

**Commonwealth of Massachusetts
Department of Correction
Standard Operating Procedure to
103 CMR 463, *Furloughs***

**Procedures for Emergency Escorted Trips and Virtual Meeting Platform Visits
For Purposes of Inmates Attending a Private Viewing of a Deceased Relative and/or
Visiting a Critically Ill Relative**

I. PURPOSE

This Standard Operating Procedure (SOP) establishes guidelines for Emergency Escorted Trips (EET) that are authorized in accordance with G.L. c. 127, § 90A and consistent with 103 CMR 463, *Furloughs*. An EET permits eligible inmates to attend, in person, a private viewing of a deceased relative and/or visit, in person, a critically ill relative, upon approval and dependent upon operational needs. This SOP also establishes guidelines for staff to consider requests from any inmate for a private viewing of deceased relative via a Virtual Meeting Platform (VMP) and/or to visit a critically ill relative via VMP, upon approval and dependent upon operational needs. This SOP is applicable to all employees and inmates of the Department of Correction (DOC).

II. ELIGIBILITY FOR CONSIDERATION OF AN EET

- A. Any inmate who is serving a sentence in the custody of the Department of Correction (Department), other than an inmate serving a sentence for murder in the first degree, is eligible for consideration for an EET within the Commonwealth of Massachusetts.
- B. The word “relative” shall mean the inmate’s spouse, child, sibling, or parent, and a grandparent, uncle, aunt, or foster parent who acted as a parent in rearing the inmate; and where
- C. The relative is either deceased or critically ill, with death imminent.

III. EET REQUESTS DURING BUSINESS HOURS

- A. Once the institution receives notification about a possible EET, the Institutional EET Coordinator or designee shall determine, through the Inmate Management System (IMS), whether the inmate is serving a sentence for first degree murder.
 1. If the inmate is serving a sentence for murder in the first degree, the Institutional EET Coordinator or designee shall complete the Tracking Form for Emergency Escorted Trip Requests by First Degree Lifers, Attachment #2. The request shall be denied and signed by the Superintendent or designee.

2. If the inmate is serving any other type of sentence, the Institutional EET Coordinator or designee shall complete the Emergency Escorted Trip form Attachment #1, as set forth below.

B. The Institutional EET Coordinator or designee shall complete Section I of the EET form, Attachment #1. All information entered in Section I of the EET form shall be verified through IMS and the inmate's six-part folder.

C. The Institutional EET Coordinator or designee shall verify the relationship of the relative who is critically ill or who has passed away.

1. If the relationship cannot be verified or it is determined that the family member does not meet the definition of "relative" set forth in Section II above, the EET Coordinator or designee shall enter this information into Section II of the EET form and need not complete the remainder of the EET Form. The EET form shall then be sent to the Superintendent or designee, who shall deny and sign the request, noting as appropriate, either that the relationship cannot be verified or that the family member does not meet the definition of "relative." The decision, rationale, and signature shall be entered into Section V of the EET form.
2. If the relationship is verified and the family member meets the definition of "relative" set forth in the Eligibility section above, the EET Coordinator or designee shall enter this information into Section II of the EET form and follow the remainder of the process as set forth herein.

D. The Institutional EET Coordinator or designee shall then determine whether the destination is within the Commonwealth of Massachusetts and enter such information, including the specific address, into Section III of the EET form. If the destination is not within the Commonwealth of Massachusetts, the Institutional EET Coordinator or designee need not complete the remainder of the EET form. The EET form shall then be sent to the Superintendent or designee, who shall deny and sign the request, noting that the destination is outside the Commonwealth of Massachusetts. The decision, rationale, and signature shall be entered into Section V of the EET form.

If the destination is within the Commonwealth of Massachusetts, the remainder of the process as set forth herein for EET requests shall be followed.

E. The Institutional EET Coordinator or designee shall then verify that an emergency does exist, and the destination is valid.

1. If the request is to visit a critically ill relative, the attending physician or designee shall be contacted and asked to verify that the relative's death is imminent.

2. If the request is to attend a private viewing of a deceased relative, the funeral home director or designee shall be contacted and asked to verify that they have possession of the body and to disclose the cause of death.
3. Once the request has been validated, the information shall be entered in Section II of the EET form.

F. The Institutional EET Coordinator or designee shall confer with a contact person and determine the best date and time to bring the inmate to the destination. The information shall then be entered into Section III of the EET form.

G. The Institutional EET Coordinator or designee shall review the inmate's records to evaluate whether there are any current safety or security related issues, including, but not be limited to, whether:

1. The inmate has a security risk rating;
2. Other relatives are currently incarcerated;
3. There are any Security Threat Group (STG) related issues;
4. There are any CORI certifications;
5. The inmate has ever taken a prior EET, and if so, the results of said trip;
6. There are any security concerns, (e.g., pending court trials, recent serious disciplinary history, death of relative is a homicide, etc.)

