



International Association of Coroners & Medical Examiners

Professionalism & Prevention

Dedicated to the promotion of excellence in medical-legal death investigation through annual educational seminars for over 70 years

POSITION STATEMENT

IAC&ME has been advised of the following:

DHS/FEMA, working through the Homeland Security Studies and Analysis Institute, has issued a revision to the National Incident Management System (NIMS) Intelligence/Investigation (I/I) Function Guide that raises significant concerns within the Coroner/Medical Examiner (C/ME) community.

The revision NIMS draft document, if adopted, will result in the relocation of all C/ME operations during a mass fatality incident from its current position in the Incident Command System (ICS) as a "Fatality Management Branch (FM)" under the Operation Section to a "Medicolegal Group" under the I/I Section.

IAC&ME opposes this change in NIMS doctrine for the following reasons:

- Mass Fatality Management (MFM) is a complex, specialized, medicolegal-based function that must operate as a separate branch in its current position within the Operations Section.
- The responsibility for managing human remains falls under the exclusive jurisdiction of the Coroner or Medical Examiner within the local jurisdiction where the death occurs.
- MFM resides within Emergency Support Function #8 and it is recognized to be medical function within the public health arena as defined by the Department of Health & Human Services Agency.
- MFM involves a series of highly specialized tactical operational functions that involve:
 - o The ability to effectively perform scene documentation; the complete collection and recovery of the deceased, victims personal effects, items of evidence; decontamination of remains and personal effects (if required); transportation, storage; determination of the nature and extent of injury; identification of the decedent using scientific means; certification of the cause and manner of death, and the efficient return of the decedent and any personal effects to the victims legally authorized next of kin.
 - o Interaction with and provision of legal, customary, compassionate, and culturally competent required services to the families of the deceased within the context of the family assistance center.
- Intelligence/Investigation has a different mission than fatality management.
 - o The National Academy of Sciences (NAS) 2009 Report identifies the need for independence for Coroners and Medical Examiners from law enforcement agencies.
 - o The NAS Report further states that the medicolegal investigation of death (including autopsies) should be independent of law enforcement.
 - o Obtaining ante-mortem information from family members for the purposes of supporting the efficient and scientific identification of victims should not occur in a law enforcement based (Investigative or interrogative) environment.
 - o Federal family assistance center guidance specifically prohibits this type of investigative/interrogation activity.

Based on these reasons, the IAC&ME cannot support any change to NIMS that would require that C/ME tactical operations occur under an I/I platform.

The IAC&ME recommends that a FM remain under the Operations Section as is the current structure in recent mass fatality events and the current operational protocol. Further recommending that the I/I section provide a liaison to the FM to facilitate this coordination.

The IAC&ME recognizes the need for close coordination with law enforcement particularly in such limited areas as missing persons operations in support of developing a decedent manifest.

Respectfully,

President, IAC&ME