



**Protocols for Official Death in Custody Notifications  
to Emergency Contacts, Next of Kin, or Extended  
Family Members**



U.S. Immigration  
and Customs  
Enforcement

## Foreword

The mission of U.S. Immigration and Customs Enforcement (ICE) is: *To protect America from national security and public safety threats by enforcing immigration and customs laws.* In doing so, ICE personnel are part of a larger law enforcement community that prioritizes the life and physical safety of every individual they encounter. On the rare occasion that an individual dies in ICE custody, whether it is a natural or unnatural death, their loved ones deserve to be notified in a timely and compassionate manner. These Protocols establish consistent agency-wide guidance on how to plan, prepare, deliver, and follow up on an official death in custody notification to a deceased individual's emergency contacts, next of kin, or extended family members. These Protocols are intended to serve as an agency-wide resource, not dictate rigid, step-by-step requirements for every situation. ICE personnel must still follow agency and Directorate or Program Office policies and procedures during the death in custody notification process. These Protocols complement those policies and procedures.

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**Deputy Director and**  
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**Date**

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## Authorities/References

Death in Custody Reporting Act of 2013, Pub. L. No. 113-242, 128 Stat. 2860 (2014).

Exec. Order No. 14074, *Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety*, 87 Fed. Reg. 32,945 (May 25, 2022).

ICE Directive No. 1037.1, Peer Support Program (Feb. 22, 2013, or as updated).

ICE Directive No. 1044.2, Response to and Evaluation of Critical Incidents Involving ICE Employees, Non-Employee Status Individuals, and Officers Acting Pursuant to ICE Authority (Mar. 3, 2023, or as updated).

ICE Directive No. 1058.1, Chaplain Program (May 28, 2021, or as updated).

ICE Directive No. 11003.5, Notification, Review, and Reporting Requirements for Detainee Deaths (Oct. 25, 2021, or as updated).

ICE Directive No. 14011.1, Reporting Guidelines for Significant Incident Reports (SIRs) and Significant Prospective Enforcement Activity Reports (SPEARs) (Aug. 16, 2010, or as updated).

ICE Directive No. 19009.3, Firearms and Use of Force (May 26, 2023, or as updated).

ICE Firearms and Use of Force Handbook (Aug. 2, 2021, or as updated).

U.S. Dep't of Justice, Department of Justice Guidance for Federal, State, Tribal, Local, and Territorial Law Enforcement Agencies on Best Practices for Providing Official Notification of Deaths in Custody, available [here](#) (May 25, 2023).

U.S. Dep't of State, Office of the Legal Advisor and Bureau of Consular Affairs, Consular Notification and Access: Fifth Edition, available [here](#) (Sept. 2018, or as updated).

Federal Bureau of Investigation and Pennsylvania State University, "We Regret to Inform You...: Providing Sensitive Death Notifications with Professionalism, Dignity, and Compassion," available [here](#).

## Introduction

### A. Purpose

These Protocols apply to any individual in ICE custody or in the process of being placed in ICE custody.<sup>1</sup> Consistent with the Death in Custody Reporting Act of 2013, this includes any individual who is detained, under arrest, or in the process of being arrested by any ICE law enforcement officer or agent, or is en route to be detained, or is detained, at any facility (including any immigration or juvenile facility) pursuant to a contract with ICE, any state or local government facility used by ICE, or any federal correctional facility or pre-trial detention facility located in the United States.<sup>2</sup>

### B. Background

These Protocols are established pursuant to Sections 11(d) and (e) of Executive Order 14074.<sup>3</sup> Section 11(d) calls for the Department of Justice (DOJ) to issue guidance for federal, state, local, tribal, and territorial law enforcement agencies or other entities responsible for providing official notification of deaths in custody, on best practices to promote the timely and appropriate notification of, and support to, family members or emergency contacts of persons who die in correctional or law enforcement agency custody, including deaths resulting from the use of force. Section 11(e) requires the heads of federal law enforcement agencies to assess and revise their policies and procedures as necessary in accordance with the DOJ guidance.

This document is an internal guidance document of ICE. It may be modified, rescinded, or superseded at any time without notice. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Likewise, no limitations are placed by this guidance and the otherwise lawful enforcement or litigative prerogatives of ICE. Nothing in this document is intended to conflict with policies regarding internal departmental or agency notification, review, and reporting requirements.

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<sup>1</sup> These Protocols apply to ICE Enforcement and Removal Operations (ERO) to the extent they are not inconsistent with ICE Directive No. 11003.5, Notification, Review, and Reporting Requirements for Detainee Deaths (Oct. 25, 2021, or as updated).

<sup>2</sup> See 42 U.S.C. § 13727a.

<sup>3</sup> Exec. Order No. 14074, *Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety*, 87 Fed. Reg. 32,945 (May 25, 2022).

## Definitions

**Death in Custody.** The death of any individual in ICE custody or in the process of being placed in ICE custody. Consistent with the Death in Custody Reporting Act of 2013, this includes any person who is detained, under arrest, or is in the process of being arrested by any ICE law enforcement officer or agent, or is en route to be detained, or is detained, at any facility (including any immigration or juvenile facility) pursuant to a contract with ICE, any state or local government facility used by ICE, or any federal correctional facility or pre-trial detention facility located in the United States.

**Death Notification Team.** A group of at least two Notification Officers who are responsible for the official death in custody notification to a deceased individual's emergency contacts, next of kin, or extended family members, and any other ICE officials designated to participate on such a team in a support or advisory capacity, as determined on a case-by-case basis.

**Emergency Contact.** Person identified by the deceased individual to be notified in the event of an emergency.

**Field Responsible Officials (FROs).** The highest-ranking official in any ICE field location. This includes Special Agents in Charge (SACs), Field Office Directors (FODs), Attachés, Chief Counsels, and any other officials who have been designated in writing by the ICE Director.

**Headquarters Responsible Officials (HROs).** Executive Associate Directors for ERO, Homeland Security Investigations (HSI), and Management and Administration; the Principal Legal Advisor; the Associate Director for the Office of Professional Responsibility; and the Assistant Directors (ADs) or equivalent positions who report directly to the Director, Deputy Director, or Chief of Staff, including the AD for the Office of Congressional Relations (OCR), the AD for the Office of Partnership and Engagement (OPE), and the AD for the Office of Public Affairs (OPA).

**Natural Death.** Caused solely by disease and/or the aging process (e.g., cancer).

**Next of Kin.** Person identified by the deceased individual to be notified in the event of death.

**Notification Officer.** A designated ICE management official who directly participates in the planning, preparation, delivery, and/or follow up of an official death in custody notification to a deceased individual's emergency contacts, next of kin, or extended family members.

**Unnatural Death.** Caused by external acts, such as intentional injury (e.g., use of force or suicide), negligence (e.g., medical negligence), or unintentional injury (e.g., death by accident).

## Death in Custody Notifications

### A. Plan

#### Training and Resources

It is critical that ICE personnel who are involved in the death in custody notification process are properly trained on how to plan for an official notification and that such notifications be consistent with applicable law, carefully documented, and reflective of sound decision-making.

Accordingly, before ICE personnel participate in the planning, preparation, or delivery of an official death notification, as well as any associated follow-up activities, they should complete the training module entitled, “We Regret to Inform You...: Providing Sensitive Death Notifications with Professionalism, Dignity, and Compassion,” developed by the Federal Bureau of Investigation and the Pennsylvania State University. The training is available [here](#). HROs are responsible for ensuring that employees within their chain of command who are involved in the death notification process have completed this training. This includes ICE personnel who help facilitate death in custody notifications via a foreign consulate or state and local entities. The training for these roles should include information about language and persons with disabilities access and cultural sensitivity. Training should include a discussion of the use of preferred language, as well as phrases and language to avoid.

A Condolence Letter Template, Fax Sheet for Consular Notifications, Death Notification Fact Sheet, and Death Notification Pocket Guide are included as Appendices. Additional resources are available [here](#). All ICE personnel involved in the death notification process should keep these resources on file and easily accessible.

#### Death Notification Teams

Best practices indicate that law enforcement agencies should establish Death Notification Teams. Therefore, HROs and FROs should proactively identify and train employees within their chain of command to serve on a Death Notification Team. Do not wait until a death in custody occurs to identify the ICE officials or positions to be involved in the notification process. While each situation is different and will inherently have its own complexities or factors for consideration, generally, Death Notifications Teams should comprise of:

- At least two management level officials, including:
  - An official from the field office or area of responsibility where the death occurred, such as the FRO, or their designee; and
  - An official from ICE Headquarters, as designated by the applicable HRO.