Once the information in Section III (G) above has been reviewed, the Institutional EET Coordinator or designee shall confer with the Director of Security (DOS) or designee to review the current security related issues, if any, or any other relevant information that should be brought to the Superintendent or designee's attention. The information shall be entered in Section IV of the EET form.

H. If the Superintendent or designee denies the request, the denial rationale shall be noted in Section V of the EET form.

I. If the Superintendent or designee approves the request, the approval shall be noted in Section V of the EET form, along with the conditions of the EET, including but not limited to:

1. Approves the request, they shall determine the conditions for the trip, including:
 - a. appropriate transportation;
 - b. security equipment;
 - c. officer coverage; and

- d. operational needs.
- 2. The conditions of the trip shall be entered into Section IV of the EET form.
- J. Upon approval, the Superintendent or designee shall sign the request and return it to the Institutional EET Coordinator or designee, who shall then call the Office of the Deputy Commissioner of Clinical Services and Reentry to notify them that an EET is forthcoming.

IV. CENTRAL OFFICE REVIEW (BUSINESS HOURS) OF EET REQUESTS

- A. The EET Form shall be sent by the Institutional EET Coordinator or designee to the Office of the Deputy Commissioner of Clinical Services and Reentry. The EET Form can be sent electronically via e-mail or via fax.
 - 1. Consultation between the Office of the Deputy Commissioner of Clinical Services and Reentry and the Office of Investigative Services (OIS) shall be made if appropriate.
- B. If the inmate is serving a life sentence which allows for parole, the form shall be forwarded to the Commissioner or designee by the Office of the Deputy Commissioner of Clinical Services and Reentry for final approval/disapproval.
- C. All other requests will be reviewed by the Deputy Commissioner of Clinical Services and Reentry for final approval/disapproval.
- D. The Office of the Deputy Commissioner of Clinical Services and Reentry will notify the Institutional EET Coordinator or designee of the decision as well as any modifications.
- E. The final decision and any modifications shall be documented in Section V of the EET form.

V. EET REQUESTS DURING NON-BUSINESS HOURS

- A. Once an institution receives notification about a possible EET, the Shift Commander shall verify in IMS if the inmate is serving a sentence for murder in the first degree.
 - 1. If the inmate is serving a sentence, for murder in the first degree, the request shall be denied and the EET Tracking Form (Attachment #2) shall be completed and forwarded to the Superintendent or designee the following business day for signature and rationale.
 - 2. If the inmate is serving any sentence other than a sentence for first degree murder, the Shift Commander shall complete the EET form, Attachment #1.

3. All information entered in Section I of the EET form shall be verified through IMS and the inmate's six-part folder.

B. The Shift Commander shall verify the relationship of the relative who is critically ill or who has passed away.

1. If the relationship cannot be verified or it is determined that the family member does not meet the definition of relative set forth in the Eligibility section above, the Shift Commander shall enter this information into Section II of the EET form and need not complete the remainder of the form. The Institutional Duty Officer shall contact the Superintendent or designee via telephone for denial by the Superintendent or designee. The information and specific denial rationale shall be entered into Section V of the EET form.
2. If the relationship is verified and the family member meets the definition of relative set forth in the Eligibility section above, the Shift Commander shall enter this information into Section II of the EET form and follow the remainder of the process set forth herein.

C. The Shift Commander shall determine whether the destination is within the Commonwealth of the Massachusetts and enter such information, including the specific address, into Section III of the EET form. If the destination is not within the Commonwealth of Massachusetts, the Shift Commander need not complete the remainder of the EET form. The Institutional Duty Officer shall contact the Superintendent or designee via telephone for denial by the Superintendent or designee. The information and denial rationale (i.e., destination is outside the Commonwealth of Massachusetts) shall be entered into Section V of the EET form.

If the destination is within the Commonwealth of Massachusetts, the remainder of the process as set forth herein as to EET requests shall be followed.

D. The Shift Commander shall then verify that an emergency does exist, and the destination is valid.

1. If the request is to visit a critically ill relative, the attending physician or designee shall be contacted and asked to verify that the relative's death is imminent.
2. If the request is to attend a private viewing of a deceased relative, the funeral home director or designee shall be contacted and asked to verify that they have possession of the body and to disclose the cause of death.
3. Once the request has been validated, the Shift Commander shall then complete Section II of the EET form.

