

## **Charleston County Coroner's Office Policy #2**

**Title:** Autopsies/External Examination/Autopsy Photographs & Equipment  
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**Authorized By:** Bobbi Jo O'Neal, Coroner

### **2.1 POLICY**

1. Only a licensed, board-certified forensic pathologist will perform an autopsy or external examination upon authorization by the Charleston County Coroner's Office.
2. The decision to conduct a forensic autopsy or external examination will be made by the investigating Deputy Coroner assigned to the case unless otherwise directed by the Coroner or Chief Deputy. Should the manner or cause of death be in question at the time an autopsy decision is considered, this Office errs on the side of caution and deputies shall order an autopsy. Should the legal next of kin raise questions even where more than adequate medical records exist to provide cause and manner with confidence, consult with a supervisor regarding autopsy decisions.
3. All autopsy reports, photographs, and/or videos of the autopsy of decedents are the property of the Charleston County Coroner's Office.
4. The forensic pathologist is responsible for each postmortem examination they perform, the diagnoses made, the opinions formed, and any subsequent opinion testimony.

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5. Nothing in this policy limits the number of autopsies or medicolegal consultations a contracted forensic pathologist may perform per year. The goal of the Office regarding the number of autopsies performed per year per forensic pathologist is to not exceed 250 per year however, the caseload may make it inevitable that the goal would be exceeded.

### 2.2 PROCEDURE

1. All autopsies performed for the Charleston County Coroner's Office will be complete autopsies (entire body to include head) unless prior approval has been given by the Coroner or Chief Deputy after discussion with the Deputy Coroner investigating the death.
2. Should the next-of-kin object to an autopsy, a diplomatic conversation shall ensue about the importance of the autopsy in determining the cause and/or manner of death. Should there be religious objections, a further conversation may be warranted. Ultimately, the decision to autopsy or not comes from the Coroner or the case Deputy Coroner, however; every consideration shall be made to either address the family's concerns or adjust to their desires where possible without compromising the death investigation.
3. Upon completion of the autopsy, the case Deputy Coroner (or designee) shall receive the preliminary findings of the pathologist in person or via telephone and relay the findings to the next of kin either in person or via telephone. If the preliminary autopsy findings differ significantly from the final certification on the death certificate, the next of kin shall be notified in a timely manner.
4. An autopsy report will be prepared in a timely manner by the forensic pathologist for every decedent receiving an autopsy. The case Deputy Coroner and/or Case Manager is responsible for reviewing the report for accuracy prior to inclusion in the case file. Should a discrepancy or typographical error be found upon review, the Deputy shall contact the pathologist for discussion and/or revision.

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5. National standards recommend forensic pathologists perform no more than 325 autopsies per year. Additional pathologists may be hired to conform to the 325 maximum.
6. A forensic pathologist shall personally examine all external aspects of the body before dissection.
7. All autopsy ex-situ dissections shall be personally performed by a forensic pathologist.
8. Autopsies shall be performed in greater than 95% of suspected homicides at the time of death.
9. Autopsies shall be performed in greater than 95% of all cases in which the manner of death is undetermined at the time an autopsy decision is made.
10. X-rays should be taken, if possible, and if prescribed by the case Deputy Coroner, Supervisor, or Coroner. If the circumstances surround known or suspected firearm wounds, blunt force trauma, decomposed individuals or burns, or other unique circumstances, X-rays should be taken.

### 2.3 GENERAL AUTOPSY PROCEDURES

1. General autopsy protocol shall follow best practices and excellence in forensic pathology and death investigation. A synopsis and pertinent details surrounding the circumstances of death shall be entered in the MDILog Autopsy Authorization Section by the case deputy and scene photographs and other supportive documents where available shall also be uploaded to MDILog for the pathologist to review prior to autopsy. Considerations for the specific features, findings, or condition of the decedent at hand and the age of the decedent allow for the professional judgment of the pathologist or at the request of the Coroner, Chief Deputy, or case Deputy Coroner to further dictate the autopsy procedures and photographs of the decedent.

