



# GENERAL ORDER

Loudoun County Sheriff's Office

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**Chapter:** Operations **Section:** 411.4

**Subject:** Investigations **Topic:** Preliminary Death Investigations

**Accreditation:** ADM.24.06 **Revised:** **Reaffirmed:**

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## I. PURPOSE

The purpose of this General Order is to set forth guidelines for deputies conducting preliminary death investigations. Due to the various complexities that may arise during death investigations, it is necessary to delineate the areas of responsibility for the elements of the Sheriff's Office charged with the investigations of a death.

## II. PROCEDURE

### A. Cautions

1. Deputies should be constantly aware that until determined otherwise, death calls may represent a danger to persons who are still at the scene or to responding deputies. Factors to be considered include, but are not limited to, information from the dispatcher, conversations with subjects at the scene, and the deputy's observations or personal knowledge. The personal safety of the deputy and others should be a primary concern upon arrival at this type of scene.
2. After arriving at the scene and until convinced to the contrary, all deputies should consider every death call as a possible homicide and should be aware that a homicide may be "staged" to appear as a suicide or a death by natural causes.

### B. Responsibilities of the First Deputy on Scene

If the death appears to be from other than natural causes, the deputy should address the following functions in the order that his/her discretion dictates after an evaluation of the situation.

1. Assure the safety of persons to prevent additional injury or death
2. Make a preliminary determination that the subject is actually deceased
3. Preserve the scene and possible evidence
4. Radio call for backup or rescue assistance
5. Gather witnesses
6. Request the presence of a supervisor at the scene. At this time, the supervisor will determine if an evidence technician is needed

7. A crime scene log documenting persons entering and exiting the crime scene should be started and maintained until Criminal Investigations Division ("CID") personnel authorize its discontinuation.

C. Pronouncement of Death

A physician will pronounce all deaths. This may be at the scene, a hospital setting, funeral home, or any place set by the Medical Examiner. The deputy should note, and include in his/her report, the time of the pronouncement and the name of the pronouncing physician in all deaths, except in non-Medical Examiner and Obvious Death Determination cases. This information may be obtained by telephone, if necessary.

D. Obvious Death Determinations

The Office of the Chief Medical Examiner of Virginia has adopted a written policy stating that an Obvious Death Determination may be made by trained Fire Department, Rescue Squad or law enforcement personnel. This determination occurs only in those cases where there are no obvious signs of life or when all emergency first aid efforts have been declined or discontinued by first responder personnel.

E. Detective Notification and Response

1. Field Operations Division personnel will notify CID of deaths resulting from homicide, suicide, overdose, vehicular accidents, non-vehicular accidents, including industrial and construction accidents, unusual or suspicious circumstance, or fetal deaths. During normal CID duty hours, a Field Operations Division supervisor familiar with the events and the scene should make notification to the supervisor in charge of CID or, in his/her absence, any other CID supervisor. Outside of normal CID duty hours, notification should be made in the following order until a supervisor has been notified:
  - a. CID on-call supervisor
  - b. CID Sergeant
  - c. CID 2<sup>nd</sup> Lieutenant
  - d. CID Captain
  - e. CID Major
2. After evaluating the information provided by the Field Operations Division supervisor, the CID supervisor will have detectives:
  - a. Respond to take over the investigation; responsibility for contacting the Medical Examiner shall be coordinated by the assigned detective and

crime scene investigator or

- b. Not respond, but follow-up after preliminary investigation reports has been submitted. Responsibility for contacting the Medical Examiner when necessary shall be coordinated by the detective or investigating deputy and crime scene investigator. In most cases, the Medical Examiner is only notified after a thorough inspection of the body and the crime scene by the investigating deputy and the crime scene investigator.

- 3. Field Operations Division personnel will conduct preliminary investigation on deaths where there are no unusual or suspicious circumstances.

F. Tagging Body

All bodies must be "tagged" prior to removal from the scene. Tags may be obtained from Crime Scene Investigators, evidence technicians or the Property Section.

- 1. Homicides and Suicides

In the event of an apparent homicide or suicide, a full rolled set of fingerprints and palm prints shall be taken, with the permission of the Medical Examiner's Office. These fingerprints should be taken at the Medical Examiner's Office, however they may be taken at the scene or the hospital with the permission of the Medical Examiner. A Crime Scene Investigator should be consulted if technical difficulties arise.

III. CLASSIFICATION AND DEFINITIONS

A. Medical Examiner's Case

If the circumstances of death fall into any of the following categories, or if there is any doubt as to whether the particular death is included in one of these classifications, it should automatically be considered a Medical Examiner's case:

- 1. Classifications
  - a. By trauma, injury, violence, poisoning, accident, suicide, or homicide
  - b. Suddenly, when the deceased was in apparent good health
  - c. When unattended by a physician
  - d. When in jail, prison, other correctional institution, or in law enforcement custody
  - e. By unusual, suspicious, or unnatural means, including fires

- f. Fetal deaths
- g. Any infant under eighteen months of age who dies suddenly, and Sudden Infant Death Syndrome is suspected (pursuant to Virginia Code § 32.1-285.1).

2. Definitions

The following terms better define the classifications of death listed above:

- a. By trauma, injury, or violent means

This category covers any death attributed to accidental, suicidal, physical, mechanical, electrical, thermal, poisonous or related means. A Medical Examiner's investigation and report are required regardless of the period of survival following injury and medical attendance at the time of the injury or during a period of survival.

