



Police Department

10 South Brentwood Blvd. • Clayton, Missouri 63105-1620 • (314) 645-3000 • FAX (314) 863-0285

DEPARTMENT GENERAL ORDER 18-06

OFFICE of the CHIEF OF POLICE
REPLACES:

DATE: November 2, 2018

IN-CUSTODY DEATHS

I. PURPOSE

It is the policy of the Clayton Police Department that in-custody deaths, suicides or attempted suicides be investigated to determine whether this Department's policy, procedures, and rules, and were followed. This policy applies to the investigation of situations in which a person dies while in police custody or while an officer is attempting to effect custody.

II. DEFINITIONS

- A. In-Custody Death – The death of an individual while in custody or while attempts to effect custody are being made.
- B. Incident – The arrest or attempted arrest of an individual who subsequently dies in custody.
- C. Involved Officer – Any sworn personnel in on-duty or off-duty status who arrest or are in the process of arresting a subject who subsequently dies in custody or are direct witnesses to such events.
- D. Principal Officer – Any sworn personnel in on-duty or off-duty who arrest or in the process of arresting a subject who subsequently dies in custody. This does not include any department personnel who were only a direct witness to an Incident

III. PROCEDURE

- A. In-Custody Death Investigations. Facts that are germane to investigations of in-custody deaths shall include, but not limited to the following:
1. Information noted by the dispatcher from background noises during the call, as well as information provided by the reporting party that may be related to the subject's behavior, use of drugs or alcohol, previous law enforcement encounters, presence of weapons, and mental health concerns.
 2. Officer observations of the subject's behavior during the arrest, for example, was the person:
 - a. calm or emotionally charged,
 - b. rational or confused,
 - c. able to communicate or difficult to engage in conversation,
 - d. experiencing hallucinations or delusions,
 - e. perspiring heavily,
 - f. wearing inappropriate clothing or in a state of undress,
 - g. exhibiting a high tolerance for pain, or
 - h. engaging in a protracted physical encounter with officers
 3. Whether family or friends indicate that the subject had been drinking heavily, using drugs, or both; whether the subject had been involved with the police on prior occasions; any other relevant information provided; whether the subject was threatening anyone or in possession of a weapon; and whether the subject was suicidal or made threats of harm to others or self.
 4. Whether the subject was visibly injured in any way when the police arrived and what, if any, injuries were sustained prior to death.
 5. What measure the Principal Officer(s) took to gain control and custody, such as
 - a. attempting to calmly "talk the person down",
 - b. maintaining distance,
 - c. reducing noise by turning off sirens,
 - d. reassuring the subject,
 - e. buying time,
 - f. asking simple questions to determine the subject's level of coherence,
 - g. attempting to deescalate the situation or other actions, and
 - h. directing others at the scene to move away.
 6. Whether custody was required.
 7. The length of time it took to gain control of the subject. Whether there was a protracted struggle, or the subject was subdued quickly.
 8. The means used to restrain the subject.
 9. When in custody, where and how the subject was situated (e.g., placed face down on the ground, in a seated position, in a police vehicle sitting or lying down).

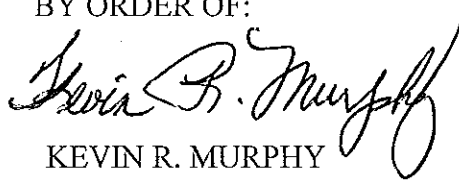
10. The physical reactions of the subject once arrested. For example, did he or she become calm or continue to struggle and act physically and verbally combative?
11. Whether EMS was called and, if so, at what point during the confrontation.
12. Whether the subject's condition (such as breathing and consciousness) was monitored after arrest. Whether the subject became unresponsive, who was present at the time, and what steps were taken by the officer(s).
13. Was there any video/audio available regarding the incident (Either fixed point or cell phone).
14. When death was pronounced and by whom and the results of the autopsy.
15. The information provided in the subject's medical history and lifestyle.

B. After an incident, Involved Officer(s) shall immediately, to the degree reasonably possible:

1. Take steps to protect their safety, determine the physical condition of any injured person(s), and render first aid when appropriate.
 - a. Officers shall render immediate and appropriate medical aid to anyone claiming to be injured or who is injured; or when an officer reasonably believes an individual needs medical treatment due to officer's response to the person's resistance/aggression. Officers shall render aid if it can be done without endangering themselves or others and if the person is conscious and will permit officers to render aid.
 - b. Appropriate aid shall be determined on a case-by-case basis after a careful but quick assessment of the person's condition. Appropriate medical aid may include increased observation to detect obvious changes in condition.
 - c. Officers shall request the necessary emergency medical services (EMS) to have the person's condition evaluated by EMS personnel. Medical assistance shall be summoned for any person who is unconscious, unresponsive, or otherwise incapable of refusing EMS assistance.
2. Notify Communications of the incident and location and request an on-duty Supervisor to respond.
3. Secure the scene and preserve evidence.
4. The supervisor will, upon arrival, assume command responsibility of the scene. Notify Patrol Bureau Commander, who will, or his designee notify the Chief of Police and the Commander of Investigations.

5. The Medical Examiner's Office will be contacted and informed of the incident.
6. All death cases and successful suicides require a full investigation by CID. The CID Supervisor will investigate circumstance surrounding the death and make recommendations to the Chief of Police.
7. The Chief of Police reserves the right to have in-custody deaths or successful suicides investigated by an outside agency.

BY ORDER OF:

A handwritten signature in cursive script that reads "Kevin R. Murphy". The signature is written in black ink and is positioned above the printed name and title.

KEVIN R. MURPHY
Chief of Police

KRM:jpa