

Wisconsin Legislative Council Special Committee
Powers and Duties of Coroners and Medical Examiners

September 14, 2005

Lynda Biedrzycki, M.D.
Waukesha County Medical Examiner

- I. United States Overview
 - A. Variety of death investigation systems exist (see US map)
 - 1. State Medical Examiners
 - 2. Regional Medical Examiners
 - 3. County based
 - a. Physician (non pathologist) medical examiners
 - b. Coroner
 - c. Mixed
 - 4. County based with State overlay
 - B. There is a shortage of forensic pathologists
 - 1. Forensic pathology is a subspecialty of pathology
 - 2. Estimated 400 full time practicing forensic pathologists in US
 - 3. Estimated need for 850 full time forensic pathologists
 - C. There are funding shortfalls in most places
- II. Wisconsin Overview
 - A. Variety of county systems (see WI map)
 - 1. Medical examiner/forensic pathologist: 4 counties
 - 2. Lay medical examiner: 20 counties
 - 3. Coroner: 48 counties
 - B. 10 full time forensic pathologists
 - 1. Milwaukee County: 3
 - 2. Waukesha County: 2
 - 3. University of Wisconsin-Madison: 2
 - 4. Medical College of WI: 1
 - 5. Kenosha County: 1
 - 6. Multicounty/traveling: 1

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- C. Other pathologists perform autopsies for lay medical examiners and coroners
- D. Wisconsin deaths (2003): 70,053
 - Wisconsin population (2000) 5,363,675

III. Waukesha County Overview

- A. Staff
 - 1. Forensic pathologist/ME (since 1990)
 - 2. Forensic pathologist/associate ME (since 2004)
 - 3. Lay deputy medical examiners/investigators: 5
 - a. 2 with bachelor's and 2 with master's degrees
 - b. 4/5 with medical/science background
 - 4. Pathology assistant: 1
 - Licensed funeral director
 - 5. Clerical staff: 2
- B. Budget (2003)
 - 1. Total Expenditures: \$898,795
 - 2. Tax Levy: \$775,830
- C. Caseload (2003)
 - 1. Deaths: 3,110
 - Population: 371,189
 - 2. Cases investigated (SS 979): 1205 (39% of all deaths)
 - a. Scenes: 249
 - b. Autopsies: 163 (14% of all cases)
 - c. Exams: 152 (26% of all cases autopsied/examined)
 - 2. Case mix for Waukesha County does not represent all counties (See chart)
- D. Multicounty cooperation (Racine, Kenosha, Walworth)
 - 1. Contractual autopsy coverage (for Racine)
 - 2. Vacation autopsy coverage (for Kenosha, Walworth)
 - 3. Investigator training (for Kenosha)
 - 4. Mutual aid agreements
 - 5. Purchasing arrangements
 - 6. Information sharing (consultants, forms)

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IV. Ideal Death Investigation Agency

- A. Forensic pathologist medical direction
- B. Educated death investigators
- C. Trained death investigators
- D. Adequate funding
 - 1. Operations
 - 2. Facility
- E. Locally based
- F. Regional cooperation
- G. Independent (eg., not linked to law enforcement)

