

**BUTTE COUNTY SHERIFF'S OFFICE
DEPARTMENTAL ORDER**

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TO: ALL PERSONNEL
FROM: SHERIFF-CORONER
SUBJECT: IN-CUSTODY INMATE DEATHS
DATE: August 27, 2014
POLICY: An in-custody inmate death shall be immediately and thoroughly investigated to determine the cause and manner of death.

ATTACHMENTS:

1. State of California: Death in Custody Reporting Form BCIA 713
2. Annual Survey for Death in Custody

AUTHORITY:

3. California Penal Code §6030
4. California Government Code §12525
5. California Code of Regulations, Title 15, Division 1, Chapter 1, §1046

ACTION:

6. This order replaces Departmental Order 5014, dated July 06, 2011.
7. Effective immediately, the following actions and procedures shall be implemented:

**KORY L. HONEA
SHERIFF-CORONER**

Distribution "A"

(REV/14)

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I. PROCEDURES:

A. INVESTIGATIONS:

1. The Sheriff's Office Investigations Division shall conduct or assist with an investigation.
2. The Sheriff-Coroner may assign an outside agency to conduct the investigation.
3. The Chief Deputy Coroner/Deputy Coroner shall conduct a coroner's investigation.
4. The Team Sergeant shall direct a correctional officer to secure and remain at the scene until relieved by a Chief Deputy Coroner/Deputy Coroner.
5. The Chief Deputy Coroner/Deputy Coroner or appropriate medical staff will be responsible for pronouncing death.
6. Care will be taken not to disturb the scene or the evidence. No unnecessary correctional staff or medical personnel will enter the scene.
7. The Team Sergeant shall ensure that involved and/or witness inmates are separated and lockdown.

B. NOTIFICATIONS:

1. The jail watch commander shall notify:
 - a. All correctional lieutenants
 - b. Jail commander
 - c. Notify dispatch who will then notify:
 - (I) On-duty patrol sergeant
 - (II) Chief Deputy Coroner
 - (III) Captain - Operations Division
 - (IV) Undersheriff
 - (V) Sheriff-Coroner

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C. DOCUMENTATION:

1. The jail watch commander shall have involved correctional and medical staff submit written reports as to their actions and observations.
2. The jail watch commander shall ensure that original copies of the files, forms, and records pertaining to the inmate are included in the Incident Report packet and this is provided to the Operations Lieutenant. These include, but are not limited to:
 - a. In-custody file
 - b. Classification file
 - c. Medical file
 - d. Team Sergeant's Log
 - e. Routine Jail Check Form - from the affected post(s)
 - f. Written reports - from staff and inmates
 - g. Any video tape(s)

D. PROPERTY.

1. The inmate's personal property will be gathered by the deputy coroner. These include, but are not limited to:
 - a. Inmate's cell property
 - b. Inmate's personal property
 - c. Inmate's personal clothing
 - d. Inmate's money

E. GENERAL INFORMATION:

1. The correctional and medical staffs shall not leave the facility until approved by the Chief Deputy Coroner/Deputy Coroner in charge of the scene.
2. The correctional and medical staffs shall not discuss the incident with the media.
3. The Chief Deputy Coroner shall be responsible for notifying the next of kin. The Sheriff-Coroner, or his designee, shall issue the media releases, when appropriate to do so as determined on a case by case basis.

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F. AFTER-INCIDENT REVIEWS:

1. The jail commander shall assure that there is a review of every in-custody death. The review board will include the Sheriff-Coroner or designee, the jail commander, the medical unit administrator, the responsible physician, and other health care and supervision staff who are relevant to the incident. The review board will conduct an investigation, and their report will include, but not necessarily be limited to:
 - a. the cause of the death;
 - b. the deceased's medical and mental health history;
 - c. the deceased's criminal and incarceration history;
 - d. correctional staff's policies, response, and involvement in the incident;
 - e. medical staff's policies, response, and involvement in the incident; and,
 - f. other factors pertinent to an objective and thorough evaluation of the incident.

G. AFTER-INCIDENT REPORTS:

1. The jail commander shall ensure the following reports are completed:
 - a. Telephonically notify the Corrections Standards Authority representative.
 - b. Telephonically notify Butte County's risk management unit.
 - c. Notify the California Attorney General within ten days utilizing *State of California Death in Custody Reporting Form BCIA 713*. (Attachment 1)
 - d. Annually notify the California Attorney General utilizing the *Annual Survey for Death in Custody*. (Attachment 2)

<p>California Department of Justice DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES Nick L. Dedier, Director/CIO</p>		<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i> Death in Custody Reporting Form (BCIA 713)</p>	<p><i>No.</i> 05-28-BCIA</p>	<p><i>Contact for information:</i> Criminal Justice Statistics Center 916-227-3545</p>	<p><i>Date:</i> 12-22-05</p>

To: **Police Departments**
Sheriff's Offices
County Probation Departments
Department of Corrections and Rehabilitation Institutions
Department of Developmental Services
Department of Mental Health

Government Code section 12525 requires law enforcement agencies or local or state correctional facilities to report the death of a person in custody, within 10 days, to the Attorney General. The Death in Custody Reporting Form (BCIA 713), used to satisfy this mandate, has been revised.

The revised BCIA 713 better classifies and captures death in custody details via modification of the circumstance titles and choices. The revised BCIA 713 also eliminates the requirement that agencies provide copies of death in custody incident reports to the Department of Justice.

Amendment of a previously submitted BCIA 713 should be accomplished through submission of a second BCIA 713.

A BCIA 713 (11/05) and instruction guidelines are attached.

Sincerely,

DOUG SMITH, Deputy Director
Division of California Justice Information Services

For **BILL LOCKYER**
Attorney General

Attachments

