



Citizens' Aide/Ombudsman
Ola Babcock Miller Building
1112 East Grand Avenue
Des Moines, IA 50319-0231

PRESS RELEASE

State of Iowa Citizens' Aide/Ombudsman

Date: November 18, 2005

**Re: Investigation into the timeliness of the death
notification to the surviving spouse of a motor vehicle
accident victim**

For more information contact:

William P. Angrick II, (515) 281-3592 or 1-888-IA-OMBUD (1-888-426-6283) toll free

DES MOINES – Nearly eleven (11) hours passed before Jo Anne Holland received official word that her husband, Ross Holland, had been involved in a fatal accident. State and local government agencies responsible for victim identification and death notification did not respond appropriately, according to an investigative report released today by State Ombudsman Bill Angrick.

Angrick reports the agencies failed to follow up on the identification information they collected at the scene. They did not use that information to access other information so identifications could be made and death notifications accomplished as soon as possible.

At 8:00 am, on Saturday, June 22, 2002, Ross Holland left his home in Boone, Iowa, to join friends to ride motorcycles to Anamosa, Iowa. At 11:05 am, a van heading west on US Highway 30, crossed the centerline one mile west of Highway 21, or about fourteen (14) miles east of Tama, Iowa, and struck four of six motorcyclists, traveling in a group. Three of the four stricken motorcyclists, including Holland, died at the scene.

The Tama County Sheriff's Office, the Iowa State Patrol, and the Tama County Medical Examiner were called to the scene. The Tama County Medical Examiner pronounced the body of John Doe #1, later identified as Ross Holland, dead at the scene at 11:56 am.

Jo Anne Holland expected her husband home later in the day, between 5:30 and 6:00 pm. After she returned home from shopping, around 4:00 pm, she heard about a tragic motorcycle accident in eastern Iowa. She called the Boone Police Department and was referred to the sheriff's office in the county where the accident occurred. Because she didn't know which county, she called a television station, and was referred to the State Patrol. She called the State Patrol several times that evening, trying to get information, trying to find out if her husband was involved in the accident. Each time she was told they didn't know but someone would be calling her back, but no one ever did.

At 10:47 pm, a Boone County Sheriff's Deputy and a pastor informed Holland, at her home, they had just received word from the Iowa State Patrol that her husband had died in a motor vehicle accident occurring in Tama County earlier that morning.

According to Angrick, by most accounts, the agencies could not positively identify the bodies at the scene, but they could have used the information collected at the scene to gather more information to identify the bodies. They had drivers' licenses, vehicle registrations, and other personal documents. They may not have had sufficient information at the scene to make a positive identification; but they did have sufficient information in order to formulate a reasonable suspicion. They had names and addresses, and they knew where to go to collect additional identification information.

But, according to Angrick, they didn't and this resulted in delayed notification, which was unreasonable and unfair to the families of the deceased.

In his report, Angrick doesn't blame any particular officer or official for the late notification. Instead, he critiques the agencies involved for not having a better system in place for assigning, defining, and documenting the duties and responsibilities for collecting and analyzing identification information so that death notifications are accomplished as soon as possible.

Angrick recommended the agencies – State Medical Examiner's Office, Iowa Department of Public Safety/Iowa State Patrol, Tama County Sheriff's Office, and the Tama County Medical Examiner – work together and with other interested persons and organizations to propose legislation or develop rule or policy that better defines when and how and by whom additional identification information is collected and analyzed, as well as when and how and by whom death notifications are accomplished.

Angrick also recommended that the Iowa Department of Public Safety/Iowa State Patrol, Tama County Sheriff's Office, and the Tama County Medical Examiner send a letter of apology to Jo Anne Holland.

Three of the four agencies responded to the Ombudsman's report, and those responses are included in the report.

State Medical Examiner Dr. Julia Goodin responded by stating her office will “draft and distribute guidelines to county medical examiners and their investigators regarding steps to take in order to establish positive identification of the deceased and how to work with law enforcement to ensure next-of-kin is notified once a positive identification is made.”

Kevin Techau, Commissioner of the Iowa Department of Public Safety, responded by stating his department “is always willing to participate in constructive dialog regarding meaningful legislation to improve public safety or service for the citizens of and visitors to the State of Iowa.” Commissioner Techau also stated “a letter of apology will be sent to Ms. Holland with my signature.”

Tama County Medical Examiner Dr. Dennis Mallory responded by stating, in part, “It is my professional opinion that addition of legislation and/or regulation is not appropriate in this area.” He stated, “Procedures and protocols cannot prescribe precise action because of the variables in each case.” He also stated, “I regret the unfortunate happenings and I extend my sympathy to the families.”

To obtain a copy of the report, contact the Ombudsman at 515-281-3592, 888-426-6283 (toll-free), 515-242-5065 (TTY), 515-242-6007 (FAX), or e-mail at ombudsman@legis.state.ia.us. The report is also available at the Ombudsman's website, www.legis.state.ia.us/ombudsman.

The Ombudsman is an independent, nonpartisan investigative agency of the Iowa General Assembly. Its powers and duties are defined in Iowa Code Chapter 2C. The Ombudsman investigates complaints against most Iowa state and local governmental agencies.