

***Legal Impediment to  
Adequate Medicolegal  
Death Investigation***

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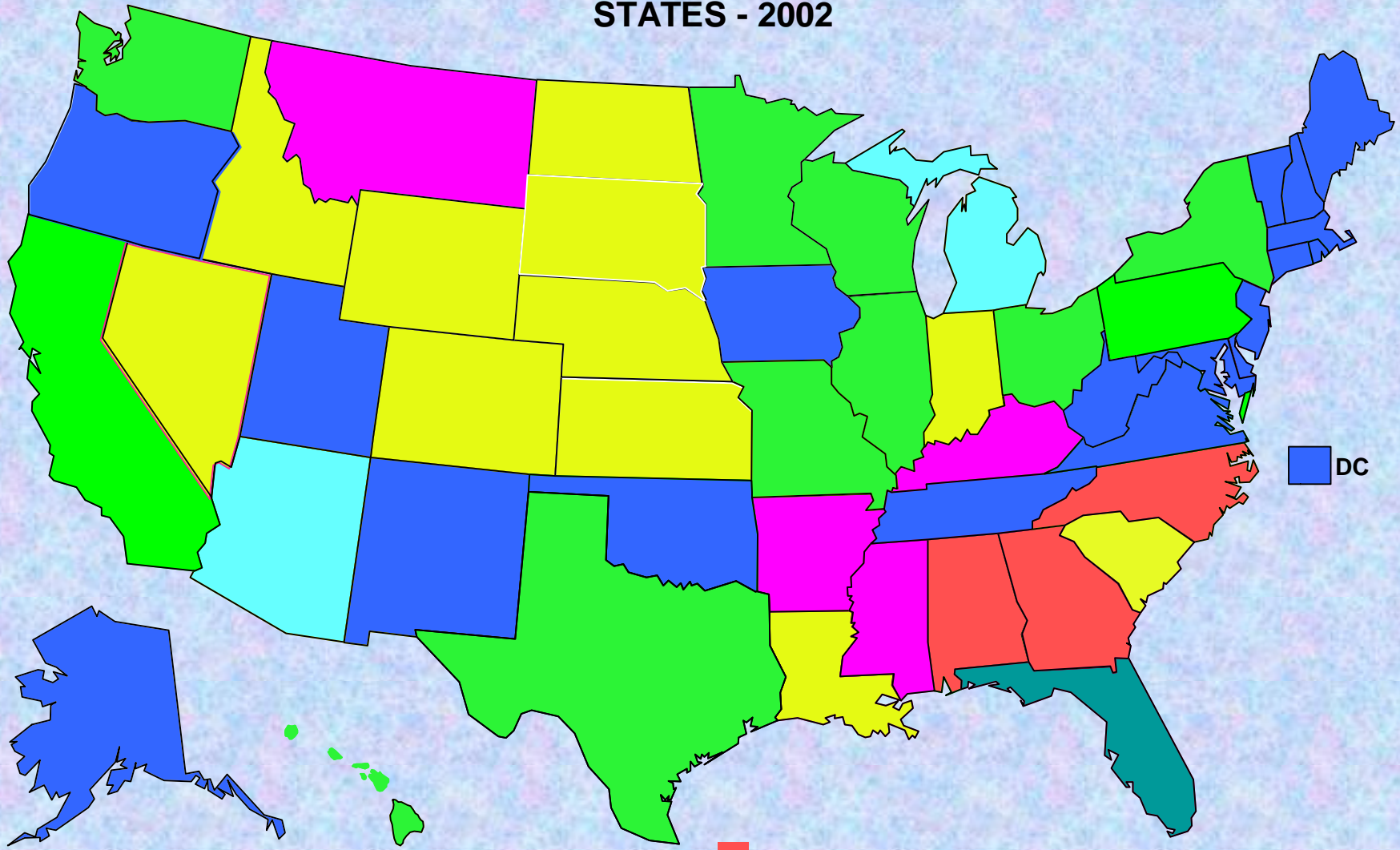
Washington D.C., 6/5/07

# LEGAL HERITAGE

**The coroner system is a  
medieval institution**

**...formally dating from 1194 A.D.**

# MEDICAL EXAMINER AND CORONER JURISDICTIONS IN THE UNITED STATES - 2002



- State ME, no coroners
- District ME, no coroners
- County ME, no coroners
- State ME, mixed county ME and Coroners
- State ME, coroners in every county or district
- Mixed ME and Coroners
- Coroners in every county or district

# **CORONER SYSTEM**

**1. Elected Position**

**2. County-based**

# **ELECTED POSITIONS**

## **--Disadvantages**

- 1. Minimal Qualifications**
- 2. Limited Applicant Pool**
- 3. Non-Optimal Selection**
- 4. No Nation-wide Search**

# **ELECTED POSITIONS**

## **--Advantages**

**1. Responsive to the Public**

**2. Independent**

# **CORONER CHIEFS**

- 1. FPs treated as technicians**
- 2. Improper spokesperson**
- 3. Non-professional leadership**

# **CORONER SYSTEM**

**1. Inquests**

**2. Subpoena power**



# **NAS CALLS FOR ABOLITION OF CORONERS**

**1. 1928**

**2. 1934**

**... no response**

# CORONERS v. MEs

Elected

Appointed

Non-professional

Professional

Non-medical

FPs

Many

Few

Political

Non-political

Entrenched

# **IMPEDIMENTS TO ABOLITION OF CORONER SYSTEMS**

- 1. Resistance of Incumbents**
- 2. Elected Position**
- 3. Constitutional**
- 4. Insufficient Outcry**

# JURISDICTION

**Coroner system is  
county-based**

**ME system requires an  
adequate population  
base**

# MIXED SYSTEMS: CORONERS & MEd

Coroners as death investigators

- inappropriate hires
- inadequate supervision
- autonomously certify deaths

# LAWS SHOULD BE MODERNIZED

Current law is piecemeal &  
poorly conceived

Should:

require FP head

adequately fund

require accreditation

# SITUS

**Public Health**

**Law Enforcement**

**University-based**

**Independent**

# **STRUCTURE**

**Centralized**

**Decentralized**





# Uniform Law Commissioners

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## Model Post-Mortem Examinations Act

*Drafted by the*

**NATIONAL CONFERENCE OF COMMISSIONERS ON  
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And by it Approved

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Annual Conference  
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With  
Prefatory Note

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MEDICOLEGAL DEATH  
INVESTIGATION WILL  
REQUIRE NEW  
LEGISLATION AND  
POLITICAL WILL**