

## Death Investigation

### 509.1 VERSION

Review Date	Effective Date	Approving Authority
01/25/19	07/09/18	Eric D. English, Chief of Police

### 509.2 POLICY AND PURPOSE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

It is the policy of the Harrisonburg Police Department to respond to, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, conducted and properly documented.

### 509.3 ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

### 509.4 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the Major Crimes Unit as necessary. The supervisor will make notification to command staff in accordance with the Major Incident Notification Policy.

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall have the appropriate follow-up investigations and documentation:

# Harrisonburg Police Department

## Policy Manual

### *Death Investigation*

---

- (a) Unattended deaths (no physician or qualified hospice care during the period preceding death)
- (b) Sudden, accidental or suspicious deaths
- (c) Suicides
- (d) Homicide or suspected homicide
- (e) Found dead bodies or body parts

#### 509.4.1 MEDICAL EXAMINER REQUEST

Officers are not authorized to pronounce death in their role with the Harrisonburg Police Department. The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Medical Examiner be notified when any person dies (Va. Code § 32.1-283):

- (a) As a result of trauma, injury, violence, poisoning, accident, suicide or homicide.
- (b) Suddenly when in apparent good health.
- (c) While unattended by a physician.
- (d) While in jail, prison, other correctional institution or in police custody.
- (e) While receiving services in a state hospital or training center operated by the Department of Behavioral Health and Developmental Services.
- (f) Suddenly as an apparent result of fire.
- (g) In any suspicious, unusual or unnatural manner.
- (h) In the event of a sudden death of any infant.

#### 509.4.2 SEARCHING DEAD BODIES

- (a) The Medical Examiner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body until a representative from the Office of the Chief Medical Examiner releases the scene to law enforcement personnel.
- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor. If a donor document is located, the Medical Examiner or his/her assistant shall be promptly notified.
- (c) The Medical Examiner, with the permission of the Department, may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (d) Whenever personal effects are removed from the body of the deceased by the Medical Examiner or his/her assistant, the officer shall inventory and document this property and include this documentation in the death report.

# Harrisonburg Police Department

## Policy Manual

### *Death Investigation*

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#### **509.4.3 SUSPECTED HOMICIDE**

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Major Crimes Unit shall be notified to determine the possible need for an investigator to respond to the scene.

If, after consultation with the Patrol Commander or Major Crimes Unit supervisor, the death is still considered undetermined in nature, then the investigation should proceed as though it were a homicide.

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor and with the assistance of the Office of the Commonwealth's Attorney, request the Medical Examiner to conduct an autopsy.

#### **509.4.4 EMPLOYMENT-RELATED DEATHS OR INJURIES**

Any member of this department who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the Virginia Occupational Safety and Health (VOSH) Program and, if applicable, the regional Occupational Safety and Health Administration (OSHA) offices are notified of all pertinent information. In addition any fatality or the in-patient hospitalization of three or more person as prescribed by the rules and regulations of the Virginia Safety and Health Codes Board, shall be reported within eight hours to the Virginia Department of Labor and Industry (Va. Code § 40.1-51.1).

#### **509.5 DEATH NOTIFICATION**

When reasonably practicable, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction should be requested to make the personal notification (Va. Code § 32.1-309.1).

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.