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2. Appropriate personal protective devices including face protection, chest, arm and leg protection, gloves, shoe covers, and N95 respirators and/or PAPRS shall be available to staff and shall be properly donned at the appropriate level prior to an autopsy. The autopsy technician(s) shall set up the autopsy workstation according to the specific case examination status including preparing tables for body dissection, preparing instruments, preparing specimen containers and collection tubes, and preparing paperwork for daily caseload.

3. During the autopsy, any autopsy assistants, pathology assistants, autopsy technicians, MDI apprentices, or others without medical training, shall work in the physical presence of and under the direct supervision of a forensic pathologist and should remain present during the procedure until it's completion or the pathologist has excused them.

4. All autopsies will be photographed with the use of a placard to mark the case number and the beginning of the autopsy. The release of any photograph(s) and/or video of an autopsy are done at the sole discretion of the Charleston County Coroner in accordance with SC Code of Laws 17-5-535, SC Code of Laws Title 30, Chapter 4, Freedom of Information Act, (FOIA), this policy and the 'Release of Information to the Public Policy' and the Charleston County Coroner's Office Paralegal Procedure Manual. Autopsy photographs are exempt from release under the Freedom of Information Act (FOIA) and may only be viewed by or disseminated to persons listed in SC Code 17-5-535. Autopsy photographs will be taken at the discretion of the pathologist.

5. Autopsies shall include (appropriate and available) collection of body fluid samples and other collected bodily samples or items of evidentiary value which are appropriately packaged and labeled with the corresponding case number and appropriate warning labels.

6. Place all organs in a viscera bag then place the viscera bag in the body cavity.

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7. Clean the body and return it to the body bag.
8. Seal the body bag with a blue lock, document, and photograph.
9. Thoroughly clean and disinfect autopsy and dissection tables, sinks, drains, instruments, dry-erase board, and floor area.
10. Dispose of cleaning supplies or soiled disposable items in a bio-hazardous waste container.

### 2.4 STORAGE AND DISPOSAL OF TISSUE AND ORGAN SAMPLES

1. The 10 % Formalin-fixed tissue and organ samples (generally referred to as a Stock Jar) kept from each autopsy (as available) shall be labeled, stored, and secured in the evidence room for at least one year or until final disposition. The stock jars will be approved for disposal per the Property and Evidence Policy. At that time, the liquid will be poured down the autopsy sink, while the tissues and container will be placed in the red biohazard bins for approved county-contracted medical waste disposal.
2. Microscopic slides or paraffin blocks from all cases will be kept indefinitely and shall also be stored in the evidence room in numerical order in the designated organizing cabinets and shall be examined at the discretion of the pathologist.
3. Blood spot cards and/or other forms of DNA samples will be captured and transferred to the evidence room and stored indefinitely per the Property and Evidence Policy.
4. Toxicology specimen kits will be fulfilled and sent to the designated lab for testing. Scan any documents into MDI prior to sending them to the lab.

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5. Any items of evidence or products of autopsy shall be held, preserved, and stored in the evidence room for at least one year post-start of investigation and in accordance with the Property and Evidence Control Policy. Items that potentially fall under the Preservation of Evidence Act will be held indefinitely.

6. Specimens collected for microbiological evaluation shall be placed into appropriate transport media or sterile containers. Microbiologic specimens shall be promptly transported to the service laboratory.

7. Should whole body parts need to be retained to aid in the determination of cause and manner of death, SC Code 17-5-530(C) states that the next of kin must be notified in writing.

### 2.5 SAMPLES FROM SUSPECTED SEXUAL ASSAULT VICTIMS

1. Sexual assault specimens shall be collected at the direction of the case Deputy Coroner, Supervisor, or the Coroner at autopsy.