- b. Suddenly, of persons in apparent good health

This term should include the following situations:

- i. Apparently instantaneous death without obvious cause
- ii. Death during or following an unexplained fainting, or coma
- iii. Death following an acute or sudden unexplained illness

- c. When unattended by a physician

This classification includes the following situations:

- i. Found dead without obvious or probable cause
- ii. No known significant medical treatment/history
- iii. Deaths unrelated to a previously diagnosed and treated disease; fetal deaths attended by midwives

- d. In jail or deputy's custody

This category covers those deaths involving a person confined to jail or in a deputy's custody. In the case of the Loudoun County ADC, the

responsibility for death investigations will rest with CID.

- e. Unusual, unnatural, and suspicious

This classification includes death resulting from drowning, fire, or any death suspected of having resulted from accident, overdose, suicide or homicide.

- f. Fetal deaths

This category covers fetal deaths occurring when there was no medical attendance of the fetus at or after delivery or abortion.

**B. Non-Medical Examiner's Case**

For the purposes of this procedure, a non-Medical Examiner's case shall be defined as:

1. A death resulting directly from a disease or illness which has been diagnosed and is actively being treated or attended to by a private physician, and:
2. The death is not within the classification of a Medical Examiner's case, as defined above.

**V. PHYSICIANS CERTIFIED AS MEDICAL EXAMINERS FOR LOUDOUN COUNTY**

- A. The Communications Center will maintain a listing of physicians currently certified as medical examiners for Loudoun County. This listing will be updated periodically through the Chief Medical Examiner's office and at the direction of the Communication Center supervisor.
- B. In the event of a Medical Examiner's case, only a physician on the current list may give authorization as to disposition of a body.
- C. If a Medical Examiner on duty has referred his calls to a physician who is not on the list, the supervisor, through the assistance of the Communications Center, must contact another Medical Examiner for proper authorization prior to law enforcement action.

**VI. PROCEDURES FOR DISPOSITION**

Procedures for the disposition of death calls will vary depending on each particular set of circumstances. Staff of the Medical Examiner may, at their discretion, respond to the scene or order the removal of the body to the morgue or other designated place for the purpose of pronouncement, inspection, autopsy, or any other disposition. In all cases, the scene should be secured by appropriate police measures and as warranted by the situation. Generally, death investigations by the Sheriff's Office will fall into one of four categories:

1. Medical Examiner's Case - Public Place or View
  - a. Unless the determination is made by the Field supervisor or CID detective that an on-site viewing by the Medical Examiner is necessary, the police supervisor may, under the direction of the Medical Examiner, direct that the body be removed immediately from public view and transported to an approved facility for pronouncement and custody.
  - b. The Medical Examiner is to be notified as soon as possible following this action.
  - c. The Rescue Squad unit or the nearest available funeral home will normally be responsible for transportation of the body, unless otherwise directed by the Medical Examiner.
  
2. Medical Examiner's Case - Not in Public Place or View
  - a. The Medical Examiner is to be contacted, and provided with the circumstances surrounding the death, along with any available medical background.
  - b. The Medical Examiner will make the appropriate determinations in reference to an on-site viewing, transportation, pronouncement and other disposition of the body.
  - c. Transportation of the body to the place designated by the Medical Examiner will be by a funeral director's vehicle. If the Medical Examiner or family indicates no preference, the County's contracted funeral home is to be contacted for removal of the body.
  
3. Non-Medical Examiner's Case - Public Place or View
  - a. Upon preliminary determination that the death does not represent a Medical Examiner's case or if the Medical Examiner declines jurisdiction, the Field Supervisor or CID detective may arrange transportation of the victim by a funeral director's vehicle, and the responsibility for selection of a funeral home will be on the family of the deceased. The Sheriff's Office should assist the family wherever possible in making arrangements.

The attending physician, if any, is to be notified as soon as possible following the death. The deputy shall verify the individual's status as the attending physician, and:

    - i. The attending physician agrees the death was of natural causes and he/she will sign the death certificate.

- ii. If the individual denies being the attending physician, he/she cannot be reached, or refuses to sign the death certificate, the Medical Examiner is to be notified immediately.
    - iii. If an attending physician refuses to sign a death certificate for a decedent who has died a clearly natural death under a non-suspicious circumstance, the funeral home may contact the Department of Vital Records in Richmond, which will then turn the matter over to the Virginia State Board of Medicine. This provision allows the deputy to authorize the funeral home to remove the body in a non-Medical Examiner case in which the attending physician refuses to sign the death certificate.
  - b. If no family is available, transportation will be through the direction of the Field supervisor or CID detective, and by the County's contracted funeral home.
- 4. Non-Medical Examiner's Case - Not in Public Place or View
  - a. The attending physician is to be notified as soon as possible following the death. The deputy shall verify the individual's status as attending physician, and:
    - i. The attending physician agrees the death was of natural causes and he/she will sign the death certificate.
    - ii. If the individual denies being the attending physician, he/she cannot be reached, or refuses to sign the death certificate, the Medical Examiner is to be notified immediately.
    - iii. If an attending physician refuses to sign a death certificate for a decedent who has died a clearly natural death under a non-suspicious circumstance, the funeral home may contact the Department of Vital Records in Richmond, which will then turn the matter over to the Virginia State Board of Medicine. This provision allows the detective to authorize the funeral home to remove the body in a non-Medical Examiner case in which the physician refuses to sign the death certificate.
  - b. The attending physician may direct that the body be removed to a medical facility or funeral home, but transportation will be made by a funeral director's vehicle, and it will be the responsibility of the family to select a funeral home. The Sheriff's Office should assist the family wherever possible in making arrangements. Sheriff's Office personnel should remain on the scene until the body is removed.
  - c. If no family is available, transportation will be through the direction of the Field Operations supervisor, and by the County's contracted funeral home.