Some interactive dashboards such as those for Arizona and Louisiana do not allow for disaggregation of data to an individual level, or do so while keeping identities anonymous, while others such as Montana's interactive mortality dashboard includes the option to view by individual ID.

Critical Considerations

While a number of jurisdictions had policies meeting seven metrics, California was the only one that positively fulfilled all eight metrics for public notification. As analyzed above, we see that

[3281] CBP, AZ, CA, FL, IL, LA, MT, NV, NY, OH, OK, TN, TX, UT, VT, VA, WA, WI, DC — IL, LA (orange), OK, VT (orange), TX, UT, WA, WI, PR

the overwhelming majority of jurisdictions do not have mandatory proactive notification of deaths in custody, and the majority of jurisdictions do not provide statistical information directly to the public on deaths in custody. Few jurisdictions have detailed policies regarding public notification, with many discretionary policies lacking clear guidelines on what qualifies as "newsworthy" or critical enough to necessitate public notification.

V. Best Practices

Through our analysis, we present the two jurisdictions with the best practices, on average, across all issue areas. Second, we also highlight a few standout practices that may not, on average, fulfill all six metrics as well as the highlighted jurisdictions.

California: California is particularly unique as its public notification policies are pursuant to the California Penal Code, instead of an internal policy document. Pursuant to California Penal Code Section 10008, the California Department of Corrections must publish information on all deaths in custody within 10 days of the individual's death to their Department website. Required information includes: county, facility, and date that death occurred, race, gender, age, custodial status, manner and means of death. Additionally, Senate Bill 601 Statistical Reports include a deashboard providing quarterly statistical updates on deaths in custody by institution, with metrics of "expected", "unexpected", "suicide", and "homicide".[3282] While not as exhaustive as other statistical reporting platforms/reports, California's mandatory website notification in addition to quarterly updates is comparatively much more information than most jurisdictions release.

d

Washington, DC: The Washington DC Department of Corrections requires written notification of a death in custody within 24 hours of notifying the next of kin, and no later than three days after death.[3283] Additionally, the DOC publishes annual death statistics with extensive information disaggregated per individual, including: full name, race, ethnicity, age, time and date of death, location of death, charges, court, cause of death, and manner of death.[3284]

Other Notable Standout Practices:

- *Montana:* Montana's Department of Corrections Mortality Dashboards include intensive information that is consistently updated.[3285] In addition to statistical graphics by year, age, sex, manner, facility, and location, the data is also listed by individual ID. This allows for

[3282] "Senate Bill 601 (SB 601) Dashboard," accessed May 9, 2026, https://app.powerbigov.us/view?r=eyJrIjoiYzlkM2RiNWEtZDRjMi00ODllLTg2YzEtZjYyM2MwMjA5NmQ0IiwidCI6IjA2NjI0NzdkLWZhMGMtNDU1Ni1hOGY1LWMzYmM2MmFhMGQ5YyJ9&pageName=5a926528bbf7e48d60c2.

[3283] DC Department of Corrections, "DOC Incident Data - Deaths in Custody" accessed May 9, 2026, https://doc.dc.gov/publication/doc-incident-data-deaths-custody.

[3284] DC DOC, *Incident Data - Deaths in Custody.*

[3285] Montana Department of Corrections, "Mortality in Corrections," accessed May 9, 2026, https://dataportal.mt.gov/t/COR/views/MortalityinCorrections_17005883769990/AboutMortalityinCorrections?:showAppBanner=false&:display_count=n&:showVizHome=n&:origin=viz_share_link&:embed=y. The most recent update as of 4/07/2026 at 9:38pm was 4/6/2026 at 8:14am.

a view of disaggregated data by individuals with their full name, DOC ID, year of death, facility, age, sex, race/ethnicity, and general cause of death.[3286]

- *Hawaii:* Act 22 requires for the publication of in-custody deaths within nine days of an incarcerated individual's death to the Department's website. Uniquely, the death report must include name of the decedent, their gender and age, the location/data/time of their death and if known, the cause of deah, and if there was an indication of sexual assault leading to the death.[3287]
- *South Dakota:* When notified of an incarcerated individual's death, the notified person will also be informed that a press release will be issued. The notified individual may request a delay of the press release of a maximum of 48 hours to notify the rest of their immediate family.[3288]

VI. Worst Practices

We present worst practices out of jurisdictions containing a policy explicitly mentioning family notification. We do not include jurisdictions lacking a publicly accessible policy on family notification in this analysis, as those jurisdictions are explicitly defined in the grid analysis and are easily accessible to access.

Indiana: Indiana is highlighted as a worst practice given that the only policy explicitly mentioning release of information following a death in custody relates to release of information upon request from a news media representative. Policy 00-03-101, "Distribution of Information", includes a provision that their identity must not be released until after next-of-kin notification, or 36 hours since time of death. The policy also requires documentation of attempts to notify next-of-kin before releasing their identity, however, this provision is unclear because it assumes that news media representatives may inquire about the death of an individual in custody even if the family has not been notified.[3289]

Guam: Policy on deaths in corrections for Guam is attached within the DCRA implementation plan document, and is not located on the DOC website. The public notification policy for General Order 1.13, "Death in Custody Reporting Act of 2013" states that "the Public Information Officer shall ensure that appropriate public notifications are made regarding the death in custody and the investigation's outcome while respecting privacy and legal considerations."[3290] However, this policy is vague in terms of whether or not public notifications are required, and under what circumstances. Given technical wording, it is possible that public notification is never or seldom deemed as "appropriate".

[3286] Montana DOC, *Mortality in Corrections*.
[3287] Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023.
[3288] South Dakota Department of Corrections (DOC), *Policy and Procedure 300-20: Death of an Offender* (2025), https://www.doc.sd.gov/home/showpublisheddocument/650/638854053563770000.
[3289] Indiana Department of Corrections (DOC), *Policy and Administrative Procedure 00-03-101: Distribution of Information* (2023), https://www.in.gov/idoc/files/policy-and-procedure/policies/00-03-101-Dist-of-Info-8-1-2023.pdf.
[3290] Guam Department of Corrections (DOC), *General Order Number 1.13: Death in Custody Reporting Act of 2013 (DCRA)* (2023), 26, https://bja.ojp.gov/doc/dcra-plan-guam.pdf.

VII. Recommendations for Model Policy

Recommendations for a model policy on public notification of deaths in custody require careful consideration in prioritizing both transparency and accountability while respecting family wishes. The vast majority of jurisdictions currently do not reference or mention family wishes as to whether public notification should occur, although a number require notification to next-of-kin prior to releasing information. Given this delicate balance in upholding transparency and access to knowledge of information in government-run facilities while respecting family wishes, our model policy recommendations delicately consider balancing these values that may conflict .

1. Mandatory Public Notification Following Death of an Individual in Custody Contingent Upon Family Consideration

For a model policy regarding public notification following the death of an individual in custody, we recommend that all deaths in custody are individually publicly reported under a listed timeline to ensure transparency and accountability and to eliminate bias that may persist with a discretionary reporting policy in place. We recommend in addition to the requirement for completion of next-of-kin notification prior to notification, that a model policy contains aspects of family consideration as in place by the South Dakota DOC. This would include mandatory disclosure of the Department's respective public notification policy, and would also provide an opportunity for the notified individuals to request a delay in public release to ensure that the rest of their family has been informed. We also recommend that this model policy contain provisions for course of action when next-of-kin is unreachable, and for when the notified individual requests a delay in press release.

2. Implementation of Visible Statistical Reporting Platform on Department Website

We recommend that a model policy implements a statistical reporting platform operated by the Department that is publicly accessible. We recommend that statistical reporting platforms include both (1) statistical visualization capabilities to view trends and statistical patterns of data and (2) disaggregated statistical information on an individual level of deaths.

VIII. Grid of All Jurisdictions and Key Metrics

Table 28 below shows a comprehensive view of the analysis of six constructed metrics. Green indicates fulfillment of the respective metric. Both *N/A* and *N* values are classified as "unfulfilled", however, *N/A* indicates that we were unable to determine whether or not there is a policy that fulfilled the metric. *N* is denoted for metrics where the analysis concluded there is no existing policy fulfilling this metric. Under the metric of "Authority", jurisdictions with mandatory notification standards are classified as *N/R* given that this metric is not relevant for said jurisdiction. Yellow shading indicates a notable point of ambiguity or lack of clarity, and is accompanied by a footnote with any necessary notes. Orange shading uniquely applies to jurisdictions that consistently publish press releases of deaths in custody on their Department website, although the analysis did not locate a specific policy on these practices. The grid

contains a footnote for every respective jurisdiction metric, which includes the relevant source(s) and any additional notes on context, clarity, or analytical strategy.

Table 28. **Public Notification Grid**

Jurisdiction	Notification Standard	Timeline	Authority	Responsibility	Reporting Type	Post-NOK Mandate	Required Information	Statistical Reporting
CBP	Mandatory[3291]	72 hours[3292]	N/R	Assistant Commissioner of the Office of Public Affairs[3293]	Media statement; statement on CBP.gov[3294]	Y[3295]	N[3296]	Y[3297]
ICE[3298]	Mandatory[3299]	"Timely" for interim notice,	N/R	AD for Custody Management[3301]	Interim notice and Detainee Death	Y[3303]	Y[3304]	N[3305]

[3291] U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Notification and Review Procedures for Certain Deaths and Deaths in Custody* (2023), 6, https://www.cbp.gov/sites/default/files/2025-08/intc-37477_signed_notification_and_review_procedures_9.1.23_redacted_002.pdf. For in custody deaths, mandatory but should be cleared with the Office of Professional Responsibility and Office of Chief Counsel first. Discretionary for CBP-involved non-custodial deaths, must be cleared with the Office of Professional Responsibility first.
[3292] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody*, 6.
[3293] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody*, 6.
[3294] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody*, 6.
[3295] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody, 6.* "To include full consideration regarding next of kin notification status"
[3296] *CBP Notification and Review Procedures for Certain Deaths and Deaths in Custody* does not include an explicit policy fulfilling the metric of required reporting information.
[3297] "Border Rescues and Mortality Data | U.S. Customs and Border Protection," U.S. Customs and Border Protection, accessed May 9, 2026, https://www.cbp.gov/newsroom/stats/border-rescues-and-mortality-data.
[3298] U.S. Department of Homeland Security, U.S. Customs and Border Protection, *ICE Directive 11003.6: Notification, Review, and Reporting Requirements for Detainee Deaths* (2025), Section 5.3, https://www.ice.gov/node/68682. Office of Public Affairs drafts holding statement in preparation for inquiries "as soon as practicable" after detainee death
[3299] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Mandatory interim notice of detainee death
[3303] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.3. Interim death notice should not be posted until notification or "reasonable attempts" to notify next of kin and consulate
[3304] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.3. At a minimum, the interim notice of a detainee death should include: a) Information regarding the alien's most recent admission or entry into the United States, the circumstances that brought him or her into ICE custody, the charges of removal lodged against him or her, and whether the alien is subject to a final order of removal. To the extent that the alien is subject to one or more criminal grounds of removability, the interim notice should provide basic information regarding conviction(s) supporting such charges of removal. b) Information regarding any pre-existing medical condition(s) the alien had at the time he or she came into ICE custody, or medical condition(s) identified while in

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
		30 days for Detainee Death Report[3300]			Report of detainee death on ICE's public website[3302]			
BOP	Mandatory[3306]	"Promptly"[3307]	N/R	Warden[3308]	Announcement[3309]	N[3310]	Y (upon media request)[3311]	N[3312]
Alabama	Discretionary[3313]	N[3314]	Commissioner or Designee of Public	N[3316]	Press Conference[3317]	N[3318]	N[3319]	N[3320]

custody if relevant to the particular death at issue; and c) The notice should provide contextual information, as appropriate, regarding ICE's medical care, detention standards, or other standards, policies, or procedures that are reasonably related to the particular death at issue.

[3301] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.3(4), Section 5.(2). Office of Public Affairs words to prepare interim notice of detainee death.

[3305] "Detainee Death Reporting | ICE," U.S. Immigration and Customs Enforcement, March 16, 2020, https://www.ice.gov/detain/detainee-death-reporting. There are no found statistical reporting platforms/reports that are publicly available for ICE. While "Detainee Death Reporting" publishes notices of detainee deaths pursuant to policies on individual deaths, this does not meet the criteria as it is on an individual level.

[3300] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention*, Section 5.3(4).

[3302] ICE, *Directive 11003.6, Policy on Notification, Review, and Reporting of Deaths in Detention* Section 5.3; ICE, "Detainee Death Reporting."

[3306] 28 CFR § 540.65(a). "The Warden shall promptly make announcements stating the facts of unusual, newsworthy incidents to local news media. Examples are deaths, inside escapes, and institution emergencies."

[3307] 28 CFR § 540.65(a)

[3308] 28 CFR § 540.65(a)

[3309] 28 CFR § 540.65(a)

[3310] 28 CFR § 540.65 does not include an explicit policy fulfilling the metric of post-NOK mandate.

[3311] 28 CFR § 540.65(b). "The Warden shall provide information about an inmate that is a matter of public record to the representatives of the media upon request" Information is limited to the inmate's: Name, register number, place of incarceration, age, race, conviction and sentencing data, past transfers, general institutional assignments.

[3312] There are no found statistical reporting platforms/reports that are publicly available for BOP.

[3313] Alabama Department of Corrections (DOC). *Administrative Regulation Number 005: Public Information* (2024), Section V(B)(1); Section V(G)(7), https://doc.alabama.gov/docs/adminregs/ar005.pdf. Press releases can be held at discretion of PIM and/or Commissioner

[3314] Alabama DOC 005 OPR: Public Information does not include an explicit policy fulfilling the metric of notification timeline.

[3316] Ibid.

[3318] Alabama DOC 005 OPR: Public Information does not include an explicit policy fulfilling the metric of post NOK-notification.

[3319] Alabama DOC 005 OPR: Public Information does not include an explicit policy fulfilling the metric of required information.

[3320] There are no found statistical reporting platforms/reports that are publicly available for Alabama.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
			Information Office[3315]					
Alaska	Mandatory[3321]	N[3322]	N/R[3323]	Department of Public Safety; Public Information Officer[3324]	Press Release; Website Press Release[3325]	Y[3326]	Y[3327]	N[3328]

[3317] Alabama DOC 005 OPR: Public Information

[3315] Alabama DOC 005 OPR: Public Information. Section IV(A); Section V(4). The Public Information Officer is responsible for coordinating all departmental media releases, but Wardens may release certain information when requested by news media with specific guidelines.

[3321] Alaska DOC, *Policies and Procedures 104.04: Death of a Prisoner* (2023), Section C(2), https://doc.alaska.gov/pnp/pdf/104.04.pdf.

[3322] Alaska DOC 104.04 Death of a Prisoner does not include an explicit policy fulfilling the metric of required information.

[3323] Alaska DOC 104.04 Death of a Prisoner. Section C(2) states that this mandatory public notification should occur after Alaska State Troopers determine that it will not affect investigation.

[3324] Alaska DOC 104.04 Death of a Prisoner, Section C(2).

[3325] Alaska DOC 104.04 Death of a Prisoner, Section C(2). In addition to the Department of Safety's press release, the DOC Public Information officer must publish one on the website stating: full name and age, facility where most recently living, date of remand and criminal charges, whether appeared to by natural causes or if criminal investigation is pending.

[3326] Alaska 104.04 Death of a Prisoner, Section C(2).

[3327] Alaska 104.04 Death of a Prisoner, Section C(2). Website press releases must include full name, age, facility most recently housed, date of remand and criminal charges, and "Whether the death appeared to be by natural causes or if a criminal investigation is pending."

[3328] There are no found statistical reporting platforms/reports that are publicly available for Alaska.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Arizona	Mandatory for unnatural deaths[3329]	1 business day[3330]	N/R	Media Relations Office[3331]	Media Release through News Advisory email[3332]	Y[3333]	N[3334]	Y[3335]
Arkansas	Mandatory for suicides[3336]	N[3337]	Director, Board of Corrections,	Public Information Officer[3339]	N[3340]	Y[3341]	N[3342]	N[3343]

[3329] Arizona Department of Corrections Rehabilitation and Reentry (ADCRR), *Department Order 207: Media Relations* (2023), Section 7.1.2, https://corrections.az.gov/sites/default/files/documents/policies/200/DO%20207%20-%20Eff.%2011-27-23.pdf. There is no mention of deaths of natural causes.
[3330] Arizona DOC DO 207 - Media Relations, Section 7.2.1.
[3331] Ibid.
[3332] Ibid.
[3333] Ibid.
[3334] Arizona DOC 207 - Media Relations does not include an explicit policy fulfilling the metric of required information.
[3335] "Data Visualizer: Deaths in Custody Reporting Act," Arizona Criminal Justice Commission, accessed May 9, 2026, https://www.azcjc.gov/Data/Deaths-in-Custody. Dashboard of deaths as reported to the DCRA, as the The Arizona Criminal Justice Commission (ACJC) is the Federally authorized agency to collect and report on deaths in custody
[3336] Arkansas Board of Corrections, *Administrative Rules 011: News Media, Interviews and Correspondence* (2018), Section IV, https://media.ark.org/doc/AR-0011-News-Media-Interviews-and-Correspondence.pdf; "Media Advisories," Arkansas Department of Corrections, accessed May 9, 2026, https://doc.arkansas.gov/media-advisories/; Arkansas Department of Corrections (ADC), *AD 12-31: Inmate Death - Disposition of Remains - Designated Emergency Contacts* (2012), Section II, https://arktimes.com/wp-content/uploads/2019/03/pdf-ad_2012-031_inmate_death_____disposition_of_remains_-_design.pdf. *AR 011* states that "emergencies and other critical incidents shall be reported to the local news media by the Public Information Officer only after contact has been made with the Director, Board of Corrections, the Governor's Office and other officials as determined by the Director" and that those generally include suicides. Does not state general deaths. "Media Advisories" website has a number of non suicide related releases on deaths, but there is not a policy mandating that.
[3337] Analyzed policies (Arkansas DOC 12-31 Inmate Death – Disposition of Remains - Designated Emergency Contacts; Arkansas DOC 011 – News Media, Interviews and Correspondence) do not include an explicit policy fulfilling the metric of timeline.
[3340] Analyzed policies (Arkansas DOC 12-31 Inmate Death – Disposition of Remains - Designated Emergency Contacts; Arkansas DOC 011 – News Media, Interviews and Correspondence) do not include an explicit policy fulfilling the metric of reporting type, as the policy solely states that suicides "shall be reported to the local news media."
[3341] Arkansas DOC 12-31 Inmate Death – Disposition of Remains - Designated Emergency Contacts IV(A)(2)
[3342] Analyzed policies (Arkansas DOC 12-31 Inmate Death – Disposition of Remains - Designated Emergency Contacts; Arkansas DOC 011 – News Media, Interviews and Correspondence) do not include an explicit policy fulfilling the metric of required information.
[3343] There are no found statistical reporting platforms/reports that are publicly available for Colorado.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
			Governor's Office[3338]					
California	Mandatory[3344]	10 days[3345]	Department[3346]	Department[3347]	DOC website[3348]	Y[3349]	Y[3350]	Y[3351]
Colorado	Discretionary[3352]	N[3353]	Executive Director[3354]	Public Information Officer[3355]	N[3356]	Y[3357]	N[3358]	N[3359]

[3339] Arkansas DOC 011 – News Media, Interviews and Correspondence Section IV
[3338] Arkansas DOC 011 – News Media, Interviews and Correspondence Section IV. Doesn't explicitly give one party the authority though presumably is the Director
[3344] CA Penal Code § 10008 Death of person in custody (a).
[3345] CA Penal Code § 10008 Death of person in custody (b)(1).
[3346] CA Penal Code § 10008 Death of person in custody (b)(1).
[3347] CA Penal Code § 10008 Death of person in custody (b)(1).
[3348] CA Penal Code § 10008 Death of person in custody.
[3349] CA Penal Code § 10008 Death of person in custody. Subsection b(2) states that if unable to notify next of kin within 10 days, the 10 day publishing requirement is extended by 10 days as "good faith effort" to notify before posting for the public. Therefore, presumed that family notification first is standard.
[3350] CA Penal Code § 10008 Death of person in custody.
[3351] Statistical Reports (SB601) by Institution," California Department of Corrections and Rehabilitation, accessed May 9, 2026, https://www.cdcr.ca.gov/research/statistical-reports-sb601/.
[3352] Colorado Department of Corrections (DOC), *AR 1350-01: Media Access and Stakeholder Tours* (2024), https://drive.google.com/file/d/1Eikyrjf1LIzgC8Qg8oTuGZMIW_NCaKrM/view. Does not explicitly mention deaths other than provision on next of kin notification. Therefore, it can be assumed that it's discretionary.
[3353] Colorado DOC AR 1350-01 Public Relations; Media Access and Stakeholder Tours does not contain an explicit policy fulfilling the metric of notification timeline.
[3354] Colorado DOC AR 1350-01 Public Relations; Media Access and Stakeholder Tours, Section V(A).
[3355] Colorado DOC 1350-01 Public Relations; Media Access and Stakeholder Tours Section IV(A)(3).
[3356] Colorado DOC AR 1350-01 Public Relations; Media Access and Stakeholder Tours does not contain an explicit policy fulfilling the metric of reporting type other than "the release of information" in Section IV(A)(2).
[3357] Colorado DOC AR 1350-01 Public Relations; Media Access and Stakeholder Tours Section IV(A)(b).
[3358] Colorado DOC AR 1350-01 Public Relations; Media Access and Stakeholder Tours does not contain an explicit policy fulfilling the metric of required information.
[3359] There is no found policy for Colorado on statistical reporting platforms/reports that are publicly available.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Connecticut[3360]	N/A[3361]	N/A[3362]	N/A[3363]	N/A[3364]	N/A[3365]	N/A[3366]	N/A[3367]	N[3368]
Delaware[3369]	N/A[3370]	N/A[3371]	N/A[3372]	N/A[3373]	N/A[3374]	N/A[3375]	N/A[3376]	N[3377]

[3360] Connecticut Department of Correction, *Administrative Directive 8.2: Offender Death* (2021), https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf; Connecticut Department of Correction, *Administrative Directive 1.5: Public Information and News Media Relations* (2022), https://portal.ct.gov/-/media/DOC/Pdf/Ad/ad0802pdf.pdf. Connecticut has posted press releases for deaths in custody during COVID-19, but not since then. Given that CT DOC Policy 8.2, Offender Death and CT DOC Policy 1.5, Public Information and News Media Relations do not explicitly mention public notification of deaths in custody, metrics for CT have been designated as "N/A".

