



Newport News Police Department - Operational Manual

OPS-425 - DEATH INVESTIGATIONS

Amends/Supersedes: OPS-425 (07/02/2012)

Date of Issue: 08/14/2019

I. PROCEDURES

- A. When a report of a deceased person is received, uniformed patrol officers, a patrol supervisor and an ambulance shall respond. Upon arrival at the scene of a reported death, the officers must determine if the death appears to be: [81.2.4(e,f)]
1. Natural;
 2. Accidental;
 3. By violent or suspicious means.
- B. The actual determination of death **must** be made by a physician or qualified medical technician (ambulance/rescue personnel).
- C. If death appears to be from natural causes, the officers shall follow the below listed guidelines:
1. Notify, or cause to be notified, the next of kin as soon as possible (see OPS-530 "Emergency Notifications and Messages"); [55.2.6]
 2. Obtain all available information concerning the deceased including any past medical history and attending physician, if any;
 3. Brief the attending physician concerning the death; if he is unavailable, contact the Medical Examiner; [41.2.4]
 4. Upon approval of the attending physician or Medical Examiner (he must agree to sign the death certificate), arrange for the removal of the body, utilizing the funeral home requested by the family. If the decedent's family or next of kin cannot be located, contact the on-call body removal service;
 5. Complete appropriate investigative reports;
 6. If natural death occurs in a public place, cover or conceal the body from public view pending authorization for removal by the Medical Examiner and, once received, the removal shall be made as quickly as possible.
- D. Notification of Funeral Home / Body Removal Services
1. The on-call body removal service will be notified in all Medical Examiner cases or in cases when the decedent's family is not known or cannot be contacted.

2. The decedent's family or next of kin **must** select a funeral home in all other cases.
 3. The Communications Division will maintain a monthly alphabetical list of participating body removal services and, when requested, will contact the next available service on the list.
- E. Death by Violence, Suicide, Illegal Drug Overdose, Accidental or Suspicious Nature (all Unnatural Deaths) [81.2.5(f)]
1. If a person dies by any of the above circumstances, the responding officers will make their preliminary investigation, secure the scene from all unnecessary personnel/traffic, notify a supervisor to respond, make any arrests, if indicated, separate and detain witnesses, and have the on-call Major Crimes Investigation Section supervisor notified. [42.2.1(b,c); 81.2.4(e)]
 - a. The responding officers will brief the supervisor and homicide investigators upon their arrival.
 - b. The supervisor shall be responsible for notification of the Investigations Bureau Commander.
 2. Once the scene is secured, the officers shall keep a log of all personnel entering the scene, time of stay, reason for entry and time of exit, continue to thoroughly note their observations, spontaneous statements received, and evidence observed (not collected, unless failure to do so would result in the loss of same). The officers on the scene must be prepared to brief the investigators upon arrival. [42.2.1(a,c)]
 3. The responding investigators will be responsible for ensuring all statements from any witnesses are taken. [42.2.1(d)]
 4. In the event of an illegal drug overdose death, the Major Crimes investigator will notify the Organized Crime Division for purposes of information exchange. The Organized Crime Division investigator will investigate the illegal narcotics portion of the investigation. All pertinent information will be shared with the Intelligence Unit.
- F. Occupational Fatalities
1. Reports of occupational fatalities or catastrophes, including occupational fatalities involving police officers, shall be reported to the Virginia Department of Labor and Industry (DOLI), Occupational Safety Enforcement Division. If unable to contact the DOLI or OSHA directly, notify the State Police Duty Sergeant.
 2. The reporting officer will provide the date, time, exact location of the accident, and their name and phone number as incident reporter.
 3. The scene of the fatality shall be preserved to the extent possible pending arrival of the Occupational Safety Enforcement Division (usually within two hours of being notified).
 4. It shall be the responsibility of the Field Supervisor to ensure these requirements are met.

G. Investigation of Hospice Deaths Occurring Outside the Medical Facility

1. Local hospice programs use sound philosophy in allowing and encouraging dignified deaths of the terminally ill. Intrusion by police officials to investigate routine hospice deaths can be considered apathetic by the grieving family.
2. In hospice death cases where the patient dies outside a medical facility, the attending nurse will normally notify the decedent's physician of the death. The physician will then sign the death certificate. The family will then notify the funeral home to remove the body. The procedure is done outside any police intervention.
3. As an alternative to police involvement in hospice death investigations, local funeral homes have been requested to evaluate the scene in order to divert later concerns by family members. The funeral homes have agreed to report any suspicious observations or any suggestions of death by criminal causes to the Police Department, who shall investigate the death as otherwise outlined in this policy.

H. Determining Medical Examiner's Cases [41.2.4]

1. Death by violence, unusual or unnatural manner (accident, suicide, homicide from physical, mechanical, chemical, electrical, thermal or related means).
2. Death by suspicious manner, where the officer is unable to determine from the evidence whether death may be from accidental, suicidal or homicidal causes.
3. Without medical attention in the following instances:
 - a. Found dead without obvious cause;
 - b. Unattended at any time by a licensed physician;
 - c. Unattended by a physician during a terminal illness particularly if such illness appears to be a disease previously diagnosed and treated; or
 - d. Stillbirth attended by a midwife.
4. Sudden death of a person in apparent good health in the following situations:
 - a. Apparent instantaneous death without obvious cause;
 - b. Death during or following unexplained unconsciousness or coma; or
 - c. Death during an acute, unexplained fatal illness.
5. Non-violent death within 24 hours after hospital admission is not necessarily a Medical Examiner's case. If the probable anatomical cause of death can be said to be natural, the Medical Examiner's investigation is unnecessary. All deaths following injury; however, are reportable to the Medical Examiner's Office.
6. In questionable cases, the on-duty supervisors shall contact the Major Crimes Investigations Section Commander.

I. Organ/Tissue Procurement

1. The Virginia Office of the Chief Medical Examiner has signed a memorandum of understanding with organ/tissue procurement agencies licensed to operate within the Commonwealth of Virginia. This relationship was established and strengthened in accordance with §§32.1-291.1 through 32.1-291.25 of the Code of Virginia, which provides a mechanism by which individuals and/or their family members may donate organs, tissues and eyes for transplant or research.
2. The Tidewater Office of the Chief Medical Examiner staff usually acts as our intermediary for the Lions Medical Eye Bank, and LifeNet Tissue Recovery. The Medical Examiner's Officer will obtain the deceased's name, personal information, and next-of-kin information from our officers. However, there may be occasions (evenings, weekends and holidays) when investigating officers may be approached directly by representatives from these agencies for this information following local Medical Examiner approval.
3. In such instances, the Regional Administrator for the Tidewater Office of the Chief Medical Examiner has been designated to act as our liaison with these organ/tissue procurement representatives. One of the Medical Examiner staff may be reached at any time at their office number.

Steven R. Drew
Chief of Police