

2001 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB170)

Received: 10/12/2001

Received By: nelsorp1

Wanted: Soon

Identical to LRB:

For: Scott Walker (608) 266-9180

By/Representing: Melissa

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Addl. Drafters:

Subject: Correctional System - prisons

Extra Copies:

Submit via email: YES

Requester's email: Rep.Walker@legis.state.wi.us ✓

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prison inmate mortality board

Instructions:

See Attached same as s0180, which has lost stripes

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nelsorp1 10/12/2001	jdyer 10/15/2001		_____			
/1			pgreensl 10/15/2001	_____	lrb_docadmin 10/15/2001	lrb_docadmin 10/15/2001	
/2	nelsorp1	jdyer	pgreensl	_____	lrb_docadmin	lrb_docadmin	

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/4	nelsorp1 10/30/2001	jdye 10/30/2001	pgrecnsl 10/30/2001 _____		lrb_docadmin 10/30/2001	lrb_docadmin 10/30/2001	

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/2	nelsorp1	jdyer 4/10/01 <i>[Signature]</i>	pgreensl 10/30/01 <i>[Signature]</i>	<u>10/30</u> <i>[Signature]</i>	lrb_docadmin	lrb_docadmin	

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

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10-24-01

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Change - see attached

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/1		<i>12/10/16 jld</i>	pgreensl 10/15/2001 <i>KJ</i> 10/16	<i>self</i> 10/16	lrb_docadmin 10/15/2001	lrb_docadmin 10/15/2001	

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1?	nelsorp1	11/15 jld	10/15 PG	10/15 SELF			

FE Sent For:

<END>

Nelson, Robert P.

From: Gilbert, Melissa *6-9180*
Sent: Tuesday, October 09, 2001 2:23 PM
To: Nelson, Robert P.
Subject: AB 170 sub

Hey Bob,

Thanks for the sub to AB 170. We'd like to make the following couple of minor changes to the draft...

- ✓ 1. Page 1, line 10 -- Change "cochairperson" to "chairperson."
2. Page 2, first paragraph -- List a member of the public as one of the five members appointed by the governor (only four members currently listed); change the number of members appointed by the DOC secretary from 3 to 4 and include an RN from a ✓ correctional facility; and retain the requirement that one of the members listed above be a certified forensics pathologist.
- ✓ 3. Page 4, line 9 -- Add each member of the corresponding legislative committees to the list of persons who must be notified by DOC of an inmate death.

I think that will do it for now. Thanks for your assistance!

Missy
Melissa Gilbert
Research Assistant
Office of Rep. Scott Walker

Soon (10/12)

2001 - 2002 LEGISLATURE

0200/1
LRBs 0200/2

RPN:wlj:pg

D-Note

JLD

**ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2001 ASSEMBLY BILL 170**

Regen

1 **AN ACT to amend** 758.19 (5) (a) 5., 979.015, 979.02, 979.06 (1) and 979.10 (1) (a)
2 2.; and **to create** 15.07 (1) (b) 23., 15.07 (3) (bm) 5., 15.145 (3), 146.82 (2) (a) 22.
3 and 979.15 of the statutes; **relating to:** creating a board to investigate and
4 make recommendations regarding inmate deaths.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 15.07 (1) (b) 23. of the statutes is created to read:
6 15.07 (1) (b) 23. Members of the prison mortality and morbidity board shall be
7 appointed as provided in s. 15.145 (3).

8 **SECTION 2.** 15.07 (3) (bm) 5. of the statutes is created to read:
9 15.07 (3) (bm) 5. The prison mortality and morbidity board shall meet at least
10 4 times each year and may meet at other times on the call of the chairperson or a
11 majority of the board's members.

12 **SECTION 3.** 15.145 (3) of the statutes is created to read:

1 15.145 (3) PRISON MORTALITY AND MORBIDITY BOARD. There is created in the
2 department of corrections a prison mortality and morbidity board consisting of 9
3 members appointed for 2-year terms. Five of the members shall be appointed by the
4 governor and shall include one representative from the University of Wisconsin
5 Hospitals and Clinics Authority, one physician from a health care provider other
6 than the University of Wisconsin Hospitals and Clinics Authority, one nurse
7 employed by a state agency, one nurse employed by a private health maintenance
8 organization or preferred provider plan, and one member who does not represent any
9 of the foregoing entities. The other 4 members of the board shall be appointed by the
10 secretary of the department of corrections and shall be a warden of a state
11 correctional facility, a manager of a unit within a state correctional facility that
12 provides the health services to inmates, a registered nurse from a correctional
13 institution, and a correctional officer. At least one member of the board shall be a
14 physician who is certified and licensed as a forensics pathologist by the American
15 Board of Pathology.

16 **SECTION 4.** 146.82 (2) (a) 22. ✓ of the statutes is created to read:

17 146.82 (2) (a) 22. To the prison mortality and morbidity board to enable that
18 board to investigate the death of an inmate under s. 979.15.

19 **SECTION 5.** 758.19 (5) (a) 5. ✓ of the statutes is amended to read:

20 758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the court
21 at the request of the district attorney, coroner, prison mortality and morbidity board,
22 or medical examiner under s. 979.06 (1) and (2).

23 **SECTION 6.** 979.015 ✓ of the statutes is amended to read:

24 **979.015 Subpoena for documents.** Upon the request of the coroner, medical
25 examiner, prison mortality and morbidity board, or district attorney, a court shall

1 issue a subpoena requiring the production of documents necessary for the
2 determination of a decedent's cause of death. The documents may include the
3 decedent's patient health care records and treatment records, as defined in ss. 51.30
4 and 146.81 (4). The documents shall be returnable to the officer named in the
5 subpoena.

6 SECTION 7. 979.02[✓] of the statutes is amended to read:

7 **979.02 Autopsies.** The coroner, medical examiner, prison mortality and
8 morbidity board, or district attorney may order the conducting of an autopsy upon
9 the body of a dead person any place within the state in cases where an inquest might
10 be had as provided in s. 979.04 notwithstanding the fact that no such inquest is
11 ordered or conducted. The autopsy shall be conducted by a licensed physician who
12 has specialized training in pathology. The district attorney may move the circuit
13 court for the county in which the body is buried for an order disinterring the body for
14 purposes of autopsy. The order shall be granted by the circuit court upon a
15 reasonable showing that any of the criteria specified in s. 979.04 exists. This section
16 does not prevent additional autopsies or examinations of the body if there are
17 unanswered pathological questions concerning the death and the causes of death.

18 SECTION 8. 979.06[✓] (1) of the statutes is amended to read:

19 979.06 (1) The judge or court commissioner may issue subpoenas for witnesses
20 at the request of the coroner, prison mortality and morbidity board, or medical
21 examiner and shall issue subpoenas for witnesses requested by the district attorney.
22 Subpoenas are returnable at the time and place stated therein. Persons who are
23 served with a subpoena may be compelled to attend proceedings in the manner
24 provided in s. 885.12.

25 SECTION 9. 979.10 (1) (a) 2.[✓] of the statutes is amended to read:

1 979.10 (1) (a) 2. The coroner or medical examiner in the county where the event
2 which caused the death occurred if the death occurred in this state and if the death
3 is the subject of an investigation under s. 979.01 or 979.15; or

4 SECTION 10. 979.15 of the statutes is created to read:

5 **979.15 Investigation of a prison inmate's death.** (1) The prison mortality
6 and morbidity board shall investigate the death of every individual who dies while
7 he or she is an inmate in a state correctional institution, as defined in s. 301.01 (4).
8 To facilitate the investigation, the board shall have access to all medical and prison
9 records related to the deceased inmate.

10 (2) Within 72 hours after the death of an inmate in a state correctional
11 institution, the secretary of the department of corrections shall notify the speaker of
12 the assembly and the president of the senate and each member of the appropriate
13 standing committee of the assembly and senate, as provided in s. 13.172 (3), and
14 every member of the prison mortality and morbidity board, of the death. The
15 secretary shall provide the speaker and president, standing committee members,
16 and the board members with all of the information available to the department
17 regarding the inmate's death, including the date, time, location, and cause of death.
18 The secretary shall provide the board with the inmate's prison records, information
19 obtained as the result of any internal investigation of the death, and any medical
20 records of the inmate that are in the custody of the department. The department
21 shall cooperate with the board and provide any assistance the board requests while
22 investigating the death of the inmate. The board, while performing its duties, may
23 review medical records of the inmate in the custody of any medical provider;
24 information related to the death in the custody of a law enforcement agency, district
25 attorney, or the attorney general; information regarding the death of the inmate

1 obtained by the coroner or medical examiner; and any information collected as the
2 result of an autopsy ordered under s. 979.02 or an inquest ordered under s. 979.04.
3 The board may interview department and law enforcement staff and subpoena
4 witnesses and documents as part of its investigation.

5 (3) The prison mortality and morbidity board shall prepare a report of the
6 board's investigation of an inmate's death and submit that report to all of the
7 following:

8 (a) The appropriate relative of the deceased.

9 (b) The secretary of the department of corrections.

10 (c) If appropriate, the district attorney.

11 (d) The speaker of the assembly and the president of the senate, or their
12 designees.

13 (END)

D-N

*This draft replaces
LRBs 0180 and includes the
changes requested in Melissa's
e-mail.*

RPN

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0200/1dn
RPN:wlj&jld:pg

October 15, 2001

This draft replaces LRBs0180 and includes the changes requested in Melissa's e-mail.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Nelson, Robert P.

From: Gilbert, Melissa
Sent: Monday, October 15, 2001 5:00 PM
To: Nelson, Robert P.
Subject: AB 170 sub

Hi Bob,

p 4, L 20

I spoke with Scott, and he gave us the go-ahead to change the language on information available from "regarding" to "directly related." Of course the actual board will retain the right to all the other resources listed in the bill.

Thanks for all of your help. I think we've finally got it!

Missy
Melissa Gilbert
Research Assistant
Office of Rep. Scott Walker

10/24/01

Hey Bob,
Sorry but we need another change. Please add a member of the Medical College of WI to the group appointed by the gov.
Thanks, Missy



**ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2001 ASSEMBLY BILL 170**

Regen

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2 2.; and **to create** 15.07 (1) (b) 23., 15.07 (3) (bm) 5., 15.145 (3), 146.82 (2) (a) 22.
3 and 979.15 of the statutes; **relating to:** creating a board to investigate and
4 make recommendations regarding inmate deaths.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 15.07 (1) (b) 23. of the statutes is created to read:

6 15.07 (1) (b) 23. Members of the prison mortality and morbidity board shall be
7 appointed as provided in s. 15.145 (3).

8 **SECTION 2.** 15.07 (3) (bm) 5. of the statutes is created to read:

9 15.07 (3) (bm) 5. The prison mortality and morbidity board shall meet at least
10 4 times each year and may meet at other times on the call of the chairperson or a
11 majority of the board's members.

1 **SECTION 3.** 15.145 (3) of the statutes is created to read:

2 15.145 (3) PRISON MORTALITY AND MORBIDITY BOARD. There is created in the
3 department of corrections a prison mortality and morbidity board consisting of 9
4 members appointed for 2-year terms. Five of the members shall be appointed by the
5 governor and shall include one representative from the University of Wisconsin
6 Hospitals and Clinics Authority, one physician from a health care provider other
7 than the University of Wisconsin Hospitals and Clinics Authority, one nurse
8 employed by a state agency, one nurse employed by a private health maintenance
9 organization or preferred provider plan, and one member who does not represent any
10 of the foregoing entities. The other 4 members of the board shall be appointed by the
11 secretary of the department of corrections and shall be a warden of a state
12 correctional facility, a manager of a unit within a state correctional facility that
13 provides the health services to inmates, a registered nurse from a correctional
14 institution, and a correctional officer. At least one member of the board shall be a
15 physician who is certified and licensed as a forensics pathologist by the American
16 Board of Pathology.

17 **SECTION 4.** 146.82 (2) (a) 22. of the statutes is created to read:

18 146.82 (2) (a) 22. To the prison mortality and morbidity board to enable that
19 board to investigate the death of an inmate under s. 979.15.

20 **SECTION 5.** 758.19 (5) (a) 5. of the statutes is amended to read:

21 758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the court
22 at the request of the district attorney, coroner, prison mortality and morbidity board,
23 or medical examiner under s. 979.06 (1) and (2).

24 **SECTION 6.** 979.015 of the statutes is amended to read:

1 **979.015 Subpoena for documents.** Upon the request of the coroner, medical
2 examiner, prison mortality and morbidity board, or district attorney, a court shall
3 issue a subpoena requiring the production of documents necessary for the
4 determination of a decedent's cause of death. The documents may include the
5 decedent's patient health care records and treatment records, as defined in ss. 51.30
6 and 146.81 (4). The documents shall be returnable to the officer named in the
7 subpoena.

8 **SECTION 7.** 979.02 of the statutes is amended to read:

9 **979.02 Autopsies.** The coroner, medical examiner, prison mortality and
10 morbidity board, or district attorney may order the conducting of an autopsy upon
11 the body of a dead person any place within the state in cases where an inquest might
12 be had as provided in s. 979.04 notwithstanding the fact that no such inquest is
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14 has specialized training in pathology. The district attorney may move the circuit
15 court for the county in which the body is buried for an order disinterring the body for
16 purposes of autopsy. The order shall be granted by the circuit court upon a
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18 does not prevent additional autopsies or examinations of the body if there are
19 unanswered pathological questions concerning the death and the causes of death.

20 **SECTION 8.** 979.06 (1) of the statutes is amended to read:

21 **979.06 (1)** The judge or court commissioner may issue subpoenas for witnesses
22 at the request of the coroner, prison mortality and morbidity board, or medical
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1 served with a subpoena may be compelled to attend proceedings in the manner
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10 he or she is an inmate in a state correctional institution, as defined in s. 301.01 (4).
11 To facilitate the investigation, the board shall have access to all medical and prison
12 records related to the deceased inmate.

13 (2) Within 72 hours after the death of an inmate in a state correctional
14 institution, the secretary of the department of corrections shall notify the speaker of
15 the assembly and the president of the senate and each member of the appropriate
16 standing committee of the assembly and senate, as provided in s. 13.172 (3), and
17 every member of the prison mortality and morbidity board, of the death. The
18 secretary shall provide the speaker and president, standing committee members,
19 and the board members with all of the information available to the department
20 ~~regarding~~ *directly related to* the inmate's death, including the date, time, location, and cause of death.

21 The secretary shall provide the board with the inmate's prison records, information
22 obtained as the result of any internal investigation of the death, and any medical
23 records of the inmate that are in the custody of the department. The department
24 shall cooperate with the board and provide any assistance the board requests while
25 investigating the death of the inmate. The board, while performing its duties, may

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2 information related to the death in the custody of a law enforcement agency, district
3 attorney, or the attorney general; information regarding the death of the inmate
4 obtained by the coroner or medical examiner; and any information collected as the
5 result of an autopsy ordered under s. 979.02 or an inquest ordered under s. 979.04.
6 The board may interview department and law enforcement staff and subpoena
7 witnesses and documents as part of its investigation.

8 (3) The prison mortality and morbidity board shall prepare a report of the
9 board's investigation of an inmate's death and submit that report to all of the
10 following:

- 11 (a) The appropriate relative of the deceased.
12 (b) The secretary of the department of corrections.
13 (c) If appropriate, the district attorney.
14 (d) The speaker of the assembly and the president of the senate, or their
15 designees.

16 (END)



ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2001 ASSEMBLY BILL 170

Regen

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6 *one representative from the Medical College of Wisconsin,* Hospitals and Clinics Authority, one physician from a health care provider other
7 *or the Medical College of Wisconsin* than the University of Wisconsin Hospitals and Clinics Authority, one nurse
8 employed by a state agency, *and* one nurse employed by a private health maintenance
9 organization or preferred provider plan, ~~and one member who does not represent any~~
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6 and 146.81 (4). The documents shall be returnable to the officer named in the
7 subpoena.

8 **SECTION 7.** 979.02 of the statutes is amended to read:

9 **979.02 Autopsies.** The coroner, medical examiner, prison mortality and
10 morbidity board, or district attorney may order the conducting of an autopsy upon
11 the body of a dead person any place within the state in cases where an inquest might
12 be had as provided in s. 979.04 notwithstanding the fact that no such inquest is
13 ordered or conducted. The autopsy shall be conducted by a licensed physician who
14 has specialized training in pathology. The district attorney may move the circuit
15 court for the county in which the body is buried for an order disinterring the body for
16 purposes of autopsy. The order shall be granted by the circuit court upon a
17 reasonable showing that any of the criteria specified in s. 979.04 exists. This section
18 does not prevent additional autopsies or examinations of the body if there are
19 unanswered pathological questions concerning the death and the causes of death.

20 **SECTION 8.** 979.06 (1) of the statutes is amended to read:

21 **979.06 (1)** The judge or court commissioner may issue subpoenas for witnesses
22 at the request of the coroner, prison mortality and morbidity board, or medical
23 examiner and shall issue subpoenas for witnesses requested by the district attorney.
24 Subpoenas are returnable at the time and place stated therein. Persons who are

1 served with a subpoena may be compelled to attend proceedings in the manner
2 provided in s. 885.12.

3 **SECTION 9.** 979.10 (1) (a) 2. of the statutes is amended to read:

4 979.10 (1) (a) 2. The coroner or medical examiner in the county where the event
5 which caused the death occurred if the death occurred in this state and if the death
6 is the subject of an investigation under s. 979.01 or 979.15; or

7 **SECTION 10.** 979.15 of the statutes is created to read:

8 **979.15 Investigation of a prison inmate's death.** (1) The prison mortality
9 and morbidity board shall investigate the death of every individual who dies while
10 he or she is an inmate in a state correctional institution, as defined in s. 301.01 (4).
11 To facilitate the investigation, the board shall have access to all medical and prison
12 records related to the deceased inmate.

13 (2) Within 72 hours after the death of an inmate in a state correctional
14 institution, the secretary of the department of corrections shall notify the speaker of
15 the assembly and the president of the senate and each member of the appropriate
16 standing committee of the assembly and senate, as provided in s. 13.172 (3), and
17 every member of the prison mortality and morbidity board, of the death. The
18 secretary shall provide the speaker and president, standing committee members,
19 and the board members with all of the information available to the department
20 directly related to the inmate's death, including the date, time, location, and cause
21 of death. The secretary shall provide the board with the inmate's prison records,
22 information obtained as the result of any internal investigation of the death, and any
23 medical records of the inmate that are in the custody of the department. The
24 department shall cooperate with the board and provide any assistance the board
25 requests while investigating the death of the inmate. The board, while performing

1 its duties, may review medical records of the inmate in the custody of any medical
2 provider; information related to the death in the custody of a law enforcement agency,
3 district attorney, or the attorney general; information regarding the death of the
4 inmate obtained by the coroner or medical examiner; and any information collected
5 as the result of an autopsy ordered under s. 979.02 or an inquest ordered under s.
6 979.04. The board may interview department and law enforcement staff and
7 subpoena witnesses and documents as part of its investigation.

8 (3) The prison mortality and morbidity board shall prepare a report of the
9 board's investigation of an inmate's death and submit that report to all of the
10 following:

- 11 (a) The appropriate relative of the deceased.
- 12 (b) The secretary of the department of corrections.
- 13 (c) If appropriate, the district attorney.
- 14 (d) The speaker of the assembly and the president of the senate, or their
15 designees.

16 (END)



Scott Walker

Wauwatosa's Representative in the Wisconsin State Assembly

Hey Bob,

I'm really sorry about this,
but Scott now wants 8 members
appointed by the gov. Please add
back in the "public" member
and also add one additional
spot each for the UW $\frac{3}{7}$
Medical College of WI.

Thanks!
Missy

P.O. Box 8953 • Madison, Wisconsin 53708-8953 • (608) 266-9180
Toll-Free: (888) 534-0014 • Rep.Walker@legis.state.wi.us
2334 N. 73rd Street • Wauwatosa, Wisconsin 53213 • (414) 258-1086

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**ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2001 ASSEMBLY BILL 170**

Reger

1 **AN ACT** *to amend* 758.19 (5) (a) 5., 979.015, 979.02, 979.06 (1) and 979.10 (1) (a)
2 2.; and *to create* 15.07 (1) (b) 23., 15.07 (3) (bm) 5., 15.145 (3), 146.82 (2) (a) 22.
3 and 979.15 of the statutes; **relating to:** creating a board to investigate and
4 make recommendations regarding inmate deaths.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 15.07 (1) (b) 23. of the statutes is created to read:
6 15.07 (1) (b) 23. Members of the prison mortality and morbidity board shall be
7 appointed as provided in s. 15.145 (3).

8 **SECTION 2.** 15.07 (3) (bm) 5. of the statutes is created to read:
9 15.07 (3) (bm) 5. The prison mortality and morbidity board shall meet at least
10 4 times each year and may meet at other times on the call of the chairperson or a
11 majority of the board's members.

1 **SECTION 3.** 15.145 (3) of the statutes is created to read:

2 15.145 (3) PRISON MORTALITY AND MORBIDITY BOARD. There is created in the
 3 department of corrections a prison mortality and morbidity board consisting of ¹²9
 4 members appointed for 2-year terms. ^{Eight}~~Five~~ of the members shall be appointed by the
 5 governor and shall include ²~~one~~ representative ⁵ from the University of Wisconsin
 6 Hospitals and Clinics Authority, ²~~one~~ representative ⁵ from the Medical College of
 7 Wisconsin, one physician from a health care provider other than the University of
 8 Wisconsin Hospitals and Clinics Authority or the Medical College of Wisconsin, one
 9 nurse employed by a state agency, ^{and}~~and~~ one nurse employed by a private health
 10 maintenance organization or preferred provider plan, ^{and one member who does not represent any of the foregoing entities} The other 4 members of the
 11 board shall be appointed by the secretary of the department of corrections and shall
 12 be a warden of a state correctional facility, a manager of a unit within a state
 13 correctional facility that provides the health services to inmates, a registered nurse
 14 from a correctional institution, and a correctional officer. At least one member of the
 15 board shall be a physician who is certified and licensed as a forensics pathologist by
 16 the American Board of Pathology.

17 **SECTION 4.** 146.82 (2) (a) 22. of the statutes is created to read:

18 146.82 (2) (a) 22. To the prison mortality and morbidity board to enable that
 19 board to investigate the death of an inmate under s. 979.15.

20 **SECTION 5.** 758.19 (5) (a) 5. of the statutes is amended to read:

21 758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the court
 22 at the request of the district attorney, coroner, prison mortality and morbidity board,
 23 or medical examiner under s. 979.06 (1) and (2).

24 **SECTION 6.** 979.015 of the statutes is amended to read:

1 **979.015 Subpoena for documents.** Upon the request of the coroner, medical
2 examiner, prison mortality and morbidity board, or district attorney, a court shall
3 issue a subpoena requiring the production of documents necessary for the
4 determination of a decedent's cause of death. The documents may include the
5 decedent's patient health care records and treatment records, as defined in ss. 51.30
6 and 146.81 (4). The documents shall be returnable to the officer named in the
7 subpoena.

8 **SECTION 7.** 979.02 of the statutes is amended to read:

9 **979.02 Autopsies.** The coroner, medical examiner, prison mortality and
10 morbidity board, or district attorney may order the conducting of an autopsy upon
11 the body of a dead person any place within the state in cases where an inquest might
12 be had as provided in s. 979.04 notwithstanding the fact that no such inquest is
13 ordered or conducted. The autopsy shall be conducted by a licensed physician who
14 has specialized training in pathology. The district attorney may move the circuit
15 court for the county in which the body is buried for an order disinterring the body for
16 purposes of autopsy. The order shall be granted by the circuit court upon a
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18 does not prevent additional autopsies or examinations of the body if there are
19 unanswered pathological questions concerning the death and the causes of death.

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21 979.06 (1) The judge or court commissioner may issue subpoenas for witnesses
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24 Subpoenas are returnable at the time and place stated therein. Persons who are

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2 provided in s. 885.12.

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11 To facilitate the investigation, the board shall have access to all medical and prison
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13 (2) Within 72 hours after the death of an inmate in a state correctional
14 institution, the secretary of the department of corrections shall notify the speaker of
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16 standing committee of the assembly and senate, as provided in s. 13.172 (3), and
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19 and the board members with all of the information available to the department
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21 of death. The secretary shall provide the board with the inmate's prison records,
22 information obtained as the result of any internal investigation of the death, and any
23 medical records of the inmate that are in the custody of the department. The
24 department shall cooperate with the board and provide any assistance the board
25 requests while investigating the death of the inmate. The board, while performing

1 its duties, may review medical records of the inmate in the custody of any medical
2 provider; information related to the death in the custody of a law enforcement agency,
3 district attorney, or the attorney general; information regarding the death of the
4 inmate obtained by the coroner or medical examiner; and any information collected
5 as the result of an autopsy ordered under s. 979.02 or an inquest ordered under s.
6 979.04. The board may interview department and law enforcement staff and
7 subpoena witnesses and documents as part of its investigation.

8 (3) The prison mortality and morbidity board shall prepare a report of the
9 board's investigation of an inmate's death and submit that report to all of the
10 following:

11 (a) The appropriate relative of the deceased.

12 (b) The secretary of the department of corrections.

13 (c) If appropriate, the district attorney.

14 (d) The speaker of the assembly and the president of the senate, or their
15 designees.

16 (END)