The Death Notification Team should not include the ICE officers or other personnel who were involved in an incident resulting in the death of the individual. Additionally, as appropriate, it may be advisable to include on the Death Notification Team, in a supporting or advisory capacity:<sup>4</sup>

- A qualified health care professional from the ICE Health Service Corps;
- An attorney from the ICE Office of the Principal Legal Advisor;
- An official from the ICE OPA, OPE, or OCR; and/or
- A member from the ICE Employee Resilience Unit (e.g., Employee Assistance Program, Peer Support Program, and/or Chaplain Program).

Absent extraordinary circumstances, or if otherwise determined by the HRO, the FRO or their designee, should serve as the official with primary notification responsibilities and the HRO should serve in a secondary or support role, alongside other ICE officials who may be serving in a support or advisory capacity on the Death Notification Team. Generally, if an ICE official is actively fulfilling responsibilities as part of a Death Notification Team, those duties take priority over all other regularly assigned duties.

**Example:** Yesterday, a death in custody occurred in a location without a permanent FOD or a second Deputy FOD (DFOD). One DFOD, who is serving as the Acting FOD, is on annual leave and is unreachable as she is out of the country for the remainder of the week. The Assistant FOD (AFOD), who is serving as the second DFOD, should therefore assume the responsibilities of the field-office level Death Notification Officer. The AFOD has never dealt with a death in custody before; however, since all management officials within this field office previously completed the “We Regret to Inform You...” training, the AFOD feels prepared to ensure that the official death in custody notification to the next of kin is delivered timely and compassionately. Additionally, a death in custody occurred in the same location previously. Therefore, the AFOD expects intense media interest and, in partnership with the Headquarters-level Death Notification Officer, seeks support from OPA and OCR to help ensure that the agency prioritizes the death in custody notification to the deceased individual’s next of kin and extended family members, to the maximum extent possible, and that if the media or Congress become aware of the death, they hold off on reporting it or commenting publicly until the next of kin can be notified.

## B. Prepare

ICE officials participating on the Death Notification Team should be prepared for various reactions, including shock, disbelief, denial, fear, anger, confusion, immobilization, and a fight or flight response. For this reason, it is critical to ensure the agency has appropriately prepared for the delivery of the notification, including instances in which the notification is delivered via a foreign consulate or state and local entities. Information related to any relevant cultural or religious practices should be communicated to the individual delivering the notification.

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<sup>4</sup> These ICE officials may provide internal agency guidance and support only.



Likewise, because ICE is a law enforcement agency, it is critical that the Death Notification Team is clear on what information should or should *not* be shared during the notification process (e.g., if there is an ongoing criminal investigation or if certain privacy or confidentiality provisions may be applicable). The Death Notification Team should also be prepared with sufficient information to provide meaningful responses, verbally or in writing, to questions that are frequently asked by individuals upon learning about the death of a loved one.

**Frequently Asked Questions**

Commonly asked questions by the NOK during a death notification:

- Who died and how was the decedent identified?
- What happened?
- Where did the death occur?
- When did the death occur?
- Where is my loved one now?
- May I see him/her?
- What is an autopsy and why is it necessary?

Lord, J. & Stewart, A. (2008). *It never rings those bells: A practical guide to death notification*. Summerville, NC: Compassion Books, Inc.

Importantly, the Death Notification Team should be aware of local standard operating procedures and policies – including state or local ordinances – governing the identification of deceased individuals, rules and procedures dealing with fingerprints, dental records, DNA, video recordings, and/or visual confirmation procedures. Additionally, ICE officials should consider whether interpreters, translated materials, and/or auxiliary aids will be needed prior to arrival.

Identifying the Appropriate Individual(s) to Receive the Notification

Death Notification Teams should spend the necessary time and resources to determine the names and locations of appropriate individuals to receive the notification. For a deceased individual who was detained by ICE, this information is typically found in an individual’s file (e.g., A-file). If such information is not readily available, the Death Notification Team should use common investigative techniques for identifying the appropriate individuals to receive notification, including confirming their physical location. For example, even if the next of kin or emergency contact is a foreign national, notification procedures may need to be adjusted if they are physically located in the United States as opposed to their country of origin.

