



PENAL AND CORRECTIONAL CIRCULAR NO. 43-I.

TO: All penal and correctional institutions

RE: Attendance of prisoners and inmates of penal and correctional institutions at the bedside or funeral of dying or deceased relatives.

The State Board of Control, on 28 September 1948, adopted the following resolution regarding the attendance of prisoners and inmates of penal and correctional institutions at the bedside or funeral of dying or deceased relatives:

"BE IT RESOLVED that the following terms and conditions are established by the State Board of Control of Institutions and Agencies pursuant to Paragraph 2, Chapter 414, P. L. 1948, and will govern Chief Executive Officers in permitting the attendance of prisoners and inmates at the bedside or funeral of a dying or deceased relative under the above cited statute:

"1. The legislation is permissive, and no Chief Executive Officer is required to permit bedside or funeral attendance if such a course would be detrimental to the proper functioning of the institution because of a shortage of personnel or for other reasons.

"2. The relationship of the ill or deceased person to the inmate must be verified and proved to be within the framework of relationship described in the statute. (A relative shall be deemed to mean and include the father, mother, husband, wife, child, brother or sister of the prisoner or inmate.)

"3. The fact of the illness or death must be verified.

"4. The risk of contagion shall be investigated, and if there appears to be any danger of contagion or infection a report

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shall be obtained from the attending physician and submitted to the institution medical authority for advice as to extending the privilege of bedside or funeral attendance.

"5. Reimbursement for travel and other necessary and allowed expenses must be borne by the inmate or his family. Officers accompanying inmates on bedside or funeral trips will be entitled to reimbursement for their own actual and reasonable expenses plus any actual or reasonable expenditures made on behalf of the inmate, plus a per diem fee not to exceed \$10.00.

"Detailed statements of expenditures made and reimbursement claimed will be submitted by the escorting officer in duplicate with one copy being given to the family or placed in the inmate's record as a receipt upon payment of the charges, and the other copy being filed in the office of the chief fiscal officer of the institution.

"6. The inmate shall, as required by law, at all times be in the actual custody of one or more officers or employees of the institution wherein he is confined. The officer shall wear plain clothes but shall carry with him evidence of his authority.

"7. The prisoner shall be lodged in an approved jail or institution at night and at all times when not in transit or actually at the bedside of the relative or while attending funeral services.

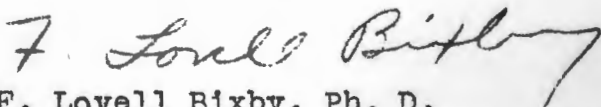
"8. In any case, not more than one trip, limited to not more than twenty-four hours exclusive of time in transit, shall be permitted; that is, authority may not be given for attendance at the sick bed and later at the funeral.

"9. In every case, it is the responsibility of the Chief Executive Officer to make sure that the interests of the public are fully protected, therefore permission may not be given to incorrigible criminals, known escape risks, unusual disciplinary problems, or to prisoners recognized as untrustworthy. Permission may not be granted to a highly publicized prisoner whose re-appearance in the community under any conditions other than strict compliance with the laws governing parole and release would cause unfavorable comment in the whole community.

"10. Finally, whenever a prisoner or inmate is granted leave to attend the bedside or funeral of a relative, a notice shall be forwarded to the Central Office as a matter of record.

"11. If the Chief Executive Officer is in doubt as to the propriety of permitting a particular prisoner to leave the institution under the circumstances enumerated above, he should consult with the Commissioner or the Director of Correction and Parole prior to granting permission."

This resolution is being forwarded for your information and guidance and is effective immediately.


F. Lovell Bixby, Ph. D.
Director of Correction and Parole

14 July 1954

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