**Death Notifications Policy – Template**

**Victim-Centered and Trauma-Informed Practices**

Despite progress in establishing federal and state crime victims’ rights legislation, only a small percentage of victims and co-victims obtain the information and services they are entitled to receive.[[1]](#footnote-1) The criminal justice system has historically focused on apprehending, prosecuting, adjudicating, and punishing offenders – often leaving the critical needs of crime victims and co-victims unmet.[[2]](#footnote-2)

**Victim-centered** – placing the crime victim’s priorities, needs, and interests at the center of the work with the victim; providing nonjudgmental assistance, with an emphasis on self-determination, where appropriate, and assisting victims in making informed choices; ensuring that restoring victims’ feelings of safety and security are a priority and safeguarding against policies and practices that may inadvertently re-traumatize victims; ensuring that victims’ rights, voices, and perspectives are incorporated when developing and implementing system- and community-based efforts that impact crime victims.

**Trauma-informed** – approaches delivered with an understanding of the vulnerabilities and experiences of trauma survivors, including the prevalence and physical, social, and emotional impact of trauma. A trauma-informed approach recognizes signs of trauma and responds by integrating knowledge about trauma into policies, procedures, practices, and settings.

\**Definitions used in* [*OVC Model Standards*](https://ovc.ojp.gov/sites/g/files/xyckuh226/files/model-standards/6/index.html)

Victims and co-victims may experience trauma from the crime itself, their injuries or losses, and their involvement in the criminal justice process. Additionally, previous trauma may affect their current experiences. Law enforcement agency personnel should follow a victim-centered, trauma-informed approach to address victims’ and co-victims’ needs.[[3]](#footnote-3)

Law enforcement agencies are encouraged to expand victim-centered, trauma-informed practices to all contact points experienced by victims and co-victims. Victim response should be an agencywide priority and written policies should be developed to guide personnel actions.[[4]](#footnote-4)

**Intention of Policy Template**

This policy template provides sample language and content for law enforcement agency use when establishing or revising written policies for victim-centered, trauma-informed death notifications that include expectations for law enforcement-based victim services. Agency personnel should review and revise the *Death Notifications Policy – Template* to ensure consistency with appropriate statutes and agency policies, procedures, and practices.

**Contributing Agencies**

The *Death Notifications Policy – Template* was adapted through review of the following law enforcement agencies’ existing policies:

* Baltimore Police Department – Maryland
* Casper Police Department – Wyoming
* Charles County Sheriff’s Office – Maryland
* DeWitt Police Department – Iowa
* Gainesville Police Department – Florida
* Montgomery County Police Department – Maryland

**Additional Resources**

The following resources may provide additional, but not exhaustive, information on the topic:

* [BJA - RTI | Communicating With Individuals Impacted by Cold Case Violent Crimes](https://sakitta.org/ovccc/docs/14668SAKIOVCCCbriefCommunicationWithThoseImpacted.pdf)
* [CVR | Losing a Loved One to Homicide](https://justiceresearch.dspacedirect.org/server/api/core/bitstreams/879bb0ce-3fc7-4215-b2ba-68dc3bae9090/content)
* [FBI and Penn State University | We Regret to Inform You...](https://www.deathnotification.psu.edu/)
* [IACP | Enhancing Law Enforcement Response to Children Exposed to Violence Toolkit](https://www.theiacp.org/resources/enhancing-law-enforcement-response-to-children-exposed-to-violence-toolkit)
* [IACP | Law Enforcement-Based Victim Services: Template Package II - Next Steps](https://www.theiacp.org/sites/default/files/LEV/Publications/TemplatePackageII.pdf)
* [IACP | Law Enforcement-Based Victim Services: Template Package IV - Pamphlets](https://www.theiacp.org/resources/document/law-enforcement-based-victim-services-template-package-iv-pamphlets)
* [NCVC | Victim Connect Resource Center: Homicide and Grief](https://victimconnect.org/learn/types-of-crime/homicide-and-grief/)
* [NCVC | Promising Practices: Multidisciplinary Responses to Complex Homicide Cases](https://6deff1ab-fe5e-4ac3-b165-b9f057ae82dd.filesusr.com/ugd/f23aef_874b3d588d73460a9d76f61b3cb345c5.pdf)
* [OVC | Helping Victims of Mass Violence & Terrorism](https://ovc.ojp.gov/sites/g/files/xyckuh226/files/pubs/mvt-toolkit/about-toolkit.html)
* [OVC TTAC | Mass Violence and Terrorism: Webinars and Resources](https://www.ovcttac.gov/massviolence/?nm=sfa&ns=mvt&nt=webinars)
* [OVC TTAC | Death Notifications: Best Practices Video](https://www.ovcttac.gov/videos/dspMV_DeathNotifications.cfm)
* [OVC TTAC | Training Request - Serving Survivors of Homicide Victims](https://www.ovcttac.gov/views/TrainingMaterials/dspTrainingByRequest.cfm?nm=tta&ns=td&nt=sshv)
* [OVC TTAC | Training Request - Supporting Children Living with Grief and Trauma](https://www.ovcttac.gov/views/TrainingMaterials/dspTrainingByRequest.cfm?nm=tta&ns=td&nt=sclgt)
* [SWGMDI | Guidelines for Media Relations](https://www.nist.gov/system/files/documents/2018/04/24/swgmdi_guidelines_for_media_relations_-_dissemination_of_public_information_in_medicolegal_death_investigations.pdf)
* [SWGMDI | Principles for Communicating with Next of Kin](https://www.nist.gov/system/files/documents/2018/04/25/swgmdi_principles_for_communicating_with_next_of_kin_during_medicolegal_death_investigations.pdf)