Importantly, the Death Notification Team must honor a deceased individual’s wishes regarding who they want to be notified, but, unless otherwise stated, the individuals listed below should be notified in the following order of precedence until the official notification is delivered successfully:

- The person named as the deceased individual’s emergency contact on official documents;
- The deceased individual’s spouse, life partner, significant other, etc. as listed on official documents identifying next of kin;
- If there is no spouse, life partner, significant other, etc., the deceased individual’s children who are at least 18 years old;
- If there are no children who are at least 18 years old, the deceased individual’s parents; or
- If the parents are not living, any other closest living family member who is at least 18 years old.

While the Death Notification Team is not required to notify all of the individuals listed above, if possible, the Death Notification Team should provide the deceased individual's parents the courtesy of a personal notification after the next of kin or emergency contacts are notified.

The Death Notification Team should never conduct an initial notification with children present. Children who are not at least 18 years old should not receive the official death in custody notification and should not serve as interpreters. If the notification needs to be made to a child, it should be done by someone the child trusts.

The Death Notification Team should also consult state and local laws regarding the hierarchy of next of kin to assist in identifying the appropriate individuals to receive the notification. Generally, spouses, adult-aged children, parents/guardians, and siblings are considered the appropriate individuals to receive the notification.

**Example:** An HSI operation is targeting several armed and dangerous gang members. As the operation unfolds and HSI agents begin making arrests, one of the gang members, who is a foreign national, begins fighting with one of the arresting agents. The agent uses necessary force and takes the combative gang member to the ground, whereupon the gang member suffers from a heart attack and dies. The SAC was briefed about the incident and, to prepare for the death notification, assembled a Death Notification Team, ensuring the agent involved in the incident is not part of the team or notification to the deceased individual's emergency contacts, next of kin, or extended family members. The Death Notification Team located the gang member's next of kin's contact information. Since the death involved a foreign national, the official death in custody notification will be communicated to the next of kin via a foreign government consular official located abroad. The SAC must determine how much information should be shared during the notification process without compromising law enforcement sensitive details about the operation. Once the notification is made, the Death Notification Team and the HSI agent involved in the incident will be provided the ICE Peer Support Program's contact information for any assistance in coping with the traumatic experience.

## C. Deliver

### Roles and Responsibilities

**Within 24 hours of the death,** absent extraordinary circumstances, the Death Notification Team should ensure the official death in custody notification is delivered to the emergency contacts, next of kin, or extended family members in a timely and compassionate manner.

**Within 48 hours of the death**, absent extraordinary circumstances, the Death Notification Team should ensure a Condolence Letter is delivered to the emergency contacts, next of kin, or extended family members (see Appendix A). Additional resources should be included with the Condolence Letter as appropriate, such as translated materials for the individual receiving the notification that addresses how to cope with grief or answers to frequently asked questions.

### Helpful Delivery Statements

- I am so sorry.
- This is harder than most people think.
- Most people who have gone through this react similarly to you.
- People can experience many different feelings at the same time.
- This is one of the most difficult times in your life.

State and local entities should always be informed if a notification is taking place in their territorial jurisdiction. In many jurisdictions, the Office of the Medical Examiner or the Coroner’s Office may be responsible for performing notifications for deaths occurring in their territorial jurisdiction. However, the Death Notification Team should not presume that a state or local entity will deliver the notification and should prepare accordingly, unless coordination with such entities establishes that a state or local entity will take the lead on the notification process. In such cases, the Death Notification Team should provide support and materials to state and local entities, as appropriate.

If individuals from volunteer, faith-based, or non-profit organizations are certified as having received advanced training on crisis intervention and death notification, consider including them, as appropriate, to facilitate the notification process and provide support.

Under no circumstances are private contractors to deliver an official death in custody notification on behalf of ICE.

### Factors for Consideration

To the extent possible, the Death Notification Team should prioritize in-person notifications. If this is not possible, they should explore whether in-person notifications can be made via a foreign consulate or state or local law enforcement entities. After exhausting all options for in-person notifications, the Death Notification Team should proceed with telephonic notifications. Timeliness is key. Regardless of how the notification is made, it should always be done as soon as possible.

Unless otherwise determined by the HRO, the field office level Notification Officer will serve as the primary speaker, rehearse with Death Notification Team members what will be said, and be prepared to deal with unexpected questions or circumstances (e.g., if the notification is being delivered telephonically via an interpreter, or what to do if the interpreter drops off unexpectedly or the connection is otherwise lost).

