



**U.S. Department of Justice**  
**Federal Bureau of Prisons**

**PROGRAM STATEMENT**

OPI: HRM/PDB

NUMBER: 3790.03

DATE: August 11, 2022

## **Procedures in the Event of a Staff Member's Death**

/s/

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Director, Federal Bureau of Prisons

### **1. PURPOSE AND SCOPE**

The purpose of the Program Statement is to establish procedures in the event of a staff death. It is the policy of the Federal Bureau of Prisons (Bureau) to properly recognize employees in the event of their death and to ensure surviving family members received all allowable benefits.

The death of a Bureau employee, whether occurring in the line of duty or off the job, is a tragic event and is especially traumatic for the family. It is extremely important Bureau employees demonstrate a great deal of sympathy for surviving family members and be sensitive to fulfilling the needs of the family by processing claims for benefits as expeditiously as possible.

#### **a. Summary of Changes**

*Policy Rescinded*

P3000.03 Human Resource Management Manual, Section 880.1 Procedures in the event of staff deaths

#### **b. Program Objectives.** The expected results of this program are:

- To recognize the service of an employee who dies in the line of duty.
- To ensure surviving family members receive the maximum allowable benefits in a timely manner.
- To ensure the deceased employee's family receives all the support and assistance the Bureau can provide.

c. **Institution Supplement.** None required. Should local facilities make any changes outside changes required in national policy or establish any additional local procedures to implement national policy, the local Union may invoke to negotiate procedures or appropriate arrangements.

## 2. DEFINITIONS

- a. **Staff Deaths In-the-Line-of Duty:** The death of a staff member while performing their duty. It includes the death of a staff member who died at the hands of other persons and was directly due to the performance of his/her duties for the Bureau, or a staff member's death that is the result of natural causes or due to an accident. This would include, but is not limited to a stroke, heart attack, accidental death, etc.

Excluded are deaths caused by willful misconduct of the staff; death caused by the staff's intention to bring about the injury or death of himself or of another; or death proximately caused by the intoxication of the injured staff member.

- b. **Death occurring Off-Duty:** a staff member death that occurs when a staff member is not in a Bureau work status, except as stated in 2a above.

## 3. PROCEDURES FOR STAFF DEATHS

- a. The Chief Executive Officer (CEO) (or appropriate Regional or Assistant Director) will inform the Director and the local Union president as soon as practicable of all staff deaths and keep him/her informed of all relevant activities underway. The Crisis Support Team (CST) will be activated for all staff deaths. The Assistant Director, Human Resource Management Division, or designee will notify the Council of Prison Locals President as soon as practicable.
- b. For Staff Deaths In-the-Line-of Duty, the CEO will personally notify the immediate family. Other Bureau staff (e.g. Chaplain, Psychologist, Human Resources, CST) may be involved at the time of the notification, as deemed appropriate by the CEO.

For deaths occurring off-duty, the CEO will personally contact the family to offer condolences.

For all staff deaths, the CEO will designate a point of contact (POC) and will notify the staff member's immediate family. The POC will assist the family.

- c. For Staff Deaths In-the-Line-of Duty, the Bureau's Chief, Office of Legislative Affairs will notify the Department of Justice Office of Legislative Affairs and the congressional offices located within the state in which the institution is located. This notification will be made as

soon as practicable.

- d. For Staff Deaths In-the-Line-of Duty, notification will be made immediately for posting on Sallyport. This notification will not be posted until the family has been notified and provided consent.
- e. For Staff Deaths In-the-Line-of Duty, the United States flag will be flown at half-staff at each Bureau facility, in accordance with Program Statement **American Flag Protocol**. These staff will be recognized locally (i.e., on the chit board, memorials, etc.), where it exists.

The Central Office National Memorial for Fallen Officers shall be reserved for line-of-duty deaths where staff died at the hands of an inmate or died as a result of an act of valor or courage.

- f. For all staff deaths, the Human Resource Manager (HRM) will contact the family and assist with the processing of all survivor benefits including, but not limited to, annuities and insurance, as soon as practicable after notification.

The HRM will immediately contact the local Social Security office as Social Security benefits are not paid automatically and forms are not available beforehand. The HRM may need to contact the family for additional information.

In the case of a Staff Death In-the-Line-of Duty, the facility will notify the Centralized Workers' Compensation Unit (CWCU) of a staff death. Human Resources, Safety Department, or CWCU will inform the family about Office of Workers' Compensation Programs (OWCP) benefits. The Safety Department or CWCU will provide and process the necessary forms and/or information for online forms.

- g. For all staff deaths, the facility will notify the Consolidated Benefits Unit (CBU) of a staff death. The CBU will designate an individual to work with the HRM. The HRM will provide the survivor(s) with survivor benefit forms (provided by the CBU) and will assist in explaining survivor benefits and the completion of the forms.

In addition, for Staff Deaths In-the-Line-of Duty, the local HRM will notify the named survivor(s) of the Public Safety Officer's Benefits Program (PSOB) benefit, and provide the website information ([www.psob.gov](http://www.psob.gov)). for completion of the on-line application and the contact phone number (888.744.6513).

- h. Co-Worker Emergency Fund: In accordance with Program Statement **Fund-Raising by Employees**, an emergency fund may be established to help a co-worker and his/her family by establishing a bank account in the next of kin's name. The HRM should coordinate with the

CEO to make the request to the Ethics Office.

- i. The institution Chaplain and/or Psychologist will be available to provide assistance to the family. For Staff Deaths In-the-Line-of Duty, they should periodically contact the family to offer support.
- j. Only the Director, or designee, may attend the memorial or funeral service on duty time as the official representative of the Bureau. Bureau staff traveling in the area on official business may attend any staff memorial service with the approval of their supervisor. For Staff Deaths In-the-Line-of Duty, the CEO may authorize administrative leave for the purpose of attending a memorial or funeral.
- k. The CEO, or designee, will present the family with the United States flag and a Bureau clock. The local Human Resources Department will request the flag(s) and clock from the CBU, providing the deceased staff member's name, position title, name of institution, date of death and cause of death.
- l. For a Staff Death In-the-Line-of Duty, HRMD will provide notification to the National Law Enforcement Officers Memorial. HRMD will review the circumstances of Off-Duty deaths to determine if they meet the National Law Enforcement Memorial's criteria.

#### **4. HONOR GUARD**

For Staff Deaths In-the-Line-of Duty, with the family's concurrence, the facility honor guard will accompany the body from the service to the final resting place, if local. This will be coordinated at the facility level. In the absence of an honor guard at the facility or if the funeral is not local, the CEO will request the Bureau facility in close proximity to the final resting place provide an honor guard escort.

#### **5. OTHER SURVIVOR BENEFITS**

The following organizations may offer additional death benefits. The HRM should inform the survivor(s) to contact the organizations listed below.

- a. Veterans Administration;
- b. Employees' Club;
- c. Local and State victim's compensation programs;
- d. State welfare entitlements;
- e. U.S. military.

## REFERENCES

### *Program Statements*

- 1020.02 American Flag Protocol (12/23/2013)
- 3000.03 Human Resource Management Manual (12/19/2007)
- 3420.10 Fund-Raising By Employees (10/20/2000)

### *Records Retention Requirements.*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on Sallyport.