- E. The Shift Commander shall confer with a contact person and determine the best date and time to bring the inmate to the destination. This information shall then be entered into Section III of the EET form.
- F. The Shift Commander shall review the inmate's records to evaluate whether there are any current safety or security related issues, including, but not limited to, whether:
 1. The inmate has a security risk rating;
 2. Other relatives are currently incarcerated;
 3. There are any STG related issues;
 4. There are any CORI certifications;
 5. The inmate has ever taken a prior EET, and if so, the results of said trip;
 6. There are any security concerns, e.g., pending court trials, recent serious disciplinary history, etc.
- G. The Shift Commander shall confer with the Institutional Duty Officer to review the current security related issues, if any, or any other relevant information. The information shall be entered in Section IV of the EET form. The Institutional Duty Officer shall contact the Superintendent or designee and review all requests via telephone for approval/denial by the Superintendent or designee.
- H. If the Superintendent or designee denies the request; the denial and rationale shall be noted in Section V the EET form.
- I. If the Superintendent or designee approves the request, it shall be noted in Section V of the EET form along with the conditions for the trip, including, but not limited to:
 1. appropriate transportation;
 2. security equipment;
 3. officer coverage; and
 4. operational needs.
- J. The conditions of the trip shall be entered into Section IV of the EET form. If the request is approved by the Superintendent or designee, the Shift Commander shall notify the Department Duty Station and provide all relevant information. Review of the request shall then proceed in accordance with Section VI, of this SOP.

- K. Once the Shift Commander is notified by the Department Duty Station of the final decision made pursuant to Section VI, they shall note the decision and any modifications in Section V on the EET form.
- L. Any requests reviewed by the Commissioner or designee; or Deputy Commissioner of Clinical Services and Reentry or designee; whether approved or denied, shall be forwarded by the Superintendent's Office to the Institutional EET Coordinator on the following business day for signatures, recording and filing.

VI. CENTRAL OFFICE REVIEW OF EET REQUESTS (NON-BUSINESS HOURS)

- A. If the inmate is serving a life sentence which allows for parole, Department Duty Station staff shall obtain the official version of the inmate's crime.
- B. The Department Duty Station shall contact the Deputy Commissioner of Clinical Services and Reentry or designee and shall provide all relevant information.
- C. If the inmate is serving a life sentence which allows for parole, the Deputy Commissioner of Clinical Services and Reentry or designee shall contact the Commissioner or designee for approval/disapproval. All other requests will be reviewed by the Deputy Commissioner of Clinical Services and Reentry for final approval/disapproval.
- D. The Department Duty Station shall be notified by the Deputy Commissioner of Clinical Services and Reentry or designee via the telephone whether the EET has been approved or denied.
- E. The Department Duty Station shall then notify the Shift Commander of the decision as well as any modifications.

VII. NOTIFICATIONS UPON DENIAL OF AN EET

- A. At any time during the process if the EET is denied, the inmate shall be notified immediately of the denial. When notifying the inmate, staff shall ask if they would like to speak with mental health staff or clergy when available. The notification will be documented by staff via an incident report and shall include whether the inmate requested services from mental health and/or clergy. Regardless of the whether the individual requests to speak with mental health, a notification to mental health staff shall be made and documented in the incident report.

VIII. NOTIFICATIONS UPON APPROVAL OF AN EET

- A. Upon approval of an EET, the Institutional EET Coordinator or Shift Commander shall perform the telephone notifications of the impending EET. Notifications shall be made to:

1. The Massachusetts State Police;
2. The police department of the city/town of institution in which the inmate is incarcerated;
3. The police department of the city/town identified as a destination on the inmate's itinerary.

B. During business hours, the Victim Service Unit (VSU) shall be notified by the institution. The VSU shall immediately notify any CORI petitioner previously approved for such notification by the Department of Criminal Justice Information Services (DCJIS) in accordance with 103 DOC 407, *Victim Services Unit*.

C. During non-business hours, the Department Duty Station shall notify any CORI petitioners previously approved for such notification by the DCJIS.

IX. TRANSPORTATION FOR EETS

Transportation for EETs shall be conducted in accordance with the instructions on the EET Form and 103 DOC 530, *Inmate Transportation*.

X. REQUESTS FOR PRIVATE VIEWING OF DECEASED RELATIVE/ VISITATION WITH CRITICALLY ILL RELATIVE VIA A VIRTUAL MEETING PLATFORM

Any inmate, including an inmate not otherwise eligible for an EET due to the sentence being served, can request a private viewing of deceased relative via a VMP and/or to visit a critically ill relative via VMP. Inmates can request a VMP view/visit in lieu of an EET request, but if an EET request for physical attendance has been submitted, staff must consider the EET request in accordance with the process outlined above in this SOP. Any request for a VMP view/visit shall be considered in accordance with the following process and in light of operational needs.