[3361] Connecticut has posted press releases for deaths in custody during COVID-19, but not since then. Given that CT DOC Policy 8.2, Offender Death and CT DOC Policy 1.5, Public Information and News Media Relations do not explicitly mention public notification of deaths in custody, metrics for CT have been designated as "N/A".

[3362] Ibid.

[3363] Ibid.

[3364] Ibid.

[3365] Ibid.

[3366] Ibid.

[3367] Ibid.

[3368] There are no found statistical reporting platforms/reports that are publicly available for CT.

[3369] "Newsroom," State of Delaware, accessed May 9, 2026, http://doc.delaware.gov. Delaware DOC regularly publishes press releases on their website regarding deaths in custody, including a summary of events, name, location, time and date, time in custody, sentence, and status on cause and investigation, depending on circumstances. As of April 20, 2026, 5 deaths had been reported through a press release on the DOC website. While categorized as N/A because specific policies governing public notification are not able to be located, DE is highlighted in orange to indicate public notification occurrences by the Department.

[3370] Delaware Newsroom. Delaware DOC regularly publishes press releases on their website regarding deaths in custody, including a summary of events, name, location, time and date, time in custody, sentence, and status on cause and investigation, depending on circumstances. As of April 20, 2026, 5 deaths had been reported through a press release on the DOC website. While categorized as N/A because specific policies governing public notification are not able to be located, DE is highlighted in orange to indicate public notification occurrences by the Department.

[3371] Ibid.

[3372] Ibid.

[3373] Ibid.

[3374] Ibid.

[3375] Ibid.

[3376] Ibid.

[3377] There are no found statistical reporting platforms/reports that are publicly available for Delaware..

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Florida[3378]	N/A[3379]	N/A[3380]	N/A[3381]	N/A[3382]	N/A[3383]	N/A[3384]	N/A[3385]	Y[3386]
Georgia	Discretionary (specific for suicides)[3387]	N[3388]	Public Affairs Officer[3389]	Public Affairs Officer[3390]	Upon media request[3391]	Y[3392]	N[3393]	N[3394]
Hawaii	Mandatory[3395]	9 days[3396]	N/R	Department[3397]	Post death notificatio	N[3399]	Y[3400]	N[3401]

[3378] There is no found policy specifically referencing media release following individual death in custody for Florida.
[3379] Ibid.
[3380] Ibid.
[3381] Ibid.
[3382] Ibid.
[3383] Ibid.
[3384] Ibid.
[3385] Ibid.
[3386] Florida Department of Corrections, "Inmate Mortality," Florida Department of Corrections, accessed May 9, 2026, https://www.fdc.myflorida.com/fdc/statistics-and-publications/inmate-mortality. The Florida DOC additionally publishes facts and statistics on Inmate Mortality, including the number of deaths in custody per fiscal year and the manner of death, on their website. Statistics can also be viewed by facility.
[3387] Georgia Department of Corrections (GDC), *Standard Operating Procedures 208.03: Death of an Offender* (2015), Section IV(C), https://public.powerdms.com/GADOC/documents/105692. For deaths in "unusual circumstances" or that are sudden/violent, Warden/Superintendent must notify the Communications Center, who will notify Public Affairs. Georgia Department of Corrections (GDC), *Standard Operating Procedures 102.01: Media Relations* (2022), Section IV(7); Section IV(10)(d), https://public.powerdms.com/GADOC/documents/105692. SOP 102.01 acknowledges public notification deaths upon media request.
[3388] Analyzed policies (GDC SOP 208.03 Death of an Offender ; GDC SOP 102.01 Media Relations) do not contain an explicit policy fulfilling the metric for timeline.
[3389] GDC SOP 208.03 Death of an Offender, Section IV(G).
[3390] GDC SOP 208.03 Death of an Offender, Section IV(G).
[3391] GDC SOP 208.03 Death of an Offender Section IV(C); Section IV(A)
[3392] GDC SOP 102.01 Media Relations, Section IV(7)(j).
[3393] Analyzed policies (GDC Policy Number 208.03 ;GA DOC 102.01 Media Relation) do not contain an explicit policy fulfilling the metric of required information. However, name, age, address, sex, occupation, and existence of a suicide note may be disclosed following next of kin notification.
[3394] There are no found statistical reporting platforms/reports that are publicly available for Georgia.
[3395] Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023.
[3396] Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023. Act 22 requires the director of the correctional facility to report in-custody deaths to the governor within 48 hours. The report to the governor will then be posted on the Department of Corrections and Rehabilitation Website within seven days of the submission of the director's report.
[3397] Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023.
[3399] Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023. Does not contain an explicit policy fulfilling the metric of post-NOK notification.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
					n report to Department website[3398]			
Idaho	N/A[3402]	N/A[3403]	N/A[3404]	N/A[3405]	N/A[3406]	N/A[3407]	N/A[3408]	N[3409]

[3400] Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023. Uniquely, the death report must include name of the decedent, their gender and age, the location/data/time of their death and if known, the cause of deah, and if there was an indication of sexual assault leading to the death.
[3401] There is no found policy for Hawaii on statistical reporting platforms/reports that are publicly available. Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023 publishes website information pursuant to policies on individual deaths, this does not meet the criteria as it is on an individual level.
[3398] Hawaii, *Session Laws of Hawaii*, Act 22, Regular Session of 2023.
[3402] Idaho Department of Correction (IDOC), *SOP 110.02.01.001: Media and Public Relations* (1995), https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=273357&dbid=0&repo=LFICHE&searchid=494c18ae-0d9f-44e5-a08e-7872ac2134bf&cr=1; Idaho Department of Correction (IDOC), *SOP 110.04.03.001: Media and Public Information* (2002), https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=273358&dbid=0&repo=LFICHE&searchid=ecf999a1-abe1-4e9e-8662-6b85ad009538; Idaho Department of Correction (IDOC), *SOP 401.06.03.001: Death: Procedure in the Event of an Offender's* (2012), https://forms-idoc.idaho.gov/WebLink/DocView.aspx?id=273358&dbid=0&repo=LFICHE&searchid=ecf999a1-abe1-4e9e-8662-6b85ad009538. There is no media policy specifically referencing media release following death in custody for Idaho. IDOC 110.02.01.001, "Media and Public Relations", IDOC 110.04.03.001, "Media and Public Information", and IDOC 401.06.03.001, "Death: Procedure in the Event of an Offender's" do not contain a media policy specifically referencing media release following death in custody for Idaho.
[3403] There is no media policy specifically referencing media release following death in custody for Idaho. . IDOC 110.02.01.001, "Media and Public Relations", IDOC 110.04.03.001, "Media and Public Information", and IDOC 401.06.03.001, "Death: Procedure in the Event of an Offender's" do not contain a media policy specifically referencing media release following death in custody for Idaho.
[3404] Ibid.
[3405] Ibid.
[3406] Ibid.
[3407] Ibid.
[3408] Ibid.
[3409] There are no found statistical reporting platforms/reports that are publicly available for Idaho.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Illinois	N/A[3410]	N/A[3411]	N/A[3412]	N/A[3413]	N/A[3414]	N/A[3415]	N/A[3416]	Y[3417]
Indiana	Discretionary upon media request[3418]	N[3419]	Public Information Officer/Chief Communications Officer[3420]	Public Information Officer/Chief Communications Officer[3421]	Release to media representative upon request[3422]	Y, or 36 hours since time of death, whichever comes first[3423]	N[3424]	N[3425]
Iowa[3426]	Discretionar	N[3428]	DOC Chief of	Warden[3430]	Emergency	N[3432]	N[3433]	N[3434]

[3410] There is no found policy specifically referencing media release following individual death in custody for Illinois.
[3411] Ibid.
[3412] Ibid.
[3413] Ibid.
[3414] Ibid.
[3415] Ibid.
[3416] Ibid.
[3417] Reporting of Deaths in Custody Act, 730 Ill. Comp. Stat. 210/. Illinois has its own "Reporting on Deaths in Custody Act." The Act requires that the Illinois Criminal Justice Information Authority (ICIJA) receive a report of every person that dies in custody within 30 days of their death. The ICIJA publishes an annual Death in Custody Report, in accordance with the Illinois Reporting of Deaths in Custody Act. The report must include information on the deceased, the location of where the deaths occurred, and recommendations to reduce deaths in custody.
[3418] Indiana Department of Correction (IDOC), *Policy and Administrative Procedure 00-03-101: Distribution of Information* (2023), Section VI(C)(2), https://www.in.gov/idoc/files/policy-and-procedure/policies/00-03-101-Dist-of-Info-8-1-2023.pdf.
[3419] IDOC 00-03-101 Distribution of Information does not contain an explicit policy fulfilling the metric of timeline.
[3420] IDOC 00-03-101 Distribution of Information, Section VI(C)(2).
[3421] Ibid.
[3422] Ibid..
[3423] Ibid.
[3424] Indiana DOC 00-03-101 Distribution of Information does not contain an explicit policy fulfilling the metric of required information.
[3425] There are no found statistical reporting platforms/reports that are publicly available for Indiana.
[3426] Iowa Department of Corrections, *Policy and Procedures AD-GA-09: Contact With The Media And The Public (2024),* https://doc.iowa.gov/media/816/download?inline. Note that this policy refers to "deaths" but does not specific specific circumstances warranting "emergency notification"
[3428] Iowa DOC AD-GA-09 Contact with the Media and the Public does not contain an explicit policy fulfilling the metric of timeline.
[3430] Iowa DOC AD-GA-09 Contact with the Media and the Public, Section 4(A)(1)(B)(1).
[3432] Iowa DOC AD-GA-09 Contact with the Media and the Public does not contain an explicit policy fulfilling the metric of post-NOK notification. There is also no found policy on deaths in custody notification process for Iowa.
[3433] Iowa DOC AD-GA-09 Contact with the Media and the Public does not contain an explicit policy fulfilling the metric of required information.
[3434] There are no found statistical reporting platforms/reports that are publicly available for Iowa.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
	y[3427]		Staff[3429]		media release[3431]			
Kansas	N/A[3435]	N/A[3436]	N/A[3437]	N/A[3438]	N/A[3439]	N/A[3440]	N/A[3441]	N[3442]
Kentucky	N/A[3443]	N/A[3444]	N/A[3445]	N/A[3446]	N/A[3447]	N/A[3448]	N/A[3449]	N[3450]

[3427] Iowa DOC AD-GA-09 Contact with the Media and the Public, Section 4(A)(1)(B)(3)(b).
[3429] Ibid.
[3431] Ibid.
[3435] Kansas Department of Corrections, *Internal Management Policy & Procedure 01-114D: Required Procedures in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident* (2023), https://public.powerdms.com/KansasDOC/tree/documents/1546601; Kansas Department of Corrections, *Internal Management Policy & Procedure 08-101D, Public Information Program* (2022), https://public.powerdms.com/KansasDOC/documents/1552330; Kansas Department of Corrections, *Internal Management Policy & Procedure 08-101D, Public Information Program* (2022), https://public.powerdms.com/KansasDOC/documents/1552330. Kansas DOC IMPP 08-104D, "Media access and Public Access to Correctional Facilities, Parole Officers, Residents, and Offenders", IMPP 08-101D, "Public Information Program", and IMPP 01-114D, "Required Documents in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident" do not explicitly reference media release following individual death in custody for Kansas. Therefore, we are unable to determine if a policy exists on deaths in custody public notification process for Iowa.
[3436] Kansas DOC IMPP 08-104D, "Media access and Public Access to Correctional Facilities, Parole Officers, Residents, and Offenders", IMPP 08-101D, "Public Information Program", and IMPP 01-114D, "Required Documents in the Event of the Death of a Resident or Offender, or Hospitalization of an Injured/Ill Resident" do not explicitly reference media release following individual death in custody for Kansas. Therefore, we are unable to determine if a policy exists on deaths in custody public notification process for Iowa.
[3437] Ibid.
[3438] Ibid.
[3439] Ibid.
[3440] Ibid.
[3441] Ibid.
[3442] There are no found statistical reporting platforms/reports that are publicly available for Kansas.
[3443] Kentucky Department of Corrections, *Policies and Procedures 8.7: Notification of Critical Incident* (2025), https://corrections.ky.gov/About/cpp/Documents/08/CPP%208.7%20Effective%202025%20-%202-4-25.pdf. Does not explicitly reference media release following individual death in custody for Kansas. There is no found policy specifically referencing media release following individual death in custody for Kentucky.
[3444] Kentucky DOC 8.7, "Notification of Critical Incident" does not explicitly reference media release following individual death in custody for Kansas. There is no found policy specifically referencing media release following individual death in custody for Kentucky.
[3445] Ibid.
[3446] Ibid.
[3447] Ibid.
[3448] Ibid.
[3449] Ibid.
[3450] There are no found statistical reporting platforms/reports that are publicly available for Kentucky.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Louisiana[3451]	N/A[3452]	N/A[3453]	N/A[3454]	N/A[3455]	N/A[3456]	N/A[3457]	N/A[3458]	Y[3459]
Maine[3460]	Discretionary[3461]	N[3462]	Commissioner (Attorney General when Suspected	Commissioner or Public Information Officer w/	Press Release[3465]	Y[3466]	N[3467]	N[3468]

[3451] Louisiana Department of Public Safety & Corrections (LA DPS&C), *Press Releases*, n.d., accessed May 9, 2026, https://doc.la.gov/public-programs-resources/public-information/press-releases/. This website has published press releases on their website regarding deaths in custody, including a summary of events, name, location, date, time in custody sentence, and status on cause and investigation, depending on circumstances (example here). As of April 20, 2026, 1 death had been published as a press release for 2026. While categorized as N/A because specific policies governing public notification are not able to be located, LA is highlighted in orange to indicate public notification occurrences by the Department.

[3452] LA DPS&C Press Releases has published press releases on their website regarding deaths in custody, including a summary of events, name, location, date, time in custody sentence, and status on cause and investigation, depending on circumstances (example here). As of April 20, 2026, 1 death had been published as a press release for 2026. While categorized as N/A because specific policies governing public notification are not able to be located, LA is highlighted in orange to indicate public notification occurrences by the Department.

[3453] Ibid.

[3454] Ibid.

[3455] Ibid.

[3456] Ibid.

[3457] Ibid.

[3458] Ibid.

[3459] Louisiana Department of Public Safety & Corrections, *Death Dashboard*, n.d., accessed May 9, 2026, https://doc.la.gov/death-dashboards/. The Louisiana Department of Public Safety and Corrections (DPS&C) publishes numbers of deaths in custody through their public Death Dashboard.The dashboard covers years 2019-2024, allowing viewers to filter by age at death, manner of death, gender, race, year, assigned facility at death, and time served in overall DOC custody. However, the dashboard does not allow for disaggregation of data to individual deaths.

[3460] General policy regarding media statements as published by the state Attorney General covers information that may be released in deaths in custody by the department. However, given that Maine DOC does not have a found policy on public notification following death in custody,

[3461] Maine Department of Corrections, *Policy Number 1.23: Contact with Media* (2026), https://www.maine.gov/corrections/sites/maine.gov.corrections/files/2026-03/1.23.pdf; Maine Office of the Attorney General, *Protocol for the Investigation of Deaths, Probable Deaths, and Missing Persons* (2025), 8.

[3462] Maine DOC 1.23, "Contact with Media" does not contain an explicit policy fulfilling the metric of timeline.

[3465] Maine DOC 1.23, "Contact with Media", Procedure B.

[3466] Office of the Attorney General's Death Investigation Protocol, Section V(A).

[3467] Maine DOC 1.23, "Contact with Media" does not contain an explicit policy fulfilling the metric of required information.

[3468] Maine DOC 1.23, "Contact with Media" does not contain an explicit policy fulfilling the metric of timeline.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
			Homicide)[3463]	Approval[3464]				
Maryland	Discretionary[3469]	N[3470]	Governor's Director of Communications[3471]	Governor's Director of Communications[3472]	N[3473]	Y[3474]	N[3475]	N [3476]
Massachusetts	Discretionary[3477]	N[3478]	Commissioner [3479]	Office of Communications and Outreach[3480]	News Release Statements [3481]	N[3482]	N[3483]	N[3484]
Michigan	Discretionary for	N[3486]	Public Information	Public Information	N[3489]	Y[3490]	N[3491]	N[3492]

[3463] State of Maine, Department of Corrections, Policy Number 1.23, "Contact with Media," Section VII, Procedure B(3), https://www.maine.gov/corrections/sites/maine.gov.corrections/files/2026-03/1.23.pdf; Office of the Attorney General's Death Investigation Protocol In cases that are not homicide cases, certain potential information for release includes the cause, manner, and circumstances of a death, but only with authorization of and after consultation with the Office of Chief Medical Examiner and the Office of the Attorney General.
[3464] Maine DOC 1.23, "Contact with Media", Procedure B(3).
[3469] Maryland Department of Public Safety and Corrections (DPSCS), *Secretary's Directive DPSCS.010.0022: Newsworthy Event Reporting* (2015), https://itcd.dpscs.state.md.us/PIA/ShowFile?fileID=1159&utm.
[3470] Maryland DPSCS.010.022 Revised, Newsworthy Event Reporting; Md. Code Regs. 12.12.21.01) do not contain an explicit policy fulfilling the metric of timeline.
[3471] Maryland DPSCS.010.022 Revised, Newsworthy Event Reporting. 0.05(F)
[3472] Maryland DPSCS.010.022 Revised, Newsworthy Event Reporting.
[3473] Analyzed policies (Maryland DPSCS.010.022 Revised, Newsworthy Event Reporting; Md. Code Regs. 12.12.21.01) do not contain an explicit policy fulfilling the metric of reporting type.
[3474] Md. Code Regs. 12.12.21.01
[3475] Analyzed policies (Maryland DPSCS.010.022 Revised, Newsworthy Event Reporting; Md. Code Regs. 12.12.21.01) do not contain an explicit policy fulfilling the metric of required information.
[3476] There are no found statistical reporting platforms/reports that are publicly available for Maryland..
[3477] 103 CMR 131.07(2) "The Commissioner or a designee shall decide whether the Department will disseminate CORI that refers to the death of an individual." "Is the general policy of the Department not to comment on on-going or pending investigations involving inmates and/or employees in order to protect the integrity of the investigation."
[3478] 103 CMR 131.07 does not contain a specific policy fulfilling the metric of reporting type.
[3479] Massachusetts Regulations, Department of Corrections, 103 CMR §131.07, "News Release Statements," https://www.law.cornell.edu/regulations/massachusetts/103-CMR-131-07
[3480] Massachusetts Regulations, Department of Corrections, 103 CMR §131.07, "News Release Statements," https://www.law.cornell.edu/regulations/massachusetts/103-CMR-131-07
[3481] Ibid.
[3482] Massachusetts Department of Correction, *103 DOC 622: Death Procedures* (2021), https://www.mass.gov/doc/doc-622-death-procedures/download. Analyzed policies (203 DOC 622.04, Death Procedures; 103 CMR 131.07) do not contain a specific policy fulfilling the metric of post-NOK notification. .
[3483] 103 CMR 131.07 does not contain a specific policy fulfilling the metric of required information.
[3484] There are no found statistical reporting platforms/reports that are publicly available for Massachusetts.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
	Unexpected Deaths[3485]		Officer[3487]	Officer; Media liaison as designated by Warden[3488]				
Minnesota	Discretionar	N[3494]	Warden,	Communica	N[3497]	N[3498]	N[3499]	N[3500]

[3486] Michigan Department of Corrections, Policy Directive 01.05.120: Critical Incident Reporting (2018), Section Q, https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-01-Administration-and-Organization/PD-0105-Inspections-Auditing-and-Reporting/01-05-120-Critical-Incident-Reporting-Correctional-Facilities-Administration-CFA-effective-07-01-18.pdf?rev=d4b6910e7569426e9ae59e8ff6dfae70; Michigan Department of Corrections, *Policy Directive 04.06.110: Deaths* (2023), https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-04-Institutional-Operations/PD-0406-Medical-and-Mental-Health-Services/04-06-110-Deaths-and-Disposition-of-the-Remains-effective-06-28-21.pdf?rev=0e2914d07aff4fd2926834cde98d25e5; Michigan Department of Corrections, *Policy Directive 01.06.130: Media Relations* (2021), https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-01-Administration-and-Organization/PD-0106-Public-and-Media-Relations/01-06-130-Media-Relations-effective-04-12-21.pdf?rev=12b1317ce8504fa0bfaeda441cf24f24. . Analyzed policies (PD 04.06.110, Deaths (Y); PD 01.06.130, Media Relations (K); PD 01.06.130, Media Relations) do not contain an explicit policy fulfilling the metric of timeline.

[3489] Analyzed policies (PD 04.06.110, Deaths (Y); PD 01.06.130, Media Relations (K); PD 01.06.130, Media Relations) do not contain an explicit policy fulfilling the metric of reporting type.

[3490] PD 04.06.110, Deaths (Y); PD 01.06.130, Media Relations (K).

[3491] Analyzed policies (PD 04.06.110, Deaths (Y); PD 01.06.130, Media Relations (K); PD 01.06.130, Media Relations) do not contain an explicit policy fulfilling the metric of required information.

[3492] There are no found statistical reporting platforms/reports that are publicly available for Michigan.

[3485] Michigan Department of Corrections, *Policy Directive 01.05.120: Critical Incident Reporting* (2018), Section Q, https://www.michigan.gov/corrections/-/media/Project/Websites/corrections/Files/Policy-Directives/PDs-01-Administration-and-Organization/PD-0105-Inspections-Auditing-and-Reporting/01-05-120-Critical-Incident-Reporting-Correctional-Facilities-Administration-CFA-effective-07-01-18.pdf?rev=d4b6910e7569426e9ae59e8ff6dfae70.

[3487] PD 01.06.130, Media Relations, Section K.

[3488] PD 01.06.130, Media Relations Section E; Section F.

