Death Investigation

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where deputies 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.

328.2 POLICY

It is the policy of the St. Mary's County Sheriff's Office to respond, 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, investigated and properly documented.

328.3 INVESTIGATION CONSIDERATIONS

(a) Emergency medical services shall be called in all suspected death cases unless death is obvious and the person's condition is incapable of sustaining life. Such conditions would include decapitation, missing vital organs, and/or signs of decomposition (e.g. presence of flies, bloating, and/or the sloughing or blistering of skin tissue). In these cases, a Deputy Sheriff is qualified to pronounce a person's death.

(b) The presence of rigor or dependent lividity without additional conditions or injuries that are incompatible with life is not sufficient evidence for a pronouncement of death, and the Deputy Sheriff should assess the person to determine the necessity to provide medical aid in accordance with Sheriff's Office Policy 431 – Medical Aid and Response while awaiting the arrival of emergency medical service clinicians. When the administration of lifesaving care is believed to be futile, the Deputy will communicate to the family/caregiver their observations and rationale justifying their decision to cease lifesaving efforts and await the arrival of emergency medical service clinicians for an official pronouncement of death.

(c) For situations wherein the Deputy Sheriff is not qualified to pronounce a person's death, a succinct statement to the family member/caregiver may be necessary to explain why lifesaving efforts were not initiated or have been stopped. For example, "Sir/Ma'am", based on my observations and training, I believe he/she is beyond care and I am now awaiting the arrival of medical personnel who are qualified to make such a determination."

(d) A Deputy who is a certified EMS clinician may proceed with the pronouncement of death consistent with their training and certifications.

(e) 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 Criminal Investigations Division Commander

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as necessary. The Shift Supervisor will make notification to command staff in accordance with the Major Incident Notification Policy.

328.3.1 REPORTING

All incidents involving a death shall be documented on the appropriate form.

328.3.2 MEDICAL EXAMINER REQUEST

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 and the State's Attorney for the county where the body was found be notified and given the known facts concerning the time, place, manner and circumstances of the death in any of the following cases (Md. Code HG § 5-308):

(a) If the death occurred:

1. By violence.
2. By suicide.
3. By casualty.
4. Suddenly, if the deceased was in apparent good health or unattended by a physician.
5. In any suspicious or unusual manner.

(b) If the death of a human fetus:

1. Occurred before the complete expulsion or extraction of the fetus from the mother when the mother was not attended by a physician at or after the delivery, regardless of the duration of the pregnancy.

328.3.3 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.

(b) A deputy 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 Office, 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) Should exigent circumstances indicate to a deputy that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner or his/her assistant, the investigating deputy should first obtain verbal consent from the Medical Examiner or his/her assistant when practicable.

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(e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the deputy pending the arrival of the Medical Examiner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.

(f) Whenever personal effects are removed from the body of the deceased by the Medical Examiner or his/her assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

328.3.4 SUSPECTED HOMICIDE

(a) If the initially assigned deputy suspects that the death involves a homicide or other suspicious circumstances, the deputy shall take steps to protect the scene. The Criminal Investigations Division shall be notified to determine the possible need for an investigator to respond to the scene.

(b) If the on-scene supervisor, through consultation with the Shift Supervisor or Criminal Investigations supervisor is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

(c) The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor, request the Medical Examiner to conduct physical examinations and tests, and to provide a report.

For procedures related to Suspected Homicide, see the St. Mary's County Sheriff's Office LE Procedures Manual: Death Investigations

328.3.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this office 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 regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

328.4 UNIDENTIFIED DEAD BODY

If the identity of a dead body cannot be established, the handling deputy will request from the Medical Examiner a unique identifying number for the body. The number shall be included in any report.

328.5 DEATH NOTIFICATION

(a) When reasonably practicable, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the deputy assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

(b) If a deceased person has been identified as a missing person, this office shall attempt to locate family members and inform them of the death and location of the deceased

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missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

For procedures related to Death Notification, see the St. Mary's County Sheriff's Office LE Procedures Manual: Next of Kin Notification, Death Notifications, Members of the Military and Notifications.

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