

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject DEATH INVESTIGATIONS	Policy Number EA-17
		Effective Date 12-25-24
Related Information Arizona Revised Statutes EA-15, <i>Security and Release of Decedent's Property</i> GE-3, <i>Property Management and Evidence Control</i> GJ-2, <i>Critical Incident Response</i> GJ-6, <i>Criminal Investigations Organization and Administration</i> GJ-7, <i>Criminal Investigations Operations</i> GJ-11, <i>Serious Diagnosed Illness, Serious Physical Injury or Death of a Prisoner or Inmate</i> GJ-12, <i>Next-of-Kin Notifications</i>		Supersedes EA-17 (10-25-22)

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures relating to the investigation of all deaths which occur or are discovered within the jurisdiction of the Office.

Although this Office Policy refers to employees throughout, this Office Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to, reserve deputies and posse members.

POLICY

It is the policy of the Office to ensure that all deaths which occur or are discovered within the jurisdiction of the Office, such as unincorporated areas of Maricopa County, Office jail facilities, courts, or any other County owned facilities, are properly investigated, documented, and proper notifications are made.

DEFINITIONS

Attending Physician: The decedent's licensed health care provider of record who was most recently in charge of the decedent's medical care.

Case Agent: The lead investigator designated for a specific investigation. The case agent is responsible for overall management of the case. This would include delegation of investigative tasks, lead tracking, collection of supplemental reports and other relevant case documentation, verifying all evidence is impounded, packaging the case for prosecution, and assisting the prosecutor with the presentation for the case in court proceedings, and providing a final disposition approval of all property and evidence held in reference to the investigation, at the conclusion of the case.

Next-of-Kin: The person or persons most closely related to a decedent by blood or affinity. For the purposes of this policy, Arizona Revised Statute (ARS) 36-831.A specifies the legal order of next-of-kin for the duty of burying the decedent or providing other funeral and disposition arrangements for a deceased person.

Serious Physical Injury: Injury which causes death or creates a reasonable risk of death, severe and permanent disfigurement, severe impairment of health, or loss or protracted impairment of the functions of any bodily organ or limb.

PROCEDURES

1. **Death Investigations:** The Office shall ensure all deaths which occur or are discovered within its jurisdiction are properly investigated, documented, and proper notifications are made. If the manner or cause of death is suspicious, the death investigations shall be assigned to a case agent from the Major Crimes Division (MCD) of the Investigations Bureau. The assignment is based on the apparent cause and manner of death observed during the initial assessment of the decedent, unless circumstances indicated in this Policy directs action or assignment otherwise. Investigative actions related to the various types of death specified in this Policy shall be followed as indicated.
 - A. The MCD shall have the primary investigative responsibility for in-custody or out of custody deaths within the Office's jurisdiction, where the manner of death appears as:
 1. A homicide;
 2. A critical incident, as specified in Office Policy GJ-2, *Critical Incident Response*;
 3. A juvenile that is 10 years of age or younger;
 4. An industrial death;
 5. Of a suspicious nature; or
 6. Any death investigation assigned at the direction of the MCD Commander or designee.
 - B. The MCD can also assist and may consult with the Patrol Bureau on natural deaths that are not determined to be a Maricopa County Office of Medical Examiner (OME) case. The Patrol Bureau shall notify the on call MCD supervisor by email, text message, or TraCS for any out of custody deaths, where the cause or manner of death cannot be assessed due to the condition of the decedent or scene.
 - C. Office personnel shall contact the MCD for guidance and response for deaths involving a decedent who is between the ages of eleven and seventeen, with the investigative responsibility determined by the MCD Supervisor or designee.
 - D. Further criminal investigative procedures and guidelines are specified in Office Policies GJ-6, *Criminal Investigations Organization and Administration* and GJ-7, *Criminal Investigations Operations*.
2. **Maricopa County Office of the Medical Examiner (OME) Cases:** Case agents investigating an OME case shall ensure the OME is notified of the location of the decedent, in order for the OME investigators to respond to the scene to conduct an independent investigation, as specified in ARS 11-593.
 - A. The OME is responsible for ensuring the proper care and transport of the decedent. The assigned case agent or designee shall normally stay with the decedent until it is removed by the OME, unless the death occurred at a hospital or hospice and the decedent can be secured there.
 1. When requested, the case agent on scene shall interact directly with the OME investigators to assist them in conducting an initial examination of the decedent.
 2. Next-of-kin shall be advised to make mortuary arrangements at their convenience. The decedent's body will be released to the selected mortuary at the conclusion of the OME examination. If the next-of-kin has questions about OME processes and OME investigators

are not available, they may be referred to the OME website, www.maricopa.gov/468/Medical-Examiner, and public telephone number, 602-506-3322.

3. Once the medical examiner has sealed the body bag with a numbered plastic seal, the case agent will document the following in the *Incident Report (IR)*:
 - a. Seal number;
 - b. OME investigators name; and
 - c. Mortuary attendant's name.
 4. Depending on the cause and manner of death, the case agent or designee should make efforts to attend the scheduled postmortem examination and process and impound any property or evidence, as specified in Office Policy GE-3, *Property Management and Evidence Control*. Postmortem examinations related to Vehicle Crimes Unit (VCU) cases shall be attended on a case-by-case basis as determined by investigative detectives and confirmed by the VCU Supervisor.
- B. In OME cases, the OME report and documentation shall be requested by the case agent or designee and attached to the IR for historical record purposes.
3. **Death Investigations with No Physician Signature on the Death Certificate:** The OME must be notified in person or by telephone of all death investigations for which there is no death certificate signed by an authorized attending physician. Deputies shall initially secure the scene of all medical examiner cases and request their supervisor to respond. Investigative action shall be determined according to the following:
- A. Non-Suspicious Death Investigations: In the case of a non-suspicious death in which the decedent was being treated for a life-threatening disease and the attending physician cannot be contacted by telephone, the case agent or designee shall call the OME.
 1. The OME investigator may determine the case does not meet their statutory jurisdictional criteria and decline to respond to the scene based on the circumstances surrounding the death and the medical history provided to them by the case agent or designee.
 2. In this case, the case agent or designee shall follow the same procedures as if there were a signed death certificate, as specified in this Policy.
 - B. Suspicious deaths shall be investigated by the MCD.
 - C. All other deaths, except for natural deaths, may be referred to the on call MCD supervisor or designee.
4. **Death Investigations with Physician's Signature on the Death Certificate:** The Patrol Bureau shall have primary investigative responsibility for out of custody deaths, where the manner of death is believed to be natural. The Patrol Bureau may consult with the MCD on any death investigation, and the MCD may assist the Patrol Bureau as needed at the direction of the MCD Commander or designee. The Patrol Bureau shall notify the on call MCD supervisor by email, text message, or TraCS for any out of custody deaths, where the cause or manner of death cannot be assessed. When a person has died of apparent natural causes and there is a current healthcare provider or their medical partner who is familiar with the decedent's medical history, is qualified, available, and is expected to sign a death certificate, an IR shall be completed explaining the circumstances.

- A. These cases shall normally be investigated by patrol deputies, which shall include the examination of the decedent, scene, and interviews of any witnesses who may have been present or had knowledge of the incident.
 - B. It is necessary for the case agent or designee to speak to the current healthcare provider or their medical partner, normally by telephone, to confirm that they are in fact the attending current healthcare provider or medical partner who is familiar with the decedent's medical history, and that they are expected to sign the death certificate. When the case has been assessed by the OME and jurisdiction declined, that fact may be relayed to the current healthcare provider to assure them there are no signs the death is non-natural.
 - 1. Physicians, (medical doctors and osteopaths), naturopathic doctors, nurse midwives, nurse practitioners, and physician assistants licensed to practice in Arizona, as specified in ARS 36-301.19, are legally authorized to sign death certificates; chiropractors and naturopaths are not. Additionally, healthcare providers licensed in another US jurisdiction and working in a federal healthcare facility (such as Veteran Affairs facilities), may also sign death certificates.
 - 2. Only healthcare providers who are the decedents current healthcare provider or a medical partner familiar with the decedent's medical history, who are treating the decedent for a potentially fatal illness, may sign the death certificate, as specified in ARS 36-325. Otherwise, the death must be referred to the OME.
 - C. The decedent's next-of-kin may select a mortuary. If next-of-kin are not available, or have no preference as to a mortuary, the case agent or designee shall contact the OME and advise them of the location of the decedent. The OME shall then provide the case agent or designee with the name of a mortuary from within the district with jurisdiction over the investigation, selected on a rotation basis, for pickup of the decedent.
 - D. The case agent or designee shall ensure the selected mortuary is contacted to request removal of the decedent. The case agent or designee shall normally stay with the decedent until they are removed by mortuary personnel or their designated transporters.
 - E. The case agent or designee shall include the name of the transporters, and the mortuary in the IR or supplemental report, and whether the chosen mortuary was used at the request of the decedent's family or through a rotation assignment by the OME.
5. **Skeletal Remains:** Upon the discovery of skeletal remains, the deputy shall secure the scene and notify their supervisor. Notification shall also be made to the MCD for consultation on whom shall take investigative responsibility. The deputy on scene should photograph the remains, and the scene, and conduct interviews of any witnesses who discovered the remains or have knowledge of the incident and provide the information to the case agent.
6. **Death at a Hospital, Hospice, Retirement Home, or Assisted Living Center:** If a deputy is dispatched to a hospital, hospice, retirement home, or assisted living center for an unknown death, the deputy shall determine if the decedent died as a result of an accident or natural causes.
- A. If the decedent was admitted to a hospital due to injuries sustained in a traffic accident, which the VCU was not notified about, then the VCU Supervisor or designee will be contacted. VCU investigators will normally respond only to conduct the follow-up investigation.
 - B. If the decedent was admitted to a hospital due to a natural cause, then the hospital will be referred directly to the OME; no IR is required.

