

**CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES**

DATE: May 15, 2020

HISTORY: December 20, 2019

SUBJECT: Overdose Death (Len Bias) Investigation

POLICY NUMBER: 20-094

I. PURPOSE

The purpose of this procedure is to provide an operating guideline for a suspected drug overdose death investigation.

II. PROCEDURE

A. SECURE CRIME SCENE

1. Limit access to only necessary personnel using police tape and/or physical monitoring.
2. Assess need for additional personnel and detectives. (Check with Supervisor/Captain)
3. First officer on scene should start taking photos of overall scene and where things are located, if possible. Don't start collecting evidence until the ME's office has the chance to take their own photos.
4. Notify the medical examiner's office as soon as possible.
5. Notify Metro with approval from Captain/Chief – WCC will have Metro on call schedule.
6. On call ADA cellphone is [REDACTED].

**** USE EXTREME CAUTION/PPE WHEN DEALING WITH THESE SCENES ****

B. VICTIM

1. Have EMS point out any "holes" they made. You may want to circle them with a sharpie or ballpoint pen. Document holes/IV's that EMS made with photos.
2. EMS-get names of all staff.
3. Was Narcan administered? If so, how many doses?
4. Seize clothes.

C. COLLECTION OF EVIDENCE

1. Consent / Plain View / Search Warrant
2. Evidence should be collected by Evidence Tech/Detective. Use gloves and don't compromise DNA. Evidence should be photographed first and then collected.
3. Seize medications as evidence otherwise ME will take them.

4. Phones-collect ALL phones, recently used phones and any mobile devices (laptop, ipads, tablets, computers).
5. Get passwords for all devices (fingerprint may be used).
6. Leave phones on and charged (DO NOT try to get into the phone) and use faraday bags.

D. SEPARATE SUBJECTS AT RESIDENCE

1. Identify everyone to include: full name, date of birth, phone number, work
2. Interview (Detectives): things to think about
 - a. Drug history
 - b. Work
 - c. Spouse or significant other information
 - d. Dealer (if known)
 - e. Narcan used? How much?
 - f. Ex's
 - g. Cars
 - h. How often/how much they use – overdose history, how long ago?
 - i. Friends
 - j. Banking – where and what are sources of money? If the victim needed \$100, where would they get it?
 - k. Phone information (what kind of phone and carrier) and passwords
 - l. Victims social media names and accounts
 - m. 24-hour background – type of behavior, recent contacts
 - n. Identify the person who made the 911 call
 - o. Identify who located or discovered the overdose victim
3. Additional information to be gathered:
 - a. Check ALPRS in suburban and Milwaukee areas
 - b. If video is available get immediately (ring cameras, ARLO, store surveillance, gas stations)
 - c. Get copy of 911 call from WCC

E. SEARCHING

1. Searching can be done with signed consent or a search warrant.
2. Search warrants – may need to contact ADA through WCC.
3. Take several photographs for evidentiary purposes to document body position, surrounding area of the victim.
4. Things to include in the warrant: house, garage, garbage, vehicle, out buildings, all electronic devices and the examination of these devices.
5. If the victim lives alone, you may not need warrant. No standing to object. If so, things to include to search: house, garage, garbage, vehicle, out buildings. If evidence found, photo and collect.

F. PRESERVATION LETTERS

1. Send preservation letters for suspect, witness, and any associates on scene for all cell phone carriers. If carrier unknown use Neustar 571-434-5781. Preservation letters can be sent to Facebook, Snapchat, and attempt to get Gmail accounts, if they have one.
2. You will get text content for US Cellular and Verizon. They only retain for a short period of time.
3. You will get tower information for all carriers.
4. Go back a month prior to incident for records as this provides a better sample database of numbers.
5. If suspected, a preservation letter and search warrant for the home phone may need to be filed.

G. FOLLOW UP DAY(s) AFTER INCIDENT

1. Contact HIDTA for an Administrative Subpoena. WSD Heroin Task Force member only get tolls, we need a warrant for towers.
2. Continue follow up on 24HR background.
3. Neighborhood canvas should be completed within 24 hours (depending on time of overdose, do canvas right away).
4. Write warrants for phone records and tower information.
5. Submit records to HIDTA ISC analyst.
6. Autopsy – lead detective or representation from department should attend.
7. Property inventory all evidence my medical examiner including clothing and all personal effects.
8. Lead detective consult with ID/EV Tech for evidence to be sent to the crime lab.
9. Check with PDMP for prescription information and compare with drugs found in system.

When conducting the investigation, it is crucial to narrow down the timeline between the purchase/distribution of the drugs to the time of death

III. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict