

# The POST...A Forensic Publication



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**Show me the manner in which a nation or community cares for its dead and I will measure with mathematical exactness the tender sympathies of its people, their respect for the law of the land and their loy-**

## NYSACCME

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## President's Message by *Scott M. Schmidt, CFSP* *Chief Coroner—Orleans County, New York*

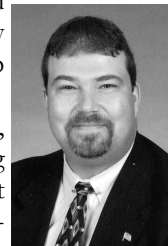
As a Funeral Director, I sometimes have a varied perspective of things when it comes to death. I often times find myself on the wrong side of the vocal majority when it comes to making sense of a situation because my mind is constantly in 'gathering mode'...that is, getting as much information as I can before rendering an opinion. In the past, this has gotten me into trouble with friends, family, or professional counterparts because I didn't automatically 'take their side'.

As a Coroner living in the same small community for the past 30 years, it's easy to become trapped in the situation of having to pit yourself and your investigative procedure against the feelings and opinions of your friends. We all know how emotionally charged death scenes can be, especially scenes of sudden unexplained or traumatic deaths. We all have dealt with staff members in a hospital who think they have all the answers and have no problem telling you how to do your job. Each and every one of us has had a family member of a deceased tell us that we ARE NOT going to autopsy their loved one. And I'm sure that none of us have had law enforcement or EMS move a body prior to the arrival of the Coroner or ME. How can we possibly do our job with so many 'experts' around?

We do it professionally. Not only are we to give respect and treat the remains with dignity, but we are also obligated to do the same for all those people who seemingly 'know' our job. That is not to say that sometimes a firm but respectful conversation may be in order, but we are the ruling authority on a death scene when it comes to what happens to that body. Certainly, we must gather all the information from the family if a death occurred at home. Further, if a family arrives at the hospital following a death we need to interview them as to the what, where, how, and why of the circumstances surrounding the death and even before the death. We need to discuss with EMS/Law Enforcement what their findings were and if that means they have to return to the scene or back to the ER...so be it. We need to listen to staff members about their concerns as perhaps they have a protocol that THEY must follow as well, and we should try and be respectful of that. The family who wants to dictate how things are going to happen needs to be calmed down politely so that they can be educated about the proper procedures that we must follow. This includes their right to refuse an autopsy but also, the implications of not doing one versus the option of getting a court order and really upsetting the situational dy-

namics. And every now and then, we need to jog the memory of some Law Enforcement and EMS personnel about who is in charge of that body and how serious a mistake it is to be moving the body and taking pictures prior to the arrival of a Coroner or ME.

When a death occurs, everyone has a job to complete. Our job relies on the cooperation, information and assistance gleaned from many entities to include the family of the deceased and sometimes, even the deceased as well. Determining cause and manner of death of a person is not something that is negotiable. We need to continually communicate, educate and not alienate those whom we work with and in particular those who we are working for. If you act like an ass, chances are you'll be treated like one. If you are respectful, polite, and professional, chances are you'll be given respect back in return, people will calm down, and perhaps you will gather more information than you expected. We all want to help our friends and family, but we also need to remember that we have a job to do, and ultimately, by doing our job correctly... without bias, we are being of the most help to all involved.



## **SPRING 2012 CONFERENCE SIDS, SUD(I)S, SADS AND OTHER CHILDHOOD ANOMALIES**

by Jonrika M Malone, MD

NYSACCME...are you ready to visit Western NY for the Spring 2012 NYSACCME Conference? We hope so because we are definitely ready for you!! The Erie County Medical Examiner's Office has planned a weekend of "SIDS, SUD(I)S, SADS and other Childhood Anomalies" for your educational treat. The kids who are not just "little adults" will be the talk of the weekend as we focus on the pediatric side of forensics. We have speakers from near and far to enhance and challenge your understanding of the forensic applications and nuances of pediatric forensics.

Starting off our conference extravaganza, we welcome back Steve Dunton, MD (if only for a weekend) to provide you with an overview of forensic pathology and its' application into pediatric populations. To discuss physical abuse in infancy and abusive head trauma, we have prominent pediatrician Cindy W. Christian, MD from Children's Hospital of Philadelphia. In keeping with the expertise of bone development and trauma, we have world renowned forensic anthropologist Steve Symes, PhD, DABFA from Mercyhurst College in Pennsylvania. Dr. Raymond Miller, DDS, another distinguished expert, will talk to us about the challenges of pediatric dental examinations. Our own Dr. Osiewicz will tackle the challenges in analyzing and interpreting toxicology in the pediatric group. Laura Knight, MD, Onondaga County medical examiner, will remind us that the neglected child is more common than the abused. Your attention will not be lost on our other speakers that vary from the Erie County District Attorney's Office, Erie County Health Department, Hilbert College, New York State Center for SIDS, Child Advocacy Center in Niagara Falls, and UNYTS.