### Statements to Avoid

- I know how you feel. (*You don't*)
- Time heals all wounds. (*It doesn't*)
- You need to be strong. (*They don't*)
- You'll get over this someday. (*They won't*)
- He was just in the wrong place at the wrong time.
- You must go on with your life.
- You will find closure.
- He didn't know what hit him.
- It's best to remember him the way he was.
- You don't need to know that.
- You don't want to see him/her.
- It must have been his/her time.
- Think of all of your memories.
- Religious phrases

The Notification Officer should contact ICE OPA requesting that they work with the media as the Notification Officer’s focus must be on the notification process. If the media has obtained the deceased individual’s name, advise them to withhold the information pending notification to the deceased individual’s emergency contacts, next of kin, or extended family members.

*Delivery of the Notification in a Private Space*

The Death Notification Team should:

- Make every attempt to deliver the death in custody notification inside the private residence of the individual(s) to be notified. If the private residence is not available, the Death Notification Team should find a private quiet space located within close proximity to the individual's residence.
- Clearly identify themselves as ICE officials and provide official identification.
- Verify with whom they are speaking, ask to be admitted to the residence, and encourage everyone, including the team, to be seated.
- Impart the information slowly, clearly, and in plain language.
- Relay as much information as possible regarding the specifics of the incident and use the deceased individual’s name. If the primary Notification Officer does not know all the facts, they should not be afraid to admit that; however, the Notification Officer should assure the individual(s) who are notified that information will be provided as soon as it becomes available.
- Clearly state that the deceased individual is dead. The Notification Officer should not avoid addressing the topic, attempt to impart the facts using innuendo, or give a false sense of hope. The primary Notification Officer must be clear in delivering the notification and should use accurate and definitive words such as "died" and "dead," rather than "passed away," to avoid any confusion.
- Not simply notify and leave; before departing, the primary Notification Officer should assist, as appropriate, to arrange for other family members, clergy, or friends to be with the individual(s) notified.
- The matter of personal items of a deceased individual does not need to be addressed immediately; survivors often need time before accepting their loved one's belongings.

During this time it is best to:	Make sure not to:
<ul style="list-style-type: none"> <li>• Convey sympathy;</li> <li>• Say "I understand how distressing this is for you." And</li> <li>• Refer to the deceased by name or as your son/daughter/etc.</li> <li>• Convey the idea of bringing them home.</li> </ul>	<ul style="list-style-type: none"> <li>• Share personal experiences;</li> <li>• Say "I know how you feel."</li> <li>• Be cold or distant;</li> <li>• Be too clinical; or</li> <li>• Use terms such as "deceased," "your late ...," "the remains"</li> </ul>

*Delivery of the Notification in the Workplace*

- If an individual cannot be reached at their private residence and must be notified at their workplace, generally follow the procedures for a private residence notification.

- Ask to speak to the workplace manager or supervisor and ask if the individual to be notified is available. The Notification Officer shall not divulge any details to the manager or supervisor regarding the purpose of the visit but shall express the urgency and importance of speaking with the individual to be notified.
- Ask the manager or supervisor for a private room in which to meet with the individual to be notified.
- Give the individual notified adequate time to react and offer support.
- Allow the individual an opportunity to determine what they wish to tell the manager or supervisor regarding the death in custody.
- Offer to notify and/or provide information to the manager or supervisor if that is what the individual notified prefers.
- Encourage the individual notified to allow the Notification Officer to take them home or to the hospital.

*Additional Considerations*

- Empathy, sincerity, and support can make a vital difference in the mourner’s eventual recovery from situations involving the death in custody.
- Presence and compassion are the most important resources they will bring to the death in custody notification process.
- Showing emotion is allowable and appropriate, and the Notification Officer should allow the individual(s) notified to show their emotions.
- The Notification Officer must take time to provide information, support, and direction, and repeat the information as necessary for the individual(s) receiving the notification. The notification process can be lengthy; the individual(s) notified may wish the Notification Team to remain for a time as they process the information.

This is a time of fear, anxiety, and grief for loved ones, and the person(s) assigned to be with the family should be guided by the premise that they are there to comfort the family as much as possible. This can be accomplished by being the conduit to the hospital staff and getting answers to the questions the family has about their loved one, medical procedures, hospital issues, and helping the family with the range of issues that arise in these situations.