[3494] Minnesota Department of Corrections, *Policy Number 101.010: Information Program and Dissemination* (2018), https://policy.doc.mn.gov/DOCPolicy/.
Analyzed policies (Minnesota DOC Policy 203.230, Death of an Incarcerated Person; Minnesota DOC Policy 101.010 Information Program and Dissemination) do not contain an explicit policy fulfilling the metric of timeline.

[3497] Analyzed policies (Minnesota DOC Policy 203.230, Death of an Incarcerated Person; Minnesota DOC Policy 101.010 Information Program and Dissemination) do not contain an explicit policy fulfilling the metric of reporting type.

[3498] Analyzed policies (Minnesota DOC Policy 203.230, Death of an Incarcerated Person; Minnesota DOC Policy 101.010 Information Program and Dissemination) do not contain an explicit policy fulfilling the metric of post-NOK notification.

[3499] Ibid.

[3500] There are no found statistical reporting platforms/reports that are publicly available for Minnesota.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
	y[3493]		Communications Office[3495]	tions Office[3496]				
Mississippi[3501]	N/A[3502]	N/A[3503]	N/A[3504]	N/A[3505]	N/A[3506]	N/A[3507]	N/A[3508]	N[3509]
Missouri	N/A[3510]	N/A[3511]	N/A[3512]	N/A[3513]	N/A[3514]	N/A[3515]	N/A[3516]	N[3517]
Montana	Discretionary[3518]	N[3519]	Public Information	Public Information	N[3522]	Y, or 24 hours,	N[3524]	Y[3525]

[3493] Minnesota Department of Corrections, *Policy Number 203.230: Death of an Incarcerated Person* (2025), Section B, https://policy.doc.mn.gov/DOCPolicy/.
Warden must "consult with the department's communications office regarding appropriate information to be released to the media". However, it is a general department guideline that any external information products, such as a news release, do not include names or identifiable photos of incarcerated individuals.
[3495] Minnesota DOC Policy 203.230, Death of an Incarcerated Person (B); Warden must "consult with the department's communications office regarding appropriate information to be released to the media".
[3496] Minnesota DOC Policy 101.010 Information Program and Dissemination, Section B.
[3501] Mississippi Department of Corrections, "Press Releases," accessed May 9, 2026, https://www.mdoc.ms.gov/news. The MDOC Press Release website occasionally releases announcements about inmate deaths; however, they do not release statements for all inmate deaths as the last press release statement concerning an inmate death is from September 2023. There is no found policy specifically referencing media release following individual death in custody for Mississippi.
[3502] The MDOC Press Release website occasionally releases announcements about inmate deaths; however, they do not release statements for all inmate deaths as the last press release statement concerning an inmate death is from September 2023. There is no found policy specifically referencing media release following individual death in custody for Mississippi.
[3503] Ibid.
[3504] Ibid.
[3505] Ibid.
[3506] Ibid.
[3507] Ibid.
[3508] Ibid.
[3509] There are no found statistical reporting platforms/reports that are publicly available for Mississippi. .
[3510] There is no found policy specifically referencing media release following individual death in custody for Missouri.
[3511] Ibid.
[3512] Ibid.
[3513] Ibid.
[3514] Ibid.
[3515] Ibid.
[3516] Ibid.
[3517] There are no found statistical reporting platforms/reports that are publicly available for Missouri.
[3519] Analyzed policies (Montana State Prison Standard Operating Procedures Manual MSP 1.1.8 "MEDIA RELATIONS; Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death*) do not contain an explicit policy fulfilling the metric of timeline.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
			Officer[3520]	Officer; Warden[3521]		whichever comes first[3523]		
Nebraska[3526]	N/A[3527]	N/A[3528]	N/A[3529]	N/A[3530]	N/A[3531]	N/A[3532]	N/A[3533]	N[3534]
Nevada	Mandatory[35][35]	"as soon as	N/R	Public Information	Website News	N[3539]	N[3540]	Y[3541]

[3518] Montana Department of Corrections, *Montana State Prison Standard Operating Procedures Manual: MSP 1.1.8: Media Relations (2017),* https://cor.mt.gov/DataStatsContractsPoliciesProcedures/Procedures/MSP-Procedures/MSP-SOP-Manual.pdf; Montana Department of Corrections, *Montana State Prison Health Services Operating Procedures Manual: MSP HS A-9.0: Procedures in the event of inmate death* (2020), Section B, https://cor.mt.gov/DataStatsContractsPoliciesProcedures/Procedures/MSP-Procedures/MSP-SOP-Manual.pdf. Staff may not release information concerning inmate death to outside media, must refer to Warden or PIO. No more information is included in Media Relations other than saying to withhold until next of kin notification.
[3522] Analyzed policies (Montana State Prison Standard Operating Procedures Manual MSP 1.1.8 "MEDIA RELATIONS; Montana DOC Health Services Operational Procedure MSP HS A-9.0 *Procedures in the Event of Inmate Death*) do not contain an explicit policy fulfilling the metric of reporting type.
[3524] Ibid.
[3525] Montana Department of Corrections, "Mortality in Corrections," accessed May 9, 2026, https://dataportal.mt.gov/t/COR/views/MortalityinCorrections_17005883769990/AboutMortalityinCorrections?:showAppBanner=false&:display_count=n&:showVizHome=n&:origin=viz_share_link&:embed=y. Data from the DOC Offender Management Information System from 2001 to 2026.# The dashboard is updated frequently. The dashboard includes interactive tabs on the following categories: Death by years, age, and sex; Manner, facility, and location; Data in list format. The Data in list format tab includes detailed individual death in custody information including the decedent's name, sex, race/ethnicity, DOC Identification number, facility, age of death, cause of death.
[3520] Montana State Prison Standard Operating Procedures Manual MSP 1.1.8 "MEDIA RELATIONS
[3521] Montana State Prison Standard Operating Procedures Manual MSP 1.1.8 "MEDIA RELATIONS
[3523] Montana State Prison Standard Operating Procedures Manual MSP 1.1.8 "MEDIA RELATIONS, F(3)
[3526] Nebraska Department of Correctional Services (NDCS), "Search for 'Inmate Death,'" accessed May 9, 2026, https://corrections.nebraska.gov/search/node. The NDCS website includes press releases for inmate deaths as January 2026 and as far back as 2023; however, it is unclear whether posting a press release is the policy following all inmate deaths or only specific deaths. While categorized as N/A because specific policies governing public notification are not able to be located, NE is highlighted in orange to indicate public notification occurrences by the Department.
[3527] NDCS, Search for inmate death The NDCS website includes press releases for inmate deaths as January 2026 and as far back as 2023; however, it is unclear whether posting a press release is the policy following all inmate deaths or only specific deaths. While categorized as N/A because specific policies governing public notification are not able to be located, NE is highlighted in orange to indicate public notification occurrences by the Department.
[3528] Ibid.
[3529] Ibid.
[3530] Ibid.
[3531] Ibid.
[3532] Ibid.
[3533] Ibid.
[3534] There are no found statistical reporting platforms/reports that are publicly available for Nebraska. .

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
		possible", within 24h for Warden to notify Public Information Officer[3536]		Officer[3537]	Releases[3538]			

[3535] Nevada Department of Corrections, *Administrative Regulation 420: Inmate Death or Serious Injury Procedure* (2017), 5, https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20420%20%20-%20Inmate%20Death%20or%20Serious%20Injury%20-%20Final%20-%2003072017.pdf; State of Nevada Department of Corrections, "News," accessed May 9, 2026, https://doc.nv.gov/About/Press_Release/News/ (for news releases that are up to date and the majority are for deaths in custody, we are inferring that every death is notified to the media. Exact language of policy states that the Public Information Officer "is responsible to notify the media" https://www.doc.nv.gov/news/).

[3539] Analyzed policies (Nevada DOC AR 420 Inmate Death or Serious Injury Procedure; Nevada DOC AR 120, "News Media Contact and the Dissemination of Information") do not contain an explicit policy fulfilling the metric of post-NOK notification.

[3540] Analyzed policies (Nevada DOC AR 420 Inmate Death or Serious Injury Procedure; Nevada DOC AR 120, "News Media Contact and the Dissemination of Information") do not contain an explicit policy fulfilling the metric of required information.

[3541] State of Nevada Department of Corrections, "Offender Mortality Statistics," accessed May 10, 2026, https://doc.nv.gov/About/Statistics/Offender_Mortality_Statistics/. Nevada DOC maintains their own Offender Mortality Statistics website where total in-custody deaths from 2007 to 2026 are listed. More detailed death in custody information including offender identification number, name, location of death, age at death, death date, race/ethnicity, and date of admission, is also available for each calendar year. Death in custody information from the current calendar is updated monthly or upon press release.

[3536] Nevada Department of Corrections, Administrative Regulation 420.02, "Inmate Death or Serious Injury Procedure," https://www.doc.nv.gov/siteassets/content/about/administrative-regulations/AR_420__20-_Inmate_Death_or_Serious_Injury_-_Final_-_03072017.pdf

[3537] Nevada Department of Corrections, Administrative Regulation 420, "Inmate Death or Serious Injury Procedure," https://www.doc.nv.gov/siteassets/content/about/administrative-regulations/AR_420__20-_Inmate_Death_or_Serious_Injury_-_Final_-_03072017.pdf

[3538] Analyzed policies (Nevada DOC AR 420 Inmate Death or Serious Injury Procedure; Nevada DOC AR 120, "News Media Contact and the Dissemination of Information") do not contain an explicit policy stating "news release" and instead AR 420 states that the Public Information Officer is "responsible to notify the media". However, since website has news releases that are up to date and the majority are for deaths in custody, this metric has "website news release" as the fulfilled metric.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
New Hampshire[3542]	N/A[3543]	N/A[3544]	N/A[3545]	N/A[3546]	N/A[3547]	N/A[3548]	N/A[3549]	N[3550]
New Jersey[3551]	Discretionary[3552]	N[3553]	Commissioner[3554]	Office of Public Information[3555]	Media release[3556]	NJ[3557]	N[3558]	N[3559]

[3542] NH Department of Corrections, "News Releases," accessed May 10, 2026, https://www.corrections.nh.gov/resources/news-and-public-information/news-releases. NH DOC last published a news release for a death in custody in April 2024 (as of April 5, 2026). NH DOC 503.03 "Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death" does not explicitly reference media release following individual death in custody for NH. There is no found policy specifically referencing media release following individual death in custody for NH.

[3543] NH DOC News Releases. NH DOC last published a news release for a death in custody in April 2024 (as of April 5, 2026). NH DOC 503.03 "Notification to Designated Individuals in Case of Resident Serious Illness, Injury, and Death" does not explicitly reference media release following individual death in custody for NH. There is no found policy specifically referencing media release following individual death in custody for NH.

[3544] Ibid.

[3545] Ibid.

[3546] Ibid.

[3547] Ibid.

[3548] Ibid.

[3549] Ibid.

[3550] There are no found statistical reporting platforms/reports that are publicly available for NH. .

[3551] Aside from general publications/reports, NJ DOC does not publish their own death in custody data.

[3552] N.J. Admin. Code § 10A:19-2.5, Emergency situations. Requires correctional facilities to immediately notify the Assistant Commissioner and the Department of Corrections Office of Public Information when emergency incidents occur, including unexpected inmate deaths. The Office of Public Information may release information to the media with approval from the Commissioner, but disclosure may be delayed if public notification could compromise institutional safety, order, or an ongoing investigation.

[3553] N.J. Admin. Code § 10A:19-2.5 does not contain an explicit policy fulfilling the metric of timeline.

[3554] N.J. Admin. Code § 10A:19-2.5(c).

[3555] Ibid.

[3556] Ibid.

[3557] N.J. Admin. Code § 10A:19-2.5(c) does not contain an explicit policy fulfilling the metric of post-NOK notification.

[3558] Ibid.

[3559] There are no found statistical reporting platforms/reports that are publicly available for New Jersey.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
New Mexico	N/A[3560]	N/A[3561]	N/A[3562]	N/A[3563]	N/A[3564]	N/A[3565]	N/A[3566]	N[3567]
New York	Mandatory[3568]	48 hours after family notification[3569]	N/R	Department[3570]	Website notice of death[3571]	Y[3572]	N[3573]	Y[3574]

[3560] New Mexico Corrections Department, "Press Releases," accessed May 10, 2026, https://www.cd.nm.gov/press-releases/; New Mexico Corrections Department. *CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death* (2022), https://www.cd.nm.gov/wp-content/uploads/2023/12/CD-172100.pdf.
No press releases on the website between 2021-2026 covering deaths in custody. Additionally, NM Corrections Department CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death does not explicitly reference media release following individual death in custody for NM. There is no found policy specifically referencing media release following individual death in custody for NM.
[3561] NM DOC Newsroom. No press releases on the website between 2021-2026 covering deaths in custody. Additionally, NM Corrections Department CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death does not explicitly reference media release following individual death in custody for NM. There is no found policy specifically referencing media release following individual death in custody for NM.
[3562] Ibid.
[3563] Ibid.
[3564] Ibid.
[3565] Ibid.
[3566] NM DOC Newsroom. No press releases on the website between 2021-2026 covering deaths in custody. Additionally, NM Corrections Department CD-172100 Notification of Serious Illness, Injury or Death of an Inmate and Procedure in the Event of an Inmate Death does not explicitly reference media release following individual death in custody for NM. There is no found policy specifically referencing media release following individual death in custody for NM.
[3567] There are no found statistical reporting platforms/reports that are publicly available for New Mexico.
[3568] N.Y. Correct. Law §624.
[3569] Ibid.
[3570] Ibid.
[3571] Ibid.
[3572] Ibid.
[3573] N.Y. Correct. Law §624 does not contain an explicit policy fulfilling the metric of required information.
[3574] New York State Department of Corrections and Community Supervision, "2026 Incarcerated Deaths," accessed May 10, 2026, https://doccs.ny.gov/2026-incarcerated-deaths. NY DOCCS publishes updated reports of incarcerated deaths by month on their website including name, DOC, department identification number, date of death, and housing facility.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
North Carolina[3575]	N/A[3576]	N/A[3577]	N/A[3578]	N/A[3579]	N/A[3580]	N/A[3581]	N/A[3582]	N[3583]
North Dakota	N/A[3584]	N/A[3585]	N/A[3586]	N/A[3587]	N/A[3588]	N/A[3589]	N/A[3590]	N[3591]
Ohio	Mandatory (upon request from	N[3593]	Office of Communications[3594]	Office of Communications[3595]	Release upon request	Y, or 24 hours after death,	N[3598]	Y[3599]

[3575] NC Department of Adult Correction (NC DAC), "Press Releases," accessed May 10, 2026, https://www.dac.nc.gov/news/press-release?field_press_release_terms_target_id=3833&page=0. NC DAC publishes press releases for suspected and apparent suicides. NC DAC F.4100, "Offender Death Procedures" does not explicitly reference media release following individual death in custody for NC. There is no found policy specifically referencing media release following individual death in custody for NC. While categorized as N/A because specific policies governing public notification are not able to be located, NC is highlighted in orange to indicate public notification occurrences by the Department.

[3576] NC DAC Press Releases. NC DAC publishes press releases for suspected and apparent suicides. NC DAC F.4100, "Offender Death Procedures" does not explicitly reference media release following individual death in custody for NC. There is no found policy specifically referencing media release following individual death in custody for NC. While categorized as N/A because specific policies governing public notification are not able to be located, NC is highlighted in orange to indicate public notification occurrences by the Department.

[3577] Ibid.

[3578] Ibid.

[3579] Ibid.

[3580] Ibid.

[3581] Ibid.

[3582] Ibid.

[3583] There are no found statistical reporting platforms/reports that are publicly available for North Carolina.

[3584] There is no found policy specifically referencing media release following individual death in custody for North Dakota.

[3585] Ibid.

[3586] Ibid.

[3587] Ibid.

[3588] Ibid.

[3589] Ibid.

[3590] Ibid.

[3591] There are no found statistical reporting platforms/reports that are publicly available for North Dakota.

[3593] ORDC 01-COM-09 Media Policy. Does not contain an explicit policy fulfilling the metric of timeline.

[3594] ORDC 01-COM-09 Media Policy, Section VI.

[3595] ORDC 01-COM-09 Media Policy, Section VI.

[3598] ORDC 01-COM-09 Media Policy, Section V(B)(1)(p). Cause of death may not be released until made official. Other than this, the policy does not contain an explicit provision fulfilling the metric of required information.

[3599] The Office of Criminal Justice Services, "Deaths in Custody Reporting," accessed May 10, 2026, https://ocjs.ohio.gov/research-and-data/data-reports-and-dashboards/deaths-in-custody-reporting#DeathsinCustodyDashboard. Ohio's Office of Criminal Justice Services' Death in Custody Reporting website includes a dashboard for Ohio-arrest related deaths from 2013 to 2022 and annual reports on Ohio deaths in custody as recent as 2022.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
	media)[3592]				from media[3596]	whenever first[3597]		
Oklahoma	N/A[3600]	N/A[3601]	N/A[3602]	N/A[3603]	N/A[3604]	N/A[3605]	N/A[3606]	Y[3607]

[3592] Ohio Department of Rehabilitation & Correction (ORDC), *01-COM-09: Media Policy,* Section V(B)(1)(p), https://drc.ohio.gov/wps/wcm/connect/gov/199d5d24-a994-48ef-9bab-6dee10e9bdd2/01-COM-09.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_79GCH8013HMOA06A2E16IV2082-199d5d24-a994-48ef-9bab-6dee10e9bdd2-pOlZWCy.

[3596] _ORDC 01-COM-09 Media Policy, Section V(B)(1)(p).

[3597] _ORDC 01-COM-09 Media Policy, Section V(B)(1)(p).

[3600] Oklahoma Department of Corrections, *Section 1-14 Health Services, OP-130111: Inmate Death, Injury and Illness Notification and Procedure* (2026) https://oklahoma.gov/content/dam/ok/en/doc/documents/policy/section-14/op140111.pdf. Does not explicitly reference media release following individual death in custody for OK. There is no found policy specifically referencing media release following individual death in custody for OK.

[3601] OK DOC OP-140111: Inmate Death, Injury, and Illness Notification and Procedures does not explicitly reference media release following individual death in custody for OK. There is no found policy specifically referencing media release following individual death in custody for OK.

[3602] Ibid.

[3603] Ibid.

[3604] Ibid.

[3605] Ibid.

[3606] OK DOC OP-140111: Inmate Death, Injury, and Illness Notification and Procedures does not explicitly reference media release following individual death in custody for OK. There is no found policy specifically referencing media release following individual death in custody for OK.

[3607] Oklahoma Department of Corrections, "Deaths in Custody," accessed May 10, 2026, https://ocjs.ohio.gov/research-and-data/data-reports-and-dashboards/deaths-in-custody-reporting#DeathsinCustodyDashboard. OK DOC published a Deaths in Custody Dashboard on Friday, April 10, 2026 as announced in a website press release. The dashboard includes overall statistical tools as well as an individual view of deaths in custody with name, date, ODOC No., facility, location, age, county of conviction and conviction, and manner of death once finalized by the OCME. 2024 and 2025 statistics are also available.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Oregon	Discretionary[3608]	N[3609]	Director[3610]	Communications Manger[3611]	Media Release[3612]	Y[3613]	N[3614]	N[3615]
Pennsylvania[3616]	Discretionary[3617]	N[3618]	Press Secretary[3619]	N[3620]	N[3621]	Y[3622]	N[3623]	N[3624]

[3608] Oregon Department of Corrections, *DOC Policy 40.1.6: Unusual Incident Report Process* (1999), Section A(4), https://www.oregon.gov/doc/rules-and-policies/Documents/40-1-6.pdf. Responsible for reporting incidents to Director and making recommendations on release of information to the media.
[3609] Oregon Department of Corrections, *291-039-0015: Request for Release of Information,* https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=37942. Analyzed policies (Oregon DOC 40.1.6 Unusual Incident Report Process; Oregon Oregon DOC 291-039-0015 Request for Release of Information) do not contain an explicit policy fulfilling the metric of timeline.
[3610] Oregon DOC 40.1.6 Unusual Incident Report Process A(4) Is responsible for reporting incidents to Director and making recommendations on release of information to the media.
[3611] Oregon DOC 40.1.6 Unusual Incident Report Process A(4) Is responsible for reporting incidents to the Director and making recommendations on release of information to the media.
[3612] Oregon DOC 40.1.6 Unusual Incident Report Process A(4)
[3613] Oregon DOC 291-039-0015 Request for Release of Information; Section 7
[3614] Oregon DOC 291-039-0015 Request for Release of Information; Section 7. Cause of death information may not be released until the death certificate is signed. Other than this, analyzed policies (Oregon DOC 40.1.6 Unusual Incident Report Process; Oregon DOC 291-039-0015 Request for Release of Information) do not contain an explicit policy fulfilling the metric of required information.
[3615] There are no found statistical reporting platforms/reports that are publicly available for Oregon.
[3616] Pennsylvania Departent of Corrections, "Newsroom," accessed May 10, 2026, https://www.pa.gov/agencies/cor/about-us/newsroom/newsroom. PA DOC website regularly posts news releases on their website regarding deaths in custody, but there is no policy that has been found explicitly mandating releases for all deaths in custody.
[3617] Pennsylvania Department of Corrections, *Policy Number 1.1.5: Notification of Extraordinary Unexpected Deaths* (2022), Section C(6), https://www.pa.gov/content/dam/copapwp-pagov/en/cor/documents/about-us/doc-policies/01.01.05%20Notification%20of%20Extraordinary%20Unexpected%20Deaths.pdf.
[3618] PA DOC 1.1.5 Notification of Extraordinary Unexpected Deaths does not contain an explicit policy fulfilling the metric of timeline.
[3619] PA DOC 1.1.5 Notification of Extraordinary Unexpected DeathsSection C(6)
[3620] PA DOC 1.1.5 Notification of Extraordinary Unexpected Deaths does not contain an explicit policy fulfilling the metric of notification responsibility.
[3621] Ibid.
[3622] PA DOC 1.1.5 Notification of Extraordinary Unexpected Deaths, Section C(6).
[3623] PA DOC 1.1.5 Notification of Extraordinary Unexpected Deaths does not contain an explicit policy fulfilling the metric of required information.
[3624] There are no found statistical reporting platforms/reports that are publicly available for Pennsylvania.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Rhode Island	N/A[3625]	N/A[3626]	N/A[3627]	N/A[3628]	N[3629]	N[3630]	N[3631]	N[3632]
South Carolina[3633]	N/A[3634]	N/A[3635]	N/A[3636]	N/A[3637]	N/A[3638]	N/A[3639]	N/A[3640]	N[3641]

