

# Interviewing the ME



# What Jurors Think





**Are they scientific ?**

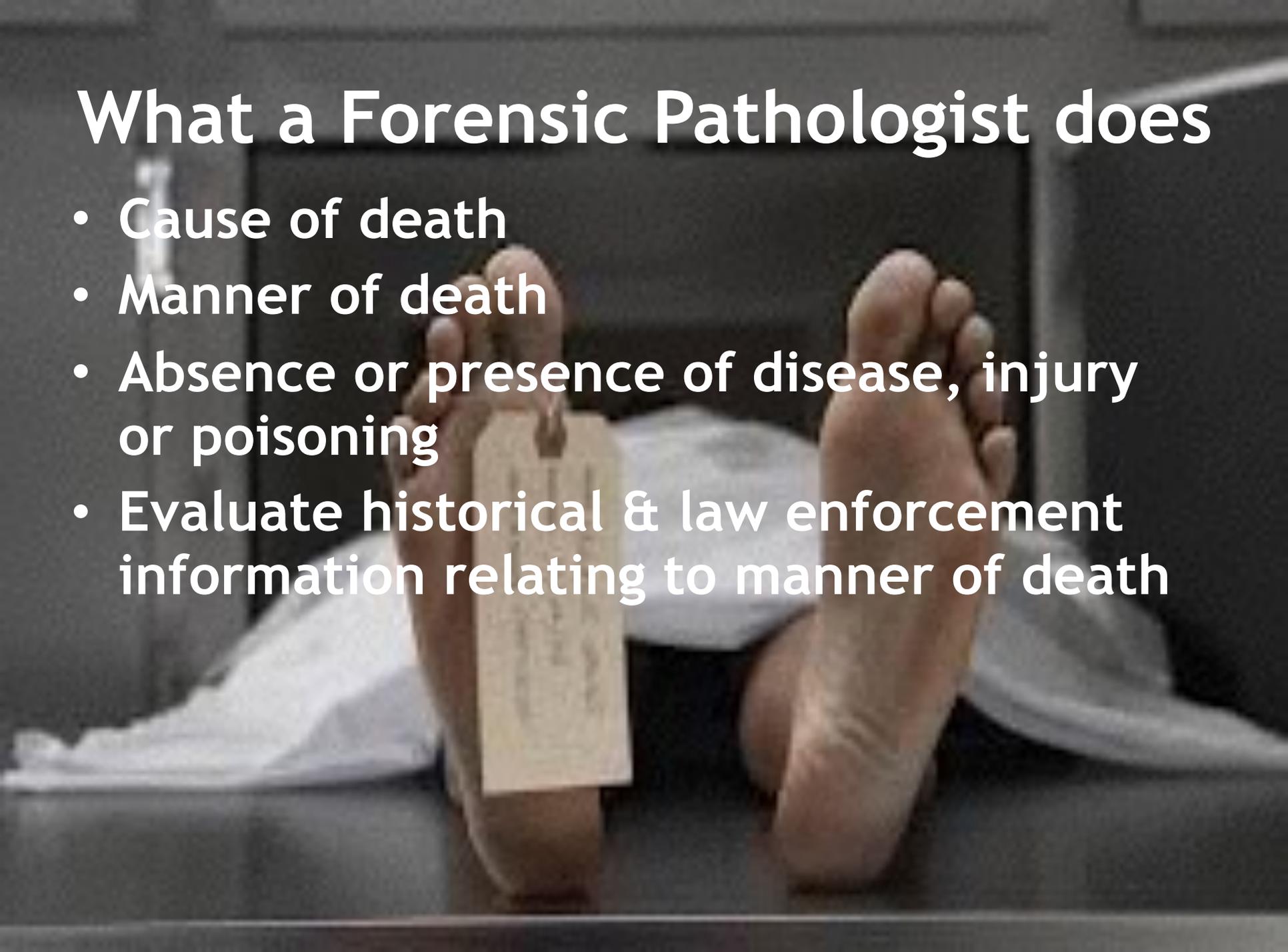
# Forensic Pathology 101



NAME: MELANIE JONES  
SEX: F  
DOB: 10/22/06  
CAUSE OF DEATH: CONCUSSION

# What a Forensic Pathologist does

- