
 <p><b>NEW YORK STATE</b> <b>Corrections and Community Supervision</b></p> <p><b>DIRECTIVE</b></p>	TITLE		NO. 4206
	<p><b>Notification of Death or Grave Illness of Inmate Family Members</b></p>		DATE 08/01/2019
SUPERSEDES DIR #4206 Dtd. 1/13/17	DISTRIBUTION A B	PAGES PAGE 1 OF 2	DATE LAST REVISED
REFERENCES (Include but are not limited to) ACA Expected Practices 4-4500-1; 4-JCF-3A-17	APPROVING AUTHORITY 		

- I. **PURPOSE:** To establish policy and procedure for the timely notification to an inmate of grave illness or death of a family member.
- II. **TELEPHONE RECEPTION:** During business hours the facility Switchboard Operator or Watch Commander shall refer calls regarding grave illness or death of an inmate's relative to an on-duty Chaplain. If a Chaplain is unavailable, a Supervising Offender Rehabilitation Coordinator should receive the call. [Form #4206A](#), "Report of Grave Illness/Death in Inmate's Family," should be used to record all relevant information.

As authorized by Correction Law, Section 113 and consistent with Department policy, the following is a list of relatives/family members for whom an inmate may be allowed to attend a funeral or death bed visit: father, mother, legal guardian or former legal guardian, child, brother, half-brother, sister, half-sister, spouse, grandparent, grandchild, ancestral uncle, or ancestral aunt.

In addition, for purposes of this directive the term "spouse" shall also include a person who is the same sex as the inmate if the same-sex marriage was performed in New York State or if a same-sex marriage or civil union was performed in any other jurisdiction that authorizes such marriage and union. Counsel's Office may be consulted to determine whether the outside jurisdiction does authorize same-sex marriages or civil unions.

During non-business hours, the Watch Commander is to obtain the pertinent information, including the caller's telephone number, and immediately contact a Chaplain or Supervising Offender Rehabilitation Coordinator.

### III. DEFINITION OF A DEATHBED VISIT OR FUNERAL ATTENDANCE

A funeral visit is defined as a visit during the wake (viewing) and/or funeral service held for a deceased person. This may occur after the deceased has been buried or cremated. The presence of the body is not required. Funeral visits may only take place in licensed funeral homes or at clearly designated places of worship and will not be permitted in private homes.

A deathbed visit is defined as a visit to the bedside of a person for whom death appears imminent. Deathbed visits may only take place at recognized health care facilities and will not be permitted in private homes.

The Chaplain or Supervising Offender Rehabilitation Coordinator is to be familiar with Directives #4901, "Transporting Prisoners," and #7001, "Temporary Release Programs," and know and advise the caller that the trip is contingent upon verification of relationship and the Superintendent's, or designee's, approval.

#### IV. VERIFICATION/NOTIFICATION

It shall be the duty of the Chaplain or Supervising Offender Rehabilitation Coordinator to verify the death or illness with a funeral parlor/hospital. They are to obtain all information needed to complete [Form #4206A](#), "Report of Grave Illness/Death in Inmate's Family."

The Chaplain or Supervising Offender Rehabilitation Coordinator shall access the inmate's folders and FPMS System. **All of the inmate's records, including past DIN numbers, reported phone numbers, addresses, and visiting should be used in an effort to help establish the relationship. The Chaplain and/or Supervising Offender Rehabilitation Coordinator should always try to work with the family to verify a relationship.** Only the verification of relationship is needed; the status or extent of the relationship is not a factor in verification.

Only after the relationship is verified shall the Chaplain or Supervising Offender Rehabilitation Coordinator meet with the inmate as quickly as possible to give him or her the notification. If the inmate does not desire to make the trip, the Chaplain or Supervising Offender Rehabilitation Coordinator is to so notify the caller. A record of the refusal ([Form #4206B](#)), signed by staff and the inmate, must be entered into the inmate's file.

In cases of unverified relationship, the Superintendent, or designee, is to make the final decision with regard to informing the inmate.

**V. REQUEST FOR DEATHBED VISIT OR FUNERAL ATTENDANCE:** The Chaplain or Supervising Offender Rehabilitation Coordinator forwards the completed [Form #4206A](#) to the Superintendent, or designee, along with a summary in writing of all relevant information, including document copies when necessary, for review and possible trip approval.

If there is cause for concern with regard to the circumstances surrounding the family member's grave illness or death, the Superintendent, or designee, is to immediately contact the Office of Special Investigations for advice, as deemed necessary. Other issues of concern are Orders of Protection and other incarcerated individuals attending the service.

Whenever a trip is denied, the Chaplain or Supervising Offender Rehabilitation Coordinator shall meet with the inmate to inform him or her that the trip has been denied and place a return call to the family informing them that the trip has been denied.