- C. If the decedent died of natural causes at a hospice, retirement home, or assisted living center, the deputy shall notify the OME; no IR is required.
7. **Serious Injury or Industrial Deaths Resulting from Non-Traffic Related Accidents:** In the event that serious injury or death occurs from a non-traffic related accident that involves electrical, gas, plumbing, mechanical systems including boilers and elevators, or building structural problems, the Maricopa County Planning and Development Department, Building and Zoning Division, , shall be notified. Accidental deaths of this nature are OME cases and require an accidental death IR. These cases shall be investigated by the MCD and assigned at the direction of the MCD Commander or designee.
- A. If a building is owned by Maricopa County, a Maricopa County Planning and Zoning building inspector may be dispatched to assist in the investigation and determine if a County Building Code was violated.
 - B. Accidents involving public utilities, such as gas mains and power lines, shall be reported to the company owning and operating the facility or equipment.
 - C. When an accident occurs during non-business hours and a hazard exists, the Communications Division shall notify the appropriate authorities.
 - D. Non-traffic related accidents occurring in incorporated cities, including those for which the Office provides law enforcement by contract, should be reported to the appropriate municipal authorities.
8. **Death or Serious Physical Injury of a Prisoner or Inmate:** The death or serious physical injury of a prisoner or inmate in custody shall be investigated, as specified in Office Policies GJ-2, *Critical Incident Response* and GJ-11, *Serious Diagnosed Illness, Serious Physical Injury or Death of a Prisoner or Inmate*.
9. **Next-of-Kin Identification and Notification:** Next-of-Kin identification and notification shall be made, as specified in Office Policy GJ-12, *Next-of-Kin Notifications*.
10. **Property:** In OME cases, if circumstances allow, the case agent or designee should not move any items prior to the OME investigation of the death.
- A. If the decedents body or body parts need to be moved for any safety reasons prior to the OMEs arrival, the movement of the body or body parts shall be documented at the scene, and indicated in the IR. The case agent or designee shall brief the OME upon their arrival regarding the movement of the body or body parts, as specified in EA-15, *Security and Release of Decedent's Property*.
 - B. Prior to any movement of the body or body parts, the case agent or designee shall photograph the original location of the body and all visible items of evidentiary or monetary value on the body shall be documented both at the scene, and in the IR, as specified in EA-15, *Security and Release of Decedent's Property*.
 - C. Otherwise, the case agent or designee shall impound items as evidence or safekeeping, found in the vicinity of the decedent, including personal property, instruments, or weapons that may have been used in the death requiring investigation. The impounding of property shall be followed, as specified in Office Policy GE-3, *Property Management and Evidence Control*. When no next-of-kin is available to secure the decedent's residence, the procedures shall be followed, as specified in Office Policy EA-15, *Security and Release of Decedent's Property*.
11. **Arizona Crime Information Center (ACIC) / National Crime Information Center (NCIC) Check:** The case agent or designee shall request the Operations Information Center/Warrant Section run an ACIC/NCIC check to determine if there are entries in the system regarding the decedent, and if so, the OIC/Warrant Section shall be responsible for ensuring the decedent's name is removed from the system. The case agent shall ensure the ACIC/NCIC information is documented in the IR.