

Section

F

AUTOPSY PROTOCOL

Policy:

To establish a standardized investigative protocol to determine when to authorize autopsies in coroner's cases.

Procedures and Practices:

The decision whether or not to autopsy can be a difficult decision. As the position of County Coroner (and his deputies) is an elected position in Kentucky, you may feel pressure to take a family's objections into consideration. It is OK to consider their feelings, but balance their objections against your need as Coroner to accurately determine cause and manner of death. Don't put yourself in the position of randomly *guessing* what the cause of manner of death is, but form your opinion on what is known and provable. That is not a guess but an opinion based on documentation and fact.

Autopsies are performed when, in the judgment of the County Coroner or Deputy Coroner, a medico-legal requirement exists which can only be satisfied by autopsy. The reasons for performing a medico-legal (forensic) autopsy include the following:

1. To determine the cause of death where it cannot be determined otherwise
2. To collect evidence from the body
3. To document findings useful in determining time and circumstance of death
4. To obtain evidence in the identification of the body

An autopsy is not required in every coroner's case. It is simply one of the many tools that a coroner or deputy coroner has at his disposal. In general, if a reasonable and probable cause of death can be deduced from the decedent's medical history, learning the circumstances surrounding death, and performing an external examination of the body, an autopsy may not be necessary.

However, the public interest may require an autopsy being performed when deaths involve homicide, an inmate who dies in police custody or incarceration, an individual whose death is suspicious, or deaths suspected to be due to injury of any type. Such deaths often result in legal proceedings which are facilitated by having well-documented postmortem information available only from a State Medical Examiner.

Policies and Procedures

The Coroner or Deputy Coroner in Kentucky has the power to authorize autopsies when clear jurisdiction of the death exists. The power to authorize autopsies is defined by statute and does not require concurrence of surviving family. Whenever possible the wishes of the family will be considered, but the circumstances of the death will take precedent.

KRS 72.025 lists 19 situations where a Coroner is required to perform a Post-Mortem Examination, but it is not helpful in guiding a Coroner in determining when an autopsy is required. While not complete, the following list is a guideline designed to assist a coroner or deputy coroner in making that determination.

Autopsy is recommended in the following situations:

01. Death by known or suspected homicide activity
02. Death in an infant or child that is sudden and unexplained
03. Death as a result of police action, or police custody
04. Death while in the custody of a local, state, or federal institution; and is unexplained, or other than natural
05. Death due to an acute workplace injury
06. Death caused by apparent electrocution
07. Death by suspected alcohol or drug abuse, or poisoning
08. Death by unwitnessed or suspected drowning
09. Death of an unidentified person and the autopsy may aid in identification
10. Death of a body that is skeletonized
11. Death by fire or explosion
12. Death in any case the coroner determines necessary to ascertain cause and manner of death, or to collect evidence:

Examples:

- A. Hit and Run deaths
- B. Automobile accident victims, without obvious life-ending injuries, or to aid in determining driver, or aid in determining seating location.
- C. Aircraft crash victims
- D. Suspected elder abuse or neglect
- E. Gunshot deaths, excluding certain suicide deaths
- F. Jail deaths
- G. Suspicious deaths
- H. Accidents that are unwitnessed
- I. Accidents where natural disease cannot be ruled out
- J. Deaths of famous people or public figures
- K. Unexpected or unexplainable deaths suspected to be of infectious agents
- L. Apparent suicides without clear evidence of intent

CORONER'S OFFICE**Policies and Procedures**

Always consider a telephone consult with the medical examiner on-call. If you feel you need the autopsy, then definitely make the request. If you are able to clearly articulate to the M.E. the logical and practical reasoning as to why you need it, you'll almost certainly get your autopsy.

Your decision to autopsy over family objection may be unpopular at first, but most will be grateful later. The autopsy will give them the greatest amount of information possible, and will answer as many of their questions as possible. Remember, you only get one chance to make the right decision.

References:**Revisions:**