Not to overwhelm you with the wealth and variation of specialists that plan to titillate your senses and hopefully not send you into kiddie overload, we have a live jazz band on Saturday evening to help you unwind before and after dinner. For those traveling with someone who may want to 'hit the town', Seneca Buffalo Creek Casino (in downtown Buffalo) is open 24/7, outlet shopping is nearby, and tours are available for Buffalo City Hall and Statler City, formerly Statler Towers. For a unique experience, the Buffalo Museum of Science will have the CSI: The Experience exhibit which invites you to step into the world of forensic science and test your investigative skills. Last but far from least, for the hockey fans, the Buffalo Sabres will be playing the Minnesota Wild at the First Niagara Center, formerly HSBC Arena.

For those just wanting to relax, the Adam's Mark Hotel will be your home for the weekend providing luxurious accommodations, fabulous amenities, chic restaurants and lounges, and an exceptional gift shop. Located in the heart of Buffalo's downtown business district, the Adam's Mark Hotel is deluxe accommodations at the Waterfront. It is fifteen (15) minutes from Buffalo-Niagara International Airport and twenty (20) minutes from Niagara Falls and Casino Niagara.

Looking forward to seeing you just around the spring corner!!  
Dianne and Jonrika  
Erie County Medical Examiners



## **NYSACCME MISSION STATEMENT**



The Mission and Goals of the NYSACCME are to assist in advancement of Forensic Science and its application to death investigation by providing education to those who interact during a death investigation. We strive for the improvement of quality in death investigations in NY State and the ad-

vancement of support by the State of NY, as well as County and Local governments for the death investigators. By organizing Coroners and Medical Examiners throughout the State, we support promulgation of standards for death investigation. We hope to maintain a greater quality of death investi-

gation by accrediting our membership via training, and we strive to assist with the writing of new laws and/or changing of old laws by maintaining liaison with legislative bodies, representatives, and the State DOH. We are ACTIVISTS for Forensic Science.

## **“In Response...” by Dr. Caroline R. Dignan**

“Don’t Bother Me!” the title of Scott Schmidt’s President’s message in the summer 2011 issue of The Post, caught my attention. I thoroughly agree with Scott’s conclusion that we need to apply the Golden Rule to the families we serve. I also try to apply that rule when working with other agencies. And so I would like to start by setting the record straight about one statement in Scott’s article. He mentions that his county (Orleans) contracts with another for autopsy and toxicology work. Many of you probably already know it is the Monroe County Office of the Medical Examiner that provides those services for Orleans County. Scott goes on to say “...the county we contract with does their own reports first, and then works on the other 7-8 counties that contract with them as they are able.” That is not true.

Our office gives each case a thorough investigation and appropriate examination and testing based on the specifics of the case. The timeframe for completion of that testing and the final autopsy report is based solely on the complexity of the case. We do not prioritize cases based on county of origin. We would not want that done to us, and so we do not do that to others.

I spoke with Scott about that statement, and when I did our conversation included a discussion about the strong, positive relationship that our offices enjoy. I cannot imagine trying to accomplish anything in an adversarial coroner-medical examiner relationship.

Our office works hard to give each case all the attention needed to make a final determination. The information we receive from the coroner - the circum-

stances of the death, the scene findings, the history – is essential to that process. I am grateful for all of the support we get from the counties we work with, and that further motivates me to do the best I can for them.

It is critical to maintain our intercounty relationships, especially in the current financial climate. All of us, whether part of a coroner’s system or a Medical Examiner’s office, need to work together to accomplish the common goal of determining how and why someone has died. As Scott rightly pointed out, we need to provide those answers to grieving family members in a supportive and compassionate way. To do anything less is a disservice to everyone.

Caroline R. Dignan, M.D.

Medical Examiner

Monroe County Office of the Medical Examiner

**THANK YOU  
CDT**

**CENTER FOR DONATION AND TRANSPLANT  
for your sponsorship at our  
FALL 2011 CONFERENCE**

### USE OF THE NYSACCME LOGO BY MEMBERSHIP

Membership in NYSACCME is something which the General Public does not have privy to. We allow only people into our membership who have something to do with a death scene and/or the dead body. Forensic Pathologists, Forensic Odontologists, Law Enforcement Officials, Attorneys, Coroners, Medical Examiners, Organ Procurement Representatives, Medico-Legal Death Investigators and Funeral Directors, and Forensic Laboratories are pretty much the grouping.

Aside from our Bi-Annual Conferences and the tremendous networking and education that takes place at those, NYSACCME affords its membership the opportunity to display proudly the NYSACCME. NYSACCME allows you to use it in advertising as such, “...is a member of the New York State Association of County Coroners and Medical Examiners.”