[3625] Rhode Island Department of Corrections (RIDOC), *Policy Number 18.09-4 DOC: Death of Inmates Under RIDOC Supervision* (2025), Section II(B), https://doc.ri.gov/media/3516/download?language=en; Rhode Island Department of Corrections (RIDOC), *Policy Number 240-RICR-20-00-2: Public Information/Media Access* (2008), https://doc.ri.gov/news-info/policies/publicly-available-policies/all-policies. *18.09-4 DOC* Prohibits staff from releasing information on death in custody, as it must be referred to the Chief of Information and Public Relations. However, analyzed policies (RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision; 240-RICR-20-00-2, "Public Information Media Access") do not explicitly reference media release following individual death in custody for RI. There is no found policy specifically referencing media release following individual death in custody for RI.
[3626] RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision, Section II(B) prohibits staff from releasing information on death in custody, as it must be referred to the Chief of Information and Public Relations. However, analyzed policies (RI 18.09-4 DOC, Death of Inmates Under RIDOC Supervision; 240-RICR-20-00-2, "Public Information Media Access") do not explicitly reference media release following individual death in custody for RI. There is no found policy specifically referencing media release following individual death in custody for RI.
[3627] Ibid.
[3628] Ibid.
[3629] Ibid.
[3630] Ibid.
[3631] Ibid.
[3632] There are no found statistical reporting platforms/reports that are publicly available for South Carolina.
[3633] SC DOC News / Press Releases. While no specific policy is found regarding press releases of deaths in custody, SC DOC has issued press releases with deaths in custody information, including name, facility location, date, age, and other circumstances relating to the investigation and death circumstances. Example seen here. As of April 21, 2026, 1 death by suspected suicide has been published as a press release. While categorized as N/A because specific policies governing public notification are not able to be located, NC is highlighted in orange to indicate public notification occurrences by the Department.
[3634] South Carolina Department of Corrections, "News," accessed May 10, 2026, https://www.doc.sc.gov/agency-news. While no specific policy is found regarding press releases of deaths in custody, SC DOC has issued press releases with deaths in custody information, including name, facility location, date, age, and other circumstances relating to the investigation and death circumstances. Example seen here. As of April 21, 2026, 1 death by suspected suicide has been published as a press release. While categorized as N/A because specific policies governing public notification are not able to be located, NC is highlighted in orange to indicate public notification occurrences by the Department.
[3635] SC DOC News / Press Releases. While no specific policy is found regarding press releases of deaths in custody, SC DOC has issued press releases with deaths in custody information, including name, facility location, date, age, and other circumstances relating to the investigation and death circumstances. Example seen here. As of April 21, 2026, 1 death by suspected suicide has been published as a press release. While categorized as N/A because specific policies governing public notification are not able to be located, NC is highlighted in orange to indicate public notification occurrences by the Department.
[3636] Ibid.
[3637] Ibid.
[3638] Ibid.
[3639] Ibid.
[3640] Ibid.
[3641] There are no found statistical reporting platforms/reports that are publicly available for South Carolina.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
South Dakota	Mandatory[3642]	In practice, 48 hours[3643]	N/R	Public Information Officer[3644]	Press Release[3645]	Y[3646]	N[3647]	N[3648]
Tennessee	Discretionary[3649]	"Timely manner[3650]	Commissioner, Communications Director[3651]	Commissioner, Communications Director[3652]	Press Release[3653]	N[3654]	N[3655]	Y[3656]

[3642] South Dakota Department of Corrections, *Policy and Procedure, Policy Number 300-20: Death of an Offender* (2025), Section IV(9)(A), https://www.doc.sd.gov/home/showpublisheddocument/650/638854053563770000. "Responsible for issuing a press release regarding the death of an offender in DOC custody."
[3643] South Dakota DOC 300-20 Death of an Offender, Section IV(9)(A). In practice, maximum is likely 48 hours given provision for circumstances in which next of kin has not been reached within 48 hours since death.
[3644] South Dakota DOC 300-20 Death of an Offender, Section IV(9)(A).
[3645] South Dakota DOC 300-20 Death of an Offender, Section IV(9)(A).
[3646] South Dakota DOC 300-20 Death of an Offender, Section IV(9)(A). If DOC staff are advised by next of kin asking for additional time to notify immediate family, staff will contact PIO. If attempts to contact next of kin are unsuccessful for at least 48 hours since death, PIO may issue a press release.
[3647] South Dakota DOC 300-20 Death of an Offender does not contain an explicit policy fulfilling the metric of required information.
[3648] There are no found statistical reporting platforms/reports that are publicly available for South Dakota..
[3649] Tennessee Department of Correction. *Administrative Policies and Procedures, Index # 103.04: Provision of Information and Access to the Media and Public* (2019), Section VI(F)(6), https://www.tn.gov/content/dam/tn/correction/documents/103-04.pdf. "Case by case basis".
[3650] TN DOC 103.04, Provision of Information and Access to the Media and the Public, Section VI(F)(6), "Timely manner."
[3651] TN DOC 103.04, Provision of Information and Access to the Media and the Public, Section VI(F).
[3652] Ibid.
[3653] Ibid.
[3654] TN DOC 103.04, Provision of Information and Access to the Media and the Public does not contain an explicit policy fulfilling the metric of post-NOK notification.
[3655] TN DOC 103.04, Provision of Information and Access to the Media and the Public does not contain an explicit policy fulfilling the metric of required information.
[3656] TN Bureau of Investigation, *2025 Law Enforcement-Related Deaths in Tennessee* (2026), https://www.tn.gov/content/dam/tn/tbi/LERD%202025%20Final%20SECURED.pdf. TN Bureau of Investigation has published yearly reports including deaths in custody, summarizing DCRA data. Additionally, TN DOC Annual Statistical Abstract contains a section on deaths in custody with incident summaries.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Texas	N/A[3657]	N/A[3658]	N/A[3659]	N/A[3660]	N/A[3661]	N/A[3662]	N/A[3663]	Y[3664]

[3657] Texas Department of Criminal Justice (TDCJ), *Correctional Managed Health Care Manual, Number A-11.1: Procedure to be Followed in Cases of Inmate Death* (2025), https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/A-11.01.pdf.
Does not explicitly reference media release following individual death in custody for TX. There is no found policy specifically referencing media release following individual death in custody for TX.
[3658] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death does not explicitly reference media release following individual death in custody for TX. There is no found policy specifically referencing media release following individual death in custody for TX.
[3659] Ibid.
[3660] Texas Department of Criminal Justice, Procedure to Be Followed in Cases of Inmate Death does not explicitly reference media release following individual death in custody for TX. There is no found policy specifically referencing media release following individual death in custody for TX.
[3661] Ibid.
[3662] Ibid.
[3663] Ibid.
[3664] Texas Office of the Attorney General Ken Paxton, "Custodial Death Report," accessed May 10, 2026, https://oag.my.site.com/cdr/cdrreportdeaths.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Utah	N/A[3665]	N/A[3666]	N/A[3667]	N/A[3668]	N/A[3669]	N/A[3670]	N/A[3671]	Y[3672]

[3665] Utah Department of Correction (UDC), "Press Releases," accessed May 10, 2026, https://corrections.utah.gov/media-and-public-information/press-releases/; Utah Department of Corrections, *Department Manual, Policies and Procedures, AG05: Media Relations* (2025), https://public.powerdms.com/UtahDOC/tree/documents/1760258. "Press Releases" has not published a press release on a death in custody since 2023 (as of April 2021, 2026). Utah DOC AG05, "Media Relations" 01.01 Purpose and Scope states that "News media is interested in reporting publicly on departmental operations…this includes non-natural deaths of inmates." 02.02 News Releases states that "The department is encouraged to initiate contact with the news media regarding information that would assist in informing the public about activities, vital issues, or needs of the department." However, given that policy itself does not explicitly mention deaths in custody, and Section 0.01 is a statement on media interest, there is no found policy specifically referencing media release following individual death in custody for UT.

[3666] Utah DOC "Press Releases" has not published a press release on a death in custody since 2023 (as of April 2021, 2026). Utah DOC AG05, "Media Relations" 01.01 Purpose and Scope states that "News media is interested in reporting publicly on departmental operations…this includes non-natural deaths of inmates." 02.02 News Releases states that "The department is encouraged to initiate contact with the news media regarding information that would assist in informing the public about activities, vital issues, or needs of the department." However, given that policy itself does not explicitly mention deaths in custody, and Section 0.01 is a statement on media interest, there is no found policy specifically referencing media release following individual death in custody for UT.

[3667] Ibid.

[3668] Ibid.

[3669] Ibid.

[3670] Ibid.

[3671] Utah DOC "Press Releases" has not published a press release on a death in custody since 2023 (as of April 2021, 2026). Utah DOC AG05, "Media Relations" 01.01 Purpose and Scope states that "News media is interested in reporting publicly on departmental operations…this includes non-natural deaths of inmates." 02.02 News Releases states that "The department is encouraged to initiate contact with the news media regarding information that would assist in informing the public about activities, vital issues, or needs of the department." However, given that policy itself does not explicitly mention deaths in custody, and Section 0.01 is a statement on media interest, there is no found policy specifically referencing media release following individual death in custody for UT.

[3672] Utah Department of Correction (UDC), "Offender Passings," accessed May 10, 2026, https://corrections.utah.gov/victim-services/offender-passings/. Includes name, ID number, date of death, age, and facility.

Vermont[3673]	N/A[3674]	N/A[3675]	N/A[3676]	N/A[3677]	N/A[3678]	N/A[3679]	N/A[3680]	Y[3681]
Virginia[3682]	Discretionary[3683]	N/A[3684]	Director's Office[3685]	Director's Office[3686]	News Release[3687]	Y[3688]	N/A[3689]	Y[3690]
Washington[3691]	N/A[3692]	N/A[3693]	N/A[3694]	N/A[3695]	N/A[3696]	N/A[3697]	N/A[3698]	Y[3699]

[3673] Vermont Department of Corrections, "Press Releases," accessed May 10, 2026, https://doc.vermont.gov/content/press-releases; Agency of Human Services, Vermont Department of Corrections, #353: *Death Response and Review* (2024), https://outside.vermont.gov/dept/DOC/Policies/Death%20Response%20and%20Review%20Policy.pdf; Agency of Human Services, Vermont Department of Corrections, *#26.01: Media Access* (2013), https://outside.vermont.gov/dept/DOC/Policies/Media%20Access%20Directive.pdf.
VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT. While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.

[3674] Vermont DOC, Press Releases. VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT. While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.

[3675] Vermont DOC, Press Releases. VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT. While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.

[3676] Vermont DOC, Press Releases. VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT. While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.

[3677] Vermont DOC, Press Releases. VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT. While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.

[3678] Vermont DOC, Press Releases. VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT. While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.

[3679] Vermont DOC, Press Releases. VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT.

While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.
[3680] Vermont DOC, Press Releases. VT DOC regularly publishes press releases with name, facility location, age, and brief summary of investigation. As of April 21, 2026, Vermont DOC "Press Releases" has published 4 releases of deaths in custody in 2026. Vermont Agency of Human Services DOC #353: Death Response and Review and DOC #26.01 "Media Access" does not explicitly reference media release following individual death in custody for VT. While categorized as N/A because specific policies governing public notification are not able to be located, VT is highlighted in orange to indicate public notification occurrences by the Department.
[3681] Vermont Department of Corrections, "Deaths in Custody public notification," accessed May 10, 2026, https://doc.vermont.gov/deaths-custody-reporting. Vermont DOC's website posts investigation summaries of deaths in custody. As of 2026, 2022 investigation summary is available, number of deaths, causes, location, and investigation status and recommendations. The website states that 2023 will be added in 2025, with year-end summaries added every January, however, 2023 still hasn't been published. DOC also partnered with the VT Department of Health in 2024 to compile a brief including data from 2019-2023.
[3682] Virginia Department of Corrections, *Bereavement Guide for Family and Friends* (2024), 2, https://vadoc.virginia.gov/files/operating-procedures/030/vadoc-op-038-4-a2.pdf. Lack of policy document specifically governing procedures, but existence of process is evident through the bereavement guide. Mandatory released information is not accessible, however, bereavement document outlines that location of incarceration, age, crime, sentence, and status of next of kin notification may possibly be released. Given that
[3683] VADOC Bereavement Guide for Family and Friends, December 1, 2024, 2.
[3684] Virginia Department of Corrections (VADOC), *Operating Procedure 022.1: News Media Relations* (2024), https://vadoc.virginia.gov/files/operating-procedures/020/vadoc-op-022-1.pdf. Analyzed documents (VADOC Bereavement Guide for Family and Friends; VA DOC 022.1 News Media Relations) do not contain an explicit policy fulfilling the metric of timeline.
[3685] VA DOC 022.1 News Media Relations, Section II(A).
[3686] VA DOC 022.1 News Media Relations, Section II(A).
[3687] VADOC Bereavement Guide for Family and Friends, December 1, 2024, 2.
[3688] VADOC Bereavement Guide for Family and Friends, December 1, 2024, 2. We cannot locate a specific policy mandating this, but due to the Bereavement guide, notification of next of kin seems to be a practice/requirement.
[3689] Analyzed documents (VADOC Bereavement Guide for Family and Friends.; VA DOC 022.1 News Media Relations) do not contain an explicit policy fulfilling the metric required information. The Bereavement Document outlines that the location of incarceration, age, crime, sentence, and status of next of kin notification may possibly be released, however, it is not listed as required reporting information.
[3690] Jackson H. Miller, *Virginia Civilian Deaths in Custody Report 2024* (Virginia Department of Criminal Justice Services, 2025), https://rga.lis.virginia.gov/Published/2025/RD402/PDF; VA Code Ann. § 53.1-17.8. Annual deaths in custody reporting report.
[3691] Pursuant to Wash. Rev. Code § 72.09.770, The Department of Corrections conducts Unexpected Fatality Reviews and are required to publish them publicly within 120 days following the fatality. While accessible publicly, this policy is within the scope of Section H *Independent Oversight and Investigation of Deaths.* There is no found policy specifically referencing media release following individual death in custody for WV. See Section H for more information on public unexpected fatality reviews.
[3692] Ibid.
[3693] Ibid.
[3694] Ibid.
[3695] Ibid.
[3696] Ibid.
[3697] Pursuant to Wash. Rev. Code § 72.09.770, The Department of Corrections conducts Unexpected Fatality Reviews and are required to publish them publicly within 120 days following the fatality. While accessible publicly, this policy is within the scope of Section H *Independent Oversight and Investigation of Deaths.* There is no found policy specifically referencing media release following individual death in custody for WV. See Section H for more information on public unexpected fatality reviews.
[3698] Pursuant toWash. Rev. Code § 72.09.770, The Department of Corrections conducts Unexpected Fatality Reviews and are required to publish them publicly within 120 days following the fatality. While accessible publicly, this policy is within the scope of Section H *Independent Oversight and Investigation of Deaths.* There is no found policy

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
West Virginia[3700]	Discretionary[3701]	N/A[3702]	N/A[3703]	N/A[3704]	N/A[3705]	Y[3706]	N/A[3707]	N/A[3708]

specifically referencing media release following individual death in custody for WV. See Section H for more information on public unexpected fatality reviews.

[3699] Wash. Rev. Code §72.09.770; Washington State Department of Corrections, "Health Services," accessed May 11, 2026, https://doc.wa.gov/corrections/services/health-services. Death statistics for DOC incarcerated individuals from 2020-2024.

[3700] West Virginia Division of Corrections and Rehabilitation, *Bereavement Guide for Family and Friends* (2025), WV DOC Bereavement Guide for Family and Friends. While there is not a specific policy within the DOC, the WV DOC Bereavement Guide for Family and Friends outlines minimal potential policies. Therefore, the grid is reflected in the according manner.

[3701] WV DOC Bereavement Guide for Family and Friends. A specific policy is not locatable, however, the bereavement guide for families states that there may be a media release with general information about a person's death. Therefore, it has been listed as discretionary.

[3702] There is no found policy specifically referencing media release following individual death in custody for WV. While the WV DOC Bereavement Guide for Family and Friends partially fulfills some metrics due to inferred policies and are in yellow, there is no found policy specifically referencing media release following individual death in custody for WV.

[3703] Ibid.

[3704] Ibid.

[3705] Ibid.

[3706] WV DOC Bereavement Guide for Family and Friends According to the language of "after WVDCR has notified you", it can be assumed that prior family notification is required.

[3707] There is no found policy specifically referencing media release following individual death in custody for WV. While the WV DOC Bereavement Guide for Family and Friends partially fulfills some metrics due to inferred policies and are in yellow, there is no found policy specifically referencing media release following individual death in custody for WV.

[3708] Ibid.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Wisconsin	N/A[3709]	N/A[3710]	N/A[3711]	N/A[3712]	N/A[3713]	N/A[3714]	N/A[3715]	Y[3716]

[3709] Wisconsin Department of Corrections, *Division of Adult Institutions Policy and Procedures, DAI Policy # 300.00.09: Death of a PIOC* (2024), https://doc.wi.gov/DepartmentPoliciesDAI/3000009.pdf; Wisconsin Department of Corrections, *Division of Adult Institutions Policy and Procedures, DAI Policy # 300.007.1: Reporting Serious Incidents, Events of Special Interest and Legislative Inquiries* (2021), https://doc.wi.gov/DepartmentPoliciesDAI/3000071.pdf; Wisconsin Department of Corrections, *Division of Adult Institutions Policy and Procedures, DAI Policy # 300.00.79: Media* (2024), https://doc.wi.gov/DepartmentPoliciesDAI/3000079.pdf. WI DOC 300.00.09, "Death of a PIOC" does not explicitly reference media release following individual death in custody for WI. DAI 300.00.71, "Reporting Serious Incidents, Events of Special Interest and Legislative Inquiries" Section mandates that all deaths in custody are reported to the Division of Adult Institutions. 300.00.79, "Media" states that the DOC Communications Offices is responsible for issuing all news releases on behalf of the Division of Adult Institutions, there is no found policy specifically referencing media release following individual death in custody for WI.

[3710] WI DOC 300.00.09, "Death of a PIOC" does not explicitly reference media release following individual death in custody for WI. DAI 300.00.71, "Reporting Serious Incidents, Events of Special Interest and Legislative Inquiries" Section mandates that all deaths in custody are reported to the Division of Adult Institutions. 300.00.79, "Media" states that the DOC Communications Offices is responsible for issuing all news releases on behalf of the Division of Adult Institutions, there is no found policy specifically referencing media release following individual death in custody for WI.

[3711] Ibid.

[3712] Ibid.

[3713] WI DOC 300.00.09, "Death of a PIOC" does not explicitly reference media release following individual death in custody for WI. DAI 300.00.71, "Reporting Serious Incidents, Events of Special Interest and Legislative Inquiries" Section mandates that all deaths in custody are reported to the Division of Adult Institutions. 300.00.79, "Media" states that the DOC Communications Offices is responsible for issuing all news releases on behalf of the Division of Adult Institutions, there is no found policy specifically referencing media release following individual death in custody for WI.

[3714] WI DOC 300.00.09, "Death of a PIOC" does not explicitly reference media release following individual death in custody for WI. DAI 300.00.71, "Reporting Serious Incidents, Events of Special Interest and Legislative Inquiries" Section mandates that all deaths in custody are reported to the Division of Adult Institutions. 300.00.79, "Media" states that the DOC Communications Offices is responsible for issuing all news releases on behalf of the Division of Adult Institutions, there is no found policy specifically referencing media release following individual death in custody for WI.

[3715] Ibid.

