

BUTTE COUNTY SHERIFF'S OFFICE
DEPARTMENTAL ORDER

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TO: ALL PERSONNEL

FROM: SHERIFF-CORONER

SUBJECT: CORONER'S DUTIES AND RESPONSIBILITIES

DATE: March 3, 2005

REFERENCE: Code of Civil Procedure - Section 129; Departmental Order – 3007; Health & Safety Code - Sections 7113 (1), 7301, 10251, 10254; Penal Code - Sections 1143, 5021; Probate Code - Section 1143

ATTACHMENT: (1) Local Funeral Directors

PURPOSE: To establish and publish procedures to be followed when investigating a coroner's case.

BACKGROUND: The duties and responsibilities of the Coroner are complex and are governed by multiple codes. A standard operating procedure is necessary to insure that each Coroner's case is properly investigated.

ACTION: Effective immediately, the following action and procedures shall be implemented:

(a) This order replaces Departmental Order 6000 (June 17, 1991)

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PROCEDURES:

I. Duties and responsibilities of the Chief Deputy Coroner:

- A. The Chief Deputy Coroner shall be directly answerable to the Sheriff-Coroner through the Captain - Operations Division in all matters pertaining to the Coroner's Office.
 - 1. The Chief Deputy Coroner shall hold the rank of a Sheriffs Lieutenant or above as appointed by the Sheriff.
- B. The Chief Deputy Coroner shall:
 - 1. Organize, direct and control all aspects of death investigations - natural, accidental, suicide or criminal. During homicide investigations he correlates his investigation with the District Attorney and other involved allied agencies.
 - 2. Be responsible for maintaining permanent coroner files and safeguarding the property of the deceased.
 - 3. Be responsible for determining the exact cause of death. At his disposal on county contract are medically trained and qualified professionals necessary to accomplish this task.
 - 4. Maintain a working relationship with the funeral directors of Butte County who are under contract to perform services for the Coroner.
 - 5. Conduct formal Coroner Inquests when required by law and in accordance with Departmental Order 6001.

II. Criminal Death Investigations

- A. The Chief Deputy Coroner will be notified of all criminal cases where death results.
- B. Whenever possible, the Chief Deputy Coroner will respond to the scene. If he is not available, the Field Supervisor will assign a Deputy to perform the Coroner's function.
- C. Prior to the arrival of investigative personnel or the Chief Deputy Coroner, all personnel responding to the scene will act in accordance with Departmental Order 3007. (Crime Scenes and initial investigations)
- D. On the arrival of the Deputy Coroner, he will begin his investigation without impeding the criminal investigation. When cleared to do so by the criminal investigator in charge, he will have the body removed to the on-duty mortuary or mortuary of his choosing.
- E. At the mortuary, the Deputy Coroner investigator will take all steps necessary to insure the body is not disturbed in any matter. This will insure the preservation of any evidence on the body.

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- F. As soon as practical, the Chief Deputy Coroner will arrange for the forensic autopsy on criminal cases. The criminal investigator in charge of the case will be notified as to the location, date and time of the autopsy.

III. Non-criminal death investigations.

A. Suicide:

1. When investigating a case which appears to be a suicide, the investigator shall handle the case as though it were a homicide until such time as a decision is made to the contrary.
2. Photographs shall be taken of the scene prior to the removal of the body whenever possible.
3. The weapon or instrument used shall be confiscated and listed on the Evidence Report (CR-4 form).
4. Suicide notes will be confiscated and listed on the Evidence Report. After disposition of the case, the note shall be copied for the Coroner file and the original delivered to the addressee or to the legal representative of the estate of the decedent.

B. Accidental/Non-traffic:

1. Aspiration: the drawing in, usually of food or vomit, is classified as an accidental death. Often it is not detected until an autopsy is performed.
2. Industrial: Death resulting from accidental means while deceased was employed, either by himself or someone else.
 - a. Photograph the scene before the scene is changed, whenever possible, and with the body in place.
 - b. Write a detailed report including a sketch with measurements.
 - c. Obtain written statements from all witnesses as soon as possible.
 - d. Occupational Safety and Health Administration (O.S.H.A.) shall be notified as soon as possible and provided the deceased's name, employer's name and the location of the accident scene.
 - e. An autopsy shall be performed on all industrial accident death victims.
 - f. Photographs, sketches and reports will most likely be used in civil court or other legal hearings.

