

## 12.615 DECEASED PERSONS/PRISONERS AND DEATH NOTIFICATIONS

### **Reference:**

Procedure 12.112, Responding To and Investigating Heroin/Opiate Overdoses  
 Procedure 12.230, Fatal or Potentially Fatal Crash Investigation and Placement of Related Charges  
 Procedure 12.400, Incident and Miscellaneous Reporting  
 Procedure 12.715, Property and Evidence: Confiscation, Accountability, Processing, Storage, and Release  
 Procedure 18.106, Police Clergy Program  
 Procedure 18.120, Public Records Requests  
 Ohio Revised Code 313.12, Notice to Coroner of Violent, Suspicious, Unusual or Sudden Death  
 Ohio Revised Code 313.13(A), Autopsy  
 Hamilton County Coroner's Office Manual: General Office Policies and Procedures, Cincinnati Police Department Investigations Manual

### **Purpose:**

To ensure the timely and efficient investigation of incidents involving deceased persons while preserving potential evidence of a crime by securing the site pending the release of the body by the Hamilton County Coroner.

To protect the dignity of persons who have died and to lessen the effects of the death on members of the decedent's family.

To ensure the timely transfer of information between the Police Department and the Hamilton County Coroner's Office (HCCO).

Ensure proper handling of evidence in cases involving deceased persons.

### **Policy:**

Officers will exhaust all reasonable means to determine whether a person is deceased. It is better to make the mistake of sending someone to the hospital who is already dead than for a person to die as a result of a wrong assumption.

A supervisor must respond to the scene of all deceased persons.

The Hamilton County Coroner or Coroner's investigator will respond on all deceased persons that are determined to be Coroner's cases. They will make the determination as to whether the case is considered a Coroner's case or not. A Hamilton County Sheriff's Office (HCSO) prisoner detail will transport all deceased persons that are determined to be Coroner's cases. No officer will touch or move the body unless advised by the Coroner or Coroner's investigator; this includes removing identification.

The HCCO aids local police agencies in their investigation of deceased persons. However, the next of kin notification is the responsibility of the agency investigating the death, not the HCCO.

When life threatening injury or death is a result of police intervention or action, the Police Chief, or their designee, will make the notification to the deceased's immediate family, in person whenever possible. The notification shall include the offer of the use of all available support resources, e.g., Police Clergy.

The investigating unit supervisor is responsible for notification of the next of kin for all other incidents.

Police personnel will make death notifications in person whenever possible. Deliver the notification with tact and sensitivity. Before arrival, learn as much as possible about the next of kin. Extra precautions in the notification may be necessary if the next of kin is elderly or of fragile physical or mental health.

**Information:**

The Police Department is required by law to report all deaths of mentally handicapped and/or developmentally disabled individuals to the HCCO regardless of the circumstances. (See Procedure 12.400, Incident and Miscellaneous Reporting, for definitions of mentally handicapped and/or developmentally disabled individuals).

The HCCO does not allow viewing of the deceased for identification purposes. The use of forensic science is the primary tool in identification. If forensics does not establish identification, photographs of the deceased can be used by the HCCO. Officers should not direct the next of kin to respond to the HCCO to identify the deceased. The next of kin should be directed to contact the HCCO during business hours for direction.

The Hamilton County Heroin Coalition and associated Task Force (HCHC Task Force) was formed to address the heroin overdose death epidemic, provide a consistent investigative response and increase prosecution efforts related to the source of supply in heroin-involved deaths and heroin overdose incidents. Officers who suspect a death is possibly caused by heroin/opiate overdose should refer to Procedure 12.112, Responding To and Investigating Heroin/Opiate Overdoses, when conducting the death investigation.

**Procedure:**

- A. Investigation of Non-Suspicious or Natural Deaths
  - 1. Officer's Responsibilities:
    - a. Upon the discovery of a deceased person, use all reasonable means to determine whether the person is dead:
      - 1) Inspect the body for any signs of life. Check for airway obstructions, breathing, and pulse.
      - 2) If unable to determine after using all reasonable means, request the Fire Department respond.
    - b. The on-scene officer will notify a supervisor.
    - c. Secure the scene until the arrival of a supervisor.

- 1) Do not touch or move the body. This includes removing a wallet, looking for identification or rolling the body to take photographs.
  - 2) Do not move anything or alter the scene. This includes opening windows, changing thermostats or fans, or turning on or off lights.
- d. The initial investigating officer will complete a Form 316A, Deceased Person Report.
- 1) If the officer obtains complete information at the scene, the HCCO may be able to authorize release of the body directly to a funeral director.
    - a) Advise the funeral home to contact the reporting district with the death pronouncement information required for the Form 316A.
      - 1) The district will fax the completed Form 316A to the HCCO.
- e. A physician on the scene may make the official death pronouncement. The officer must still receive instructions from the HCCO regarding disposition of the body.
2. Supervisor's Responsibilities
- a. The district supervisor on the scene will assume command of the initial investigation and immediately contact the Hamilton County Coroner's Office.
    - 1) Notification to the HCCO will be made in all accidental or natural deaths, except natural deaths at nursing homes (see Section F.) and the death of a child who was an in-patient at Children's Hospital (see Section B.2.). These exemptions do not apply to individuals who were mentally handicapped or developmentally disabled. The supervisor must notify the HCCO in all cases where the deceased was mentally handicapped or developmentally disabled.
    - 2) The HCCO will evaluate the circumstances of the death with the supervisor and determine if the case is a Coroner's case.
      - a) If the HCCO sends an investigator and/or forensic pathologist to the scene, the supervisor will remain at the scene and assist with the investigation.
      - b) If the HCCO does not send an investigator and/or forensic pathologist to the scene, the district supervisor will proceed with the death investigation.
  - b. If the HCCO does not respond, photograph the body in the position it was discovered.