[3716] Wisconsin Department of Justice, "Use-of-Force and Arrest-Related Death (UFAD) Data Explorer," accessed May 10, 2026, https://www.wisdoj.gov/Pages/DataAndStatistics/use-of-force-and-arrest-related-death-data-explorer.aspx. Data reported under the DCRA is published here by the Wisconsin Department of Justice through an anonymous interactive dashboard.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Wyoming[3717]	N/A[3718]	N/A[3719]	N/A[3720]	N/A[3721]	N/A[3722]	N/A[3723]	N/A[3724]	N[3725]
American Samoa	N/A[3726]	N/A[3727]	N/A[3728]	N/A[3729]	N/A[3730]	N/A[3731]	N/A[3732]	N[3733]

[3717] Wyoming Department of Corrections, "Press Releases," accessed May 10, 2026, https://corrections.wyo.gov/press-releases. Wyoming DOC regularly publishes press releases with name, facility location, age, and autopsy status, and photo (example here). Press releases do not include protected health information. As of April 21, 2026, Wyoming DOC Press Releases has published 4 releases of deaths in custody in 2026. While categorized as N/A because specific policies governing public notification are not able to be located, WY is highlighted in orange to indicate public notification occurrences by the Department.
[3718] Wyoming DOC Press Releases regularly publishes press releases with name, facility location, age, and autopsy status, and photo (example here). Press releases do not include protected health information. As of April 21, 2026, Wyoming DOC Press Releases has published 4 releases of deaths in custody in 2026. While categorized as N/A because specific policies governing public notification are not able to be located, WY is highlighted in orange to indicate public notification occurrences by the Department.
[3719] Wyoming DOC Press Releases regularly publishes press releases with name, facility location, age, and autopsy status, and photo (example here). Press releases do not include protected health information. As of April 21, 2026, Wyoming DOC Press Releases has published 4 releases of deaths in custody in 2026. While categorized as N/A because specific policies governing public notification are not able to be located, WY is highlighted in orange to indicate public notification occurrences by the Department.
[3720] Wyoming DOC Press Releases regularly publishes press releases with name, facility location, age, and autopsy status, and photo (example here). Press releases do not include protected health information. As of April 21, 2026, Wyoming DOC Press Releases has published 4 releases of deaths in custody in 2026. While categorized as N/A because specific policies governing public notification are not able to be located, WY is highlighted in orange to indicate public notification occurrences by the Department.
[3721] Wyoming DOC Press Releases regularly publishes press releases with name, facility location, age, and autopsy status, and photo (example here). Press releases do not include protected health information. As of April 21, 2026, Wyoming DOC Press Releases has published 4 releases of deaths in custody in 2026. While categorized as N/A because specific policies governing public notification are not able to be located, WY is highlighted in orange to indicate public notification occurrences by the Department.
[3722] Wyoming DOC Press Releases regularly publishes press releases with name, facility location, age, and autopsy status, and photo (example here). Press releases do not include protected health information. As of April 21, 2026, Wyoming DOC Press Releases has published 4 releases of deaths in custody in 2026. While categorized as N/A because specific policies governing public notification are not able to be located, WY is highlighted in orange to indicate public notification occurrences by the Department.
[3723] I
[3724] Ibid.
[3725] There are no found statistical reporting platforms/reports that are publicly available for Wyoming.
[3726] There is no found policy specifically referencing media release following individual death in custody for American Samoa.
[3727] Ibid.
[3728] Ibid.
[3729] Ibid.
[3730] Ibid.
[3731] Ibid.
[3732] Ibid.
[3733] There are no found statistical reporting platforms/reports that are publicly available for American Samoa.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Guam	Discretionary[3734]	N[3735]	Chief of Police[3736]	Public Information Officer[3737]	N[3738]	N[3739]	N[3740]	N[3741]
Northern Mariana Islands	N/A[3742]	N/A[3743]	N/A[3744]	N/A[3745]	N/A[3746]	N/A[3747]	N/A[3748]	N[3749]

[3734] Guam Department of Corrections (DOC), *General Order Number 1.13: Death in Custody Reporting Act of 2013 (DCRA)* (2023), Section 4, https://bja.ojp.gov/doc/dcra-plan-guam.pdf. In accordance with legal limitations and privacy concerns, and with the authorization by the Director of Corrections, General Order Number 1.13 states that "the Public Information Officer shall ensure that appropriate public notifications are made regarding the death in custody and the investigation's outcome."# It is unclear what constitutes "appropriate public notifications."
[3735] Guam DOC General Order 1.13 does not contain an explicit policy fulfilling the metric of timeline.
[3736] Guam DOC General Order 1.13 Section F
[3737] Guam DOC General Order 1.13 Section F
[3738] Guam DOC General Order 1.13 does not contain an explicit policy fulfilling the metric of reporting type.
[3739] Guam DOC General Order 1.13 does not contain an explicit policy fulfilling the metric of post-NOK notification.
[3740] Guam DOC General Order 1.13 does not contain an explicit policy fulfilling the metric of required reporting.
[3741] Ibid.
[3742] Commonwealth of the Northern Mariana Islands (CNMI; MP), *FY 2023 Justice Assistance Grant Application Death in Custody Reporting Act (DCRA) Implementation Plan* (2023), 13, https://cipa.cnmi.gov/assets/docs/jag/fy23-dcra-implementation-plan.pdf. Does not explicitly reference media release following individual death in custody for CNMI. There is no found policy specifically referencing media release following individual death in custody for CNMI.
[3743] CNMI Implementation Plan does not explicitly reference media release following individual death in custody for CNMI. There is no found policy specifically referencing media release following individual death in custody for CNMI.
[3744] Ibid.
[3745] Ibid.
[3746] Ibid.
[3747] Ibid.
[3748] Ibid.
[3749] There are no found statistical reporting platforms/reports that are publicly available for CNMI.

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
Puerto Rico	N/A[3750]	N/A[3751]	N/A[3752]	N/A[3753]	N/A[3754]	N/A[3755]	N/A[3756]	Y[3757]
U.S. Virgin Islands	N/A[3758]	N/A[3759]	N/A[3760]	N/A[3761]	N/A[3762]	N/A[3763]	N/A[3764]	N[3765]
D.C.	Mandatory[3766]	No later than 3 days; within 24	N/R	Department[3768]	DOC website[3769]	Y[3770]	N[3771]	Y[3772]

[3750] Puerto Rico Department of Correction, *Administrative Order AC-2005-04: Protocol for Intervention in Cases of Death of a Confined INdividual in a Correctional Institution* (2005). PR DOC Administrative Order AC-2005-04 does not explicitly reference media release following individual death in custody for Puerto Rico. There is no found policy specifically referencing media release following individual death in custody for Puerto Rico. For purposes of analysis, this document was translated from Spanish into English by an LLM.
[3751] PR DOC Administrative Order AC-2005-04 does not explicitly reference media release following individual death in custody for Puerto Rico. There is no found policy specifically referencing media release following individual death in custody for Puerto Rico.
[3752] Ibid.
[3753] Ibid.
[3754] Ibid.
[3755] Ibid.
[3756] Ibid.
[3757] 3 L.P.R.A. §972; Instituto de Estadísticas de Puerto Rico, "Report of Deaths of Prisoners Reported in Correctional Institutions (Annual)," accessed May 10, 2026, https://www.estadisticas.pr.gov/en-us/productos/informe-de-muertes-de-confinados-reportadas-en-las-instituciones-correccionales-anual.
[3758] There is no found policy specifically referencing media release following individual death in custody for the U.S. Virgin Islands.
[3759] Ibid.
[3760] Ibid.
[3761] Ibid.
[3762] Ibid.
[3763] Ibid.
[3764] Ibid.
[3765] There are no found statistical reporting platforms/reports that are publicly available for the U.S. Virgin Islands.
[3766] DC Department of Corrections, "DOC Incident Data - Deaths in Custody," accessed May 10, 2026, https://doc.dc.gov/publication/doc-incident-data-deaths-custody.
[3768] DC DOC Incident Data - Deaths in Custody
[3770] DC DOC Incident Data - Deaths in Custody
[3771] DC Department of Corrections, "Notice of Resident Death at Correctional Treatment Facility," accessed May 10, 2026, https://doc.dc.gov/release/notice-resident-death-correctional-treatment-facility-4-. While DC DOC Incident Data - Deaths in Custody does not outline required notification information in published notices, notice releases on website include information such as time of death, facility location, and general circumstances and responses in death.
[3772] DC DOC Incident Data - Deaths in Custody Annual Deaths in Custody Reports by the DOC with name, gender, race, ethnicity, age, date and time of death, location, charges, court, cause of death, and manner

Table 28. **Public Notification Grid**								
Jurisdiction	**Notification Standard**	**Timeline**	**Authority**	**Responsibility**	**Reporting Type**	**Post-NOK Mandate**	**Required Information**	**Statistical Reporting**
		hours from next of kin notification[3767]						

E. The Dignity of the Dead Online

a. Executive summary

The rapid expansion of digital services in the 21st century has created a new and largely ungoverned category of human remains: the vast accumulation of data left behind by deceased users. Left in the hands of private platforms whose policies are inconsistent and often difficult to navigate, digital remains are routinely subject to misuse, unwanted disclosure, and commercialization in ways that conflict with the dignity of the decedent and the wishes of their family. With the rise of artificial intelligence, a user's photographs, messages, and personal data are no longer passive records but active inputs into systems that can replicate the identities of the deceased.

In the United States, the only law directly governing digital remains is the Revised Uniform Fiduciary Access to Digital Assets Act, a uniform law adopted in forty-eight states and one territory. Although the Act prioritizes user intent, it ultimately defers to platform terms of service in the vast majority of cases, when users have neither used legacy online tools to manage their digital remains nor undertaken estate planning.

This memo evaluates 50 of the most widely used platforms in the United States, across five categories: social networking services; short messaging services; e-mail service providers; cloud-storage providers; and AI chatbots. Our analysis concludes that platforms offer users a limited degree of proactive, pre-mortem control over their digital remains. Half of the platforms evaluated have no comprehensive policies concerning the management of digital remains, and among the platforms that do have such policies, control over digital remains is typically reactive and confined to a decedent's fiduciaries.

[3769] DC DOC Incident Data - Deaths in Custody

[3767] Ibid.

The governance of digital remains a defining challenge of the digital age. As the dead come to outnumber the living online, platform policies must keep pace to preserve the dignity of the dead.

b. Who controls the digital assets of someone who dies?

Relationships between people and digital assets are intermediated by online platforms, including social networking services (SNS),[3773] short messaging services (SMS),[3774] e-mail service providers (ESPs),[3775] cloud-storage providers (CSPs),[3776] and AI chatbots.[3777] These platforms serve as the gatekeepers of digital remains.

To access digital platforms, every user enters into Terms of Service (ToS) and End-User License Agreements (EULAs), which detail the rights, rules, and restrictions of a platform's use. These legal documents characterize user accounts as non-transferable and revocable licenses, meaning that users do not "own" their accounts as they might with property, but instead hold a limited right of access subject to the platform's discretion. In addition, platforms that collect personally identifiable information (PII) are required to include publicly accessible privacy policies,[3778] which inform users on how the platform collects, uses, and discloses their information. In such policies, many platforms explicitly prohibit third-party access to a decedent's accounts and reserve broad discretion over the retention, deletion, and processing of a deceased user's data.

Beyond the question of account access, platforms retain substantial control over the downstream use and persistence of data. Even after an account is deleted, user data may be retained to gather data analytics.[3779] It may also be sold to third parties, shared with advertisers, or repurposed in ways the decedent never consented to,[3780] posing a potential threat to their dignity.

[3773] SNS are platforms that enable users to create profiles, connect with others, and share content (e.g., posts, photos, messages) within a networked community.
[3774] SMS are platforms that facilitate the exchange of brief, real-time text-based messages between users, typically via mobile devices or messaging apps.
[3775] ESPs are platforms that allow users to send, receive, store, and organize e-mail over the internet, often with additional features like spam filtering and cloud integration.
[3776] CSPs are platforms that offer remote, internet-based storage for files and data, enabling users to access, back up, and share content across devices.
[3777] AI chatbots are conversational systems that use large language models (LLMs) to generate human-like responses, assist with tasks, and engage in dialogue based on user input.
[3778] The principal source of this requirement is the California Online Privacy Protection Act of 2003 (CalOPPA), the first state law to require commercial websites and online services that collect PII from California residents to including a privacy policy disclosing, among other things, the categories of PII collected, the categories of third parties with whom it may be shared, the process (if any) by which users may review and request changes to their information, the effective date of the policy, and how the operator responds to "Do Not Track" signals. Cal. Bus. & Prof. Code §§ 22575(b). Though it is a state statute, CalOPPA functions as the *de facto* national standard because its protections extend to any operator, regardless of where it is physically located, whose website or online service is accessible to California residents.
[3779] Michael Birnhack and Tal Morse, "Digital remains: property or privacy?" 30 *International Journal of Law and Information Technology* 3 (2022): 283.
[3780] Carl Öhman, *The Afterlife of Data: What Happens to Your Information When You Die and Why You Should Care* (Chicago: The University of Chicago Press, 2024), 122.

The growing presence of machine learning (ML) algorithms on digital platforms adds another layer to these concerns.[3781] Data contributed during a user's lifetime may become embedded in training corpora or model parameters, enabling the continued generation of outputs that reflect or reconstruct aspects of a decedent's identity. Once fed into a model's parameters, data cannot be "deleted" or "unlearned" without retraining the model from scratch or compromising the model's performance.[3782] This may render formal requests to delete PII useless.[3783] ML models also rely on inferential techniques that allow platforms to identify patterns across users. As a result, an individual's digital remains can be used to infer sensitive information about connected living individuals, posing a privacy risk not just to the decedent but across a network of users.

The dominance of private platforms in controlling digital remains, coupled with the lack of clear judicial guidance on this matter,[3784] has prompted legislative intervention at the state level. This has taken the form of the Revised Uniform Fiduciary Access to Digital Assets Act (RUFADAA), a law drafted by the Uniform Law Commission (ULC) in 2015 that establishes a legal framework by which a fiduciary can be authorized to access and manage digital assets of a decedent.[3785] As of April 2, 2026, 48 out of the 50 states have enacted the law.[3786]

RUFADAA addresses four types of fiduciaries:[3787] personal representatives of decedents' estates,[3788] appointed conservators,[3789] agents acting pursuant to a power of attorney (PoA),[3790]

[3781] A ML algorithm is a computational method that learns patterns from data to make predictions, classifications, or decisions without being explicitly programmed for each task. It improves its performance over time by adjusting its internal parameters based on training data. ML algorithms power AI chatbots.

[3782] A. Feder Cooper et al., "Machine Unlearning Doesn't Do What You Think: Lessons for Generative AI Policy and Research," *arXiv*, December 9, 2024, https://arxiv.org/abs/2412.06966, 2, 11.

[3783] Cooper et al., "Machine Unlearning Doesn't Do What You Think," 2.

[3784] Courts have been divided on issues related to digital remains. This is in part due to the novelty of the digital remains phenomenon, and in part due to the lack of legal doctrine concerning the rights of the dead writ large. Anita L. Allen & Jennifer E. Rothman, "Postmortem Privacy," 123 *Mich. L. Rev.* 285, 293, 310 (2024). Notably, post-mortem privacy is not protected under U.S. law: The *Restatement (Second) of Torts* maintains that, "[e]xcept for the appropriation of one's name or likeness, an action for invasion of privacy can be maintained only by a living individual whose privacy is invaded." Allen and Rothman, "Postmortem Privacy," 294 (quoting *Restatement (Second) of Torts* § 652I cmt. b (Am. L. Inst. 1977)).

[3785] RUFADAA amends the Uniform Fiduciary Access to Digital Assets Act (UFADAA), drafted only a year before in 2014. The revisions were made in large part due to a 2015 campaign led by NetChoice, a trade association of online platforms including Facebook and Google, which criticized UFADAA and introduced its own uniform law, the Privacy Expectation Afterlife and Choices Act. Shortly after, the ULC released RUFADAA, which, as Edina Harbinja notes, "incorporate[s] some of the industry concerns and pro-privacy stances" espoused by big technology corporations. Edina Harbinja, *Digital Death, Digital Assets and Post-Mortem Privacy* (Edinburgh: Edinburgh University Press, 2023), 70.

[3786] Delaware and Massachusetts are the only two states that have not enacted RUFADAA. Delaware continues to operate under UFADAA, while Massachusetts has passed neither law.

[3787] Revised Uniform Fiduciary Access to Digital Assets Act, Uniform Law Commission, Prefatory Note (2015). The definitions of these fiduciary types are derived from the U.S. Uniform Probate Code. Uniform Fiduciary Access to Digital Assets Act, Revised § 2 cmt. (Unif. Law Comm'n 2015).

[3788] "Personal representative" is defined as "an executor, administrator, special administrator, or person that performs substantially the same function under law of this state other than this act" (brackets omitted). RUFADAA § 2(18) (Unif. Law Comm'n 2015).

[3789] "Conservator" (brackets omitted) is defined as a person appointed by a court to manage the estate of a living individual. RUFADAA § 2(5) (Unif. Law Comm'n 2015).

[3790] "Power of attorney" is defined as "a record that grants an agent authority to act in the place of a principal. *Id.*, RUFADAA § 2(19) (Unif. Law Comm'n 2015).

and trustees.[3791] Under §4 of RUFADAA, access to digital assets is governed by a three-tiered priority system.[3792] It gives the top priority to a user's wishes, as expressed through the use of online tools and the designation of a custodian.[3793] If the online tool allows the user to modify or delete directions at will, then, according to §4(a), directions regarding the disclosure of digital assets provided through an online tool override any contrary direction provided in other records (e.g., wills, trusts, and PoA).[3794] If the user does not give instructions to a custodian with an online tool but has an estate plan for their digital assets, §4(b) grants legal effect to the user's estate plan.[3795] If the user does not provide any instruction through custodial access or estate planning, then, under §4(c), fiduciaries must default to platform ToS agreements.[3796]

While RUFADAA's priority system seemingly places an emphasis on a user's pre-mortem control over their digital remains, the first two tiers are rarely triggered. As demonstrated in the following section, only a small minority of even the most popular platforms have legacy online tools that would activate §4(a),[3797] leaving users with limited opportunities to exercise direct control over their digital remains during their lifetimes. §4(b) is similarly underused: less than half of Americans have wills,[3798] and roughly 40 percent of Americans have never heard of the term "digital estate planning."[3799] Given the scarcity of platforms with legacy online tools and the rarity of digital estate planning among ordinary users, §4(c)'s fallback rule becomes the default in the vast majority of cases, making platform ToS and EULAs the *de facto* governing instrument over digital remains.

c. What policy platform protections are in place to prevent and respond to exploitation of digital remains?

In the absence of a comprehensive legal framework governing the exploitation of digital remains, platform policies play a central role in determining how digital remains are managed, accessed, and deleted. Policies vary widely, and data is protected inconsistently depending on the platform it is stored on. For example, while some SNS platforms prioritize user intent and allow users to express their preferences for managing their digital remains, many SMS and ESP platforms instead prioritize user confidentiality by deleting messages by default after a period of inactivity. Notably, a minority of platforms have established *proactive*, pre-mortem control mechanisms

[3791] "Trustee" is defined as "a fiduciary with legal title to property under an agreement or declaration that creates a beneficial interest in another." RUFADAA § 2(25) (Unif. Law Comm'n 2015).
[3792] RUFADAA § 4 (Unif. Law Comm'n 2015).
[3793] "Custodian" is defined as any "person that carries, maintains, processes, receives, or stores a digital asset of a user." "Online tool" is defined as "an electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person." RUFADAA §§ 2(8), 2(16) (Unif. Law Comm'n 2015).
[3794] RUFADAA § 4(a) (Unif. Law Comm'n 2015).
[3795] RUFADAA § 4(b) (Unif. Law Comm'n 2015). Estate planning documents include wills, trusts, and PoA documents.
[3796] RUFADAA § 4(c) (Unif. Law Comm'n 2015).
[3797] Only 13 of the 50 platforms evaluated have legacy online tools, belonging to only 4 parent companies.
[3798] "How Many Americans Have a Will?" *Gallup*, June 23, 2021, https://news.gallup.com/poll/351500/how-many-americans-have-will.aspx.
[3799] "2024 Digital Assets Survey," Bryn Mawr Trust, December 5, 2024, 13, https://link.us-1.lytho.us/b/173326098808324f3928f-afe6-4324-bebf-5d31fbc617e3.

that allow users to directly express their post-mortem data preference. Instead, most platform policies are *reactive*, granting limited management rights to fiduciaries after the user's death.

This section evaluates the top 10 most popular platforms in each of the following five categories[3800]: SNS, SMS, ESPs, CSPs, and AI chatbots. Each platform was evaluated on how fully it addresses six metrics, ranging from "No," "Partial," and "Yes," as well as "Unknown" for unspecified policies. Four metrics were applied to all platforms, and two metrics were applied to just SNS.

Table 29. **Evaluative Metrics for Platform Management of Digital Remains**

	No	**Partial**	**Yes**
Existence of policies concerning digital remains	Platform has no publicly accessible policies concerning the management of digital remains	Platform has limited policies concerning digital remains or is not discoverable	Platform has discoverable and comprehensive policies concerning digital remains
Legacy online tool[3801]	Platform has no legacy online tool	Platform has legacy online tool, but does not allow users granular control over their remains ("all-or-nothing")	Platform has legacy online tool that allows users granular control over their remains
Fiduciary right of deletion and deactivation	Platform does not allow fiduciaries to request the deletion and deactivation of a decedent's account	Platform allows for the deletion or deactivation of an account, but has no bespoke mechanism upon which to do so[3802]	Platform has a bespoke mechanism upon which fiduciaries can request the deletion and deactivation of a decedent's account upon proof of death and government identification of the

[3800] We evaluated the top ten platforms in each of the categories. Because most platforms do not publicly share their number of active users, the ranking of these platforms may not be entirely accurate. Nevertheless, the platforms chosen have been rigorously selected after consultation with various data aggregation websites, industry reports, and market intelligence analyses, among other sources. Also, online platform policies are subject to frequent change. Policies evaluated in this report are based on public information accessible as of May 2026.
[3801] Specifically, legacy online tools compliant with §4(a) of RUFADAA grant users pre-mortem control over their digital remains. This includes the transfer of data to a trusted data recipient or the option to delete one's account after a specified period of time or proof of death.
[3802] This includes platforms that allow deletion/deactivation upon e-mail request to customer support, but not a bespoke mechanism.

Table 29. **Evaluative Metrics for Platform Management of Digital Remains**			
			living fiduciary
Deletion after inactivity	Platform does not delete inactive accounts	Platform states that it reserves the right to delete inactive accounts, but does not specify a timeframe	Platform automatically deletes, or reserves the right to delete, account data after a specified period of inactivity
Memorialization (SNS)	Platform does not offer a feature to memorialize deceased users	N/A	Platform offers a feature to memorialize deceased users
Abuse controls (SNS)	Platform does not have mechanisms to prevent the exploitative content at all	Platform treats exploitation of digital remains the same way as it does any other exploitative material without any bespoke mechanisms, though mentions the content of the deceased in their policies on harmful or sensitive content	Platform has bespoke mechanisms to prevent the exploitation of digital remains, including death images

I. Social Networking Services

SNS are the lifeblood of social activity online. They serve as forums in which users can engage with friends and family, form new bonds with other users, and create content to engage and inform audiences. Because SNS content is both deeply intimate yet often publicly visible, the death of a user raises challenges that other platform categories do not. First, a decedent's profile remains a public-facing representation of their identity, and some platforms enable living users to transform a decedent's profile into sites of memorialization. This issue does not arise for private message logs, e-mail archives, or any other category evaluated in this memo. Second, the public visibility of SNS content exposes digital remains to various forms of exploitation, such as the circulation of violent death imagery, which U.S. courts have treated as a particularly sensitive intrusion on the privacy interests of surviving family members.[3803]

[3803] Allen and Rothman, "Postmortem Privacy," 294.

To meet these demands, SNS have developed among the most established policies concerning digital remains of any category evaluated in this memo. Moreover, to account for the distinctive nature of SNS, this memo evaluates these platforms with two additional metrics exclusive to SNS: memorialization and abuse controls.

The following SNS were evaluated in this section: YouTube (Google), Facebook (Meta), Instagram (Meta),[3804] X, LinkedIn, Snapchat, TikTok, Pinterest, Reddit, and Discord.

a. Summary of Platform Performance

Seven of the ten have comprehensive policies concerning the management of a decedent's account.[3805] Two of the ten, TikTok and Pinterest, have partial policies: the former has a short "Memorialization" page,[3806] and the latter addresses the deletion of a decedent's account at the end of a Help Center article concerning general account deletion. Reddit is the only SNS with no policies on the management of a decedent's account.

YouTube is the only platform that has a comprehensive legacy online tool via Google's Inactive Account Manager. While Facebook and Instagram have legacy online tools, they are classified as "Partial" because they do not allow users granular control over their digital remains.

Seven of the ten platforms allow fiduciaries a comprehensive right of deletion or deactivation.[3807] The remaining platforms have no rights of deletion or deactivation (Snapchat and TikTok), or it is unknown (Reddit).

Discord is the only SNS with a comprehensive policy of inactive account deletion: accounts inactive for two years are automatically deleted.[3808] Five platforms have partial policies that do not specify a timeframe after which platforms can delete inactive accounts,[3809] while YouTube and LinkedIn explicitly state that inactive accounts are not deleted.[3810] Two platforms have unknown policies on inactive account deletion.[3811]

Four platforms include a memorialization feature.[3812]

[3804] Though Facebook and Instagram are both owned by Meta, they have different ToS and privacy policies and are thus separated as two distinct platforms. All of Instagram's policies also apply to Threads, another popular SNS that operates under Instagram's policies.
[3805] YouTube, Facebook, Instagram, LinkedIn, Snapchat, X, and Discord.
[3806] "Memorialization," Support, TikTok, Accessed May 5, 2026, https://www.tiktok.com/support/faq_detail?query=inactive&id=7618961830643407367.
[3807] YouTube, Facebook, Instagram, X, LinkedIn, Pinterest, and Discord.
[3808] "Inactive Account Deletion," Discord, updated in 2024, Accessed April 2026, https://support.discord.com/hc/en-us/articles/5106714856215-Inactive-Account-Deletion.
[3809] Facebook, Instagram, X, Snapchat, and TikTok.
[3810] Ruth Kricheli, "Updating our inactive account policies," The Keyword, Google, May 16, 2023, https://blog.google/innovation-and-ai/technology/safety-security/updating-our-inactive-account-policies/; "Inactive account filtering," Help, LinkedIn, updated 2023, https://www.linkedin.com/help/linkedin/answer/a1421099.
[3811] Pinterest and Reddit.
[3812] Facebook, Instagram, LinkedIn and TikTok.

Facebook, Instagram, and X have comprehensive abuse controls with bespoke mechanisms for family members to report violent death imagery. The remaining platforms treat death imagery under their general harmful content policies.

b. Best practices

Our analysis of SNS best practices places an emphasis on the inclusion of legacy online tools, memorialization features, and abuse controls. First, legacy online tools are streamlined mechanisms by which users can express their preferences concerning their digital remains. The last two features map directly to the distinctive demands of SNS, as identified above. Memorialization features are essential to SNS as they enable living users to pay tributes to a decedent, thereby fulfilling the platform's core social function. Finally, bespoke abuse controls address the heightened risk of exploitation that the public visibility of digital remains creates.

Facebook: Facebook was selected as best practices primarily for their memorialization feature, which turns a decedent's account into a "Remembering" space while preserving the account's security by preventing anyone from logging into it.[3813]

Through a legacy online tool, users can proactively choose to have their account deleted or memorialized and managed by an assigned legacy contact, who can manage their account, moderate tribute messages, and download a copy of what the user shared on the platforms.[3814] Facebook's legacy online tool is classified as "Partial" as it does not grant users granular control over what data they want to share with a legacy contact: either all of a user's data is shared, or none of it is. If a decedent did not proactively memorialize their account, fiduciaries can request to memorialize a decedent's account upon proof of death, though they cannot become legacy contacts.[3815]

Once memorialized, the platform's algorithms prevent the decedent's profile from "showing up in places that might cause distress" to connected users, such as recommending that user to be invited to events or sending a birthday reminder to friends.[3816]

Facebook was the first modern SNS platform to introduce a memorialization feature in 2009, and Instagram introduced the feature in 2020.[3817] Following their lead, LinkedIn and TikTok have adopted their own memorialization features,[3818] though neither of these platforms has legacy

[3813] "Managing a Deceased Person's Account," Help Center, Facebook, Accessed April 6, 2026, https://www.facebook.com/help/275013292838654/?helpref=breadcrumb; "About legacy contacts on Facebook," Help Center, Facebook, Accessed April 6, 2026, https://www.facebook.com/help/1568013990080948.
[3814] "About legacy contacts on Facebook," Help Center, Facebook, Accessed April 6, 2026, https://www.facebook.com/help/1568013990080948.
[3815] "Request to Memorialize or Remove an Account," Help Center, Facebook, Accessed May 5, 2026, https://www.facebook.com/help/1111566045566400/?helpref=hc_fnav.
[3816] Sheryl Sandberg, "Making It Easier to Honor a Loved One on Facebook After They Pass Away," Newsroom, Meta, April 9, 2019, https://about.fb.com/news/2019/04/updates-to-memorialization/.
[3817] This is likely due to the large volume of users who passed away during the COVID-19 pandemic.
[3818] "Memorialize or close the account of a deceased member," Help, LinkedIn, Accessed April 6, 2026, https://www.linkedin.com/help/linkedin/answer/a1336663/memorialize-or-close-the-account-of-a-deceased-member ; "Memorialization," Support, TikTok, Accessed April 6, 2026, https://www.tiktok.com/support/faq_detail?id=7618961830643407367&category=web_account.

contacts that allow users to grant family and friends control over their account. Other platforms have signaled that they may include a similar feature in the future.[3819]

In addition to its memorialization and legacy contact features, Facebook also has a bespoke mechanism by which immediate family members can request the removal of content depicting the violent death of their deceased relatives.[3820] It is one of three platforms evaluated that has such a bespoke mechanism to report the abuse of digital remains.

YouTube: YouTube is selected as a best practice as it grants users pre-mortem control over their data. Through Google's Inactive Account Manager, users can choose to share a copy of their account data, including their YouTube channel, with up to ten "data recipients," or delete their account upon a designated period of inactivity, ranging from 3-18 months.[3821] Unlike Meta's legacy online tool, Google allows users granular control over which data they would like to share with data recipients. Notably, YouTube channels, unlike all other Google applications, are not deleted after a default period of two years of inactivity.[3822]

X: X is selected as a best practice for its death image take-down mechanism upon proof of identification of the reporter and proof of death of the decedent.[3823] X also allows family members and estate representatives the ability to deactivate a decedent's account upon proof of a living user's identity and proof of death, though it restricts direct account access to a deceased user's account, absent a valid court order.[3824]

c. Worst practices

Reddit: This platform has no publicly accessible policies on the management of a decedent's account. Reddit has no legacy online tool, and account deletion policies are unknown. There is also no memorialization feature for users.[3825]

II. Short Messaging Services

Unlike SNS platforms, where content is curated for an audience, Short Messaging Services ("SMS") contain private exchanges between two or more parties. Due to the sensitive nature of

[3819] Discord, for example, notes in its support page on "Deceased or Incapacitated Users" that it does not "currently" have a feature to memorialize accounts, but that users can submit the feature as a feedback request. This suggests that it may adopt a memorialization feature in the future. "Deceased or Incapacitated Users," Discord, updated in 2024, Accessed April 6, 2026, https://support.discord.com/hc/en-us/articles/19872987802263--Deceased-or-Incapacitated-Users.
[3820] "Special Request for Removal of Violent Death Videos or Photos," Help Center, Facebook, Accessed April 6, 2026, https://www.facebook.com/help/contact/477010733806493.
[3821] "About Inactive Account Manager," Account Help, Google, Accessed April 6, 2026, https://support.google.com/accounts/answer/3036546?hl=en.
[3822] "Inactive Google Account Policy," Account Help, Google, Accessed April 6, 2026, https://support.google.com/accounts/answer/12418290?sjid=12753126260480925735-NA.
[3823] "Report Moment of Death," Help Center, X, Accessed April 6, 2026, https://help.x.com/en/forms/report-moment-of-death.
[3824] "How to contact X about a deceased family member's account," Help Center, X, Accessed April 6, 2026, https://help.x.com/en/rules-and-policies/contact-x-about-a-deceased-family-members-account.
[3825] This may be due to the fact that most Reddit users are pseudonymous.

these conversations, many platforms have incorporated privacy-by-default governance measures that prioritize the confidentiality of message content over third-party access. Notably, many platforms delete inactive accounts after a specified period of time. Most of the platforms evaluated do not have dedicated policies to manage a decedent's message logs: the only SMS platforms to have policies concerning the management of a decedent's message logs are those that are tethered to a broader account ecosystem whose tools carry down to the messaging layer.

The following SMS were evaluated in this section: iMessage (Apple), Facebook Messenger, Google Messages, WhatsApp, Telegram, Signal, Microsoft Teams, GroupMe, WeChat, and TextNow.

d. Summary of Platform Performance

Three platforms of the ten evaluated have comprehensive policies regarding the management of a decedent's message logs, the lowest of any category on this metric.[3826] Meta platforms have partially relevant policies under their broader, platform-wide policies, specifying that messages are inaccessible to legacy contacts.[3827]

Google Messages is the only platform with a comprehensive legacy online tool (via Google's Inactive Account Manager). iMessage has a partial legacy online tool.

iMessage, Facebook Messenger, and Google Messages allow fiduciaries to delete or deactivate a decedent's account upon proof of death.

Six of the ten platforms evaluated comprehensively delete accounts after a specified period of inactivity.[3828] Facebook Messenger is classified as "Partial" because Meta reserves the right to delete inactive accounts but does not specify a timeframe. The remaining three have unknown policies for inactive account deletion.[3829]

e. Best practices

Our analysis of SMS best practices emphasizes deletion after inactivity, which we hold as the feature that best preserves the decedent's privacy in the absence of legacy online tools (which 8 of the 10 SMS evaluated do not have). This owes to the intimate nature of message logs that contain candid exchanges between users that are assumed to remain confidential, an expectation that survives the decedent and extends to the living correspondents of the deceased.

Google Messages: Google Messages is selected as a best practice as it grants users pre-mortem control over their message logs through Google's Inactive Account Manager. If a user does not express their preferences on how their message logs are managed via Google's Inactive Account

[3826] Apple iMessage, Google Messages, and Microsoft Teams.
[3827] Facebook, "About legacy contacts on Facebook."
[3828] Apple iMessage, Signal, Google Messages, WhatsApp, Telegram, and Microsoft Teams.
[3829] GroupMe, WeChat, and TextNow.

Manager, Google reserves the right to delete accounts that have been inactive for over two years.[3830] Moreover, Google Messages allows users to send E2EE messages.[3831]

Microsoft Teams: Microsoft Teams is selected as a best practice for its deletion after inactivity policy, stating that all Microsoft accounts are automatically deleted after two years of inactivity, and its support page on managing a decedent's account.[3832] Other platforms, like WhatsApp, Signal, and Telegram, have deletion after inactivity policies,[3833] though they do not have policies that explicitly address the accounts of the deceased.

f. Worst practices

GroupMe, WeChat, and TextNow: These platforms do not have publicly accessible policies on the management of a decedent's account. None of the platforms has legacy online tools, and fiduciaries are not permitted the right to delete or deactivate a decedent's account. It is unknown whether accounts on these platforms are deleted after a period of inactivity.

III. E-mail Service Providers

E-mail Service Providers ("ESPs") have generated more case law and legislative attention concerning digital remains than any other platform category evaluated in this memo.[3834] This partly owes to the fact that ESPs serve a dual function as both a repository of digital assets and a medium of personal communication. Reflecting the repository function, fiduciaries regularly seek access to e-mail accounts to recover important documents (e.g., financial records, photographs, contracts).[3835] However, providers have historically appealed to the communicative function of ESPs and have resisted disclosing the contents of a decedent's e-mails, which are

[3830] Google, "Inactive Google Account Policy."
[3831] "Use end-to-end encryption in Google Messages," Messages, Google, Accessed April 26, 2026, https://support.google.com/messages/answer/10252671?hl=en.
[3832] "Accessing Outlook.com, OneDrive and other Microsoft services when someone has died," Support, Microsoft, Accessed May 5, 2026, https://support.microsoft.com/en-us/account-billing/accessing-outlook-com-onedrive-and-other-microsoft-services-when-someone-has-died-ebbd2860-917e-4b39-9913-212362da6b2f.
[3833] "About inactive account deletion," Help Center, WhatsApp, Accessed April 26, 2026, https://faq.whatsapp.com/828406668498455 (stating that WhatsApp accounts are deleted after 120 days of inactivity); "Account Self-Destruction," Privacy Policy, § 10.4, Telegram, Accessed May 6, 2026, https://telegram.org/privacy?setln=be#10-4-account-self-destruction (stating that Telegram accounts are deleted by default after 18 months of inactivity); Signal, "Delete account," Troubleshooting FAQ, Troubleshooting, Accessed September 26, 2026, https://support.signal.org/hc/en-us/articles/360007061192-Delete-Account.
[3834] Harbinja, *Digital Death, Digital Assets, and Post-Mortem Privacy*, 162-164 (discussing the extensive legal history of ESPs); Birnhack and Morse, "Digital remains: property or privacy?" 289 (explaining that the first wave of state legislation concerning digital remains focused on e-mail accounts).
[3835] See, for example, *In re Ellsworth,* No. 2005-296, 651 DE (Mich. Prob. Ct., 2005) and *Ajemian v. Yahoo!, Inc.*, 84 N.E.3d 766 (Mass. 2017). In both cases, the plaintiffs sued Yahoo! and requested copies of a decedent's e-mails.

viewed as confidential.[3836]

The dual nature of ESPs has resulted in platforms adopting divergent approaches to managing the deceased's e-mail archives. For example, while Gmail and Apple iCloud allow users to designate legacy contacts that can have access to copies of a decedent's e-mails, Yahoo! and Microsoft Outlook categorically prohibit access to a decedent's account without a valid court order.

The following ESPs were evaluated in this section: Google Mail (Gmail), Microsoft Outlook, Yahoo!, iCloud Mail (Apple), Proton Mail, AOL Mail, Zoho Mail, GMX, Mail.com, and Xfinity Email.

a. Summary of Platform Performance

Seven of the ten ESPs have comprehensive policies concerning the management of a decedent's e-mails,[3837] while one platform, Proton Mail, has partially relevant policies.[3838] The remaining two platforms, Zoho Mail and GMX, have no such policies.

Only one platform, Gmail, has a comprehensive legacy online tool. Two platforms, iCloud Mail (Apple) and Proton Mail, have partial legacy online tools.

Seven of the ten ESPs grant fiduciaries a partial or comprehensive right of deletion or deactivation.[3839] Microsoft Outlook, Zoho Mail, and GMX do not.

Every platform deletes, or reserves the right to delete, accounts after a specified period of inactivity.

b. Best practices

Our analysis of ESP best practices emphasizes two features: deletion after inactivity and the existence of legacy online tools. The former is valued for the same reason as it is for SMS: e-mail correspondence between two users is expected to remain confidential, and that expectation persists after death, preserving the privacy of both the decedent and their living correspondents. Unlike SMS, however, ESPs serve an additional function as repositories of digital assets. E-mail inboxes often contain contracts, photographs, tax records, and other materials of enduring value to surviving family members. Legacy online tools enable users to

[3836] See, for example, Yahoo!'s policies on managing a decedent's e-mail archives: "To protect the privacy of the deceased user, it is our policy to honor the initial agreement that they made with us, even in the event of their passing. At the time of registration, all account holders agreed to the Terms of Service (TOS). Pursuant to these Terms, all Yahoo accounts are non-transferable, even when the account owner is deceased." Yahoo!, "Help: Options available if a Yahoo account owner passes away," Accessed May 5, 2026, https://help.yahoo.com/kb/SLN2021.html?guccounter=1.

[3837] Gmail, Microsoft Outlook, Yahoo!, Apple iCloud Mail, AOL Mail, Mail.com, and Xfinity Email.

[3838] Proton Mail has an "Emergency Access" feature that applies to deceased users, among other emergencies. "How to grant emergency access to your Proton Account," Proton, Accessed April 25, 2026, https://proton.me/support/emergency-access.

[3839] Gmail, Yahoo!, Apple iCloud Mail, AOL Mail, and Xfinity Email grant comprehensive rights of deletion or deactivation. Proton Mail and Mail.com grant partial rights of deletion.

determine, during their lifetime, which messages and attachments should be transferred to designated recipients and which should be deleted upon death.

Gmail: Gmail is selected as a best practice as it grants users pre-mortem control over their e-mails through Google's Inactive Account Manager. If a user does not express their preferences on how their e-mails are managed via Google's Inactive Account Manager, Google reserves the right to delete accounts that have been inactive for over two years.[3840]

Proton Mail: Proton Mail is selected as a best practice for its "Emergency Access" feature, a feature similar to Google's Inactive Account Manager that allows users to designate up to five trusted contacts to have access to their paid account (free accounts do not have this feature).[3841] However, unlike Google's Inactive Account Manager, users do not have granular control over which account data they would like to share.

AOL Mail: Though users do not have pre-mortem control over their e-mails, AOL Mail is selected as a best practice for its comprehensive policies that allow fiduciaries to request the deletion or transfer of a decedent's account.[3842] Fiduciaries can request deletion upon proof of death, and transfer of ownership upon proof of death, government-issued ID of the requester, and either a copy of the decedent's will, a notice of executor or administration that grants the requester access, or a valid court order.

c. Worst practices

Zoho Mail and GMX: These platforms have no publicly accessible policies on the management of a decedent's e-mail account. Neither of the platforms has legacy online tools, and fiduciaries do not have a mechanism to delete or deactivate a decedent's account.

IV. Cloud-Storage Providers

Cloud-Storage Providers ("CSPs") are the digital vaults of a user, storing everything from photographs and videos to documents and back-ups of other accounts. The majority of CSPs evaluated lack comprehensive policies concerning digital remains.

The following CSPs were evaluated in this section: Google Drive, Microsoft OneDrive, iCloud (Apple), Dropbox, Box, Samsung Cloud, MEGA, pCloud, Proton Cloud, and IDrive.

a. Summary of Platform Performance

Four of the ten CSPs evaluated have comprehensive policies concerning the management of a user's digital remains.[3843] One platform, Proton Cloud, is classified as "Partial" because its

[3840] Google, "Inactive Google Account Policy."
[3841] Proton, "How to grant emergency access to your Proton Account."
[3842] "Options available if an AOL account owner passes away," Help, AOL, Accessed April 25, 2026, https://help.aol.com/articles/options-available-if-an-account-owner-passes-away.
[3843] Google Drive, Microsoft OneDrive, Apple iCloud, and Dropbox.

"Emergency Access" feature applies in cases of death but does not explicitly address digital remains.

Only one platform, Google Drive, has a comprehensive legacy online tool (via Google's Inactive Account Manager). Two platforms, Apple iCloud and Proton Cloud, have partial, "all-or-nothing" legacy online tools.

The same three platforms that have legacy online tools grant fiduciaries a right to delete or deactivate a decedent's account.

It is unknown whether four of the platforms delete inactive accounts.[3844] The remaining six delete, or reserve the right to delete, accounts after a specified period of inactivity.[3845]

b. Best practices

Our analysis of CSP best practices emphasizes the inclusion of legacy online tools. Because CSPs store the broadest range of a user's digital assets, they offer the clearest illustration of why pre-mortem control matters.

Google Drive: Google Drive is selected as a best practice as it grants users pre-mortem control over their assets through Google's Inactive Account Manager. If a user does not express their preferences on how their assets are managed via Google's Inactive Account Manager, Google reserves the right to delete accounts that have been inactive for over two years.[3846]

Apple iCloud: Apple iCloud is selected as a best practice as it grants users pre-mortem control over their assets through Apple's Digital Legacy feature. This feature allows users to either delete their account or assign a legacy contact to access it.[3847] However, unlike Google's Inactive Account Manager, Apple's Digital Legacy feature does not allow users granular control over which data they would like to share with legacy contacts.

Proton Cloud: Proton Mail is selected as a best practice for its "Emergency Access" feature, which allows users to designate up to five trusted contacts to have access to their paid account (free accounts do not have this feature).[3848] However, users do not have granular control over which account data they would like to share.

c. Worst practices

Box, Samsung Cloud, MEGA, and IDrive: These platforms do not have publicly accessible policies on the management of a decedent's account. None of the platforms has legacy online

[3844] Box, Samsung Cloud, MEGA, and IDrive.
[3845] Google Drive, Microsoft OneDrive, Apple iCloud, Dropbox, Proton Cloud, and pCloud.
[3846] Google, "Inactive Google Account Policy."
[3847] "Request access to a deceased family member's Apple Account," Apple, Accessed April 6, 2026, https://support.apple.com/en-us/102431.
[3848] Proton, "How to grant emergency access to your Proton Account."

tools, and fiduciaries are not permitted the right to delete or deactivate a decedent's account. It is unknown whether accounts on these platforms are deleted after a period of inactivity.

B. AI Chatbots

Though AI chatbots are the most novel category evaluated, they are potentially the most dangerous to the dignity of the dead. The same conversational data that allows these systems to provide personalized assistance to users during their lifetimes can be repurposed to generate outputs that non-consensually mimic their views after death. Unlike the other categories, data collected by these chatbots can be transformed into active, generative representations of the decedent through deepfakes, chatbots, holograms, among other forms of digital replicas.[3849] Despite the risks that chatbots pose to the dignity of the dead, the policy landscape is among the least developed of any category evaluated.

The following chatbots were evaluated in this section: ChatGPT (OpenAI), Google Gemini, Microsoft Copilot, Claude (Anthropic), Perplexity, Grok (xAI), Meta AI, DeepSeek, Mistral AI, and Character.AI.

a. Summary of Platform Performance

Four of the ten platforms address a decedent's chat logs through broader, platform-wide digital remains policies rather than standalone chatbot-specific provisions.[3850] The remaining six do not have policies concerning the management of a decedent's chat logs.

Only one platform, Google Gemini, has a comprehensive legacy online tool (via Google's Inactive Account Manager). Meta AI has a partial legacy online tool.

Three platforms grant fiduciaries a right of deletion or deactivation as part of broader, platform-wide policies.[3851] The remaining seven do not grant fiduciaries this right.

Only two platforms, Google Gemini and Microsoft Copilot, delete a decedent's chat logs upon a period of inactivity. The remaining eight platforms either do not delete inactive accounts, or it is unknown.[3852]

b. Best practices

Best practices were selected based on the existence of policies concerning the management of a decedent's chat logs and the existence of legacy online tools that allow users to specify, for example, the deletion of their data before it can be used for model training.

