***Controller O’Connor Issues Recommendations on***

***Notification of Death, Injury, or Illness Policy, Seeks Jail Action***

Implementing standards on notifications of death, illness, and injury move our County one step closer to providing more effective services and treating people in custody and their loved ones with dignity and respect. The following best standards drafted by the Controller’s Office represents a public consensus of federal and local experts and community members and provides for better coordination of County services and Jail procedures. Most of all, it allows for notifications to occur in a humane, timely, and compassionate manner.

This issue has not spurred more immediate action. As such, we request the Jail, its staff, and all involved County officials review such standards and work with our office to implement improvements immediately.

*Recommended Standards for Policy on*

*Notification of Death, Injury, or Illness in Custody:*

**SECTION 1. DEFINITIONS—**

In reviewing its policies, ACJ should evaluate adopting the following Definitions:

(1) CUSTODIAL RECORD. The term custodial record means the central file of an individual in ACJ custody.

(2) IN CUSTODY. The term in custody means an individual who, after being detained and booked into Allegheny County Jail or its alternative housing facilities:

(A) is housed at ACJ or an alternative housing facility and

(B) has been, is being, or will be transferred to a medical facility from ACJ, for the purpose of care, and absent such a visit, would be housed at ACJ or an alternative housing facility.

(3) SERIOUS ILLNESS AND INJURY. The terms serious illness and serious injury are defined as:

(A) A physical and/or mental condition that poses imminent danger of death and/or requires care in a hospital, hospice, or medical facility.

**SECTION 2. NOTIFICATION POLICIES AND PROCEDURES—**

In reviewing its existing policy, ACJ should evaluate:

(1) establishing policies and procedures for notification to the Jail Oversight Board and listed emergency contact of a person in custody in the event of that person’s death, serious illness, and/or a serious injury within twelve (12) hours of such declaration.

(2) establishing policies and procedures for the content of these notifications which may include, but not be limited to information about the: circumstances surrounding the death; official time and cause of death; and, whether the death is under or pending an investigation.

(3) maintaining and publishing policies and procedures that outlines a process for a person in custody to amend or update their emergency contact information via in-person and electronic submission.

(4) publish policies and procedures to collect and record the following information in the custodial record from emergency contacts of persons in custody:

(A) the name, address, telephone number, and email of the individual who:

(i) shall be notified in the event of the death or serious illness or serious injury of a person in custody.

(ii) are authorized to receive the body and personal effects of the person in custody.

(B) whether the person in custody would like to request a faith leader to participate in the notification process, and if so, of what denomination; and,

(C) whether the person in custody has in place a medical proxy decisionmaker or medical power of attorney, or advanced directive, and the name and contact information of the individual(s) holding such authorities; and,

(5) publish policies and procedures that ensure all information is recorded, internally accessible, and that any changes to information are completed within twenty-four to forty-eight (24-48) hours.

**SECTION 3. REVIEW AND EVALUATION CONSIDERATIONS—**

ACJ should evaluate and identify best practices to provide notifications in a compassionate, professional, and verifiable manner. ACJ should also evaluate the following additional recommendations during its review of policy and procedure:

(1) providing documentation within the custodial record of the person in custody of each notification attempt performed, in accordance with these best practices;

(2) providing the emergency contact with a meaningful opportunity to visit with a seriously ill or injured person in custody and to communicate with the medical staff caring for that individual when appropriate;

(3) providing the person in custody with information about the purpose and permissible use(s), if any, of the emergency contact information provided in connection with these best practices; and,

(4) providing the accessible review of policies, procedures, and best practices set forth herein via electronic and written means.