- 1) Unless prevented by scene restrictions, take additional photographs of the right, left, top, and bottom sides of the body, moving the body to photograph, if necessary.
  - 2) Properly label photographs with the date, time, address, and identity of the photographer.
    - a) Attach photographs to the Form 316A.
  - c. Make arrangements for next of kin notification (see Sections I and J).
    - 1) If the deceased is determined to be indigent, officers will contact the Gwen Mooney Funeral Homes at 513-853-1035. They will respond to transport the body.
      - a) If there is a dispute between the mortuary service and the supervisor as to the financial status of the deceased, contact the HCCO for direction.
- B. Investigation of Homicide or Suspicious Deaths
1. If there is evidence the death was due to homicide, suicide, suspected suicide, fire, death while in police custody, death involving suspicious circumstances, or the death of a child seven years of age or younger, a supervisor will immediately secure the crime scene and post an officer or officers to restrict entry into the scene.
    - a. A supervisor will assign an officer to complete a Form 390, Crime Scene Admittance Log, documenting the personnel who have entered the scene, the time and date they entered, the reason for entering, and the time and date they exited the scene.
      - 1) No one is to touch or move the body. This includes removing a wallet, looking for identification or rolling the body to take photographs.
      - 2) No one is to alter the scene. This includes opening windows, changing the thermostat or fans, or turning on or off lights.
    - b. A district supervisor will contact the Homicide Unit explaining the circumstances requiring their response. The first officer on the scene, the notifying supervisor, and any other officer with pertinent information will remain on the scene. No one will be released except by a Homicide Unit supervisor or ranking Homicide Unit investigator.
      - 1) When the Homicide Unit arrives, the ranking Homicide Unit supervisor or investigator will take command of the investigation.
        - a) Homicide Unit personnel are responsible for completing the RMS Case Report (301) for the homicide.
        - b) District personnel on scene are responsible for the completion of any other reports.

- 1] The investigating officer will complete a Form 316A for suspicious deaths and fax it to the Criminal Investigation Section (CIS). A 316A does not need to be completed for homicides.
    - c. Homicide Unit personnel will ensure the HCCO was notified for all deaths involving homicide, suicide, suspected suicide, fire, suspicious circumstances, children seven years of age or younger, mentally handicapped or developmentally disabled individuals who died as the result of an above listed occurrence; or if the death occurred while in police custody. Homicide Unit personnel will provide the relevant preliminary information regarding the death.
  2. Officers dispatched to Children's Hospital regarding the death of a child will immediately notify the Homicide Unit and request a district supervisor respond.
    - a. Homicide Unit personnel will respond to consult with the attending physician and assume command of the investigation.
    - b. The attending physician at Children's Hospital is responsible for notifying the HCCO prior to requesting an officer respond.
  3. The HCSO will investigate all deaths occurring at the Hamilton County Justice Center, River City Correctional Center, and the Hamilton County Juvenile Court Youth Center.
- C. Deceased Prisoners
1. When a person dies or suffers a life threatening injury while under or just prior to police control, or as a result of police activity, officers will immediately notify a supervisor. The responding supervisor will:
    - a. Summon the Homicide Unit and Internal Investigations Unit to conduct a prompt and thorough investigation. Police personnel will cooperate fully in the investigation.
    - b. Notify the District Commander or, if at night, the Night Inspector.
- D. Crime Scene Protection
1. The first supervisor on the scene will ensure the crime scene is secure.
  2. The supervisor on the scene will assign an officer to complete a Form 390 documenting the personnel who have entered the scene, the time and date they entered, the reason for entering, and the time and date they exited the scene.
  3. Officers will not touch anything unless absolutely necessary and will not take any photographs. No one will be allowed to enter the scene until the Homicide Unit arrives. Criminalistics Squad will process the scene.

4. Weapons may need to be secured for safety reasons, or if the scene will undergo an uncontrollable change such as fire, explosion, flooding, etc.
  - a. Photograph any weapon(s) before moving. Note the time, location, where it was placed, and the person who moved the weapon.
5. Refer to the Investigations Manual for in-depth guidelines.

