



MISCELLANEOUS INVESTIGATIVE POLICIES

FC No.: 620

Date: 05-20-01

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I. Deaths Occurring in the Potomac River

A. Jurisdiction

1. Maryland jurisdiction extends to the high water mark on the Virginia shore of the Potomac River. Consequently, dead bodies found or recovered in the Potomac River are to be released to the jurisdiction of the Maryland Medical Examiner.
2. The Maryland Medical Examiner must give authority for a body to be removed. The Medical Examiner will be summoned to the scene to assist investigators and to direct the disposition of the body.
3. Deaths occurring after the removal of a live body from the Potomac River will become the responsibility of the jurisdiction within which the subject expires.

B. Patrol Responsibility (CALEA 42.1.4)

Patrol officers, upon verifying a death in or on the Potomac River, or finding a dead body in the river, will:

1. Secure the scene and take control of the body.
2. Request the assistance of the Medical Examiner and a Homicide/Sex investigator.
3. Complete the event report.

C. Investigative Responsibility (CALEA 42.1.4)

A Homicide/Sex investigator will be responsible for:

1. Follow-up investigation.
2. Coordination with the Medical Examiner concerning disposition of the dead body.
3. Coordination with other police agencies concerning circumstances surrounding the death.
4. Notification of the next of kin. (CALEA 55.2.6)

II. Next-of-Kin Notifications (CALEA 55.2.6)

A. Procedures

1. When called upon to notify people of the death, serious injury, or serious illness of a relative, officers will handle the notification in person with the assistance of another officer, if possible. Notifications will be made by telephone only if absolutely necessary.
2. Notification will be made in a prompt, sensitive, and empathetic manner. A close friend or other relative can assist if it would facilitate the notification. Officers may offer to assist in notifying other relatives or clergy.
3. In those cases where the Homicide/Sex Section and/or Collision Reconstruction Section assumes responsibility for the investigation, the supervisor of the respective investigative section will authorize and be responsible for all notifications of the next-of-kin.
4. When another police agency is requested to make a death notification, officers will request that the notification be made in person and not by telephone.
5. For notifications involving persons involved in traffic collisions, refer to FC 1021, "Motor Vehicle Collisions."
6. For notifications involving department personnel, refer to FC 1151, "Line-Of-Duty Deaths."

B. Notification Request from Other Agencies

Requests from other agencies will be evaluated as to their propriety and then dispatched to the appropriate unit for handling. If additional information is necessary to properly handle the notification, ECC personnel will have the officer contact ECC or the requesting agency for clarifying information.

III. Suicide Intention Notes

A. Procedure (CALEA 42.2.1.c)

Suicide intention notes from successful suicides that come into the possession of the police will be handled as follows:

1. The original will be turned over to the Homicide/Sex investigator assigned to the case.
2. The original note will be included in the case file in the Homicide/Sex Section. If the family of the deceased requests that the note be returned, a copy of the note will be included in the case file and the original note returned to the family provided the state has no further need of it. It will be noted in the case report to whom the original note was given.

B. Suicide intention notes recovered from suicide attempts will be attached to, and forwarded with, the officer's original report.

IV. *Medical Records*

A. *Pursuant to the Maryland Code Health General, subsections 4-305, 4-306, 4-306(a), and 4-306(b)(7), "provides that health care providers shall disclose medical records without patients' authorization to grand juries, prosecution and law enforcement agencies, and/or their agents or employees to further an investigation or prosecution, pursuant to a subpoena, warrant, or court order for investigating and prosecuting criminal activity, provided that the agencies have written procedures to protect the confidentiality of the records."*

B. *Procedure (CALEA 42.2.1.c)*

1. *Medical records received by the Montgomery County Department of Police pursuant to a subpoena, warrant, or court order for the purposes of a criminal investigation shall be treated as confidential material and will not be made public by the department.*
2. *Medical records will become part of the case file; however, they will be stored in a separate and secure location designated by the District/Unit Commander. Investigating officers will note in their case file the existence of medical records and the location where the records are stored.*

V. **Proponent Unit:** ISB Administration, FSB Administration

VI. **Cancellation**

This directive cancels Function Code 620, dated 08-16-00.



Charles A. Moose, Ph.D.

Chief of Police