

**NOTIFICATION GUIDELINES FOR ANY CASE WHERE AN ADULT DIES
WHILE IN THE CUSTODY OF THE PROBATION DEPARTMENT/
OFFICER INVOLVED DEATHS**

- AUTHORITY:** California Government Code Section 12525
Board of Supervisors Resolution No. 77-1297
Administrative Directive
[REDACTED]
- RESCINDS:** Procedure Manual Item 1-4-001, dated 07/07/16
- FORMS:** Operational and Procedural Protocol (Attachment #1)
Death In-Custody Reporting **Form** (Attachment #2)
- PURPOSE:** To establish uniform notification procedures for staff to utilize in the event that a person dies while in our custody.

PROCEDURE

- I. After appropriate emergency measures have been taken, the discovering employee will notify as soon as possible by telephone or in person the appropriate Probation Division Director who is responsible for notification of the Chief Probation Officer. In the event that any person in the chain cannot be reached that person will contact an available Division Director or the Chief Deputy to assure the Chief Probation Officer is notified in a timely manner. This notification will take place:

In the event of the death of an adult, which is in any way related to that person being in our immediate custody or in our custody through a contracted service.
- II. In the case of a death as described in Section I, the Division Director will assume responsibility for developing a notification plan for the person's next of kin consistent with Sheriff-Coroner procedures in conjunction with the Chief Probation Officer.
- III. The Chief Probation Officer or his designee will notify the Chairman of the Grand Jury within 24 hours excluding weekends or holidays of the special incident.
- IV. In the case of the death of a person described in Section I above, the Chief Probation Officer or his designee will also, no later than 24 hours after the incident, notify in writing:
 - A. The Sheriff-Coroner
 - B. The Presiding Judge of the Sentencing Court
 - C. The Departmental Safety Officer
 - D. The County Risk Management Division
 - E. The Clerk of the Board of Supervisors (or the Chairman if "exceptional circumstances" exist).

- F. The County Executive Officer
- V. Officer involved or in custody deaths require the following notification **by Chief Probation Officer or designee:**
 - A. The Sheriff-Coroner - immediately by telephone with a written report to follow within eight hours
 - B. Local Police Agency - immediately by telephone with a written report to follow within eight hours
 - C. The District Attorney as soon as a member of the District Attorney's Office is on duty with a written report to follow within 24 hours. In the event of an officer involved death, the appropriate Director/CDPO will contact the District Attorney call out team immediately.
 - D. The Chairman of the Grand Jury, in writing, within 24 hours
 - E. The Departmental Safety Officer, in writing, within 24 hours
 - F. County Risk Management, in writing, within 24 hours
 - G. The Clerk of the Board of Supervisors, in writing, within 24 hours (or Chairman immediately, if "exceptional circumstances" exist)
 - H. The County Executive Officer, in writing, within 24 hours
 - I. **If the critical incident involved any employee represented by the Association of Orange County Deputy Sheriff's (AOCDS), notification will be made to the organization by calling 714-285-2800 as soon as practical and/or possible.**
 - J. The California Department of Justice within 10 days (in custody only) California Government Code Section 12525 requires that in any case in which a person dies while in custody, the Attorney General shall be notified of that death within 10 days. In order to comply with this requirement, the Probation Department will complete the "Death In Custody Reporting" form **BCAI 713 (Attachment #2)** within 10 days and forward that document to the **Department of Justice, Criminal Justice Statistics Center**, Post Office Box 903427, Sacramento, CA 94203-4270.

REFERENCES:

- | | | |
|-------------|---------|---|
| Procedures: | 1-4-109 | Notification System for Death of a Minor and Other Special Incidents |
| | 3-1-106 | Death, Serious Suicide Attempts and Other Serious Incidents Related to youths in Custody |
| Policy: | G-8 | Injuries and Medical Emergencies |

G. Dransfeldt

APPROVED BY:

State of California

Department of Justice

DEATH IN CUSTODY REPORTING FORM

BCIA 713 (rev. 11/03)

ORIGINAL AMENDMENT

DOJ USE ONLY

RECORD KEY

AGENCY TYPE

Police
 Sheriff
 Probation
 State
 Other Local

AGENCY NCIC NUMBER

COUNTY

DATE OF DEATH **SUBJECT NAME**

MM / DD / YYYY Last First Middle

CII NUMBER **DATE OF BIRTH**

MM / DD / YYYY

GENDER

Male
 Female

RACE/ETHNICITY (Check One)

Other Asian Korean
 Black Lactian
 Chinese Other
 Cambodian Pacific Islander
 Filipino Samoan
 Guamanian Hawaiian
 Hispanic Vietnamese
 American Indian White
 Japanese Asian Indian

DOJ USE ONLY

CUSTODY OFFENSE

CUSTODY STATUS

(Check One)

- Process of Arrest
- In Transit
- Awaiting Booking
- Booked - No Charges Filed
- Booked - Awaiting Trial
- Sentenced
- Out to Court
- Other

CUSTODIAL RESPONSIBILITY

AT TIME OF DEATH

(Check One)

- Process of Arrest
- City Jail
- County Jail
- Adult Camp or Ranch
- Local Juvenile Facility/Camp
- Adult Operations and Adult Programs (formerly CDC)
- Division of Juvenile Justice (formerly CYA)
- State Hospital
- Other

LOCATION WHERE CAUSE

OF DEATH OCCURRED

(Check One)

- Not Applicable (Natural)
- Crime/Arrest Scene
- Facility -- Administrative
- Facility -- Booking
- Facility -- Living
- Facility -- Common
- Facility -- Holding
- Facility -- Medical Treatment
- Other

FACILITY OF DEATH

(Check One)

- Crime/Arrest Scene
- Local Hospital
- City Jail
- County Jail
- Adult Camp or Ranch
- Local Juvenile Facility/Camp
- Adult Operations and Adult Programs (formerly CDC)
- Division of Juvenile Justice (formerly CYA)
- State Hospital
- Other

MANNER OF DEATH

(Check One)

- Pending Investigation
- Natural
- Accidental -- Injury to Self
- Accidental -- Injury by Other
- Suicide
- Homicide Wilful (Law Enforcement Staff)
- Homicide Wilful (Other Inmate)
- Homicide Justified (Law Enforcement Staff)
- Homicide Justified (Other Inmate)
- Execution
- Cannot Be Determined
- Other

MEANS OF DEATH

(Check One)

- Pending Investigation
- Not Applicable (Natural)
- Handgun
- Rifle/Shotgun
- Club, Blunt Instrument
- Hands, Feet, Fists
- Knife, Cutting Instrument
- Hanging, Strangulation
- Alcohol/Drug Overdose
- Execution: Lethal Gas/Injection
- Cannot Be Determined
- Other

DATA SUPPLIED BY (Please print the following information):

Name: _____ Email: _____

Agency: _____ Telephone: _____

Address: _____

Send completed form to: Department of Justice
 Criminal Justice Statistics Center
 P.O. Box 903427
 Sacramento, CA 94203-4270
 Facsimile: (916) 227-0427 or 227-3561
 Telephone: (916) 227-3545