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Death Notification for the Law Enforcement Chaplain; Considering Models that Emphasize the Ministry of Presence

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Abstract

Against a backdrop of protocols developed in the medical community for delivering bad news (news of a distressing nature) to patients and survivors (e.g., friends and family of a patient or victim), a straightforward procedure is described for law enforcement chaplains who must deliver death notifications to civilians. A description of and appreciation for the *ministry of presence* is explored. Specifically, the ministry of presence, modeled after Jesus' example in the Incarnation and His development of disciples, is described as the cornerstone of chaplaincy.

Keywords: death notification, ministry of presence

A Terrible and Necessary Task

"Identification of the deceased is pending notification of next of kin." This statement, or some form of it, is often heard in newscasts. We hear it so often that it might be easy for many to consider the full scope of meaning. It remains, however, that notification is a task someone must undertake. As a seasoned minister and chaplain for hospice and law enforcement, I have done many death notifications, but I certainly did not start with that skill or experience and never had any related instruction in college or seminary.

In my formative years as a minister, I confided in a mentor that while I thought I could be effective in most tasks associated with being a minister, I had some consternation about the areas of death and dying. I decided to address the issue with immersive training. The appropriate colloquial phrase is "baptism by fire." A funeral

director with the busiest funeral home in town was a friend, and I volunteered my services to anyone who might need a minister. I was not quite prepared for the response, as I was called upon often and learned much.

It was during this time that I was introduced to the hospice chaplaincy. In this role, a chaplain befriends a person who is dying.[1] That is, the hospice chaplain builds a relationship with someone who will be deceased in less than 6 months. The chaplain also builds a relationship with a family or loved ones who are preparing for the death of someone close. Holm (2009) aptly defined chaplaincy as "a service or ministry offered in secular settings or settings that are outside normal places of worship such as a university, hospital, prison, school, or workplace" (p. 7) (see also Taylor et al, 2015 for more context).

In terms of death notifications, I have been both the notifier and the recipient. I reside in Tennessee, but when my father died in Ohio, a hospice nurse called me (necessitating a phone call) with the notification at 4:30 a.m. I could readily sense the nervousness in the nurse's delivery. His voice was shaking, and he stumbled with the words. I did my best to help alleviate his stress, thanking him for his service and commenting on his compassion and concern. As for the phone call, I would have preferred it no other way, but that is probably because I was prepared for the news. Indeed, when I was a hospice chaplain, almost everyone was prepared for the news;

[1]The medical community has determined that the patient has less than 6 months to live (https://www.medicare.gov/what-medicare-covers/what-part-a-covers/how-hospice-works).

however, if law enforcement is involved, the news is often expected and there will likely be an in-person death notification.

In law enforcement, the primary responsibility of the chaplain is to law enforcement personnel (see Hawsey, 2002), but in reality, there is a significant dedication to the citizenry. Chaplains respond to suicides, overdoses, domestic violence, accidents, and other various crises. Often, they find themselves ministering to civilian victims. It is their hope that in doing so, they relieve a portion of the burden of law enforcement, allowing them to conduct the important work of peacekeeping and investigation. Most of my death notification experience has been in the role of a law enforcement chaplain.

SPIKES: Six-step Protocol for Delivering Bad News

Death notifications can benefit from following the SPIKES protocol (Baile et al., 2000; Sobczak, 2013; see also Menahem et al., 2018), which was initially developed by specialists in palliative care. Although this protocol was intended to describe the delivery of medical diagnoses or prognoses, there are parallels to the death notification. For review, here are the six steps of SPIKES:

S – Setting (Setting up the interview. Where will the news be delivered? Can the recipient be seated? Are others there?)

P – Perception (In a medical scenario, this is assessing how the patient perceives his or her medical situation. In a death notification, there is little to no time for discussions before the notification. Still, it is time for the chaplain to

consider such things as the age of the decedent, the circumstances surrounding the death, and the age and mental state of the recipient.)

I – Invitation from the patient to give information (For a medical issue, this step pertains to a patient's right to know. For the recipient of a death notification, this is not the third step, it is a follow-up after the notification was given.)

K – Knowledge (This is the actual notification and entails providing facts to the recipient in plain, unambiguous language. After the initial notification, a discussion may ensue.)

E - Explore emotions and sympathize (The chaplain should be prepared with a sympathetic or empathetic response. This response might begin with silence. Give the recipient time to react and emote.)

S – Strategy and summary (This is the appropriate time for follow-up discussions.)

Likewise, the chaplain must in some way cover all of these. Indeed, Dewey-Kollen (2005) asserts that "the procedure is more like a toolbox since every death notification is different" (p. 12).

Law Enforcement Chaplain Death Notification: An Example.

