

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 11/01/2002	NUMBER 04.04.140
	SUBJECT FUNERAL AND SICK BED VISITS	
SUPERSEDES 04.04.140 (05/28/92); 04.01.160 (07/19/89)		AUTHORITY MCL 791.203; 791.265a; Administrative Rule 791.4415
ACA STANDARDS 3-4392; 3-4443		PAGE 1 OF 3

POLICY STATEMENT:

Prisoners in Correctional Facilities Administration (CFA) institutions may be granted funeral and sick bed visits as set forth in this policy.

RELATED POLICIES:

04.04.135 Prisoner Transportation

POLICY:

DEFINITIONS

- A. Private Funeral - A funeral service or viewing held at a specific time at a funeral home or place of worship and restricted in attendance to immediate family members only.
- B. Immediate Family Member - A grandparent, parent, step-parent, spouse, child, step-child, grandchild, sibling, step-sibling, half-sibling or an aunt/uncle if verification is provided that s/he served as a surrogate parent.

GENERAL INFORMATION

- C. The Warden or designee may permit an eligible prisoner to leave a facility under escort to visit a critically ill immediate family member in a hospital or medical care facility or to attend the private funeral of an immediate family member. The determination of whether the family member is critically ill shall be made by the attending physician. All funeral and sick bed visits shall be restricted to in-state destinations.
- D. A prisoner is eligible to be considered for a funeral or sick bed visit only if s/he has a true security Level of I, II or III. A prisoner serving a life sentence is eligible to be considered only if a commutation has been granted by the Governor or a parole release date has been established by the Parole Board, and the prisoner has served at least 15 calendar years with good institutional adjustment.
- E. A prisoner may be approved for not more than a cumulative total of 30 days of funeral and sick bed visits during his/her current incarceration. Each funeral and sick bed visit shall count as one day regardless of the actual length of time of the visit. Funeral and sick bed visits shall not be approved for more than 12 hours in length, including travel time; however, if a prisoner is required to travel more than 500 miles round trip, the CFA Deputy Director or designee may authorize a visit for up to 24 hours in length.

ESCORT COSTS

- F. All escort costs (including salary, fringe benefits, travel, meals and lodging) shall be borne by the prisoner, the prisoner's family or the Prisoner Benefit Fund (PBF). Staff designated by the Warden shall calculate the estimated cost of the visit and notify whoever is paying of that cost as soon as possible. Funds from the prisoner's family to pay estimated escort costs must be received directly by the

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 11/01/2002	NUMBER 04.04.140	PAGE 2 OF 3
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institution prior to the visit, unless the Warden authorizes the funds to be deposited instead with the funeral home, hospital or medical care facility prior to the visit. All funds received from the prisoner's family must be in the form of a check issued with funds guaranteed by a bank or credit union (e.g., cashiers check; certified check), unless otherwise approved by the Warden. However, cash payment is not to be accepted under any circumstances.

- G. Escort duty shall be performed on a voluntary basis by qualified, off-duty corrections officers who are not related to the prisoner by blood or marriage. Escort officers shall be compensated in accordance with Civil Service Commission rules and the Department of Management and Budget Standardized Travel Regulations. Receipts for all expenses, including meals, shall be required for officer reimbursement. Pay shall be only for actual hours worked. Each escort officer shall be fully paid for escort duty on the next regular payroll.
- H. The actual escort cost shall be calculated after the prisoner has returned from the funeral or sick bed visit. If the actual cost is less than the estimated cost, the difference shall be refunded to the person who paid the estimated cost unless that person wants it deposited in the prisoner's account or, if paid by the PBF, returned to the PBF.

REQUIRED INFORMATION FOR APPROVED VISITS

- I. The following information shall be obtained and documented prior to a funeral visit:
 - 1. Contact person's name, address and telephone number;
 - 2. Name of the deceased and relationship to prisoner;
 - 3. Date and time of the service or viewing;
 - 4. Name, address, and telephone number of the funeral home or place of worship where the service or viewing will be held and, if necessary, directions to that location;
 - 5. Confirmation from the funeral home or place of worship that the service or viewing will be limited to immediate family members only;
 - 6. Confirmation of death from the funeral director;
 - 7. Confirmation that custodial escort is available;
 - 8. Confirmation of estimated escort cost and that funds have been received to cover that cost. The name, address and telephone number of the person who paid the estimated cost also shall be confirmed.
- J. The following information shall be obtained and documented prior to a sick bed visit:
 - 1. Contact person's name, address and telephone number;
 - 2. Patient's name and relationship to prisoner;
 - 3. Attending physician's name and telephone number and confirmation from the physician that the patient is critically ill;
 - 4. Name, address, and telephone number of the hospital or medical care facility and, if necessary, directions to that location;
 - 5. Confirmation that custodial escort is available;

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 11/01/2002	NUMBER 04.04.140	PAGE 3 OF 3
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6. Confirmation of estimated escort cost and that funds have been received to cover that cost. The name, address and telephone number of the person who paid the estimated cost also shall be confirmed.

SECURITY MEASURES

- K. The Warden or designee shall determine proper security measures required for each escorted prisoner. At least the minimum staff, restraint equipment, chemical agents and weapons described in the CFA Transportation Manual shall be used. Additional staff, restraint equipment, chemical agents or weapons shall be used at the discretion of the Warden or designee. A visit shall not be authorized when qualified staff are not available, when adequate security cannot be provided, or when, in the opinion of the Warden or designee, the visit would place the public, staff or prisoner unduly at risk.
- L. The Warden shall ensure that the local law enforcement agency with jurisdiction over the area in which the funeral or sick bed visit will occur is notified in advance of the visit.
- M. An escort officer shall not use a privately-owned vehicle to transport a prisoner.
- N. At least one escort officer shall remain with the prisoner at all times, except when the prisoner is lodged for an overnight stay. A prisoner shall be lodged only in a jail or an appropriate CFA facility when circumstances of the visit require that the prisoner be absent from the sending facility overnight.
- O. While on a funeral visit, a prisoner's non-travel movement shall be limited to necessary areas within the interior of the funeral home or place of worship where the service or viewing is conducted. A prisoner on a sick bed visit shall be limited in non-travel movement to necessary areas within the hospital or medical care facility. In either case, a home or cemetery visit, or participation in any social function before or after the visit, shall not be permitted.
- P. Except for personal undergarments, a prisoner shall be dressed in appropriate state-issued clothing while on a funeral or sick bed visit; athletic wear shall not be permitted. The escort officer(s) shall be dressed in the corrections officer uniform, including a tie, as identified in PD 02.03.103 "Employee Uniforms". When on escort duty, an officer shall at all times carry on his/her person a valid Department identification card, driver license and, when applicable, a concealed weapon permit.
- Q. When time, circumstance and the availability of scheduled transportation permit, the Warden or designee may temporarily transfer a prisoner to an appropriate CFA facility located closer to the funeral or sick bed visit site. However, a special transportation run shall not be permitted.

OPERATING PROCEDURES

- R. Wardens shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This includes ensuring their existing procedures are revised or rescinded, as appropriate, if they are inconsistent with policy requirements or no longer needed.

AUDIT ELEMENTS

- S. A Primary Audit Elements List has been developed and will be provided to Wardens to assist with self audit of the policy, pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".