

## **Medicolegal Death Investigation**

**Forensic Pathology:** Forensic pathology is a specific practice of medicine and subspecialty of pathology that directs its efforts to the examination of dead persons (and sometimes live persons) to provide an opinion concerning the:

- cause, mechanism, and manner of disease, injury, or death;
- identification of persons;
- significance of biological and physical evidence;
- correlation and/or reconstruction of wounds, wound patterns, and sequences.

Forensic pathology is an integral component of comprehensive medicolegal death investigation. Forensic pathology applies techniques of pathology to the needs and protection of public health, Homeland Security (surveillance and mass disaster operations), public safety, quality assurance, education in medicine, research, jurisprudence, and the administration of justice. The highest goal of forensic pathology is the development of strategies to prevent injury, disease, and death.

**Forensic Pathologists:** Forensic pathologists should be physicians specially trained in forensic pathology and board-certified by the American Board of Pathology or a non-USA trained pathologist with equivalent certification. The practicing forensic pathologist is licensed as a physician in one or more states and is skilled in conducting death investigations, interpreting injuries in both fatal and non-fatal cases, performing medicolegal examinations, determining disease/injury causation to an appropriate degree of medical certainty, and determining cause and manner of death. Forensic pathologists regularly present their findings in judicial proceedings.

The College of American Pathologists supports policies designed to improve the quality and consistency of forensic laboratory and death investigation practices in the United States. The College policy statements include:

- Limiting the performance of autopsies falling under Medical Examiner/Coroner jurisdiction to forensic pathologists certified in at least anatomic and forensic pathology by the American Board of Pathology or to pathologists under their supervision whenever possible.
- All death certificates should be completed by, or following consultation with, appropriately trained and qualified health care professionals with a knowledge of death certification.

- Expert testimony on matters of medicolegal significance should be limited to pathologists and other professionals with appropriate qualifications.

**Medical Examiners:** A forensic pathologist may be appointed as a Medical Examiner by a legal jurisdiction such as a city, county or state. The College of American Pathologists advocates that Chief Medical Examiners (directors of medical examiner systems) be physicians certified in anatomic and forensic pathology by the American Board of Pathology (or an equivalent certifying organization).

**Coroners:** A coroner is a government official who confirms and certifies the death of an individual within a jurisdiction. A coroner may also conduct or order an investigation into the manner or cause of death. The qualifications required of a coroner vary significantly between jurisdictions. A coroner may or may not be a physician.

**Medicolegal Death Investigators:** A medicolegal death investigator (MDI) is an individual who investigates any death that falls within the jurisdiction of the medical examiner or coroner. The MDI performs scene investigations and, in collaboration with the medical examiner or coroner, determines the extent to which further investigation is necessary. The MDI may be certified in their field by the American Board of Medicolegal Death Investigation.

**National Association of Medical Examiners (NAME):** The National Association of Medical Examiners (NAME) is the largest organization of Board-certified forensic pathologists. NAME has the dual purposes of fostering the professional growth of physician death investigators and disseminating the professional and technical information vital to improving medical death investigation. NAME has expanded its scope to include physician (non-pathologist) medical examiners, coroners, and medicolegal death investigators throughout the United States and other countries.

### **Important Issues Currently Facing the Medical Examiner/Forensic Pathologist:**

- Fragmented medical examiner systems often do not achieve an economy of scale for efficient functioning
- Completion of death certificates is a medical certification and should be performed by a physician
- Inadequate numbers of trained forensic pathologists to meet national needs and limited annual output of new forensic pathologists
- Performance of forensic autopsies by non-board certified forensic pathologists and in some locations by non-pathologists and non-physicians

- Insufficient linkage between medical examiner offices and academic health centers resulting in limited training for residents in forensic pathology and an inadequate research platform for the discipline of forensic pathology
- Aging autopsy facilities, many of which do not meet current biosafety standards
- Limited use of advanced imaging techniques which have transformed the practice of other medical disciplines
- Poor acceptance of the need for accreditation by medical examiner offices with consequent limited numbers of accredited offices
- Limited understanding of and support for research needs of forensic pathology by federal agencies (NIJ, NIH, CDC, NSF, SAMHSA)