C. Other accidental deaths:

1. These shall be investigated thoroughly to eliminate any chance of foul play allegations being made at a later date.
2. All accidental death cases have the potential of civil litigation. Reports, statements, diagrams, photographs and the investigative procedures will be scrutinized by the legal profession. Therefore, regardless of how simple and clear cut the case may appear on the surface, it is necessary to conduct a complete and thorough investigation.

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D. Natural deaths:

1. Natural deaths are by far the most common encountered. However, “apparent” natural deaths are not always what they seem. The investigator must be careful and not assume anything.
2. The Deputy Coroner shall make notification to the nearest next-of-kin if not already aware of the death.

IV. Traffic death investigations:

- A. Traffic related death cases often end up in civil litigation, criminal prosecution or both. Detailed, thorough investigative procedures must be followed as well as correct report writing procedures.
- B. The California Highway Patrol or inter-county police departments will conduct the traffic accident investigation. If prosecution is effected, coordination between these agencies and the District Attorney is imperative.
- C. Photographs of the accident scene shall be taken before the deceased is removed. If the body is removed prior to the Deputy Coroner’s arrival, photographs should still be taken of the scene. Normally, the California Highway Patrol will take photographs which will meet the needs of the Sheriffs Office.

V. Coroner property:

- A. The property of deceased persons, in the immediate absence of legal representatives, is the sole responsibility of the Sheriff-Coroner’s Office. The Chief Deputy Coroner is responsible for the safekeeping and release of the property to the proper legal representative of the deceased. In the absence of family or legal representation, (no next of kin), the coroner will work with the public guardian for disposition of property. This is normally accomplished by confiscation or sealing the premises whether it be vehicle, business or residence.
 1. Residential death:
 - a. Property shall be removed, inventoried on an Evidence Report (CR-4 form) and secured in the evidence division of the department.
 - b. The doors and windows of the residence should be locked and a “Coroner’s Seal” placed on the doors. If a window cannot be secured, use a seal there also.
 - c. Vehicles in the yard or on the street which belong to the deceased should be searched for valuables, locked and secured. Outbuildings such as unoccupied quest cottages, garages and shops should be secured and sealed.
 - d. If an immediate relative such as a spouse or adult child is immediately available, confiscation and sealing is not necessary.
 - e. If deceased was living in an apartment or motel, the above still applies. Advise the manager of your actions and request information concerning relatives and their addresses. Advise the manager that as soon as relatives are contacted they will be advised to clear the deceased’s estate.

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2. Hospital nursing home deaths:
 - a. The Deputy Coroner shall make a demand for deceased's property in the absence of family. Sign a receipt for the property and obtain a copy of same. The property, along with any property found on the body, shall be inventoried and secured.
3. Other deaths:
 - a. The Deputy Coroner shall take charge of the remains and any property on the premises or person of the deceased.
 - i. If deceased fell from a bicycle, the bicycle is the Coroner's responsibility.
 - ii. If deceased is pronounced at the scene of a traffic accident, all property in the deceased's vehicle is Coroner's property.
 - iii. If deceased is dead on arrival at the hospital, the property in the vehicle is still Coroner's property and must be safeguarded.
 - iv. The vehicle is towed by the California Highway Patrol, but it remains as Coroner's property.

VI. Duty mortician:

- A. In Gridley, Oroville, Chico and Paradise the funeral directors are sworn Deputy Coroners with limited duties and responsibilities.
 1. The purpose is to give them status and an identification card in the event they are questioned while making a removal for the Coroner. This also allows them to sign a death certificate as a Deputy Coroner.
 2. The funeral directors are on a monthly rotation as "on-duty mortician" in their respective areas. In the absence of a family request for mortician, the "on-duty mortician" is called to make the removal.
 3. The mortuary facilities and personnel are utilized in the performance of the Coroner's functions (i.e.: autopsy, storage, fingerprinting, death certificate preparation and filing,).

VII. Coroner inquests:

- A. Refer to Departmental Order 6002.