

WINONA POLICE DEPARTMENT

NUMBER: 103-02 PAGES: 5

EFFECTIVE DATE: July 27, 2004

SUBJECT: DEATH INVESTIGATIONS

1.0 PURPOSE:

It is the purpose of this general order to establish policy and procedures regarding the investigation of deaths, by members of the Winona Police Department.

2.0 POLICY:

2.1 It is the general policy of this department, based on a prior agreement between the Chief of Police and the Sheriff, that all deaths, except those which occur in the hospital or in an old-age home, which occur in the City of Winona, shall be investigated by the Winona Police Department.

2.2 In all deaths of the following type, the Winona Police Department Death Investigation Team shall be notified:

2.2.1 Violent deaths, whether apparently homicidal, suicidal, or accidental, including but not limited to deaths due to thermal, chemical, electrical, or radiational injury, and deaths due to criminal abortion, whether apparently self-induced or not.

2.2.2 Deaths under unusual or mysterious circumstances, or at any other time the Supervisor on duty feels that the Death Investigation Team should be notified.

2.2.3 In the event of a motor vehicle or pedestrian accident death, the Supervisor on duty shall notify the Chief of Police or the Deputy Chief of Police, who will then make the final determination, based on facts supplied to him by the Supervisor, as to the activation of the Death Investigation Team.

2.3 In the case of all deaths as described in Section 2.2 of this general order, the body shall be taken to the hospital morgue pending further examination by the County Medical Examiner. A preliminary written report of the investigation shall accompany the body.

2.4 In the case of a death due to apparent natural causes, where a family member notifies the investigating officer or on-duty Supervisor of a known medical condition that may have caused the death and identifies the deceased's attending physician, the body can be taken to the funeral home requested by the family. The on-duty Supervisor shall contact the personal physician of the deceased and notify

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him/her of the death and the disposition of the body. In this specific case, the attending physician can sign the certificate of death.

2.5 In the case of a death where no immediate next of kin is present to assume responsibility for the personal effects of the deceased, the police shall take all such effects into their custody and inventory them and place them into the police property room, until such time as they are ordered released or disposed of by the County Medical Examiner.

2.6 It is the policy of the Winona County Medical Examiner that he/she need not be present at the scene of death. The on-duty Supervisor shall, as soon as possible, notify the County Medical Examiner that there has been a death and that the body has been transported to the hospital morgue. In the event that the Death Investigation Team has been called out, this responsibility will be assumed by the Lead Investigator of the Death Investigation Team. The County Medical Examiner has requested that he/she be called to the scene of all suspected homicides and/or multiple deaths.

2.7 Within three days of any death investigated by the Police Department, a signed copy of the police investigation shall be forwarded to the county Medical Examiner.

2.8 In the death of any person whose identity cannot be immediately established, the unknown deceased shall be fingerprinted, and within 24 hours, those fingerprints, fingerprint data, and other identification shall be forwarded to the Minnesota Bureau of Criminal Apprehension on forms prescribed by the Superintendent of the Bureau.

2.9 In all cases where the body is transported to the hospital morgue, the body shall be fingerprinted if the death is investigated by the Winona Police Department.

3.0 PROCEDURE:

3.1 Initial Responding Officer

3.1.1 Determines beyond any reasonable doubt that the victim is dead. Any doubt--the victim should be transported to an emergency care facility by the quickest possible means.

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3.1.2 Protects himself and other responding officers or units by immediately searching the death scene for possible suspects or perpetrators.

3.1.3 Secures the death scene by removing all people from the immediate death scene area.

3.1.4 Notifies his/her Supervisor immediately.

3.1.5 Records the names of all people who have entered the death scene area.

3.2 Supervisor Responsibility at the Scene

3.2.1 Confirms the initial responding officer's findings. Enters the scene only if necessary to do this.

3.2.2 Establishes the proper death scene perimeter using whatever equipment or personnel are required.

3.2.3 Sees that the Death Investigation Team is contacted.

3.2.3.1 The Commander of the Criminal Investigative Bureau (Deputy Chief) or the Sergeant in CIB. in his/her absence.

3.2.3.2 The Lead Investigator

3.2.3.3 The Evidence Technician

3.2.3.4 In the event that the Lead Investigator is not available, contacts the Commander of the Criminal Investigation Bureau, who will assign another investigator or other personnel necessary.

3.2.4 Records any pertinent information to include names, addresses, etc., of potential witnesses; locations and descriptions of any known or already identified evidence; any other items of importance to the investigation.

3.2.5 Remains at the scene and is responsible for briefing the Death Investigation Team upon their arrival at the scene.

3.3 Death Investigation Team Duties

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3.3.1 The Commander of the Criminal Investigative Bureau (Deputy Chief) will notify the CIB. Sergeant, who will, as time permits, notify the Chief of Police; coordinate all activities relating to the investigation; handle news release information; and determine and, if necessary, obtain further manpower and equipment as needed.

3.3.2 The Lead Investigator will notify the BCA agent and the BCA Mobile Crime Lab if he/she feels it is necessary. He/she will also determine additional manpower needed from within the department; notify the County Attorney; notify the County Medical Examiner; and in general direct the entire investigation.

3.3.3 The Evidence Technician, under the direction of the Lead Investigator, photographs and sketches the entire death scene, collects and documents all physical evidence; conducts a latent print search; and performs other evidence-related work he/she deems necessary.

3.4 Control and Custody of Body

3.4.1 Minnesota State Statute Section 390.32, Subdivision 7, gives the police the authority to take control and custody of the body until the investigation is completed.

3.4.1.1 This shall be done at the direction of the Lead Investigator.

3.4.1.2 The body will be taken to the hospital morgue. A preliminary written report of the investigation shall accompany the body.

3.4.1.3 If an autopsy is recommended, it will be conducted at the hospital under the direction of the County Medical Examiner.

3.4.2 The final release of the body from police custody shall only be authorized by the County Attorney.

3.5 In the event that a death investigation does not require the notification of the Death Investigation Team, the Supervisor on duty shall follow the policy of the department and County Medical Examiner as set forth in Sections 2.4 through 2.7 of this general order.