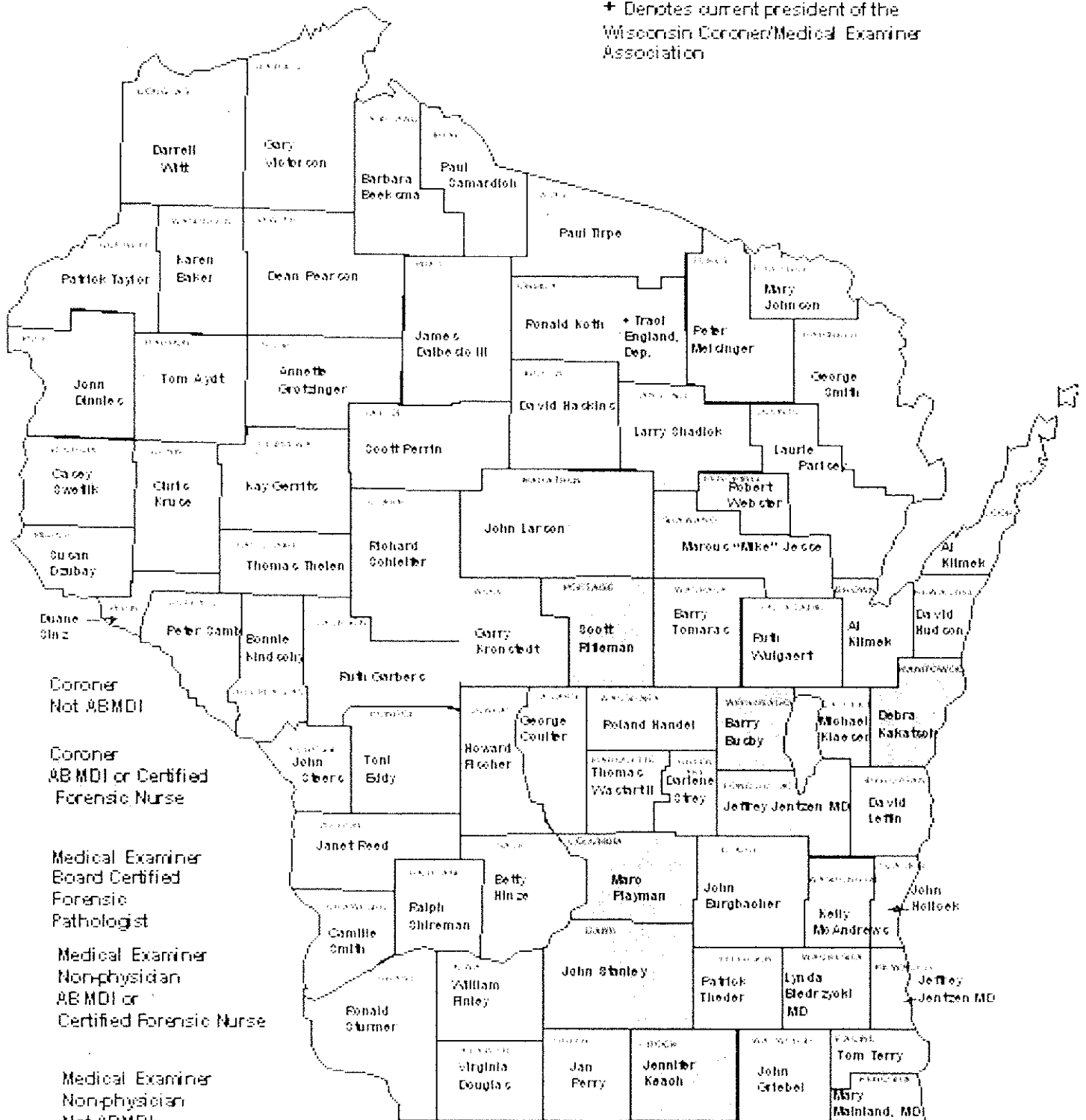
V. Future considerations

- A. Mandate training for lay medical examiners/coroners
 - 1. Indiana (handout)
Coroner Training Board
 - a. Training course
 - b. Written exam
 - c. Externship
 - d. Guidebook
 - 2. California (handout)
 - Requires 80 hours of training for peace officers in coroner's offices
- B. Provide written guidelines
- C. Establish problem resolution system with broad representation of interested parties



Wisconsin Coroners and Medical Examiners September, 2005

+ Denotes current president of the
Wisconsin Coroner/Medical Examiner
Association



Coroner
Not ABMDI

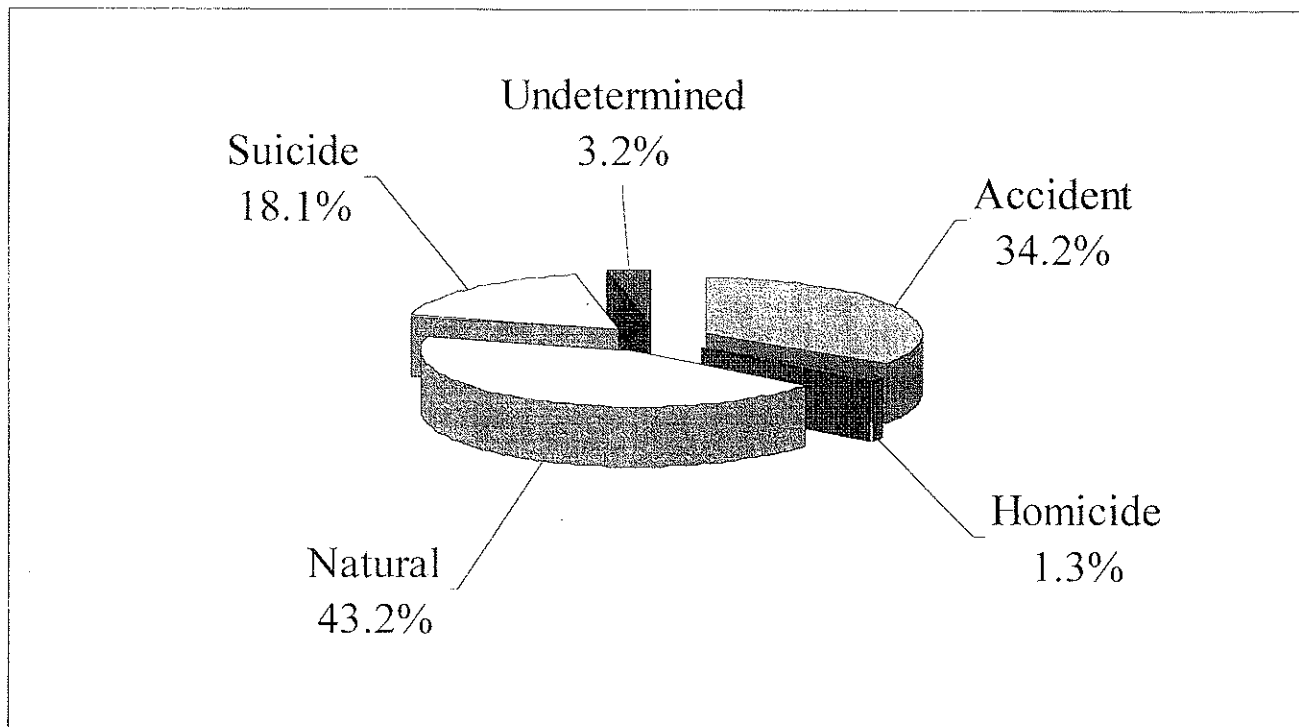
Coroner
ABMDI or Certified
Forensic Nurse

Medical Examiner
Board Certified
Forensic
Pathologist

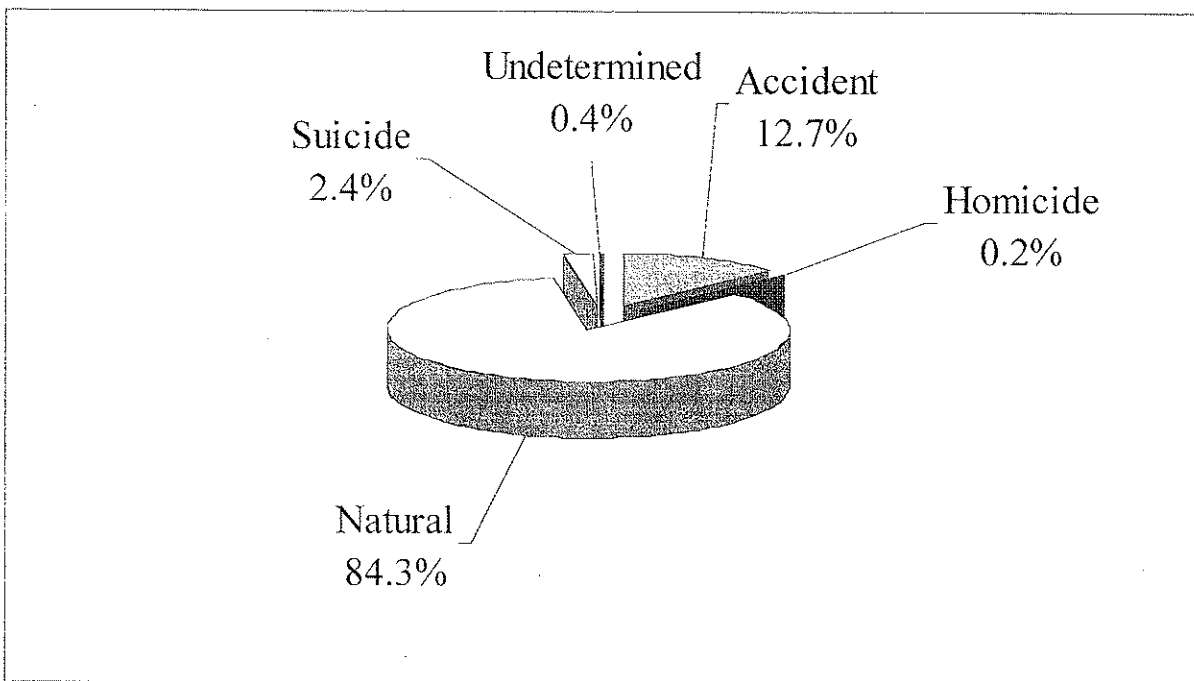
Medical Examiner
Non-physician
ABMDI or
Certified Forensic Nurse

Medical Examiner
Non-physician
Not ABMDI

ABMDI = Certified by the
American Board of
Medicolegal Death
Investigators



Waukesha County Cases Autopsied by Manner, 2004



Waukesha County Cases Investigated By Manner, 2004

The Indiana State CORONERS TRAINING BOARD

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About the Board

Acknowledgments

The Indiana State Coroners Training Board would like to thank the Indiana State Coroners Association and the Indiana Criminal Justice Institute for their continued assistance in the improvement of death investigation and the professional development of coroners and deputy coroners in Indiana.

Indiana State Coroners Training Board

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Col. Mike Medler
Indiana State Police
Dr. Rick Dowden
Boone County Coroner
Gene Powlen
Cass County Coroner

Executive Director

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Officers for 2005

Gene Powlen

Edwin "Huck" Coots, IV

President
Cass County Coroner
Dr. Rick Dowden
Boone County Coroner

Vice President
Clark County Coroner
Lisa K. Barker
Tippecanoe County Deputy

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Ohio County Coroner
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Anthony "Tony" Ciriello
Kosciusko County Deputy C
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Carroll County Deputy Coro
Doug Frank
Marian County Deputy Coro
Larry Ladd
Kosciusko County Deputy C

Board Members elected at large

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Knox County Deputy Coroner

Lowry Cooper
Pike County Coroner

The
Indiana
State

CORONERS TRAINING BOARD

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Guidebook for Indiana Coroners

1996

A publication of the Indiana Coroners Training Board

David T. Skelton, J.D., Ed.D.
Professor and Attorney at Law
Department of Criminology
Indiana State University

Harry L. Marsh, Ph.D.
Associate Professor and Director of the Crime Laboratory
Department of Criminology
Indiana State University

Introduction

This publication is the seventh version of a guidebook for Indiana coroners. This edition is an extensively revised version of the 1996 guidebook (prepared in cooperation with the Indiana State Coroners Training Board, the Indiana Crime Justice Institute, the Indiana State Coroners Association, and many individual coroners who generously gave their time, advice, and experience to the authors in our effort to produce a practical working manual). Any utility of this manual is the product of the cooperative efforts of the many professionals in Indiana who are working to improve the quality and efficiency of death investigations and the operation of the office of the Coroner. Any errors in the manual are the sole responsibility of the authors.

Each part of this guidebook is written for the non-specialist. Because Indiana coroners come from such varied backgrounds and have such varied professional preparation and education, we have assumed that very few people know absolutely everything necessary to perform the duties of the Coroner. We have assumed, for example, that pathologists will have little need for the sections on autopsies, but that persons unfamiliar with the procedure might find useful information there. We think that experienced criminal investigators will not need the sections on securing the scene and gathering evidence, but that coroners or their deputies who have worked as police investigators might benefit from this knowledge. The section on legal duties probably will be of little use to lawyers, but persons without formal legal training might find those parts of the guidebook helpful in identifying legal duties and responsibilities and in identifying potential legal problems. Through the work of the Indiana State Coroners Training Board, the Indiana State Coroners Association, and the work of individual coroners in cooperation with other state and local agencies, Indiana coroners work together to render mutual support and assistance toward a common goal of constantly improving and professionalizing death investigation in the state. Each of our 92 coroners has an important contribution to make and significant knowledge to impart, but nobody knows everything. As Will Rogers said about 50 years ago: "Everybody's ignorant; just on different subjects."

We especially wish to thank our Institute of Criminology staff members. Jenn Dennis Krozier was our very able research assistant for this project, and Lisa

our dedicated secretary for this new guidebook.

We hope that you will find this guidebook useful. It is the product of the effort of many people and it builds on the efforts of the authors of previous editions. Ultimately, however, it is the individual Coroner who determines how the job is done. We sincerely thank you for your public service in undertaking the difficult and demanding work of death investigation.

David T. Skelton
Harry L. Marsh
DeVere D. Woods, Jr.
Institute of Criminology
Department of Criminology
Indiana State University
Terre Haute, Indiana
June 1, 2001

About the Editors

David T. Skelton, J.D., Ed.D.

Dr. Skelton holds the Doctor of Jurisprudence and Doctor of Education degrees from Indiana University. He has served as Director of the Division of Safety Research and Driver Improvement of the Indiana Bureau of Motor Vehicles and as Regional Administrator for the Indiana Criminal Justice Planning Agency. He was an Assistant Scientist of the Institute for Research in Public Safety and a faculty member of the School of Public and Environmental Affairs at Indiana University. He joined the faculty at Indiana State University in 1975. He has been a member of the Indiana bar for 30 years and has been certified as a civil mediator.

Harry L. Marsh, Ph.D.

Dr. Marsh holds the Ph.D. in Criminal Justice from Sam Houston State University. He is a retired Air Force officer with 14 years of service in the Office of Special Investigations and 3 years with the Defense Investigative Service. He conducted criminal investigations at many locations around the world and served as the liaison to the Spanish police. He has been a faculty member at Indiana State University since 1987 where he has taught private security, criminal investigation, criminal justice administration, and criminalistics. He is the Director of the Crime Laboratory of the Department of Criminology. He has published extensively and has received awards for teaching excellence. He has also been a consultant to all levels of government and to private industry.

DeVere D. Woods, Ph.D.

Dr. Woods holds the Ph.D. in Criminal Justice from Michigan State University. He has been a faculty member at Indiana State University since 1999. Previously he had a 10-year career as a police officer in Bay County, Michigan where he served as a scene investigator and in several command positions. He has testified as an expert witness in the areas of crime scene investigation and latent print identification. He has published extensively in the areas of crime scene investigation and community policing. He has also received specialized training in the investigation of death. He maintains all aspects of scientific crime scene investigation. He also maintains an internet recognized webpage on community policing [<http://www.concentric.net/~dwoods/>]. Acknowledgments

The Indiana State Coroners Training Board would like to thank the Indiana State Coroners Association and the Indiana Criminal Justice Institute for their continued assistance in the improvement of death investigation and the professional development of coroners and deputy coroners in Indiana.

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FINAL RULE

TITLE 207 CORONERS TRAINING BOARD

ARTICLE 1. DEPUTY CORONERS; MINIMUM TRAINING REQUIREMENTS

Rule 1. Definitions

207 IAC 1-1-1 Applicability Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5

Sec. 1. The definitions in this rule apply throughout this article. (*Coroners Training Board; 207IAC 1-1-1*)

207 IAC 1-1-2 "Board" defined Authority: IC 4-23-6.5-7

Affected: IC 4-23-6.5-1; IC 4-23-6.5-3

Sec. 2. "Board" means the coroners training board created by IC 4-23-6.5-3 to establish standards for the following:

- (1) Continuing education and training for county coroners.
- (2) Mandatory training and continuing education requirements for deputy coroners.
- (3) Minimum requirements for continuing education instructors approved by the board. (*Coroners Training Board, o 207IAC 1-1-2*)

207 IAC 1-1-3 "Deputy coroner" defined Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5-1

Sec. 3. "Deputy coroner" means a part-time or full-time person appointed by a county coroner for purposes of providing medicolegal investigation and endorsed by a county coroner to be authorized to certify a cause of death. (*Coroners Training Board, 207 IAC 1-1- 3*)

Rule 2. Mandatory Minimum Training Requirements for Deputy Coroners

207 IAC 1-2-1 Mandatory basic training and extern ship Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5- 7

Sec.1. All deputy coroners shall successfully complete the appropriate minimum basic training course and externship prescribed by the board and described in 207 IAC 1-3. (*Coroners Training Board, ' 207IAC 1-2-1*)

207 IAC 1-2-2 Location of training course, externship, equipment, and facilities Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5- 7

Sec. 2. The minimum basic training course and extern ship shall be taken at any board- approved school or program utilizing board-approved:

- (1) instructors; (2) curriculum;
 - (3) attendance requirements; (4) equipment; and (5) facilities.
- (*Coroners Training Board; 207IAC 1-2-2*)

207 IAC 1-2-3 Failure to timely complete course and extern ship Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5- 7

Sec. 3. Any deputy coroner described in section 1 of this rule who fails to:

- (1) attend the required basic training course within one (1) year of the date of his or her employment; and
 - (2) successfully complete the extern ship and the written test within twelve (12) months of attending the basic training course;
- shall not act as deputy coroner. (*Coroners Training Board," 207IAC 1-2-3*)

207 IAC 1-2-4 Passing score; failure as grounds for discharge; reexaminations Authority: IC 4-23-6.5-7 Affected: IC 4-23-6.5-7

Sec. 4. The chairman of the board shall require uniformly of all persons attending the board-approved basic training course a minimum of eighty percent (80%) on all written examinations and a passing score on the extern ship administered on a pass/fail basis. Failure to attain a passing score on all written examinations and on the extern ship shall constitute a failure of the course. A person failing to achieve a passing score may apply to the chairman, or the chairman's designee, to retake any examination or extern ship previously failed, but a request for a retake of an examination by a person already employed as a deputy coroner will not be accepted unless endorsed by the coroner employing the deputy coroner. (*Coroners Training Board," 207IAC 1-2-4*)

207 IAC 1-2-5 Certification of completion Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5- 7

Sec. 5. The board, through its chairman, shall certify all deputy coroners it deems have completed the minimum training course and extern ship. (*Coroners Training Board," 207 IAC 1-2-5*)

Rule 3. Minimum Curriculum, Externship, and Attendance

207 IAC 1-3-1 Minimum basic training course Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5- 7

Sec. 1. The requirement for the minimum basic training course necessary to satisfy the mandate contained in 207 IAC 1-2 for all deputy coroners, whether employed on a part- time or full-time basis, shall consist of not less than forty (40) hours of classroom and practical training. The subject matter covered shall be approved by the board prior to the beginning date of each basic training course. (*Coroners Training Board,' 207IAC 1-3-1*)

207 IAC 1-3-2 Externship Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5- 7

Sec. 2. The extern ship necessary to satisfy the mandate contained in 207 IAC 1-2 for all deputy coroners, whether employed on a part-time or full-time basis, shall be approved by the board prior to the beginning date of the externship. (*Coroners Training Board,' 207 IAC 1- 3-2*)

207 IAC 1-3-3 Attendance Authority: IC 4-23-6.5- 7 Affected: IC 4-23-6.5- 7

Sec. 3. All persons required under 207 IAC 1-2 to participate in the minimum basic training course and externship shall attend all sessions of the approved course and extern ship. Absence from any portion of the training and externship may disqualify a deputy coroner from certification at the discretion of the board. (*Coroners Training Board,' 207IAC 1-3-3*)

TITLE 207 CORONERS TRAINING BOARD
LSA Document #99-210

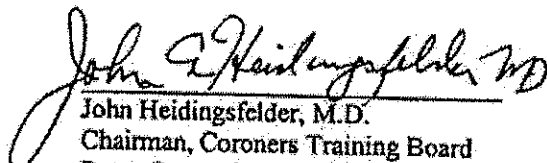
NOTICE PUBLISHED: February 9, 10, 11, & 12, 2000, in Indianapolis Newspapers, Inc.

HEARING HELD: March 22, 2000, 1:00 P.M. in IGCS Conf. Rm. #1.

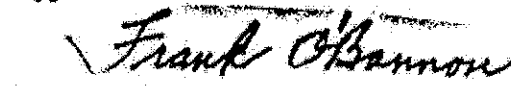
Hearing comments were fully considered by the Coroners Training Board (CTB) through member attendance at the hearing and/or written comments and/or transcripts and/or summaries.

ADOPTED: In accordance with CTB's statutory authority and IC 40-22-2, CTB adopted the above rule in a form substantially the same as the proposed rule published in the Indiana Register, with non-substantive grammatical changes making the text more understandable, by a 4 to 0 vote at its duly held September 13, 2000, public meeting at which a quorum was present.


Attest:


John Heidingsfelder, M.D.
Chairman, Coroners Training Board
Date: September 13, 2000

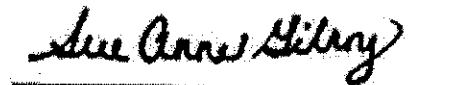
Approved:


Frank O'Bannon
Governor of Indiana
Date: 10/19/00

Approved as to Legality:


Karen M. Freeman-Wilson
Attorney General of Indiana
Date: 10-12-00

Accepted for Filing:


Sue Anne Gilroy
Secretary of State of Indiana
Date: 10/19/00

11 SEP
CH

- (3) **Learning Objective.** A statement that describes an expected training outcome related to a learning need.
- (4) **Instructional Activity.** An activity designed to achieve or facilitate one or more learning needs. Students participating in an instructional activity may be coached and/or provided feedback, but unlike tests, instructional activities are not graded on a pass/fail basis.

(b) **Testing and Training Requirements**

- (1) **Learning Objectives.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, training presenters shall provide appropriate instruction on each required learning objective.
- (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*. The total minimum hourly requirement for the Public Safety Dispatchers' Basic Course is 120 hours.
- (3) **Instructional Activities.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, instructional activities are required in some, but not all, learning domains. Where an instructional activity is required, each student must participate in that activity. A student who does not participate in an instructional activity when given the opportunity fails the course unless the training presenter determines that there were extenuating circumstances. Students who do not participate in an instructional activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable instructional activity. If a student fails to participate in an instructional activity after being given a second opportunity, the student fails the course.
- (4) **Training Presenter Requirements.** POST has established minimum, statewide training standards for the Public Safety Dispatchers' Basic Course. However, local conditions may justify additional training requirements or higher performance standards than those established by POST.

CORONERS' DEATH INVESTIGATION COURSE

1-6. Coroners' Death Investigation Course: The Coroners' Death Investigation Course contains the following Functional Areas and minimum hours. This course partially fulfills the minimum basic training required under 1005(a)(5) for peace officer members of Coroners' Offices. With prior POST approval, flexibility shall be granted to adjust hours between functional areas.

Functional Areas:

| | | |
|------------------------------|--|----------|
| 1.0 | Course Overview Administrative Issues | 1 hour |
| 2.0 | Death Investigation | 40 hours |
| 3.0 | Introduction to Disaster Management | 2 hours |
| 4.0 | Role of Coroner/Public Administrator | 4 hours |
| 5.0 | Coroners' Law | 2 hours |
| 6.0 | General Laboratory Practices | 4 hours |
| 7.0 | Vehicle Fatalities | 2 hours |
| 8.0 | Forensic Use of Medical Records | 2 hours |
| 9.0 | Forensic Anthropology | 4 hours |
| 10.0 | Forensic Pathology | 10 hours |
| 11.0 | Death and Grief Bereaved | 2 hours |
| 12.0 | A.I.D.S. and Other Communicable Diseases | 2 hours |
| 13.0 | Forensic Odontology | 4 hours |
| 14.0 | Test | 1 hour |
| Total Minimum Required Hours | | 80 hours |