- A. The Institutional EET Coordinator or designee, or the Shift Commander during non-business hours, shall verify the relationship of the relative who is critically ill or who has passed away to determine if the relative meets the definition in the Eligibility section above.
- B. If the relative meets the definition delineated in the Eligibility section above, the Institutional EET Coordinator or designee, or Shift Commander during non-business hours, shall verify that the emergency exists and that funeral home, hospital, medical facility, etc. can accommodate the requested a VMP meeting.
 1. If the request is to visit a critically ill relative via a VMP, the attending physician or designee shall be contacted and asked to verify that the

relative's death is imminent. Any such approved visits via a VMP shall be limited to fifteen (15) minutes.

2. If the request is to attend a private viewing of a deceased relative, the funeral home director or designee shall be contacted and asked to verify that they have possession of the body. Any such approved private viewings via a VMP shall be limited to fifteen (15) minutes.
3. The Institutional EET Coordinator or designee, or Shift Commander during non-business hours, shall also confer with a contact person to determine the best date and time for the VMP view/visit, that the funeral home, hospital, medical facility, etc. has the necessary equipment available to accommodate the VMP view/visit, and that the funeral home, hospital, medical facility, etc. has a VMP meeting ID and password available that they will provide to the Department.

C. The EET Coordinator or designee, or Shift Commander during non-business hours, shall check the facility's schedule to verify that the space utilized for such purposes is available during the date and time requested for the VMP view/visit (e.g., ensure the space is not scheduled for use in connection with a court hearing) and that the VMP view/visit is otherwise consistent with operational needs. This information shall be communicated to the Superintendent or designee along with the request.

D. The Institutional EET or designee, or Shift Commander during non-business hours, shall review the inmate's records and confer with the DOS or Institutional Duty Officer, as appropriate, to evaluate whether there are any safety or security related concerns that might be pertinent to the request for the VMP view/visit. This information shall be communicated to the Superintendent or designee along with the request.

E. The request for the VMP view/visit shall be forwarded to the Superintendent or designee for consideration. If the request is approved, the appropriate notifications to facility staff shall be made to reserve the dedicated space in the facility for purposes of the VMP view/visit. The Superintendent or designee shall determine the conditions for the VMP view/visit, including but not limited to:

1. Security equipment;
2. Officer coverage; and
3. Operational needs.

F. Prior to the scheduled date and time for the approved VMP view/visit, the EET Coordinator or designee, or Shift Commander after business hours as appropriate, shall obtain the VMP meeting ID and password from the hospital/funeral home and provide the information to the appropriate institutional staff member(s).

- G. At least fifteen (15) minutes before the scheduled VMP view/visit, the institutional point of contact responsible for ensuring video equipment is operational, shall ensure that all necessary equipment in the designated space is working and functional. In the event the point of contact is not available, the Institutional EET or designee, or Shift Commander after business hours, shall be responsible for this.
- H. All VMP views/visits shall be monitored by security staff.
- I. VMP views/visits may not be recorded by anyone at the funeral home, hospital, medical center, etc. and/or any friends/family/attorney of the inmate; nor may screen shots be taken by such individuals.
- J. Prior to the inmate entering the secure area where the VMP view/visit will occur, a clothed personal search shall be conducted by the officer monitoring the VMP view/visit.
- K. The institution's point of contact will establish video contact with the funeral home/hospital/medical center. In the event the point of contact is not available, the Institutional EET or designee, or Shift Commander after hours, shall be responsible for this. Once contact is established, the keyboard and mouse shall be removed from the secure room. At no time will the inmate be allowed to have access to the keyboard or mouse. If a laptop is being utilized, a piece of plexiglass shall be secured over the keyboard and touchpad to ensure that the inmate does not have access to either device.
- L. The equipment must be positioned in such a manner as to allow the officer monitoring the VMP view/visit to have a clear line of sight to the inmate and the monitor.
- M. At the conclusion of the VMP view/visit, security staff will conduct a personal search and the inmate will be returned to their unit.

XI. RECORD KEEPING

- A. The Superintendent shall maintain a file for all EETs and VMP views/visits conducted in accordance with this SOP.
 - 1. EETs denied at the Superintendent level are not to be submitted to the Office of the Deputy Commissioner of Clinical Services and Reentry.
 - 2. The Superintendent or designee of each institution shall be responsible for reporting the institution's statistics for both EETs and VMP views/visits conducted in accordance with this SOP to the Office of the Deputy Commissioner of Clinical Services and Reentry when requested.
- B. The Office of the Deputy Commissioner of Clinical Services and Reentry shall

maintain a file for all EETs reviewed by the Commissioner or designee and Deputy Commissioner of Clinical Services and Reentry or designee.