2. Control hair samples shall be collected from the decedent by plucking a representative number of hairs from various body areas, e.g., scalp and pubic areas.

3. In cases of suspected sexual contact the pubic area shall be lightly combed to obtain loose and foreign hairs and are native control hairs plucked and packaged separately.

4. In cases of suspected sexual contact swabbing of body orifices shall be obtained and examined for the presence of spermatozoa, the presence of seminal fluid, and DNA and/or serologic markers.

5. In cases of suspected sexual contact bite marks shall be processed according to procedures consistent with forensic Odontology practice (ABFO).

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### 2.6 EQUIPMENT AND SUPPLIES

1. The Supervisor of Forensic Services is responsible for the adequate inventory of PPE and other supplies in the morgue and autopsy suite areas as well as upkeep/calibration of all equipment and scales, water supply/drains, and ventilation. Organ scales, scientific equipment, suction, and other pieces of equipment shall be calibrated and maintained. The office shall have written morgue and autopsy policies available in the autopsy area. The Supervisor shall see that the ventilation system(s) shall adequately control odors.
2. All documents received in the suite regarding equipment, repairs, or the like (instruction manuals, etc.) will be kept and logged appropriately until the equipment is no longer used.
3. All chemicals stored or used in the autopsy suite will have their MSDS sheet in the Safety Data Sheets book which is stored near the door to the autopsy suite.
4. The floor scale shall be calibrated annually by a certified contractor. Organ scales shall be kept clean and in good working order. The two organ scales the office owns are calibrated at the factory and are certified by the National Conference on Weights and Measures (NCWM) NTEP.
5. First aid kits, safety showers, adequate nasal Narcan doses, and eyewashes shall be available and in good working order.

### 2.7 CLEANING

1. Universal Precautions shall be followed when performing the cleaning tasks whether daily or deep cleaning.
2. The approved cleaning and disinfecting supplies will be maintained by the coordinator.

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3. Discard any sharps in an approved sharps container.
4. Discard any exposed unused supplies i.e., blood tubes, syringes, etc.
5. Rinse gross tissue and body fluids into the drain on the autopsy table or dissecting table.
6. Place all instruments, photo scales, or other items used in the sink containing an approved detergent and disinfectant solution.
7. Spray the autopsy table, dissecting table (including under the crate), scale assembly, and any other work area used during the procedure with an approved disinfectant solution and thoroughly clean the area using a sponge and/or brush. Rinse.
8. Remove any tissue from the floor and spray any affected area with an approved disinfectant and wipe dry with a paper towel.
9. Clean the blade area of the autopsy saw with an approved disinfectant and thoroughly clean the handle of the saw.
10. Once the items are cleaned and dried, return the autopsy station to its ready state for the next case.
11. Sweep and mop the autopsy suite and the morgue floors with a disinfecting solution. This can include the use of the Aeroclave unit.

### 2.8 AUTOPSY ATTENDANCE

1. When a request to attend an autopsy is received from law enforcement personnel with investigative jurisdiction in the death, requests shall be granted by the case deputy with no need for supervisory approval. The case deputy shall advise the



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Supervisor of Forensic Services and the appropriate staff in the Autopsy Authorization section in MDILog.

2. When a law enforcement agency requests to use their forensic personnel for photography or evidence processing during the autopsy, the request shall be forwarded to the Chief Deputy or the Coroner for approval.
3. Requests from law enforcement agencies without jurisdiction to investigate the death shall submit a written request to the Chief Deputy or the Coroner for approval.
4. Requests from a non-law enforcement person to attend an autopsy must be received in writing and forwarded to the Chief Deputy or the Coroner for consideration.

