



BRAINTREE POLICE DEPARTMENT

Policy and Procedure

Death Investigations

2019-61

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Chief Paul Shastany

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Policy

Massachusetts General Laws prescribe the duties and authority of the Office of the Chief Medical Examiner in relation to taking charge of the body of the deceased, conducting searches and examinations and providing for the removal and disposition of the body. In addition, the same statute defines the role and responsibility of the District Attorney's Office in these circumstances. It is the responsibility of the Braintree Police to preserve the body and surrounding environments so that the Medical Examiner and Representatives of the District Attorney can conduct their required tasks effectively and successfully. The Braintree Police Department will cooperate fully with those authorities and contribute all information pertaining to the identity of the deceased and the nature and manner of death. Significantly, while the Medical Examiner and representatives of the District Attorney's office are examining the body, the Braintree Police should pursue all appropriate investigative routes.

Dispatcher Duties

Upon receiving information that a possible sudden death has occurred or a body has been found, the dispatcher shall;

- Advise the supervisor of the situation;
- Dispatch officers and a supervisor (if available) to the scene, advising them of action already taken;
- Dispatch sufficient units to address the situation to include emergency medical personnel; and
- Request assistance, when necessary, from utility companies or outside agencies for assistance or make the scene safe.

Medical Aid
and Transport

An officer who discovers, or is dispatched to the scene of an apparent death, shall immediately initiate resuscitation procedures if there is any possibility of reviving the victim. In all cases, the officer will ensure that an ambulance has been requested to respond. If Paramedics or EMTs determine that there is a chance of reviving the victim then he/she will be promptly transported to the most appropriate medical facility. In the event there isn't a transport, the officer shall secure the scene as necessary.

Notification
Guidelines
41.2.4

If the person is pronounced dead, the officer shall immediately notify the Shift Commander and the Medical Examiner. The General Laws require that the Medical Examiner's Office must be notified when any person in the Commonwealth is suspected to have died under any of the following circumstances:

- By Violence;
- By the action of any chemical, thermal or electrical agent;
- Following Abortion;
- From disease resulting from the injury or infection relating to any occupation;
- Suddenly when not disabled by recognizable disease;
- From Malnutrition;
- From Sexual Abuse;
- When a child who is determined to have been physically dependent upon an addictive drug at birth; and
- When any person is found that has died an unnatural or unattended death.

When the above circumstances apply, then it will be the duty of the investigating officer to notify the Medical Examiner's Office of the known facts concerning the personal information of the deceased, the time, place, manner, circumstances and possible cause of death. The investigating officer will generate a written report. A supervisor shall be called to the scene for any sudden death, if available. In addition, the dispatcher or station officer shall notify a detective supervisor, and the District Attorney's Office through the Mass. State Police Detective Unit (SPDU). **[41.2.4]**

The first officer/investigating officer at the scene shall be in charge until the arrival of a supervisor, if available. The investigating officer shall only leave the scene in case of an emergency. The investigating officer shall secure the scene and be present personally to ensure that everything

remains undisturbed until the arrival of the Medical Examiner and the District Attorney representative or until relieved by a supervisor.

Preliminary Investigation

In the case of suicide or suspected homicide a detective supervisor shall be notified and will respond to investigate or will assign a detective to respond and investigate. Pending the arrival of the Medical Examiner or District Attorney's Representative, and providing that the body is undisturbed, the investigation should commence including photographs, search for and preservation of evidence and for latent fingerprints. All procedures for preliminary investigations, securing of crime scene and collection of evidence will be followed. While awaiting arrival of the Medical Examiner, the investigating officer shall make a record of all particulars including but not limited to, date and time of arrival, name and address of witnesses, names and times of arrivals of officials responding to the scene, identity of victim, next of kin, and all known circumstances surrounding the death. A written report will be generated and a copy made available to the Medical Examiner and District Attorney's office.

Body Removal

A dead body, regardless of the type of death, shall only be removed at the direction of the Medical Examiner or District Attorney; however, a badly mangled body open to public view may be covered. If the death is due to a traffic accident, all efforts will be taken to close the road and traffic re-routed. If road closure is not possible and the remains create a traffic hazard, the body will be relocated to a nearby suitable site. If the dead body is found in water, it may be removed to the nearest suitable shelter. Before a body is moved, its location and position shall be recorded, and if possible, marked and photographed.

On Scene Authority

Once the Medical Examiner arrives, he or she has the lawful right to take charge of the body. Once the District Attorney or his/her representative arrives at or is notified of the discovery of the dead body, the District Attorney shall have the authority to direct and control the criminal investigation of the death. The Braintree Police shall cooperate and coordinate their efforts with those of the Medical Examiner and District Attorney.

The Medical Examiner shall take charge of any money or personal property of the deceased found on or near the body. The Medical Examiner shall deliver the money or personal property to the person entitled to its possession or custody unless it is required as evidence.

If not at a medical care facility, the officer shall remain on scene until the body is removed from the scene by the Medical Examiner's office or funeral home. Transportation of bodies of persons who have died from

any disease dangerous to public health must be in accordance with the rules and regulations of the Department of Public Health.

Persons Under
the age of 18

An officer who has reasonable cause to believe that a child under the age of eighteen(18) years has died as a result of abuse, or from neglect, including malnutrition, shall, in addition to the officials normally contacted, immediately report such condition to the Department of Children and Families (D.C.F.). The investigating officer shall contact D.C.F. via telephone and a written report shall be forwarded within 48 hours of the incident. The written report, which may be a copy of the officer's report, shall be reviewed and approved by the Shift Commander prior to release to assure it includes:

- The names and addresses of the child and parents or other persons responsible for his/her care;
- The child's age and sex;
- Circumstances under which the officer first became aware of the death; and
- Action taken and, any other information which may be helpful in establishing the cause of death M.G.L. c. 276 §1.

Reports

The assigned investigating officer will generate a preliminary report prior to their end of shift to include, but not be limited to, the known facts concerning the personal information of the deceased, the time, place, manner, circumstances and possible cause of death, and money or personal property of the deceased found on or near the body. Investigating officers will document and photograph any obvious visible jewelry worn by the deceased prior to transport to the Medical Examiner's office or funeral home. If other jewelry items should be exposed to view by the Medical Examiner's Office, CPAC or Funeral Home, these items will be documented in writing and photographed if possible. Our first responsibility is the preservation of the crime scene.

A public records requester, for a release of reports, shall be directed to request the report by writing to the District Attorney's Office.