Two years ago in a large city in California, police were conducting a welfare check (this is when law enforcement personnel, usually prompted, make an in-person visit to check on someone) and found a deceased male inside his apartment. No foul play was suspected. The man's parents lived in Tennessee, so police in California contacted law enforcement for the address of the next-of-kin (the man's parents). The

following steps somewhat parallel Johnson's (2000) steps addressed to actual law enforcement officers. See also the GRIEV_ING protocol by Ahmed, et al. (2020).

Local law enforcement, the county sheriff's office, was tasked with the notification. I was the on-call chaplain, so I was paged at 12:30 a.m. to accompany a deputy to the decedent's parent's address. **Step 1: get as much information as possible from the officer/deputy**. Who is the decedent? What are the circumstances? Who is next of kin?

The deputy and I went to the address and knocked for 6 or 7 minutes eventually waking the couple. While they were the parents of the decedent, initially we were not certain. Thus, we have **Step 2: Ensure the appropriate person is being notified.**

The name we had was of the decedent's father; however, it was the decedent's mother who answered the door, at about 1:00 a.m. At her door, she met two uniformed personnel, a deputy and a chaplain. Though she became a little distraught we had to address her husband, because that is the name we had. It was an uncomfortable moment, as the mother peppered us with questions that we could not answer.

When the father came to the door, it was time for **step 3: We introduced ourselves and asked if we could come in.** It is generally best to conduct a death notification in the house or dwelling. Once in, it is beneficial to ask everyone to be seated. Usually, the deputy remains to stand, but this is not a rule. The deputy is primarily there for the chaplain's protection.

Once we are seated, the chaplain **delivers the notification (Step 4)**. First, ensure (again) the relationship between the decedent and the persons being notified.

This might go like this: “Sir, is John Doe your son?” Then, the difficult part. Note that there is efficacy in the cliché, “ripping the band-aid off.” The Golden Rule comes to mind. If you were the receiver of such news, would you want the chaplain to belabor the point with uncomfortable chatter? It is often best to get right to the point.

At the appropriate time, the chaplain might say something like this: “I’m so very sorry, but your son John was found dead in his apartment late last night.”

Words matter. Chaplains should never use phrases like “passed away,” “no longer with us,” “he is in a better place,” etc. Chaplains should be clear and use unambiguous language like, “was killed this morning…,” “died in a traffic accident,” or “was found dead.” Last year, I had a friend whose ailing elderly mother went missing. Within a day and a half, she was found safe and sound, but while she was missing, my friend phoned his sister and said, “Mom’s gone.” Words do matter.

Step 5 is ministry in the aftermath. If the death was unexpected, the immediate reaction might be shock. There are inevitable questions. How? When? In our example, the deputy was able to call the California officers who found the decedent, and the parents were able to speak with that officer.

Routinely, after the notification, I cover these issues.

- Is there anyone else I can notify?
- Is there a home church or minister? If so, I can interface.
- Can I help with or offer advice on arrangements?

Jail Notification

On occasion, I have been called upon to deliver a death notification to an inmate. Obviously, a jail facility is not the optimum environment for this type of ministry, but the location is less relevant than the notification itself. On my first occasion, I met with an inmate in a hallway between cells. A uniformed deputy accompanied us, and I informed the inmate about the death of a relative. I'm sure my opening statement to "David" went something like this:

"David, I'm very sorry, but I need to let you know that your brother died this afternoon."

I recall that David was relatively stoic and had few questions. When it seemed obvious that we had exhausted the moment, I bid farewell to David and motioned to the deputy that he could take over. It all seemed very detached at the time.

On another occasion, I had to meet the inmate in the intake area (where new inmates are processed and jailed for a while). I sat down with the inmate, and both of us endured the shouts and insults of other inmates who obviously demonstrated little tolerance or sensitivity.

Some Exceptions: Porch notification.

It is typically best to be able to enter the home, foster an environment of comfort, and have the person seated. Some people simply refuse to allow the chaplain and officer/deputy into the home. I have had to deliver a death notification on the porch. In one instance, the recipient was sure we were selling something or soliciting donations. After I delivered the news, the recipient apologized and invited us in.

Phone notification.

When circumstances are such that a personal meeting is impossible, impractical, or unlikely, the notification might have to be via telephone. As I mentioned above, I was notified via telephone about my father's death, but that was a hospice circumstance. In fact, when my own mother took her last breath, I was with her and called one of my brothers who happened to be with other family members.

While a phone notification is not the most desirable method, sometimes it is necessary. During the recent COVID-19 (coronavirus disease) Pandemic, people became somewhat accustomed to operating at a distance. Certain protocols were even developed to assist in the delivery of bad news via phone (see Sobczak, 2022).

One of my law enforcement chaplain colleagues recently went to a residence to deliver a death notification. The recipient was a mother whose son was killed. Another son answered the door and informed the chaplain that his mother was in another state. Since it was not appropriate for the son to receive the notification, the quick-thinking chaplain determined that a phone call needed to be placed immediately. The chaplain intuitively assumed that the son would reach out to the mother and create additional concern. The chaplain informed the mother of the death, then went back to speak with the son in the house.

