

Death Investigation

Investigating Arrest-Related Deaths

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Abstract: Annually a small number of individuals suddenly die after a physical restraint incident with police, correctional, or mental health personnel. The person exhibits bizarre and violent behaviors frequently related to chemical impairment symptoms associated with excited delirium, mental impairment, or both. Restraining officers use physical control techniques and less-lethal devices in order to control the combative person, as they have previously done without a death occurring, but in this incident an unexpected arrest-related death occurs. Some of these deaths have previously been blamed on positional or restraint asphyxiation. Recent proscriptive field research reveals that other factors are commonly associated with the death other than the restraint procedures applied by the restraining officers.

A central problem often emerges in identifying the exact cause of death. As a result numerous questions emerge which are directed at the restraining officers, administrators of the arresting or restraining agency, and medico-legal investigators. Because these incidents often generate civil liability claims against the restraining personnel and agency investigators, it is paramount that a thorough and comprehensive investigation be completed.

This presentation identifies protocols for conducting investigations into sudden arrest-related deaths and examines: the nature of these deaths and associated factors; the use of less-lethal force equipment; the use of physical control, restraint techniques and equipment; scene investigation; the body as evidence; evidence collection; decedent background; interviews of witnesses; terminal episode history; investigator at the autopsy, investigation checklists, maintaining the file, and composing the report.

The presentation addresses key investigation components which every investigator should consider when tasked with an arrest-related death investigation. The presentation will assist the investigator in ensuring proper protocols are followed which work to mitigate potential errors of the investigation.