### 2.9 REPORTS AND PHOTOGRAPHS

1. Formal, written requests (fax, mail, email, or hand-delivered) for autopsy reports, toxicology reports, and autopsy photographs from law enforcement, the Ninth Circuit Solicitor's Office, and the Ninth Circuit Public Defender's Office shall be fulfilled without fee or subpoena. All other authorized persons will be subject to fees established by the Coroner.
2. Other requests for autopsy and toxicology reports, photographs, and/or the entire file, can be fulfilled if this office receives an authorization signed by the next-of-kin, a certificate of appointment as the personal representative to the decedent's estate, or a subpoena. Refer to the paralegal procedure manual for further information.
3. All autopsy and toxicology reports and photographs mailed to locations within the United States shall be mailed certified with a return receipt. If sensitive material is being mailed outside of the United States, it must go by registered mail.

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4. The state statute governing autopsy photographs or video is SC Code 17-5-535 copied below for quick reference. It is the policy of this office to handle autopsy photographs or videos in accordance with the laws of this state. Copied below:

**SECTION 17-5-535.** Persons authorized to view photographs or videos of autopsy; training use exception; penalty.

(A) Photographs, videos, or other visual images and audio recordings of or related to the performance of an autopsy shall only be viewed by or disseminated to:

- (1) the coroner or the medical examiner, or both, and their staff;
- (2) members of law enforcement agencies, for official use only;
- (3) parents of the deceased, surviving spouse, children, guardian, personal representative next of kin, and any other person given permission or authorization to view or possess the visual images by the personal representative of the deceased's estate;
- (4) those involved in a judicial or administrative proceeding related to the death of the subject of the photograph, video, other visual image or audio recordings including, but not limited to:
  - (a) parties to a civil suit arising from, related to, or relevant to the death or autopsy of the subject of the photograph, video, other visual image or audio recordings, and the attorneys for the parties and the staff of the attorneys;
  - (b) a person charged with a crime arising from, related to or relevant to the death or autopsy of the subject of the photograph, video, other visual image or audio recordings, and the person's attorney and the staff of the attorney;
  - (c) staff of the prosecutor's office considering or prosecuting criminal charges arising from, related to or relevant to the death or autopsy of the subject of the photograph, video, other visual image or audio recordings;
  - (d) lay and expert witnesses conferred with, consulted or retained by a party or an attorney considering or involved in a legal or administrative proceeding arising from, related to or relevant to the death or autopsy of the subject of the photograph, video, other visual image or audio recordings;
  - (e) judges and administrative hearing officers, as well as their staff, involved in a judicial or administrative proceeding arising from, related to or relevant to the death or autopsy of the subject of the photograph, video, other visual image or audio recordings; and
  - (f) members of any jury, including grand juries, petit juries and coroner's juries, empanelled to hear or decide any issue arising from, related to or relevant to the death or autopsy of the subject of the photograph, video, other visual image or audio recordings;
- (5) physicians and other persons consulted by or supervising the physicians or persons who were involved in the performance of the autopsy of the subject of the photograph, video, other visual images, or audio recordings; and
- (6) a person who receives such photographs, videos, or other visual images pursuant to a validly issued court order, after notice and opportunity to object are provided to the personal representative of the deceased's estate.

These photographs and videos must be released and disseminated only as authorized by this section.

(B) Notwithstanding the provisions contained in subsection (A), a photograph, video, other visual image of an autopsy, or an audio recording of an autopsy, or a combination of each of these items, after all information immediately identifying the decedent has been redacted and after making facial recognition anonymous to the

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extent reasonably possible if lawfully obtained or possessed may be used for:

- (1) legitimate medical scientific teaching or training purposes;
- (2) legitimate teaching or training of law enforcement personnel;
- (3) teaching or training of attorneys or other individuals with a professional need to use or understand forensic science or public health;
- (4) conferring with medical or scientific experts in the field of forensic science or public health; or
- (5) publication in a scientific or medical or legal journal or textbook.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than five thousand dollars nor more than fifty thousand dollars. Each violation under this section must be considered a separate offense.

HISTORY: 2002 Act No. 350, Section 2, eff July 19, 2002; 2003 Act No. 34, Section 1, eff May 14, 2003.