[3849] Tomasz Hollanek and Katarzyna Nowaczyk-Basińska, "Griefbots, Deadbots, Postmortem Avatars: on Responsible Applications of Generative AI in the Digital Afterlife Industry," 37 *Philosophy & Technology* 62-83 (2024).
[3850] Google Gemini, Microsoft Copilot, xAI Grok, and Meta AI.
[3851] Google Gemini, xAI Grok, and Meta AI.
[3852] OpenAI ChatGPT does not delete inactive accounts. Anthropic Claude, Meta AI, Perplexity, xAI Grok, DeepSeek, Mistral AI, and Character.AI have unknown policies on inactive account deletion.

Google Gemini: Google Gemini is selected as a best practice as it is the only platform that grants users pre-mortem control over their chat logs through Google's Inactive Account Manager. If a user does not express their preferences on how their chat logs are managed via Google's Inactive Account Manager, Google reserves the right to delete accounts that have been inactive for over two years.[3853]

c. Worst practices

Character.AI: This platform has no publicly accessible policies on the management of a decedent's account. There is no legacy online tool, and fiduciaries do not have a mechanism to delete or deactivate a decedent's account. Inactive account deletion is also unknown.

Given the chatbot's specialty in imitating the likenesses of other individuals, it has been subject to numerous lawsuits for unauthorized impersonation. One such case involved the replication of Jennifer Ann Crecente, who was murdered in 2006 at the age of eighteen, on a Character.AI chatbot in 2024, sparking national outrage.[3854]

ChatGPT: This platform does not have publicly accessible policies on the management of a decedent's account. There is no legacy online tool, and fiduciaries are not permitted the right to delete or deactivate a decedent's account. Accounts are not deleted after a period of inactivity.

Claude, Perplexity, DeepSeek, and Mistral AI: These platforms do not have publicly accessible policies on the management of a decedent's account. None of the platforms has legacy online tools, and fiduciaries are not permitted the right to delete or deactivate a decedent's account. It is unknown whether accounts on these platforms are deleted after a period of inactivity.

d. Recommendations for model policy to govern access to digital remains

1. *Require all platforms to have publicly accessible and discoverable policies governing digital remains*

All platforms should be required to maintain publicly accessible and discoverable policies governing the treatment of digital remains, clearly specifying the pre-mortem rights of users and the rights of their fiduciaries. At a minimum, platforms should specify a) the pre-mortem rights of users to direct the disposition of their digital remains, b) the rights of fiduciaries and immediate family members to delete or deactivate a decedent's account, c) the rights of fiduciaries and immediate family members to access a decedent's account, and d) the timeline and conditions under which platforms retain the data of the deceased.

Of the 50 platforms evaluated, 20 have no policies directly addressing the management of digital remains. Even among the platforms that do, the policies are often buried deep within privacy

[3853] Google, "Inactive Google Account Policy."
[3854]Megan Farokhmanesh, "Anyone Can Turn You Into an AI Chatbot. There's Little You Can Do to Stop Them," *Wired*, October 15, 2024, Accessed December 12, 2025, https://www.wired.com/story/characterai-has-a-non-consensual-bot-problem.

policies or ToS, making them difficult to navigate, or *undiscoverable*,[3855] for grieving families. For example, Facebook, despite having relatively established policies on digital remains, requires users to navigate six nested menus (Settings & privacy → Settings → Accounts Center → Manage accounts → Account ownership and control → Memorialization).[3856] Google's Inactive Account Manager, by contrast, illustrates what discoverable design should look like. Users can reach the digital legacy tool in just three steps (Manage your Google Account → Data & privacy → Make a plan for your digital legacy).[3857]

While this requirement alone would not guarantee that platforms responsibly manage digital remains, it would, at the minimum, enable users to make informed choices during their lifetime and equip fiduciaries to act knowledgeably after a death.

2. *Grant users pre-mortem control over their digital remains through legacy online tools*

Platforms should be required to offer standardized legacy online tools that allow users to granularly control what happens to their digital remains while they are still alive. These tools should be simple, revocable, and integrated into account settings.

RUFADAA views legacy online tools as the "clearest possible indication of the user's intent."[3858] As such, the preferences of a user as expressed through these online tools override conflicting provisions in estate planning documents and platform ToS. However, only 13 of the 50 platforms, belonging to just 4 parent companies,[3859] provide them. The remainder of the platforms leave users without any mechanism to exercise direct pre-mortem control over their digital remains.

To be effective, legacy online tools should comply with the specifications of an online tool under §4(a) of RUFADAA and adopt the following *thanatosensitive* design principles.[3860] First and foremost, it should offer users granular control over their digital remains, allowing them to differentiate among different types of digital assets. Users may, for example, wish to transfer photographs to a designated data recipient but withhold message logs. Among the platforms assessed, the only parent company whose legacy online tool offers granular control is Google; the rest of the companies have an "all-or-nothing" tool that does not allow users to differentiate between asset types. Second, platforms should prompt users at regular intervals (e.g., every 1-2 years) to review, update, or reaffirm their post-mortem preferences. This ensures that a user's

[3855] As defined by the Cambridge Dictionary, discoverability refers to "the quality of being easy to find on a website, using a search engine, etc."
[3856] "Add, change, or remove your legacy contact on Facebook," Help Center, Facebook, Accessed May 11, 2026, https://www.facebook.com/help/1070665206293088.
[3857] "Your digital legacy," My Account, Google, Accessed May 11, 2026, https://myaccount.google.com/data-and-privacy?gar=WzJd&hl=en&utm_source=OGB&utm_medium=act&authuser=0.
[3858] RUFADAA § 4 cmt. (Unif. Law Comm'n 2015).
[3859] Google (YouTube, Google Messages, Gmail, Google Drive, Gemini), Meta (Facebook, Instagram, Meta AI), Apple (iMessage, iCloud, iCloud Mail), and Proton (Proton Mail and Proton Cloud).
[3860] "Thanatosensitivity" refers to a technological design approach that "actively engages with the facts of mortality, dying, and death." Michael Massimi and Andrea Charise, "Dying, Death, and Mortality: Towards Thanatosensitivity in HCI," *CHI '09 Extended Abstracts on Human Factors in Computing Systems* (Boston, MA: ACM, 2009), 2459–2468.

legacy contacts reflect a user's current relationships and preferences. Third, users should be able to modify or revoke their preferences at any time without any procedural barriers. This satisfies §4(a) of RUFADAA, which gives legal effect to online tools only if they allow users to "modify or delete" their directions at will.[3861]

The best example of an effective legacy online tool is Google's Inactive Account Manager, which affords users granular control over which of the sixty-six assets or account information they would like to transfer to a data recipient after their death.[3862] For users who choose to delete their account after their death, Google allows users to specify a given period of time (3-18 months), after which their account is deleted.[3863]

3. Codify a fiduciary right of deletion for a decedent's account

While pre-mortem control remains the most direct form of control over one's digital remains, in the event that platforms do not have legacy online tools, fiduciaries should be granted the right to delete a decedent's account post-mortem, subject to reasonable verification requirements.[3864]

27 of the 50 platforms evaluated either do not offer fiduciaries a right of deletion or have unknown policies on the matter. As a result, a decedent's digital remains are trapped within the confines of private platforms and left vulnerable to exploitation. On SNS, this is especially dangerous as other users may continue to interact with a decedent's digital remains in ways that the decedent never consented to and the family cannot control.

The right of deletion should incorporate the following features. First, it should be exercisable through a streamlined mechanism by which fiduciaries can easily operate to delete a decedent's account. One example of this is Facebook's online form by which fiduciaries can request to delete an account upon proof of death and the fiduciary's government-issued ID.[3865] Second, the right of deletion should not be contingent on obtaining a court order in ordinary circumstances, which imposes unnecessary burdens on families and risks rendering the right inaccessible. Third, the right of deletion should be conditioned on reasonable verification requirements (e.g., government-issued ID) alongside proof of death, ensuring that the individual requesting the removal of the decedent's account is legally permitted to do so, and that the account belongs to someone that is deceased. Finally, platforms should be required to act on deletion requests within a defined timeframe (e.g., 30 days).

4. Prohibit unauthorized AI training on the PII of the deceased

Once a decedent's photographs, writings, or voice recordings are used to train a generative model, that data ceases to exist as a retrievable record and instead becomes part of the model's

[3861] Uniform Fiduciary Access to Digital Assets Act, Revised §4 (a) (Unif. Law Comm'n 2015).
[3862] Google, "About Inactive Account Manager."
[3863] Google, "About Inactive Account Manager."
[3864] This could include a proof of death certificate and a government-issued ID for the individual making the request.
[3865] Facebook, "Request to Memorialize or Remove an Account."

latent capacity to reproduce the decedent's likeness, voice, or expressive style.[3866] This renders formal requests to delete a decedent's PII unenforceable.

Given this risk, AI developers should be prohibited from intentionally using the PII of the deceased for model training without the decedent's affirmative authorization. Specifically, a user's consent to a platform's ToS during their lifetime should not be construed as authorization for post-mortem use in model training, which constitutes a categorically different use than the assistive functions of a chatbot for which the user's data was originally provided.

To incentivize developers to comply, legislation could establish safe harbor provisions modeled on the "notice-and-takedown" regime of the Digital Millennium Copyright Act of 1998.[3867] Developers would receive immunity from liability for the inadvertent inclusion of decedents' PII if they a) implement reasonable de-identification procedures before training, b) maintain documented processes to evaluate whether de-identified datasets could be used to reconstruct a particular decedent, and c) respond within a defined timeframe to verified fiduciary requests to exclude a decedent's PII from future training runs. Developers who fail to meet these conditions, or who knowingly incorporate PII without authorization, would forfeit safe harbor protection.

This recommendation has limitations. Even models strictly trained on de-identified datasets may still be capable of inferring the traits of deceased users through inference. This remains an emerging field of study, and no comprehensive technical solution has yet emerged. In the meantime, a prohibition on the intentional use of PII, coupled with safe harbor incentives for the use of de-identified datasets, would provide a baseline guardrail against the most direct forms of digital remains exploitation while leaving room for more comprehensive protections as the technology matures.

e. Grid of all entities reviewed and key metrics

Table 30. **Platform Policies Analysis of Digital Remains Grid**

Platform	Existence of Policies	Legacy Online Tool	Right of Deletion/Deactivation	Deletion After Inactivity	Memorialization (SNS)	Abuse Controls (SNS)
Social Networking Services (SNS)						
YouTube	Yes[3868]	Yes[3869]	Yes[3870]	No[3871]	No	Partial[3872]

[3866] Cooper et al., "Machine Unlearning Doesn't Do What You Think," 2.
[3867] The "notice-and-takedown" process of the DMCA allows copyright holders, including estates, to request the removal of infringing content hosted on OSPs. If an OSP complies, it benefits from "safe harbor" protections that shield it from copyright liability. 17 U.S.C. § 512. In the same way, legislation could establish safe harbor provisions for AI platforms that verifiably refrain from using PII in their model parameters.
[3868] Google, "Inactive Google Account Policy."
[3869] Google, "Inactive Google Account Policy."
[3870] Google, "Inactive Google Account Policy."
[3871] Kricheli, "Updating our inactive account policies." YouTube is the only Google service that does not delete account content after a period of inactivity.

Table 30. **Platform Policies Analysis of Digital Remains Grid**

Platform	Existence of Policies	Legacy Online Tool	Right of Deletion/Deactivation	Deletion After Inactivity	Memorialization (SNS)	Abuse Controls (SNS)
(Google)						
Facebook (Meta)	Yes[3873]	Partial[3874]	Yes[3875]	Partial[3876]	Yes[3877]	Yes[3878]
Instagram (Meta)	Yes[3879]	Partial[3880]	Yes[3881]	Partial[3882]	Yes[3883]	Yes[3884]
X	Yes[3885]	No	Yes[3886]	Partial[3887]	No	Yes[3888]
LinkedIn	Yes[3889]	No	Yes[3890]	No[3891]	Yes[3892]	Partial[3893]

[3872] "Youtube's Community Guidelines," YouTube Help, Google, Accessed May 5, 2026, https://support.google.com/youtube/answer/9288567.
[3873] Facebook, "Managing a Deceased Person's Account."
[3874] Facebook, "About legacy contacts on Facebook."
[3875] Facebook, "Request to Memorialize or Remove an Account."
[3876] "Facebook's policies on disabling or deleting hacked, unused or unconfirmed accounts," Help Center, Facebook, Accessed May 5, 2026, https://www.facebook.com/help/3434203120011796.
[3877] "About Memorialized Accounts," Help Center, Facebook, Accessed May 5, 2026, https://www.facebook.com/help/1017717331640041?helpref=related_articles.
[3878] "Special Request for Removal of Violent Death Videos or Photos," Facebook, Accessed April 6, 2026, https://www.facebook.com/help/contact/477010733806493.
[3879] "Report a deceased person's profile on Instagram," Help Center, Instagram, Accessed May 5, 2026, https://help.instagram.com/264154560391256/.
[3880] "About memorialized Instagram profiles," Help Center, Instagram, Accessed May 5, 2026, https://help.instagram.com/231764660354188.
[3881] Instagram, "Report a deceased person's profile on Instagram."
[3882] "Threads and Instagram's inactive username policy," Help Center, Instagram, https://help.instagram.com/294919817276863/.
[3883] Instagram, "About memorialized Instagram profiles."
[3884] "Requesting removal of violent death content," Help Center, Instagram, Accessed May 6, 2026, https://help.instagram.com/1178793262898623.
[3885] "How to contact X about a deceased family member's account," Help Center, X, Accessed April 6, 2026, https://help.x.com/en/rules-and-policies/contact-x-about-a-deceased-family-members-account.
[3886] X, "How to contact X about a deceased family member's account."
[3887] X, "How to contact X about a deceased family member's account."
[3888] "Report Moment of Death," Help Center, X, Accessed April 6, 2026, https://help.x.com/en/forms/report-moment-of-death.
[3889] "Memorialize or close the account of a deceased member," Help, LinkedIn, Accessed April 6, 2026, https://www.linkedin.com/help/linkedin/answer/a1336663/memorialize-or-close-the-account-of-a-deceased-member.
[3890] LinkedIn, "Memorialize or close the account of a deceased member."
[3891] LinkedIn, "Inactive account filtering."
[3892] LinkedIn, "Memorialize or close the account of a deceased member."
[3893] "Professional community policies," LinkedIn, Accessed May 11, 2026, https://www.linkedin.com/legal/professional-community-policies.

Table 30. **Platform Policies Analysis of Digital Remains Grid**

Platform	Existence of Policies	Legacy Online Tool	Right of Deletion/Deactivation	Deletion After Inactivity	Memorialization (SNS)	Abuse Controls (SNS)
Snapchat	Yes[3894]	No	No	Partial[3895]	No	Partial[3896]
TikTok	Partial[3897]	No	No	Partial[3898]	Yes[3899]	Partial[3900]
Pinterest	Partial[3901]	No	Yes[3902]	Unknown	No	Partial[3903]
Reddit	No	No	Unknown	Unknown	No	Partial[3904]
Discord	Yes[3905]	No	Yes[3906]	Yes[3907]	No	Partial[3908]
Short Messaging Services (SMS)						
iMessage (Apple)	Yes[3909]	Partial[3910]	Yes[3911]	Yes[3912]	N/A	N/A
Facebook Messenger	Partial[3913]	No	Yes[3914]	Partial[3915]	N/A	N/A
Google	Yes[3916]	Yes[3917]	Yes[3918]	Yes[3919]	N/A	N/A

[3894] "I'd like to report an account of a person who passed away," Support, Snapchat, Accessed April 6, 2026, https://help.snapchat.com/hc/en-gb/articles/27504454933908-I-d-like-to-report-an-account-of-a-person-who-passed-away.
[3895] "Terms of Service," Snap Inc., effective April 7, 2025, https://www.snap.com/terms?lang=en-GB.
[3896] "Threats, Violence, & Harm," Community Guidelines, Snap Inc., Accessed May 11, 2026, https://values.snap.com/policy/policy-community-guidelines.
[3897] TikTok, "Memorialization."
[3898] "Inactive Account Policy," Support, TikTok, Accessed April 6, 2026, https://www.tiktok.com/support/faq_detail?query=inactive&id=7543597460359420422.
[3899] TikTok, "Memorialization."
[3900] "Community Guidelines," TikTok, effective September 13, 2025, https://www.tiktok.com/safety/en/policies-and-engagement/overview.
[3901] "Delete or temporarily deactivate your account," Help Center, Pinterest, Accessed April 6, 2026, https://help.pinterest.com/en/article/deactivate-or-close-your-account.
[3902] Pinterest, "Delete or temporarily deactivate your account."
[3903] "Community Guidelines," Pinterest, Accessed May 11, 2026, https://policy.pinterest.com/en/community-guidelines.
[3904] "Reddit Rules," Reddit, Accessed May 11, 2026, https://redditinc.com/policies/reddit-rules.
[3905] Discord, "Deceased or Incapacitated Users."
[3906] Discord, "Deceased or Incapacitated Users."
[3907] Discord, "Inactive Account Deletion."
[3908] "Discord Community Guidelines," Discord, effective September 29, 2025, https://discord.com/guidelines.
[3909] Apple, "Request access to a deceased family member's Apple Account."
[3910] "How to add a Legacy Contact for your Apple Account," Apple, Accessed April 6, 2026, https://support.apple.com/en-us/102631.
[3911] Apple, "Request access to a deceased family member's Apple Account."
[3912] Apple, "Welcome to iCloud," Section VII, Part B, Legal, Accessed May 5, 2026, https://www.apple.com/legal/internet-services/icloud/en/terms.html. "Apple may terminate your Account upon 30 days' prior notice via email to the address associated with your Account if (a) your Account has been inactive for one (1) year; or (b) there is a general discontinuance of the Service or any part thereof."
[3913] Facebook, "Managing a Deceased Person's Account."
[3914] Facebook, "Request to Memorialize or Remove an Account."
[3915] Facebook, "Facebook's policies on disabling or deleting hacked, unused or unconfirmed accounts."

Table 30. **Platform Policies Analysis of Digital Remains Grid**

Platform	Existence of Policies	Legacy Online Tool	Right of Deletion/Deactivation	Deletion After Inactivity	Memorialization (SNS)	Abuse Controls (SNS)
Messages						
WhatsApp	No	No	No	Yes[3920]	N/A	N/A
Telegram	No	No	No	Yes[3921]	N/A	N/A
Signal	No	No	No	Yes[3922]	N/A	N/A
Microsoft Teams	Yes[3923]	No	No	Yes[3924]	N/A	N/A
GroupMe	No	No	No	Unknown	N/A	N/A
WeChat	No	No	No	Unknown	N/A	N/A
TextNow	No	No	No	Unknown	N/A	N/A
E-Mail Service Providers (ESP)						
Gmail	Yes[3925]	Yes[3926]	Yes[3927]	Yes[3928]	N/A	N/A
Microsoft Outlook	Yes[3929]	No	No	Yes[3930]	N/A	N/A
Yahoo!	Yes[3931]	No	Yes[3932]	Yes[3933]	N/A	N/A
iCloud Mail (Apple)	Yes[3934]	Partial[3935]	Yes[3936]	Yes[3937]	N/A	N/A
Proton	Partial[3938]	Partial[3939]	Partial[3940]	Yes[3941]	N/A	N/A

[3916] Google, “Inactive Google Account Policy.”
[3917] Google, “Inactive Google Account Policy.”
[3918] Google, “Inactive Google Account Policy.”
[3919] Google, “Inactive Google Account Policy.”
[3920] WhatsApp, “About inactive account deletion.”
[3921] "Account Self-Destruction," Privacy Policy, § 10.4, Telegram, Accessed May 6, 2026, https://telegram.org/privacy?setln=be#10-4-account-self-destruction. Telegram deletes accounts by default after 18 months of inactivity.
[3922] Signal, “Delete account.”
[3923] Microsoft, “Accessing Outlook.com, OneDrive and other Microsoft services when someone has died.”
[3924] Microsoft, “Accessing Outlook.com, OneDrive and other Microsoft services when someone has died.”
[3925] Google, “Inactive Google Account Policy.”
[3926] Google, “Inactive Google Account Policy.”
[3927] Google, “Inactive Google Account Policy.”
[3928] Google, “Inactive Google Account Policy.”
[3929] Microsoft, “Accessing Outlook.com, OneDrive and other Microsoft services when someone has died.”
[3930] Microsoft, “Accessing Outlook.com, OneDrive and other Microsoft services when someone has died.”
[3931] Yahoo!, “Options available if a Yahoo account owner passes away.”
[3932] Yahoo!, “Options available if a Yahoo account owner passes away.”
[3933] Yahoo!, “Options available if a Yahoo account owner passes away.”
[3934] Apple, “Request access to a deceased family member’s Apple Account.”
[3935] Apple, “How to add a Legacy Contact for your Apple Account.”
[3936] Apple, “Request access to a deceased family member’s Apple Account.”
[3937] Apple, “Welcome to iCloud,” §VII.B.