During this time it is best to ...	Make sure not to ...
<ul style="list-style-type: none"> <li>• Repeat information;</li> <li>• Speak slowly;</li> <li>• Use short sentences;</li> <li>• Try to respond to specific questions;</li> <li>• Stress the positive actions you can take;</li> <li>• Depending upon the caller's reaction, consider suggesting that the conversation continue after the caller has a family member or friend with them.</li> </ul>	<ul style="list-style-type: none"> <li>• Use abbreviations or acronyms; or</li> <li>• Convey bureaucratic obstacles.</li> </ul>

**Example:** A noncitizen died in ICE custody. The noncitizen is from a country with which the United States has no formal diplomatic relations. The Death Notification Team prepares to notify the next of kin who is physically located in the deceased individual’s country of origin. Because there are no formal diplomatic relations with the United States, the Death Notification Team

seeks guidance from the State Department's Bureau of Consular Affairs to ensure they follow proper communication procedures during the death in custody notification process. While reviewing the Consular Notification and Access Manual, the Death Notification Team comes across contact information for a State Department official who helps coordinate communication between the United States and the deceased individual's country of origin and can provide advice on this situation. They expect to receive questions about family members being allowed to travel to the United States in order to attend the funeral. Unsure what the protocol is for that, the Death Notification Team seeks out additional guidance from the State Department.

## **D. Follow Up**

### Documentation

Once notification has been attempted or has occurred, the Death Notification Team should document and maintain within the custodial record of the individual each attempted or completed death notification.

The Death Notification Team should provide the appropriate ICE contact information, such as a dedicated and monitored email address or phone number to allow the next of kin, emergency contact, or family member to communicate with the agency directly to ask questions they may not have thought about upon first receiving and processing the news about the deceased individual. This also allows ICE personnel to streamline two-way communication and discuss any issues related to the delivery of personal items or otherwise offer appropriate assistance.

The Death Notification Team should debrief once off scene and address management of team stress as well as accessing any resources needed by the team.

### Employee Health and Well-Being

ICE recognizes that its employees, by virtue of their profession, are exposed to situations that may create emotional or psychological trauma, including a death in custody. It is ICE policy to promote the well-being of the ICE workforce and provide emotional support to ICE employees who are dealing with personal challenges or traumatic events. Therefore, ICE personnel participating in the death notification process are encouraged to utilize agency resources and programs, or otherwise seek support, whenever necessary. The Employee Assistance Program, Peer Support Program, and Chaplain Program may offer useful services and support to ICE personnel before, during, and after the death in custody notification process.

**Example:** An employee witnessed an individual in ICE custody commit suicide. Shaken by the event, the employee works hard to balance their professional responsibilities of providing detailed information to the Death Notification Team and internal oversight offices while managing their personal mental health and well-being in the aftermath of this traumatic event. The employee contacts the ICE Employee Resilience Unit to learn more about what resources

and support may be available. For example, the ICE Employee Assistance Program mental health clinicians can evaluate the psychological status of the employee, conduct a wellness check, and assess the level of clinical support needed. Likewise, the Peer Support Program, which emphasizes confidentiality, recognizes that employees are often more inclined to reach out to a peer for help during times of distress rather than seek assistance from a mental health professional. Speaking to a peer who understands and relates to the demands of the job provides a unique bridge for ICE employees who would like assistance but may be uncomfortable seeking it through traditional avenues. After an initial confidential conversation with a Peer Support Member, the employee feels better positioned to balance professional responsibilities and personal well-being and feels that they have a colleague they can lean on for help, if/when necessary.

## Appendix A: Condolence Letter Template



[Date]

(Name of Next of Kin/Emergency Contact/Family Member)  
(Address)

Dear (Name),

It is with profound sympathy that I must confirm the death of your (relationship), (name of deceased) on (date of death) in (place of death). On behalf of U.S. Immigration and Customs Enforcement (ICE), please allow me to extend my condolences to you and your family.

The (applicable ICE office) in (city, state, country) learned of your (relationship's) death on (date) through (name of entity, such as a local hospital). It is ICE's current understanding that (provide brief explanation of the circumstances of the death. If the cause of death is not yet determined, provide an explanatory paragraph: Medical authorities have not yet determined the cause of your (relationship's) death.) (If applicable) In accordance with (U.S., state, local) law, an autopsy will be performed as soon as possible. The (applicable ICE office) will update you on the circumstances of your (relationship's) death as soon as we receive more information from local authorities.