Most of the time in the law enforcement chaplaincy, the law enforcement agency is responsible for determining the next of kin, but though that work had been accomplished in the above example, the location of the next of kin was apparently not determined. My colleague had to make a quick decision. In such cases, it is good to

have a general knowledge of what Fair (2011. P. 76) calls the “pecking order” of a rather established hierarchy. Fair’s list pertains to a hospital environment, but the law enforcement chaplain can relate to the sensitivities and ethics involved.

- Health care power of attorney
- Court-appointed guardian
- Spouse (unless legally separated)
- Adult children, majority
- Parent
- Domestic partner (if unmarried and another person has not assumed financial responsibility of the patient)
- Adult brother or sister
- Close friend

For comparison, Wade (2001, p. 16) provides this “order of kinship:”

1. Spouse/domestic partner
2. Minor children
3. Adult children
4. Parents
5. Siblings
6. Grandparents
7. Other relatives and friends
8. Spouse/domestic partner’s relatives and friends
9. Clergy

Finally, a word about protocols. Iserson (1999) provides this summary:

> It has been claimed that “effective grief support cannot be reduced simply to a protocol-driven response.” It is true that no protocol can anticipate every eventuality; every notification will differ in some way. Neither can it enable notifiers to break bad news painlessly. It can, however, help notifiers prepare for their task and help them understand what to expect. Protocols combined with staff education have made significant differences in how survivors perceive and respond to sudden-death notifications (p. 264).

A notable study in 2000 (Stewart, et al) indicated that 40% of respondents “possessed neither classroom nor experiential training” (p. 628) in death notifications. There is efficacy in having at least some general knowledge of protocols.

The Ministry of Presence and the Ministry of Silence.

Generally, the goal of every chaplain is to be helpful, but there is always a possibility that some interventions could be perceived as unhelpful (Janzen, et al, 2004), and even deleterious at the beginning of the grief process. Thus, we are introduced to two of the most important aspects of ministry and proficiency which do not require knowledge of hermeneutics, homiletics, or mastery of Biblical languages. These are silence and presence.

The ministry of presence stems from a natural affinity for companionship and camaraderie. It is what it claims to be, a ministry by simply being there. I would categorize the ministry of presence as one of the most important components of pastoral care. When people are in a time of need—particularly in crisis—most

appreciate companionship. This companionship most often comes in the form of family and friends. The pastor/chaplain/minister often has the unique privilege of being categorized as friend/family by virtue of a position. This is a great privilege and awesome responsibility The efficacy of “being there” is well-documented (Avery, 1986; Bole, 2001; Burnside, 2001; Gill, 1981; Henderson, 2012; Holm, 2009). I believe the ministry of presence—in its purest form—can be summed up in the *Kenosis* passage, Philippians chapter 2. Here we see the purpose of the Incarnation explained. Jesus Christ,

> “Who, being in very nature God, did not consider equality with God something to be used to his own advantage; rather, he made himself nothing by taking the very nature of a servant, being made in human likeness” (Phil 2:6-7, NIV).

God ordained that in His grand plan to redeem humankind to Himself, He would actually walk among His creation. Henderson (2012) reminds us that Jesus “formed his disciples by walking with them” (p. 24). In a similar fashion, the chaplain presumes to be in various places and circumstances to walk among those to whom he or she ministers.

Paget and McCormack (as cited in Holm, 2009) describe the ministry of presence:

> Chaplain ministry has often been called the ‘ministry of presence.’ Presence is both physical and emotional. First, the chaplain makes a conscious choice to be physically present with the client. Second, the chaplain is emotionally present with the client through empathetic listening. Through presence, the chaplain begins to build the relationship that eventually brings comfort to those who feel alone in their suffering or despair.

> The ministry of presence often looks like standing around the water cooler, circulating among the people, sitting quietly with someone, or having a cup of coffee in the lunchroom. Presence may seem insignificant, but presence is the grace gift that chaplains bring to the human encounter. It is being available in spite of other commitments (pp. 8-9).

Whenever I was called upon to officiate at a funeral, regardless of whether I knew the deceased, I would begin by exercising the ministry of presence. At the appropriate time, I would find myself with family members, listening. Occasionally, I would guide the discussion, but most of the time I listened as family members began to share memories. From those moments, I learned enough to personalize the memorial service and to better minister to family and friends. In discussing her own quest for pastoral identity, Webb (1990) concludes, “It is significant to me that the people of my parish who consistently call me "Pastor " are those for whom I was able to do nothing more than to be fully present” (p. 79). Likewise, during and after a death notification, the efficacy of presence can scarcely be overstated.

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