

# DEATHS IN-CUSTODY

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# DISCLOSURES/DISCLAIMERS

- I serve on the Board of Directors and Executive Committee of the National Association of Medical Examiners (NAME)
- The views/opinions expressed reflect my own perspective as a board-certified forensic pathology
- The views/opinions expressed do not reflect the policies or positions of NAME or those of any company/clients which I work/consult with

**Repetition is the  
key to mastery.**



# MEDICOLEGAL JURISDICTION

- Suspected or apparent homicide
- Suspected or apparent suicide
- Suspected or apparent accident
- Skeletal remains
- Unnatural or unexpected infant/child deaths
- Death occurring while in police custody
- Apparent natural death with no primary care provider to sign the death certificate







## New video appears to show three police officers kneeling on George Floyd



By Paul P. Murphy, CNN

Updated 8:13 PM ET, Wed June 3, 2020



More from CNN

US obesity e  
undermine  
Covid-19...

Alexis Chan  
married to S  
and his...



## Rayshard Brooks shot by police in Atlanta

© Sunday 14 June 2020 10:35, UK



An African-American man has been killed by police following a struggle after he fell asleep in his car at a drive-through restaurant in Atlanta.



# MANNER OF DEATH

Natural

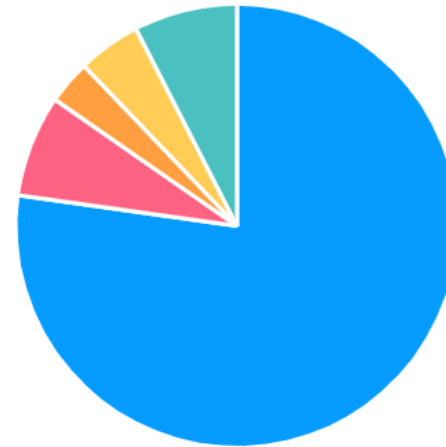
Accident

Suicide

Homicide

Undetermined

■ Natural ■ Accident ■ Homicide ■ Suicide ■ Pending



2019-2024

# FORENSIC AUTOPSY PERFORMANCE STANDARDS

- **Standard A1:  
Responsibilities**
  - ...must investigate cooperatively with, but independent from, law enforcement and prosecutors
- To promote competent and objective death investigations

## ***Forensic Autopsy Performance Standards***



Prepared by:

Garry F. Peterson, M.D. (Committee Chair, 2005)  
Steven C. Clark, Ph.D. (NAME Consultant)

Approved by General Membership

October 17, 2005 NAME Annual Meeting, Los Angeles, California  
October 4, 2010 NAME Annual Meeting, Cleveland, Ohio  
October 5, 2015 NAME Annual Meeting, Charlotte, North Carolina  
September 25, 2020 (Online)

Amendments Approved by General Membership

October 17, 2022 NAME Annual Meeting, Dallas, Texas

Amendments Approved by General Membership

October 17, 2023 NAME Annual Meeting, San Jose, California

(Sunset date Annual Business Meeting in 2025)





As a participant in the investigation of death, you join a team of multidisciplinary experts, focused on determining the cause of death.



# MEDICOLEGAL DEATH INVESTIGATOR

“The role of the medicolegal death investigator is to investigate any death that falls under the jurisdiction of the medical examiner or coroner, including all suspicious, violent, unexplained and unexpected deaths”  
- American Board of Medicolegal Death Investigators (ABMDI).