The (applicable entity) will take charge of your (relationship's) personal effects and compile an inventory. As soon as possible, you will receive a copy of the inventory along with information explaining the procedure to receive your (relationship's) belongings.

Please do not hesitate to contact (name of ICE contact) at the (applicable ICE office) in (city, country) at (phone number, including country code) should you have any further questions.

Again, please accept my sincere condolences.

Sincerely,

Name  
Title  
Directorate or Program Office  
U.S. Immigration and Customs Enforcement

~~FOR OFFICIAL USE ONLY~~

## Appendix B: Fax Sheet – Consular Notification

~~FOR OFFICIAL USE ONLY~~

**SUBJECT: Death in Custody Notification Involving a National of Your Country**

**DATE/TIME:** \_\_\_\_\_

**TO:** Embassy/Consulate of \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_  
(Country) (City, State)

**FROM:**

Name/Office \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone (\_\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_

**The following individual, who we understand is a national of your country, has died:**

Name \_\_\_\_\_

Date of Birth/Place of Birth \_\_\_\_\_

Nationality/Country \_\_\_\_\_

Passport Issuing Nation \_\_\_\_\_

Passport Number \_\_\_\_\_

Date of Death \_\_\_\_\_

Place of Death \_\_\_\_\_

Apparent Cause of Death \_\_\_\_\_

For more information, **please call** \_\_\_\_\_ between \_\_\_\_\_ am/pm

Please refer to **case number** \_\_\_\_\_ when you call.

ADDITIONAL INFORMATION:

~~FOR OFFICIAL USE ONLY~~

## Appendix C: Death Notification Fact Sheet

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Protocols for Official Death in Custody Notifications to Emergency Contacts, Next of Kin, or Extended Family Members

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# Victim Services Division

## At a Glance: "We Regret to Inform You..."

### Why is it important to utilize trained professionals for death notification?

Families want and deserve the truth about their loved one's death. Every death notification has a lasting impact on family members. The manner in which a death notification is provided can positively or negatively affect family members. It can significantly affect the family's cooperation with any investigation. While delivering a death notification can be an extremely stressful experience for all individuals involved, there are methods to ensure the notification is provided to family members with professionalism, dignity, and compassion. There are four key elements to providing a death notification. They are **planning, preparing, delivery, and follow up.**

### What is involved in the planning process?

- Identify the decedent
- Identify and verify the legal Next of Kin (NOK) to be notified
- Acquire the details of when, where, and how the death occurred
- Identify a death notification team comprised of two participants

### What is the best way to be prepared to do a death notification?

- Familiarize yourself with death notification protocols within your jurisdiction
- Know the process in your jurisdiction for the NOK to view their loved one
- Check with dispatch for any medical concerns or safety issues at NOK's location
- Prepare for physical and emotional reactions of NOK, such as silence, crying, yelling, etc.

### What is involved in the delivery of a death notification?

- Confirm the identity of the person with whom you are speaking and the relationship to the decedent
- Introduce yourself and present credentials
- Ask to enter inside the residence and ask/encourage family member(s) to sit down
- Provide a one sentence statement to prepare the family for notification. For example, "I'm sorry that I have to share this information."
- Use the decedent's name. Do not refer to "the body", "the remains", or "the corpse."
- Answer all questions honestly
- Do not leave the NOK alone. Call a friend of the NOK, chaplain, faith leader, etc.

### When is follow up completed?

- Contact the NOK at the agreed upon time (usually within 24 hours).
- Utilize this as an opportunity for the NOK to ask additional questions.
- Be prepared to discuss decedent's personal effects.
- Answer questions about the release of their loved one to a funeral home of their choosing.
- Provide additional resources.

### Helpful Delivery Statements:

- I am so sorry
- This may be one of the most difficult times in your life
- People can experience many different feelings at the same time

### Statements to Avoid:

- I know how you feel
- Time heals all wounds
- You need to be strong
- You'll get over this
- He/She was at the wrong place at the wrong time

For further FBI information and resources on this topic, please visit: [www.deathnotification.psu.edu](http://www.deathnotification.psu.edu)

## Appendix D: Death Notification Pocket Guide

## Frequently Asked Questions

Commonly asked questions by the NOK during a death notification:

- Who died and how was the decedent identified?
- What happened?
- Where did the death occur?
- When did the death occur?
- Where is my loved one now?
- May I see him/her?
- What is an autopsy and why is it necessary?

Lord, J. & Stewart, A. (2008). *I'll never forget those words. A practical guide to death notification*. Burnsville, NC: Compassion Books, Inc.

## ✓ Helpful Delivery Statements

- I am so sorry.
- This is harder than most people think.
- Most people who have gone through this react similarly to you.
- People can experience many different feelings at the same time.
- This is one of the most difficult times in your life.

## ✗ Statements to Avoid

- I know how you feel. (*You don't*)
- Time heals all wounds. (*It doesn't*)
- You need to be strong. (*They don't*)
- You'll get over this someday. (*They won't*)
- He was just in the wrong place at the wrong time.
- You must go on with your life.
- You will find closure.
- He didn't know what hit him.
- It's best to remember him the way he was.
- You don't need to know that.
- You don't want to see him/her.
- It must have been his/her time.
- Think of all of your memories.
- Religious phrases

For further information please visit:

[www.deathnotification.psu.edu](http://www.deathnotification.psu.edu)

U.S. Department of Justice  
Federal Bureau of Investigation



# WE REGRET TO INFORM YOU...

*Guide for professionals delivering death notifications with professionalism, dignity, and compassion.*



PENNSTATE



This material has been developed between the Federal Bureau of Investigation and Penn State University through a Cooperative Agreement.

## INTRODUCTION

Families want and deserve the truth about their loved one's death. Every death notification has a lasting impact on family members. The manner in which a death notification is provided can positively or negatively affect family members. It can significantly affect the family's cooperation with any investigation. While delivering a death notification can be an extremely stressful experience for all

individuals involved, there are methods to ensure the notification is provided to family members with professionalism, dignity, and compassion.

There are four key elements to providing a death notification. They are **planning, preparation, delivery, and follow up.**



## 1 PLANNING

- Identify the deceased. Be prepared to explain the preliminary identification.
- Set up the death notification team.
  - ▶ *Who will be in the lead role and who will be in the support role?*
- Identify and verify the legal Next-Of-Kin (NOK) to be notified.
- Know details of when, where, and how the death occurred.
- Be prepared to provide accurate details regarding the death, assuming specific details can be released.
- Ensure that the *Coping with Grief* brochure is available.

## 2 PREPARATION

- Familiarize yourself with the death notification protocols within your jurisdiction.
- Know the process in your jurisdiction for the NOK to view their loved one.
- Check with dispatch for any medical concerns or safety issues at the NOK's location.
  - ▶ *If a concern exists, request ambulance support near the residence (not in front of) in the event it is necessary.*
- Prepare for physical and emotional reactions of the NOK.

## 3 DELIVERY

- Confirm the identity of the person with whom you are speaking and their relationship to the decedent.
- Introduce yourself, present credentials, and provide a business card with contact information.
- Ask to come inside and ask/encourage family member(s) to sit down.
- Provide a one-sentence statement to prepare the family for the notification (i.e. "I'm sorry to have to share this information").
- Use decedent's name. Do not refer to "your son's body," "your mother's remains," or "the corpse."
- Provide notification immediately following the preparation statement, using clearly understood words such as died, death, or dead. Do not use phrases such as passed on, lost, or expired.
- Provide the NOK with details of when, where, and how the death occurred.
- Provide the NOK with the current location of their loved one and the process to make arrangements to see and/or recover their loved one. This includes the autopsy process.
- Answer all questions honestly. Provide only information you know to be true and that you can release.

## 4 FOLLOW UP

- Ask if there are other family members who should receive official notification.
- Do not leave the NOK alone. Ask if you can call anyone for them and wait until the person(s) arrives.
- Ask if you can follow up within 24 hours.
- Provide written material whenever possible, to include the autopsy process, if applicable.
- Contact the NOK at the agreed-upon time. Ensure you follow through on the promise to contact them.
- Utilize this as an opportunity for the NOK to ask additional questions.
- Be prepared to discuss decedent's personal effects.
- Provide guidance for family members about speaking to the media, if requested.
- Answer questions about the release of their loved one to a funeral home of their choosing.
- Provide additional resources.