

# The Medical Examiner's Role in Traffic Incident Management

*Polk TIM Team Meeting  
April 13, 2023*

*Russell S. Vega, MD  
Chief Medical Examiner  
Districts Twelve and Twenty-two of Florida*

# What Is a Medical Examiner?

- Developed from coroner concept
- Appointed official who is a physician
- Optimally, is a competent, objective, and neutral public servant, operating independently from law enforcement and other components of the criminal justice system

# ME vs. Coroner systems

---

- Depends on state law - some states mixed
- FL - pure ME system
- Advantages and disadvantages of each, but...
  - ME should have fewer political pressures
  - ME arrives at own opinions, does not have to worry about a coroner without medical expertise trumping his/her opinions
  - Coroner system is typically viewed as archaic, ME system preferred

# What Is a Forensic Pathologist?

- A subspecialist in Pathology
- Pathology – the specialty that deals with diagnosing diseases by examining cells, body fluids, biopsies, organs and by doing autopsies.
- Forensic Pathology - the subspecialty that focuses on autopsies and death investigation.
- Thus a Forensic Pathologist - a physician specifically trained to be a medical examiner

# The Florida Medical Examiner Act

- Florida Statute 406 (1971)
  - [www.flsenate.gov](http://www.flsenate.gov) > Statutes and Constitution > View Statutes > Title XXIX (Public Health) > 406 (part I)
- Establishes the FL ME system, creating the districts and establishing the process of gubernatorial appointment for District Medical Examiners
- Delineates under what circumstances the ME may take jurisdiction over a death
- Enumerates the duties of the medical examiner

# Florida Administrative Code

- F.A.C. is the rule book which is derived from statutes
- Section 11G deals with Medical Examiners

# Practice Guidelines

- Florida Association of Medical Examiners (FAME) has published (and regularly updates) a set of practice guidelines
- These are routinely incorporated into rule

# The FL ME system

- Districts that parallel the judicial circuit
- Each district has its own ME
  - Appointed by governor or, in home rule counties, by local county commission
- Districts operate independently
- *Policies of District 12 ME will not be exactly the same as other ME districts*
  - *E.g. District 22 (Charlotte), District 21 (Lee, Glades, Hendry) or District 20 (Collier)*



## Florida Medical Examiner Districts



**District One**

- Escambia
- Okaloosa
- Santa Rosa
- Walton

**District Two**

- Franklin
- Gadsden
- Leon
- Liberty
- Jefferson
- Taylor
- Wakulla

**District Three**

- Columbia
- Dixie
- Hamilton
- Lafayette
- Madison
- Suwannee

**District Four**

- Duval
- Nassau
- Clay

**District Five**

- Citrus
- Hernando
- Lake
- Marion
- Sumter

**District Six**

- Pinellas
- Pasco

**District Seven**

- Volusia

**District Eight**

- Alachua
- Baker
- Bradford
- Gilchrist
- Levy
- Union

**District Nine**

- Orange
- Osceola

**District Ten**

- Hardee
- Highlands
- Polk

**District Eleven**

- Dade

**District Twelve**

- DeSoto
- Manatee
- Sarasota

**District Thirteen**

- Hillsborough

**District Fourteen**

- Bay
- Calhoun
- Gulf
- Jackson
- Washington
- Holmes

**District Fifteen**

- Palm Beach

**District Sixteen**

- Monroe

**District Seventeen**

- Broward

**District Eighteen**

- Brevard

**District Nineteen**

- Indian River
- Martin
- Okeechobee
- St. Lucie

**District Twenty**

- Collier

**District Twenty-one**

- Glades
- Hendry
- Lee

**District Twenty-two**

- Charlotte

**District Twenty-three**

- Flagler
- Putnam
- St. Johns

**District Twenty-four**

- Seminole

# Where is District Twelve?

- Manatee Medical Examiner Facility
  - for autopsies; occasionally to view bones, organs/tissues, other evidence
  - 202C 6th Ave East, Bradenton, 34208
  - 941-746-6922
- Sarasota Autopsy Facility (Sarasota Memorial Hospital Morgue)
  - autopsies and other evidence
  - 1700 south Tamiami Trail, Sarasota, FL 34239
- Bodies are transported from the scene or hospital to one of these facilities.

# The FL ME System

---

- Statewide Medical Examiner Commission (MEC)
  - Oversees appointment process of District MEs
  - Ensures high quality of ME practice in the state
  - Can discipline ME's
  - Liaison to other state agencies
  - Coordinates statewide data collection

# Fundamental Duties of the ME

- Performing a complete medicolegal death investigation
- Determining the *Cause of Death*
  - The underlying disease or injury that led to the terminal mechanism(s) causing death
- Determining the *Manner of Death*

# What is Manner of Death?

- Statutorily mandated categorization of death
- Only choices (these are defined by law)
  - Natural
  - Accident
  - Suicide
  - Homicide
  - Undetermined
  - pending

# Additional Duties of the ME

- Assisting with law enforcement investigations
- Providing expert opinions
- Answering the anticipated questions
- Remaining objective, scientific, unbiased
- Not becoming an advocate for any one individual, agency, or position (except, in a way, the deceased person)

# When Does the ME Have Jurisdiction?

- Unattended deaths (not seen or treated for greater than 30 days)
- Sudden death while in apparent good health
- Deaths from criminal violence (homicides)
- Accidents or suicides
- Deaths in custody or in a penal institution
- Deaths due to disease, injury, or toxic agent resulting from employment
- Deaths due to disease constituting a threat to the public health
- Suspicious or unusual deaths
- Deaths due to criminal abortions
- Poisonings

# The ME must also review...

- All deaths with body to be cremated, dissected (i.e. “leaving your body to science”), or buried at sea
- Disposition of the body in any of these ways requires the “approval” of the medical examiner



# Other Circumstances Requiring the ME

- When a dead body is brought into the state without proper medical certification
- When requested by the State Attorney

# If death is trauma related, it's an ME case

- Even if trauma occurred years ago, e.g.
  - Paraplegic from traffic accident 20 years ago dies from infected decubitus ulcers
  - Elderly man with COPD dies from respiratory failure two days after splenectomy following a hit and run accident
- We use the “but for” rule to determine if injuries played a role in the demise: *but for the injury, would this person have died when he/she did?*
- *We have no statute of limitations*

# How is a Death Reported?

- A call to the ME office to speak with the on-call investigator
- D12: 941-361-6909
- We are open 24/7/365
  - After hours, weekends, and holidays we use an answering service

# What happens next?

- The ME investigator gathers info, then, with the ME on call, decides if jurisdiction exists
- If there is no jurisdiction, the case is declined, and we're done. If jurisdiction exists, then...
- ME may or may not do a scene investigation
- Investigator continues to gather information
- Body is brought in for examination, generally a complete autopsy

# Where does Jurisdiction begin?

- ME jurisdiction lies where the death occurs or where the body is found.
- Different from law enforcement - where the criminal act (or accident) occurs
- How does this affect a traffic crash investigation?
  - If body is transported but the person dies at a local trauma center, the location of the center dictates jurisdiction
  - Or...

# Example: Crash near the county line

- Crash occurs and vehicle remains in Charlotte
- Body is ejected into DeSoto



# Goals/priorities of ME and TIM Responders

- Similarities:
  - Safety of those involved, including living victims and all responders
  - Understanding the nature of the crash or incident
  - Preserving/maintaining evidence pertaining to the events
  - Correct identification of all parties (especially deceased victims!)

# Goals/priorities of ME and TIM Responders

- While we also value those priorities, we additionally focus on:
  - *Identifying the deceased!!*
  - was the individual dead before the crash?
  - how were injuries sustained and which injuries caused death?
  - was natural disease or intoxication a risk factor?
  - was the incident an accident or an intentional event?
  - was equipment failure involved?
  - what are the cause and manner of death?



# How Does a Fatality Affect TIM?

- When a violent death occurs, the medical examiner will always have jurisdiction over the death.
- Thus, by law, the body cannot be disturbed until the medical examiner has given clearance to do so
- However:
  - If a body needs to be “disturbed” to immediately preserve life and limb of others, of course proceed

# Crash with “Routine” Signal 7 (in D12)

- Once a fatality has been confirmed
  - Continue with “routine” crash response and investigation
  - Make note of how many fatalities
    - Are they from the same vehicle?
    - Ejected, within vehicle, restrained?

# ID is Key!

- Attempt to identify the body(ies) if possible based on minimal disturbance
  - Check pockets for ID
  - Use DAVID photo based on vehicle registration
    - Be cautious with significant facial trauma!!
  - On-scene ID by other crash victims or witnesses
  - Rapid ID fingerprint system
  - Its okay to be uncertain about ID – please convey any uncertainty at the time the death is reported!!

# Next: Make the Call to the ME

- This is not just so that you can get permission to move the body and so that we can call the transport service and get the body removed for you...
- We might need to respond to the scene!

# Which Traffic Deaths Result in ME Scene Investigation?

- This will depend on your local ME jurisdiction!!

# ME Scene Investigation

- In D12:
  - Suspected homicides (murder-type homicides – i.e the vehicle is used as a weapon or a road-rage shooting - not routine “traffic homicides”)
  - Multiple fatalities where identities and relationships to vehicles are in question or simply unknown
  - Might also include:
    - Hit and run cases, especially hit and run pedestrians
    - Those involving industrial accidents; unusual equipment; or fire causing obscuration of injury or identifying features
  - Or whenever you need for us to come out!

# What about a TIM-Sensitive fatal crash?

- Your goal: to clear the roadway and re-establish normal traffic flow as quickly and SAFELY as possible
- Thus the sooner you gather the information we need and contact us, the sooner we can move forward together
- If you think one of the previous scene response criteria could be present, call us ASAP, *before* you have all of the information we would typically need

# Where does the time go?

---

- X • Interval between crash and first responder arrival
- X • Time for Initial response assessment and triage
- ✓ • Time for fatality investigation with gathering of required ME information
- ✓ • Call to ME
- ✓ • Time for ME to travel to scene
- ✓ • On-scene ME investigation
- ✓ • Response time of body transport service
- ✓ • Time for Extrication and processing of body once transport is on scene



# Preparation of Remains

- Hands are frequently bagged in homicides
  - Helps preserve trace evidence; not usually necessary in traffic fatalities
- Body removed from vehicle; placed onto new clean sheet (if necessary)
- Body and sheet placed into body bag
- Bag zipped closed then locked with tamper-proof uniquely numbered “lock”

# To speed up the process

- If it is a routine crash, gather the information the ME will need, including filling out the ME paperwork, to prevent multiple back and forth calls before the ME can finally release the body
- Recognize one of the unusual traffic crashes that might garner an ME scene response and let us know early about these so that we can get on our way

# To speed up the process

---

- Be creative (but safe!) in finding ways to get our vehicles (ME investigators and body transport vans – two different things!) past the traffic back-ups and to where the body is
  - This could mean picking us up in one of your vehicles to get to the site (Ummm, not the body transport vans, though...)
- Overlap whichever of the processes we can

# What Can Be Overlapped?

---

- Interval between crash and first responder arrival
- Time for Initial response assessment and triage
- ✓ • Time for fatality investigation with gathering of required ME information
- ✓ • Call to ME
- ✓ • Time for ME to travel to scene
- ✓ • On-scene ME investigation
- ✓ • Response time of body transport service
- ✓ • Time for extrication and processing of body once transport is on scene

# Consider creative alternatives that get traffic moving sooner

- Move a vehicle with a body in it from the roadway or other sensitive location to a safer spot that does not impede traffic (body still in place, undisturbed, in the vehicle if possible!)
- Remove a body from a vehicle, moving the body (or both!) to a safer location for examination
- Transport/tow the vehicle with body still inside to a facility where both can be examined thoroughly

# Assist with Documentation (e.g. photos), if Possible

- A few choice photos or other documentation may allow us to rely on that and not have to respond to a scene

# Communication is Key!!

- Make sure that, before you disturb (move) a body, you have cleared it with your medical examiner (this clearance could be with a defined policy of the ME office rather than by individual phone call for that case)
- District 12 : there is no routine “body movement allowed” policy, you have to call us first!

# Communication is Key!!

- Know the general policies of the ME you work with
- Communicate early with the ME office in reporting the death(s) and letting us know of any urgencies regarding
  - traffic flow
  - impending inclement weather (worsening safety of all responders, loss of evidence, difficulty reaching site, etc.)
  - ongoing criminal investigation



# Shift Change and Dispatch Issues

---

- Communication is best handled by (one of) the primary crash investigators. If it is handed off to someone else (e.g. a dispatch person or new person at shift change), information can easily be lost and could result in multiple call backs and thus delays

# Other Issues

---

- Appropriate visual screening of body during initial waiting period, extrication, exam, and movement/transport is very important!
- Screening of the body using vehicle placement, temporary screens/barriers, even well aligned people can make a big difference