# IMPORTANCE OF INVESTIGATION

Without a complete investigation:

- Difficult to determine cause and manner of death
- Disadvantage for pathologist conducting autopsy
- Disadvantage for those trying court cases
- Hinders prevention efforts

# INVESTIGATION

## ALL DEATHS

- Name
- Demographics
- Medical, Mental, Social history
- Facts and circumstances
- Where, when, date and time pronounced and by whom

# SCENE RESPONSE?

Death Scene – location where the person is found deceased or pronounced death

Incident Scene – location where significant event, including a death, took place



# DEATHS IN CUSTODY QUESTIONS

## PRECUSTODY/ARREST

- Reason stopped, detained, or arrested??
- Less lethal options used??
- Were restraints used

## BOOKING/INCARCERATION

- Date booked or entry into prison
- Charges??
- Housing status
- Suicide watch
- Restrained
- Medical treatment





# AUTOPSY

- Standard B3: Selecting Deaths Requiring Forensic Autopsies
  - ❖ The forensic pathologist shall perform a forensic autopsy when:
    - ✓ B3.3 the death is associated with police action.
    - ✓ B3.4 the death is apparently non-natural and in custody of a local, state, or federal institution.

# ANCILLARY STUDIES

- PHOTOGRAPHY
- RADIOLOGY
- EVIDENCE
- HISTOLOGY
- TOXICOLOGY
- MICROBIOLOGY



g. \_\_\_\_\_  
h. \_\_\_\_\_  
i. \_\_\_\_\_

## CERTIFIER

j. \_\_\_\_\_  
k. \_\_\_\_\_  
l. \_\_\_\_\_  
m. \_\_\_\_\_  
n. \_\_\_\_\_  
o. \_\_\_\_\_  
p. \_\_\_\_\_  
q. \_\_\_\_\_  
r. \_\_\_\_\_  
s. \_\_\_\_\_  
t. \_\_\_\_\_  
u. \_\_\_\_\_

28a. Certifier  
(Check Only One)

☐ **Certifying Physician**

To the best of my knowledge, death occurred at the time, date, and place; and due to the cause(s) and manner as stated.

☐ **Coroner**

On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place; and due to the cause(s) and manner as stated.

28b. Time of Death

M

28c. Date Pronounced Dead (Month, Day, Year)

28d. Was Case Referred to Coroner?

☐ Yes ☐ No

28e. Signature and Title of Certifier

28f. License Number

28g. Date Signed (Month, Day, Year)

29. (Type/Print) Name (First, Middle, Last) and Address of Person who Completed Cause of Death (Include City, State and ZIP code)

30. **Part I.** Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. **Type or print in permanent black ink.**

Approximate Interval Between Onset and Death

**Immediate Cause**

(Final disease or condition resulting in death) →

Sequentially list conditions, if any, leading to the immediate cause.  
Enter **Underlying Cause Last**  
(Disease or injury that initiated events resulting in death)

a.

b. Due to (or as a Consequence of)

c. Due to (or as a Consequence of)

d. Due to (or as a Consequence of)

**Part II. Other significant conditions** contributing to death but not resulting in the underlying cause given in **Part I.**

31a. Was an Autopsy Performed?

☐ Yes ☐ No

31b. Were Autopsy Findings Available Prior to Completion of Cause of Death?

☐ Yes ☐ No

32. Manner of Death

- ☐ Natural ☐ Pending Investigation  
☐ Accident  
☐ Suicide ☐ Could Not be Determined  
☐ Homicide

33a. Date of Injury  
(Month, Day, Year)

33b. Time of Injury

M

33c. Injury at Work?

☐ Yes ☐ No

33d. Describe How Injury Occurred

33e. Place of Injury - At Home, Farm, Street, Factory, Office Building, etc. (Specify)

33f. Location (Street and Number or Rural Route Number, City or Town, State)

SEE INSTRUCTIONS  
ON REVERSE SIDE

# DESCRIBED HOW INJURY OCCURRED

- ...during legal intervention
- Struck by car while pursued by law enforcement
- Asphyxia during restraint by law enforcement
- Acute intoxication by “X” while being detained by law enforcement

# KEY TAKE HOME POINTS

- Medicolegal death investigators are important members of the team
- Death investigator independence is essential
- Consistent and standardized procedures

"LET CONVERSATION  
CEASE. LET LAZINESS  
FLEE. THIS IS THE PLACE  
WHERE DEATH DECEIVES  
TO HELP THE LIVING



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# THANK YOU

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