**April 2024**

**Death Notifications Policy – Template**

*This template provides sample language and content to help law enforcement agencies develop a written policy for victim-centered, trauma-informed death notifications. Agency personnel, including legal counsel and human resources staff, should review and revise this template to ensure consistency with federal and state statutes and agency policies, procedures, and practices.*

[Agency Letterhead]

**Death Notifications**

**PURPOSE**

Death notifications are important elements of [*agency name*] investigations. How this information is delivered can influence ongoing communication with impacted individuals and may result in additional concerns that are unrelated to investigative processes (e.g., crisis intervention, end of life arrangements, financial concerns). The [*agency name*] is committed to incorporating victim-centered, trauma-informed[[5]](#footnote-5), and culturally sensitive[[6]](#footnote-6) practices when delivering death notifications.

**POLICY**

It is the policy of [*agency name*] to conduct death investigations in coordination with [*coroner/medical examiner*] for deaths that are not anticipated; are not attended by a physician; occur under violent, suspicious, or unusual circumstances; or occur in county or state facilities as specified in [*citation(s) to* *state statutes*]. In association with death investigations, it is the policy of [*agency name*] to deliver death notifications through a team approach, in person when possible, in a timely manner, using plain language, and with compassion.

SAMPLE

When decedents or next of kin are unable to be identified, it is the policy of [*agency name*] to coordinate with [*coroner/medical examiner*] to add information to NamUs [[Frequently Asked Questions | NamUs](https://namus.nij.ojp.gov/frequently-asked-questions#6-0)].

**DEFINITIONS**

**Co-victim** – individual who has lost a loved one to homicide, including family members, other relatives, and friends of the decedent.[[7]](#footnote-7)

**Next of Kin** – one or more persons in the nearest degree of relationship to another person; denotes a person’s legal status to receive information related to a criminal homicide or suspicious death investigation and authorize transfer of the decedent’s body to a funeral home or other facility.[[8]](#footnote-8)

**Point of Contact** – individual who has been identified by the decedent prior to death, next of kin, co-victims, or law enforcement as the designated contact for communication.[[9]](#footnote-9)

**Survivor** – individual who has survived an ordeal or trauma; includes both direct and indirect victims of crime. The term survivor emphasizes the strength and courage needed to survive a traumatic event.[[10]](#footnote-10)

**Victims’ Rights** – language included in constitutions, statutes, rules, and policies that vary by federal, state, or tribal jurisdiction and define legal responsibilities related to victims of crime, affording them independent, participatory status in the criminal justice system.[[11]](#footnote-11)

* [*citation(s) to* *state victims’ rights statutes*]

Co-victims, next of kin, points of contact, and survivors who do not meet the statutory definition of crime victim do not have enforceable victims’ rights. [*Agency name*] personnel should use available resources, without infringing on defendants’ constitutional rights, to assist co-victims, next of kin, points of contact, and survivors during their interactions with the justice system.[[12]](#footnote-12)

**PERSONNEL AND RESPONSIBILITIES**

All [*agency name*] personnel with assigned responsibilities connected to death notifications will satisfactorily complete designated death notification training. This includes but is not limited to [*course name/s*].