NYSACCME never has or never will endorse a particular candidate for public office as we are an education organization committed to providing continuing education in Forensic Science and Medico-Legal Death Investigation. A recent political ad appeared for a Coroner Candidate with the NYSACCME Logo in the upper right corner of the ad. YOU ARE NOT permitted to use the NYSACCME Logo in political advertising. YOU ARE NOT permitted to say that NYSACCME endorses your particular campaign. Violations of this policy could result in revocation of membership in the future.

## NEW LAW – NURSE PRACTITIONERS

Governor Cuomo has just signed a bill (A.1747) into law that allows nurse practitioners (“NP’s”) to sign death certificates in like manner as physicians and conveys upon nurse practitioners the same duties that physicians have.

This new law has long been a high NYSFDA legislative priority. It takes effect 180 days after being signed into law (which was on July 20th), meaning that the date nurse practitioners throughout the State (including New York City) may start exercising this authority is on **January 20, 2012.**

With this law, nurse practitioners join physicians’ assistants as the only professionals other than physicians to be legally authorized to sign death certificates. Nurse practitioners may be found in independent practices, as well as in doctors’ offices and a variety of other settings. (NP’s working for a physician would need to have his or her supervising physician’s permission as part of their collaborative agreement to sign death certificates.)

It is not anticipated at this time that the State death certificate will change but, rather, clear indication that the certificate is being completed by an NP (rather than a physician) along with his or her license number will most likely have to be placed on the certificate.

Please be assured that we will pass along any additional information that becomes available regarding the law’s implementation, including specific details as to completing the death certificate.

## Directions to the ADAM’S MARK HOTEL

DIRECTIONS TO THE ADAM’S MARK HOTEL -  
120 CHURCH STREET, BUFFALO, NY 14202



- From the Buffalo Niagara International Airport, take 33 West (Kensington Expressway) to Oak Street. Make a right turn on North Division Street and follow North Division to the hotel.
- From Niagara Falls, take 190 South to Niagara Street (Exit 8). Make a right on Niagara Street and go through 3 traffic lights to South Elmwood and turn right. Hotel is located at intersection of South Elmwood and Church Street.
- From the East, take I-90 West to Exit 53. Take Church Street exit and follow Church Street to the hotel.
- From the North, take Queen Elizabeth Way (QEW) to 190 South. Take the Niagara Street Exit (Exit 8). Turn right onto Niagara Street. Turn right on South Elmwood and follow to the hotel.
- From the South, take I-90 to Exit 53. Take Church Street exit and follow Church Street to the hotel.

From the West, take I-90 East to Exit 53. Take Church Street exit and follow to the hotel.

## LOOKING FORWARD TO FALL

The NYSACCME Fall 2012 Educational Conference will be held at the Holiday Inn, in beautiful Saratoga Springs, New York.

Our hosts for the Fall Conference will be Dr. Michael Sikirica, Rensselaer County Chief Medical Examiner and Margaret Luck, Fulton County Coroner. Together we have put a program together regarding Risk Management and Controversial Issues. We hope to have a lively discussion and answer conference questions related to our day to day practices as coroners, medical examiners and death investigators and the controversy that may arise from some cases.

Saratoga Springs offers plenty to do and see including the Golf, Saratoga Racino, Historic Parks, Spa’s, Downtown Shopping, Art Galleries and much more.

We look forward to seeing you all  
September 21-23, 2012.

Submitted by Maggie Luck



**Holiday Inn**

**N.Y.S.A.C.C.M.E.**

New York State Association of County  
Coroners and Medical Examiners

**BUSINESS OFFICE**

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We're on the web!!

[www.nysaccme.org](http://www.nysaccme.org)



*SPRING 2012 CONFERENCE—March 23-25, 2012*

**True or False? Only the wealthy can make a significant gift to NYSACCME.**



**FALSE!** Interestingly, the wealthy are less likely than others to give. Many of our supporters are not wealthy, but are interested in making a sizeable donation to support NYSACCME and its efforts in Medico-Legal Death Investigation Education. But to be practical, they must maintain their current income and cash flow levels. They want to give, but aren't sure how to give wisely. A planned gift to NYSACCME is a wonderful way to make a differ-

ence in the Educational efforts of your organization while also enhancing your own financial and estate plans. Bequests, trusts, gifts of life insurance, and retirement assets—these giving vehicles can benefit you regardless of your level of wealth. And, with a planned gift, you will have the satisfaction of knowing that you have truly made a difference in the future of Forensic Science. Why not remember NYSACCME in your will or estate planning

or with an outright donation now, to ensure that your interests in NYSACCME will endure through the years. Your attorney and/or financial advisor can help you with the options available to you. NYSACCME is a Not-for-Profit Organization and your gift is tax deductible. Thank you.