#### E. Investigations of Accidental Deaths

1. Some scenes require extra officer safety precautions. Be sure the scene is safe to work in before investigating.
  - a. Notify the Cincinnati Fire Department or Department of City Planning and Buildings as necessary.
2. Secure any equipment possibly involved in the death, e.g., electrical equipment that may have fallen into a bathtub, a jack believed to be faulty, a space heater emitting toxic gases, etc.
  - a. Submit any evidence for examination according to Procedure 12.715, Property and Evidence: Confiscation, Accountability, Processing, Storage, and Release.

#### F. Natural Deaths at Nursing Homes

1. An officer and a supervisor will respond, if summoned, to the scene to investigate.
  - a. The HCCO does not need to be notified by police, unless the deceased individual was mentally handicapped or developmentally disabled.
    - 1) A Form 316A will not be made.
  - b. If the deceased has been the victim of a previous assault or the subject of previous patient abuse, the HCCO and Homicide Unit must be notified.
    - 1) Contact CIS and request a records check.
    - 2) Review the patient's records.
2. Advise the nursing home staff it is their responsibility to notify the next of kin and arrange for disposition of the deceased.
3. Deceased persons with no known next-of-kin, who require county burials or storage for other reasons, will be accepted at the Hamilton County morgue.
  - a. It is the responsibility of the nursing home to arrange transportation to the morgue.

#### G. Expected Deaths of Terminally Ill Hospice Patients

1. Expected deaths at a residence, rather than in a health care facility, come under the Coroner's jurisdiction.

2. Home health care/hospice nurses are required to report these deaths to the HCCO using their Standard Death Report Form.
    - a. This includes disposing of any remaining medication, securing a pronouncement for the death certificate, ensuring there were no recent falls or unnatural events, and that a funeral home has been contracted to transport the deceased.
  3. An on-scene hospice nurse relieves the Police Department of death reporting responsibility in cases of expected deaths of terminally ill hospice patients.
    - a. If needed, an officer and a supervisor will respond to the scene to investigate. If an officer and supervisor respond, the supervisor has the responsibility to ensure the appropriate HCCO notification was made if the death involved a mentally handicapped or developmentally disabled individual.
      - 1) A Form 316A will not be made.
  4. This does not relieve or preclude an officer on the scene from investigating the circumstances of a death.
- H. Disposition of Property According to Type of Death Report
1. If the deceased lived alone, secure the premises.
    - a. Officers will not do an inventory search.
  2. Direct all inquiries about the premises and personal property to the HCCO. Final disposition of personal effects is the responsibility of the Coroner.
  3. If the deceased lived alone and the body must go to the morgue, secure the premises even if next-of-kin is present. Explain to the next-of-kin that re-entry into the premises requires authorization from the HCCO.
  4. If the HCCO releases the body, the next of kin can make arrangements to have a funeral home respond.
    - a. Police do not need to inventory or secure the property.
  5. In cases of a suspected homicide, Homicide Unit personnel will consult with the HCCO to determine what property will be transported with the body to the HCCO and what property will be processed as evidence according to Procedure 12.715.
- I. Death Notification Responsibility
1. The responding district supervisor is responsible for notifying the next of kin when the district or OHTF investigates the death.
    - a. The district supervisor will make a blotter entry noting the disposition of the notification.

- b. If the notify is not completed by the end of the initial shift's tour of duty, the following shift officer-in-charge (OIC) will ensure notification attempts continue.
    - 1) At 0800 hours, the OIC will make a blotter entry designating the investigative unit supervisor assigned to continue notification attempts.
      - a) Forward all records of the next of kin investigation and all notification attempt information to the investigative unit OIC
  - 2. Responsibility for notification of the next of kin transfers to the responding supervisor or senior officer of any section/unit taking charge of an investigation. This includes Traffic Unit on auto fatalities or Homicide Unit on any questionable or suspicious deaths.
    - a. The initial responding supervisor will continue notification attempts until investigation responsibility transfers to another investigating unit.
    - b. The district supervisor will make a blotter entry noting the person taking over the responsibility of notification.
- J. Death Notification Process
- 1. If the next of kin is present, the responding supervisor will make the notification.
  - 2. If the next of kin is not present and within the City limits:
    - a. Attempt to obtain a member of the Police Clergy Team to assist with the notification.
      - 1) Meet the Clergy Team member at a site other than the location of the next of kin. Determine in advance how to present the notification.
    - b. Make the notification in person.
  - 3. When the next of kin is in Hamilton County but outside City limits, first notify the local police agency. They may be able to provide information on the next of kin.
    - a. Advise the agency of your estimated time of arrival and request their response.
  - 4. When the next of kin is outside Hamilton County, notify the Emergency Communications Section (ECS) CIN1 Operator and provide the following information to be forwarded to the notifying agency:
    - a. Name and address of the next of kin
    - b. Name of the deceased

- c. Name and phone number of the investigating district/section/unit where the family may call for further information
  - d. The HCCO telephone number for further information and funeral home designation.
5. After notifying the next of kin, record the following information in the blotter and in all applicable reports:
- a. The name of the person contacted, when, and by whom. Note the contacted person's relationship, address, and phone number.
  - b. The teletype message numbers when used; especially when the notification involves outside agencies.
  - c. The name of the person contacted at the HCCO regarding the next of kin notification.