**Patrol personnel** [*substitute with agency title*] – sworn personnel responsible for delivering death notifications as part of notification teams.

**Investigators** [*substitute with agency title*] – sworn personnel responsible for responsible for delivering death notifications as part of notification teams and conducting death investigations as assigned.

SAMPLE

**Supervisors** [*substitute with agency title*] – sworn personnel responsible for ensuring appropriate death notification practices are followed and documented and professional wellness support is offered to notification team personnel.

**Victim Services personnel** – personnel (paid or unpaid) designated to provide law enforcement-based program oversight, crisis intervention, criminal justice support, community referrals, and advocacy on behalf of crime victims, witnesses, survivors, and co-victims.[[13]](#footnote-13) These personnel, upon request and when available, can:

* Accompany sworn personnel to deliver death notifications to next of kin and other co-victims /points of contact/survivors related to investigations that are being conducted by [*agency name*].
* Explain death investigations policies and practices to co-victims/next of kin/points of contact/survivors. This includes confidentiality limitations for victim services personnel and rightful owner determination for items taken as evidence and property.
* Accompany co-victims/next of kin/points of contact/survivors during interviews and meetings (e.g., investigative interviews, retrieval of personal items from [*coroner/medical examiner*], property return, press conferences, media interactions).
* Assist co-victims/next of kin/points of contact/survivors with [*state victim compensation applications*] when applicable.
* Provide information to co-victims/next of kin/points of contact/survivors about end of life arrangements (e.g., anatomical donation, burial/cremation/funeral, probate, financial assistance) and other helpful resources (e.g., grief support, mental health services, substance use treatment services, legal assistance, specialized cleaning).
* Communicate with co-victims/next of kin/points of contact/survivors about case updates and ongoing needs related to rights (when applicable) and resources.

Victim services personnel are prohibited from participating in investigative activity. As a result, body-worn cameras and other recording devices are prohibited for these personnel during contact with co-victims/next of kin/points of contact/survivors.

**Foundational Practices**

SAMPLE

Death notifications often result in ripple effects for the recipients of that information. Death notifications will be approached as compassionate conversations with affected individuals, not solely as investigative interviews. These encounters can be used to discuss future engagement opportunities and establish effective communication plans throughout investigative processes.

Supervisors will be consulted for death notification guidance when incidents involve:

* Decedents that are [*agency name*] personnel
* Officer-involved fatalities of community members

Team Approach

Notification teams will include a combination of sworn and victim services personnel whenever possible. This approach ensures that sworn personnel can focus on case information, investigation policies and practices, and justice system processes while victim services personnel can focus on crisis intervention, emotional and informational support, and referrals to support resources.

In-Person Notifications

Notification teams will deliver death notifications in person whenever possible. This approach allows personnel to assess immediate reactions, identify needed resources, and reinforce [*agency name*]’s commitment to those served.

Alternatives to in person information delivery can include the following:

* Out of jurisdiction coordination – When the intended recipients of death notifications reside outside of [*agency name*]’s jurisdiction, notification teams will coordinate with law enforcement agencies or [*coroners/medical examiners*] in the corresponding jurisdictions. This coordination will include delivery of necessary information about incidents, support resources, and contact information for ongoing communication.
* Remote/virtual delivery – To accommodate the needs of recipients of death notifications (e.g., social distancing, hospital/care facility visitation restrictions), notification teams may use this alternative. This delivery option may also be used to support law enforcement agencies in other jurisdictions who do not have personnel trained in delivering death notifications.
* Telephonic delivery – When notification teams determine that information must be delivered telephonically, the physical and emotional safety of the intended recipients of death notifications will be assessed (e.g., recipient is driving/at work/responsible for care of children). Actions will be taken to reduce risk and increase support resources (e.g., adjust timing of death notifications, arrange for support resources prior to delivery).

Timely

Notification teams will coordinate all activity with the goal of intended recipients receiving information from [*agency name*] prior to any other source. This may include requesting that other responding agencies and involved individuals refrain from releasing information (e.g., social media posts, media correspondence, communication with individuals connected to decedents).