Table 30. **Platform Policies Analysis of Digital Remains Grid**

Platform	Existence of Policies	Legacy Online Tool	Right of Deletion/Deactivation	Deletion After Inactivity	Memorialization (SNS)	Abuse Controls (SNS)
Mail						
AOL Mail	Yes[3942]	No	Yes[3943]	Yes[3944]	N/A	N/A
Zoho Mail	No	No	No	Yes[3945]	N/A	N/A
GMX	No	No	No	Yes[3946]	N/A	N/A
Mail.com	Yes[3947]	No	Partial[3948]	Yes[3949]	N/A	N/A
Xfinity Email	Yes[3950]	No	Yes[3951]	Yes[3952]	N/A	N/A
Cloud-Storage Providers (CSP)						
Google Drive	Yes[3953]	Yes[3954]	Yes[3955]	Yes[3956]	N/A	N/A
Microsoft	Yes[3957]	No	No	Yes[3958]	N/A	N/A

[3938] Proton, "How to grant emergency access to your Proton Account."
[3939] Ibid.
[3940] Ibid.
[3941] Proton accounts may be deleted after 12 months of inactivity. "Inactive accounts," Proton, Accessed May 5, 2026, https://proton.me/support/inactive-accounts.
[3942] AOL, "Options available if an AOL account owner passes away."
[3943] Ibid.
[3944] AOL Mail accounts are deleted after 12 months of inactivity. "Reasons AOL deactivates or deletes an account," Help, AOL, Accessed May 6, 2026, https://help.aol.com/articles/reasons-aol-deactivates-or-deletes-an-account.
[3945] Zoho Mail accounts are deleted after 180 days of inactivity. "Inactive accounts in Zoho Mail," Zoho Mail, Zoho, Accessed May 6, 2026, https://www.zoho.com/mail/help/inactive-account.html.
[3946] GMX may delete accounts after 6 months of inactivity, and may remove account usernames after a year of inactivity. "Your Obligations, General Terms & Conditions," GMX Company, Accessed May 6, 2026, https://www.gmx.com/company/terms/.
[3947] "Managing the Account of a Deceased User," Help Center, Mail.com, Accessed May 6, 2026, https://support.mail.com/account/managing/decease.html.
[3948] Mail.com has a form available for fiduciaries requesting access to a decedent's account, requiring proof of death, government-issued ID of the requestor, and applicable legal documents authorizing fiduciary access to the decedent's account. Mail.com, "Managing the Account of a Deceased User."
[3949] Mail.com accounts are considered inactive after six months of inactivity and may be terminated or suspended. "Term and Termination," § 2.4, General Terms and Conditions, Mail.com, Accessed May 6, 2026, https://www.mail.com/company/terms/.
[3950] "What to do when an account holder passes away," Account & Billing, Support, Xfinity, Accessed May 6, 2026, https://www.xfinity.com/support/articles/account-holder-passed-away.
[3951] Fiduciaries can request to permanently delete or transfer ownership of a decedent's account with Xfinity's Bereavement Support Page. Xfinity, "What to do when an account holder passes away."
[3952] Xfinity Email accounts are considered inactive after 2 years of inactivity and may be deleted. "Xfinity Email activity policy," Internet, Support, Xfinity, Accessed May 6, 2026, https://www.xfinity.com/support/articles/email-activity.
[3953] Google, "Inactive Google Account Policy."
[3954] Ibid.
[3955] Ibid.
[3956] Ibid.

Table 30. **Platform Policies Analysis of Digital Remains Grid**

Platform	Existence of Policies	Legacy Online Tool	Right of Deletion/Deactivation	Deletion After Inactivity	Memorialization (SNS)	Abuse Controls (SNS)
OneDrive						
iCloud (Apple)	Yes[3959]	Partial[3960]	Yes[3961]	Yes[3962]	N/A	N/A
Dropbox	Yes[3963]	No	No	Yes[3964]	N/A	N/A
Box	No	No	No	Unknown	N/A	N/A
Samsung Cloud	No	No	No	Unknown	N/A	N/A
MEGA	No	No	No	Unknown	N/A	N/A
pCloud	No	No	No	Yes[3965]	N/A	N/A
Proton Cloud	Partial[3966]	Partial[3967]	Partial[3968]	Yes[3969]	N/A	N/A
IDrive	No	No	No	Unknown	N/A	N/A
AI Chatbots (LLM)						
ChatGPT (OpenAI)	No	No	No	No	N/A	N/A
Google Gemini	Yes[3970]	Yes[3971]	Yes[3972]	Yes[3973]	N/A	N/A
Microsoft	Yes[3974]	No	No	Yes[3975]	N/A	N/A

[3957] Microsoft, "Accessing Outlook.com, OneDrive and other Microsoft services when someone has died."
[3958] Ibid.
[3959] Apple, "Request access to a deceased family member's Apple Account."
[3960] Apple, "How to add a Legacy Contact for your Apple Account."
[3961] Apple, "Request access to a deceased family member's Apple Account."
[3962] Apple, "Welcome to iCloud," §VII.B.
[3963] "How to access the Dropbox account of someone who has passed away," Help Center, Dropbox, Accessed May 6, 2026, https://help.dropbox.com/account-settings/access-account-of-someone-who-passed-away.
[3964] "What to do if you got an email about an inactive Dropbox account," Help Center, Dropbox, Accessed May 6, 2026, https://help.dropbox.com/account-access/email-about-inactive-account.
[3965] pCloud accounts are considered inactive and subject to deletion after 12 months of inactivity. "How long will my account stay active if I am not performing any operations?" General Help Center, pCloud, Accessed May 6, 2026, https://www.pcloud.com/help/general-help-center/how-long-will-my-account-stay-active-if-i-am-not-performing-any-operations.
[3966] Proton, "How to grant emergency access to your Proton Account."
[3967] Ibid.
[3968] Ibid.
[3969] Proton, "Inactive accounts."
[3970] Google, "Inactive Google Account Policy."
[3971] Ibid.
[3972] Ibid.
[3973] Ibid.
[3974] Microsoft, "Accessing Outlook.com, OneDrive and other Microsoft services when someone has died."
[3975] Ibid.

Table 30. **Platform Policies Analysis of Digital Remains Grid**						
Platform	**Existence of Policies**	**Legacy Online Tool**	**Right of Deletion/Deactivation**	**Deletion After Inactivity**	**Memorialization (SNS)**	**Abuse Controls (SNS)**
Copilot						
Claude (Anthropic)	No	No	No	Unknown	N/A	N/A
Perplexity	No	No	No	Unknown	N/A	N/A
Grok (xAI)	Yes[3976]	No	Yes[3977]	Unknown	N/A	N/A
Meta AI	Yes[3978]	Partial[3979]	Yes[3980]	Unknown	N/A	N/A
DeepSeek	No	No	No	Unknown	N/A	N/A
Mistral AI	No	No	No	Unknown	N/A	N/A
Character. AI	No	No	No	Unknown	N/A	N/A

APPENDIX

Appendix 1. Overall Department of Corrections Jurisdiction Performance By Fulfilled Metrics[3981]

[3976] X, "How to contact X about a deceased family member's account."
[3977] Ibid.
[3978] Facebook, "Managing a Deceased Person's Account."
[3979] Facebook, "About legacy contacts on Facebook."
[3980] Facebook, "Request to Memorialize or Remove an Account."
[3981] Map illustrates number of fulfilled metrics across all eight analyzed issue areas. See respective "Grid of Jurisdictions and Key Metrics" of respective Chapters for analysis and methodology. One metric was omitted (Public Notification; Authority) given that it is categorized as Not Required for jurisdictions with mandatory reporting requirements. See table 1 below for a ranked list of jurisdictions inclusive of analyzed federal agencies.

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
1	California	Identification: 6/6 Evidence: 6/8 Family Notification: 6/6 Return Remains/Property: 9/9 Right to Autopsy: 6/9 Religion: 4/6 Oversight and Investigation: 5/7 Public Notification: 7/7	49
2	New York	Identification: 3/6 Evidence: 6/8 Family Notification: 3/6 Return of Remains/Property: 9/9 Right to Autopsy: 8/9 Religion: 6/6 Oversight and Investigation: 5/7 Public Notification: 6/7	46
3	New Jersey	Identification: 6/6 Evidence: 4/8 Family Notification: 6/6 Return of Remains/Property: 8/9 Right to Autopsy: 8/9 Religion: 3/6 Oversight and Investigation: 6/7 Public Notification: 3/7	44
4	Colorado	Identification: 4/6 Evidence: 7/8 Family Notification: 6/6 Return of Remains/Property: 8/9 Right to Autopsy: 6/9 Religion: 3/6 Oversight and Investigation: 4/7 Public Notification: 3/7	41
5	Massachusetts	Identification: 4/6 Evidence: 7/8 Family Notification: 5/6	40

[3982] "Metric Fulfillment by Issue Area" refers to issue areas in an abbreviated manner for readability. Some issue areas are abbreviated, with the full list being: *Identification* (*Identification of Deceased, Including Consulate Notification), Evidence (Preservation of Evidence), Family Notification (Family Notification, Including Information on Cause of Death), Return of Remains/Property (Return of Remains and Property), Right to Autopsy (Unchanged), Religion (Respecting Religious and Cultural Practices), Investigation and Oversight (Investigation of Deaths and Independent Oversight), Public Notification (Public Notification of Deaths in Custody).*

[3983] There is no internal value-based distinction between jurisdictions with a tied overall score in determining the order of the tied jurisdictions.

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Return of Remains/Property: 7/9 Right to Autopsy: 6/9 Religion: 2/6 Oversight and Investigation: 6/7 Public Notification: 3/7	
6	Nevada	Identification: 1/6 Evidence: 7/8 Family Notification: 6/6 Return of Remains/Property: 8/9 Right to Autopsy: 7/9 Religion: 3/6 Oversight and Investigation: 3/7 Public Notification: 5/7	40
7	Oregon	Identification: 6/6 Evidence: 8/8 Family Notification: 4/6 Return of Remains/Property: 7/9 Right to Autopsy: 6/9 Religion: 2/6 Oversight and Investigation: 3/7 Public Notification: 4/7	40
8	FBOP	Identification: 3/6 Evidence: 6/8 Family Notification: 6/6 Return of Remains/Property: 5/9 Right to Autopsy: 5/9 Religion: 6/6 Oversight and Investigation: 5/7 Public Notification: 5/7	40
9	Virginia	Identification: 3/6 Evidence: 4/8 Family Notification: 6/6 Return of Remains/Property: 7/9 Right to Autopsy: 7/9 Religion: 3/6 Oversight and Investigation: 3/7 Public Notification: 5/7	40
10	Maryland	Identification: 4/6 Evidence: 8/8 Family Notification: 4/6 Return of Remains/Property: 8/9 Right to Autopsy: 2/9	38

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Religion: 5/6 Oversight and Investigation: 4/7 Public Notification: 3/7	
11	Maine	Identification: 4/6 Evidence: 6/8 Family Notification: 4/6 Return of Remains/Property: 7/9 Right to Autopsy: 5/9 Religion: 3/6 Oversight and Investigation: 4/7 Public Notification: 4/7	37
12	Minnesota	Identification: 4/6 Evidence: 8/8 Family Notification: 4/6 Return of Remains/Property: 6/9 Right to Autopsy: 6/9 Religion: 2/6 Oversight and Investigation: 5/7 Public Notification: 2/7	37
13	Washington D.C.	Identification: 4/6 Evidence: 8/8 Family Notification: 4/6 Return of Remains/Property: 6/9 Right to Autopsy: 6/9 Religion: 2/6 Oversight and Investigation: 5/7 Public Notification: 2/7	37
14	Alaska	Identification: 5/6 Evidence: 6/8 Family Notification: 4/6 Return of Remains/Property: 4/9 Right to Autopsy: 4/9 Religion: 4/6 Oversight and Investigation: 4/7 Public Notification: 5/7	36
15	Arizona	Identification: 3/6 Evidence: 4/8 Family Notification: 4/6 Return of Remains/Property: 7/9 Right to Autopsy: 4/9 Religion: 1/6 Oversight and Investigation: 6/7	36

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Public Notification: 6/7	
16	South Dakota	Identification: 2/6 Evidence: 8/8 Family Notification: 6/6 Return of Remains/Property: 8/9 Right to Autopsy: 5/9 Religion: N/A Oversight and Investigation: 2/7 Public Notification: 5/7	36
17	Washington	Identification: 4/6 Evidence: 5/8 Family Notification: 5/6 Return of Remains/Property: 8/9; Right to Autopsy: 4/9 Religion: 4/6 Oversight and Investigation: 5/7 Public Notification: 1/7	36
18	ICE	Identification: 3/6 Evidence: 5/8 Family Notification: 6/6 Return of Remains/Property: 7/9 Right to Autopsy: 1/9 Religion: 4/6 Oversight and Investigation: 5/7 Public Notification: 6/7	36
19	Illinois	Identification: 5/6 Evidence: 7/8 Family Notification: 3/6 Return of Remains/Property: 7/9 Right to Autopsy: 5/9 Religion: 3/6 Oversight and Investigation: 4/7 Public Notification: 1/7	35
20	Georgia	Identification: 3/6 Evidence: 7/8 Family Notification: 3/6 Return of Remains/Property: 6/9 Right to Autopsy: 6/9 Religion: N/A Oversight and Investigation: 6/7 Public Notification: 4/7	34
21	Arkansas	Identification: 4/6	34

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Evidence: 5/8 Family Notification: 4/6 Return of Remains/Property: 7/9 Right to Autopsy: 7/9 Religion: 3/6 Oversight and Investigation: 1/7 Public Notification: 3/7	
22	West Virginia	Identification: 4/6 Evidence: 4/8 Family Notification: 5/6 Return of Remains/Property: 8/9 Right to Autopsy: 5/9 Religion: 2/6 Oversight and Investigation: 3/7 Public Notification: 2/7	33
23	Wisconsin	Identification: 3/6 Evidence: 5/8 Family Notification: 3/6 Return of Remains/Property: 9/9 Right to Autopsy: 7/9 Religion: N/A Oversight and Investigation: 5/7 Public Notification: 1/7	33
24	Michigan	Identification: 3/6 Evidence: 6/8 Family Notification: 4/6 Return of Remains/Property: 8/9 Right to Autopsy: 4/9 Religion: N/A Oversight and Investigation: 4/7 Public Notification: 3/7	32
25	North Carolina	Identification: 1/6 Evidence: 7/8 Family Notification: 6/6 Return of Remains/Property: 9/9 Right to Autopsy: 6/9 Religion: N/A Oversight and Investigation: 3/7 Public Notification: 0/7	32
26	Texas	Identification: 3/6 Evidence: 3/8 Family Notification: 4/6	32

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Return of Remains/Property: 7/9 Right to Autopsy: 6/9 Religion: 5/6 Oversight and Investigation: 3/7 Public Notification: 1/7	
27	Connecticut	Identification: 3/6 Evidence: 7/8 Family Notification: 5/6 Return of Remains/Property: 7/9 Right to Autopsy: 5/9 Religion: N/A Oversight and Investigation: 4/7 Public Notification: 0/7	31
28	Ohio	Identification: 0/6 Evidence: 5/8 Family Notification: 4/6 Return of Remains/Property: 8/9 Right to Autopsy: 5/9 Religion: 2/6 Oversight and Investigation: 2/7 Public Notification: 5/7	31
29	Pennsylvania	Identification: 1/6 Evidence: 3/8 Family Notification: 4/6 Return of Remains/Property: 7/9 Right to Autopsy: 6/9 Religion: 4/6 Oversight and Investigation: 4/7 Public Notification: 2/7	31
30	New Mexico	Identification: 1/6 Evidence:7/8 Family Notification: 6/6 Return of Remains/Property: N/A Right to Autopsy: 7/9 Religion: 4/6 Oversight and Investigation: 5/7 Public Notification: 0/7	30
31	Kansas	Identification: 6/6 Evidence: 3/8 Family Notification: 6/6 Return of Remains/Property: 7/9 Right to Autopsy: 3/9	29

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Religion: 2/6 Oversight and Investigation: 2/7 Public Notification: 0/7	
32	Oklahoma	Identification: 1/6 Evidence: 6/8 Family Notification: 3/6 Return of Remains/Property: 7/9 Right to Autopsy: 6/9 Religion: 2/6 Oversight and Investigation: 4/7 Public Notification: 0/7	29
33	South Carolina	Identification: 2/6 Evidence: 8/8 Family Notification: 3/6 Return of Remains/Property: 7/9 Right to Autopsy: 6/9 Religion: 2/6 Oversight and Investigation: 1/7 Public Notification: 0/7	29
34	Tennessee	Identification: 3/6 Evidence: 3/8 Family Notification: 3/6 Return of Remains/Property: 6/9 Right to Autopsy: 5/9 Religion: 1/6 Oversight and Investigation: 2/7 Public Notification: 5/7	29
35	Montana	Identification: 1/6 Evidence: 7/8 Family Notification: 0/6 Return of Remains/Property: 4/9 Right to Autopsy: 8/9 Religion: 0/6 Oversight and Investigation: 4/7 Public Notification: 4/7	28
36	Vermont	Identification: 1/6 Evidence: 6/8 Family Notification: 3/6 Return of Remains/Property: 6/9 Right to Autopsy: 5/9 Religion: 1/6 Oversight and Investigation: 5/7	28

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Public Notification: 1/7	
37	Utah	Identification: 3/6 Evidence: 4/8 Family Notification: 4/6 Return of Remains/Property: 7/9 Right to Autopsy: 4/9 Religion: 2/6 Oversight and Investigation: 2/7 Public Notification: 1/7	27
38	Idaho	Identification: 1/6 Evidence: 6/8 Family Notification: 2/6 Return of Remains/Property: 7/9 Right to Autopsy: 5/9 Religion: N/A Oversight and Investigation: 5/7 Public Notification: 0/7	26
39	Indiana	Identification: 3/6 Evidence: N/A Family Notification: N/A Return of Remains/Property: 8/9 Right to Autopsy: 6/9 Religion: 4/6 Oversight and Investigation: 1/7 Public Notification: 4/7	26
40	Florida	Identification: 2/6 Evidence: N/A Family Notification: 3/6 Return of Remains/Property: 7/9 Right to Autopsy: 5/9 Religion: 3/6 Oversight and Investigation: 4/7 Public Notification: 1/7	25
41	Nebraska	Identification: 0/6 Evidence: 3/8 Family Notification: 3/6 Return of Remains/Property: 7/9 Right to Autopsy: 4/9 Religion: 3/6 Oversight and Investigation: 4/7 Public Notification: 0/7	24
42	CBP	Identification: 3/6	23

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Evidence: 5/8 Family Notification: 3/6 Return of Remains/Property: N/A Right to Autopsy: 1/9 Religion: N/A Oversight and Investigation: 5/7 Public Notification: 6/7	
43	Kentucky	Identification: 1/6 Evidence: 6/8 Family Notification: 3/6 Return of Remains/Property: 7/9 Right to Autopsy: 4/9 Religion: N/A Oversight and Investigation: 1/7 Public Notification: 0/7	22
44	New Hampshire	Identification: 4/6 Evidence: 2/8 Family Notification: 4/6 Return of Remains/Property: 6/9 Right to Autopsy: 4/9 Religion: 0/6 Oversight and Investigation: 2/7 Public Notification: 0/7	22
45	Puerto Rico	Identification: 4/6 Evidence: N/A Family Notification: 3/6 Return of Remains/Property: 5/9 Right to Autopsy: 7/9 Religion: N/A Oversight and Investigation: 2/7 Public Notification: 1/7	22
46	Delaware	Identification: 4/6 Evidence: N/A Family Notification: 4/6 Return of Remains/Property: N/A Right to Autopsy: 5/9 Religion: 2/6 Oversight and Investigation: 5/7 Public Notification: 0/7	20
47	North Dakota	Identification: 1/6 Evidence: 6/8 Family Notification: N/A	20

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Return of Remains/Property: 5/9 Right to Autopsy: 3/9 Religion: 2/6 Oversight and Investigation: 3/7 Public Notification: 0/7	
48	Rhode Island	Identification: 1/6 Evidence: N/A Family Notification: 2/6 Return of Remains/Property: 8/9 Right to Autopsy: 4/9 Religion: 4/6 Oversight and Investigation: 1/7 Public Notification: 0/7	20
49	Hawaii	Identification: 1/6 Evidence: N/A Family Notification: N/A Return of Remains/Property: 6/9 Right to Autopsy: 5/9 Religion: N/A Oversight and Investigation: 2/7 Public Notification: 5/7	19
50	Iowa	Identification: 1/6 Evidence: N/A Family Notification: N/A Return of Remains/Property: 7/9 Right to Autopsy: 6/9 Religion: N/A Oversight and Investigation: 3/7 Public Notification: 2/7	19
51	Guam	Identification: 0/6 Evidence: 6/8 Family Notification: 3/6 Return of Remains/Property: 2/9 Right to Autopsy: 2/9 Religion: N/A Oversight and Investigation: 3/7 Public Notification: 2/7	18
52	Louisiana	Identification: 4/6 Evidence: N/A Family Notification: 4/6 Return of Remains/Property: N/A Right to Autopsy: 5/9	18

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Religion: 2/6 Oversight and Investigation: 2/7 Public Notification: 1/7	
53	Alabama	Identification: 1/6 Evidence: N/A Family Notification: 2/6 Return of Remains/Property: 5/9 Right to Autopsy: 5/9 Religion: N/A Oversight and Investigation: 2/7 Public Notification: 2/7	17
54	Mississippi	Identification:1/6 Evidence: N/A Family Notification: N/A Return of Remains/Property: 5/9 Right to Autopsy: 6/9 Religion:1/6 Oversight and Investigation: 3/7 Public Notification: 0/7	16
55	Missouri	Identification: 0/6 Evidence: 7/8 Family Notification: N/A Return of Remains/Property: N/A Right to Autopsy: 5/9 Religion: N/A Oversight and Investigation: 4/7 Public Notification: 0/7	16
56	Northern Mariana Islands	Identification: 0/6 Evidence: 5/8 Family Notification: 2/6 Return of Remains/Property: N/A Right to Autopsy: 4/9 Religion: N/A Oversight and Investigation: 2/7 Public Notification: 0/7	13
57	Wyoming	Identification: 2/6 Evidence: N/A Family Notification: N/A Return of Remains/Property: 4/9 Right to Autopsy: 5/9 Religion: N/A Oversight and Investigation: 2/7	13

Appendix 1. **Overall Death in Government Detention Metrics by Jurisdiction**[3982]			
Rank[3983]	**Jurisdiction**	**Metric Fulfillment by Issue Area**	**Overall Score**
		Public Notification: 0/7	
58	U.S. Virgin Islands	Identification: 0/6 Evidence: N/A Family Notification: N/A Return of Remains/Property: N/A Right to Autopsy: 5/9 Religion: 3/6 Oversight and Investigation: 1/7 Public Notification: 0/7	9
59	American Samoa	Identification: 0/6 Evidence: N/A Family Notification: N/A Return of Remains/Property: N/A Right to Autopsy: 3/9 Religion: N/A Oversight and Investigation: 3/7 Public Notification: 0/7	6

Note: Metric fulfillment counts include full and "partial" Y responses, with the exception of the metric Required Investigations under the area of *Investigation of Deaths and Independent Oversight,* in which partial responses are not included in the count for fulfilled metrics.