

Chapter: Agency Management and Operations	Effective Date: 10/1/16 Page: 1 of 1 Replaces: GAP.385.9951, 4/26/04
Subchapter: Miscellaneous	
Rule: Death of a Youth	
ACA: 4-JCF-4C-43 3-JCRF-4C-27	
Statutes: Code of Criminal Procedure, Art. 49.18	

RULE

(a) **Purpose.**

This rule establishes requirements for notification, investigation, and reporting in the event of the death of a youth who is committed to the jurisdiction of the Texas Juvenile Justice Department (TJJD).

(b) **General Provisions.**

TJJD cooperates fully in any external investigations into the death of a youth.

(c) **Death of Youth Assigned to a Residential Facility.**

This subsection applies to the death of a youth committed to TJJD who, at the time of death, was assigned to a residential facility that is operated by TJJD or a TJJD contractor.

- (1) As soon as reasonably possible after the death of a youth, TJJD notifies the youth's parent/guardian. The notification is made in person whenever possible.
- (2) The TJJD Office of Inspector General conducts a criminal investigation and, as appropriate, notifies local law enforcement.
- (3) The TJJD division responsible for abuse, neglect, and exploitation investigations conducts an administrative investigation in accordance with [§380.9333 of this title](#).
- (4) TJJD requests an autopsy regardless of the circumstances of the death.
- (5) The TJJD medical director may convene a morbidity and mortality review.
- (6) A TJJD staff member is made available to assist the parent/guardian with coordinating certain necessary matters, such as returning the youth's belongings and making funeral arrangements. If the parent/guardian is unable or unwilling to make burial arrangements, TJJD ensures an appropriate burial.
- (7) In accordance with [Article 49.18 of the Texas Code of Criminal Procedure](#), TJJD submits a Custodial Death Report to the Office of the Attorney General within 30 days after the date of the death.

(d) **Death of Youth Assigned to a Home Placement.**

TJJD may conduct a criminal and/or administrative investigation, as determined on a case-by-case basis, if a youth committed to TJJD dies while assigned to a home placement.