Plain Language

Notification teams will use concise and simple language when delivering death notifications. This includes avoiding acronyms, idioms, and innuendos about circumstances involving decedents. This also includes providing explanations for [*agency name*] and justice system terminology.

Compassion

Notification teams will deliver death notifications that respect known traditional and cultural practices when possible (e.g., inclusion of spiritual healers, community elders). Death notification teams will consider unique needs for children, elderly persons, persons with disabilities or cognitive impairments, and those with language access needs.

SAMPLE

**Planning**

Thorough preparation for is essential for the effective delivery of death notifications and to support ongoing effective communication with the recipients of that information.

Notification Team

Notification teams will be comprised of personnel in the following roles:

* Lead role – deliver death notifications and pertinent information about the incidents (e.g., where and how incidents occurred, location of decedents’ bodies)
* Secondary role – monitor reactions and the environment and request additional resources as needed (e.g., medical response, spiritual support)

Sworn and victim services personnel may be assigned to either role. Notification team personnel will collaborate to ensure questions are answered appropriately and completely.

Identification of Decedent(s) and Circumstances of Death

Notification teams will verify the identity of the decedent(s) by confirming date(s) of birth and complete name(s). This includes an awareness of names reflecting lineage (e.g., Jr., Sr., III) or similar names (e.g., same first and last, but different middle name).

Notification teams will verify the manner and location of death(s), if known, and gather information that will prepare them to answer questions from the recipients of death notifications.

Next of Kin

Notification teams will verify the legal next of kin according to the following order – see [*citation(s) to* *state statutes*]:

* Person(s) designated in written instruments by decedents
* Decedents’ living spouses
* Any one of decedents’ living adult children
* Either of the decedents’ living parents
* Any one of the decedents’ living adult siblings
* Any adult person in the next degree of kinship to decedents

[*Coroner/Medical Examiner*] Involvement

Notification teams will verify if [*coroner/medical examiner*] will be involved and confirm associated processes that may impact intended recipients of death notifications (e.g., examinations, release of decedents’ personal property, completion of certified death certificates).

[\**Note: In some jurisdictions, state statutes require the delivery of death notifications by coroner/medical examiner personnel.]*

Official Notification Plan Considerations

Notification teams will determine, in coordination with assigned investigators (when appropriate), what information can and cannot be disclosed during death notifications. Notification teams will consider and plan for factors that may influence the delivery of death notifications to intended recipients. These factors include the following:

* Delivery mode – in person, out of jurisdiction coordination, remote/virtual, telephonic
* Locations and associated privacy and safety concerns – shared living situations, places of employment, educational institutions, presence of aggressive animals
* Language access – objective interpreters and resources for verbal, sign, and braille communication needs
* Circumstances of intended recipients’ lives – medical conditions; physical, cognitive, and mental health needs; historical or current substance use; historical incidents of violence
* Circumstances of decedents’ lives unknown to intended recipients of death notifications – medical conditions, substance use, sexual orientation, extramarital relationships
* Support persons chosen by recipients – family members, friends, neighbors, spiritual or faith representatives
* Culturally specific death practices – religious beliefs and autopsies, gender preferences for assigned personnel delivering death notifications or conducting investigations
* Multiple notifications – multiple deaths, family tension, conflict of interest (e.g., officer-involved deaths)

**Delivery**

SAMPLE

Notification teams will take steps to mitigate distress to recipients during death notifications to include the following:

* Approach to locations – reduce radio volumes and silence phone alerts, complete introductions, confirm identities of intended recipients
* Information delivery – monitor body language, eye contact, and language use
* Reactions, questions, and information – monitor reactions, answer questions transparently and according to coordinated plan with investigators, and provide information on anticipated reactions
* Next steps – discuss end of life arrangements, case status and [*agency name*] processes, and helpful resources; provide written information for essential information; develop communication plans that include modes of contact (e.g., text, phone) and frequency

**Follow-Up and Connected Processes**

Notification teams will provide additional contact with the recipients of death notifications according to established communication plans and provide information about connected processes that may include the following:

* Communication plan – contact should occur as agreed and at multiple milestones (e.g., case status changes, arrests, key investigative actions, key dates, media contact, property decisions, personnel changes)
* Investigative actions – provide realistic expectations for processes and timelines, review investigative findings
* Next of kin responsibilities – review release of decedents’ bodies and personal effects according to [*citation(s) to* *state statutes*] and [*coroner/medical examiner*] procedures, completion or delegation of additional death notifications, coordination of end of life arrangements, and addressing decedents’ personal affairs
* End of life arrangements – review options for anatomical donations; burial, cremation, funeral options; probate and other legal assistance; and financial assistance
* Helpful resources – review options for grief support, mental health services, substance use treatment, legal assistance, and specialized cleaning
* Supportive handoffs and referrals – coordinate supportive handoffs when possible (introduce recipients of death notifications to service providers); provide multiple referrals (when available) and ensure referrals are appropriately vetted

Notification teams will document all actions (attempted and completed) associated with the delivery of death notifications in [*agency Records Management System*].

Professional wellness support will be offered to all notification team personnel.

SAMPLE

1. Heather Warnken ”[What Does the Data Tell Us About Law Enforcement-Based Victim Services?](https://www.policechiefmagazine.org/what-does-the-data-tell-us/)” *Police Chief Online*, April 4, 2018. [↑](#footnote-ref-1)
2. [IACP ELERV – Introduction to the ELERV Strategy (theiacp.org)](https://www.theiacp.org/sites/default/files/ELERV/00.%20Intro%20to%20ELERV-%20ELERV%20Foundational%20Document%20%28links%20embedded%29.pdf) [↑](#footnote-ref-2)
3. [The Attorney General Guidelines for Victim and Witness Assistance 2022 (justice.gov)](https://www.justice.gov/d9/pages/attachments/2022/10/21/new_ag_guidlines_for_vwa.pdf) [↑](#footnote-ref-3)
4. [KeyConsiderations.pdf (theiacp.org)](https://www.theiacp.org/sites/default/files/LEV/Publications/KeyConsiderations.pdf) [↑](#footnote-ref-4)
5. See definitions used in[*OVC Model Standards*](https://ovc.ojp.gov/sites/g/files/xyckuh226/files/model-standards/6/index.html) [↑](#footnote-ref-5)
6. See definition used in [Attorney General Guidelines for Victim and Witness Assistance, 2022 Edition | Office for Victims of Crime (ojp.gov)](https://ovc.ojp.gov/library/publications/attorney-general-guidelines-victim-and-witness-assistance-2022-edition) [↑](#footnote-ref-6)
7. Definition used in [Law Enforcement-Based Victim Services (LEV)](https://www.theiacp.org/projects/law-enforcement-based-victim-services-lev) publications, produced by the International Association of Chiefs of Police. [↑](#footnote-ref-7)
8. [Next of kin Definition & Meaning - Merriam-Webster](https://www.merriam-webster.com/dictionary/next%20of%20kin?src=search-dict-box); Definition used in [Communicating With Individuals Impacted by Cold Case Violent Crimes: Strategies for Ongoing Engagement](https://sakitta.org/ovccc/docs/14668SAKIOVCCCbriefCommunicationWithThoseImpacted.pdf), produced by RTI International. [↑](#footnote-ref-8)
9. Definition used in [Communicating With Individuals Impacted by Cold Case Violent Crimes: Strategies for Ongoing Engagement](https://sakitta.org/ovccc/docs/14668SAKIOVCCCbriefCommunicationWithThoseImpacted.pdf), produced by RTI International. [↑](#footnote-ref-9)
10. Definition used in [OVC Model Standards](https://ovc.ojp.gov/sites/g/files/xyckuh226/files/model-standards/6/glossary.html), produced by the Office for Victims of Crime. [↑](#footnote-ref-10)
11. Ibid. [↑](#footnote-ref-11)
12. [The Attorney General Guidelines for Victim and Witness Assistance 2022 (justice.gov)](https://www.justice.gov/d9/pages/attachments/2022/10/21/new_ag_guidlines_for_vwa.pdf) [↑](#footnote-ref-12)
13. Definition used in [Law Enforcement-Based Victim Services (LEV)](https://www.theiacp.org/projects/law-enforcement-based-victim-services-lev) publications, produced by the International Association of Chiefs of Police. [↑](#footnote-ref-13)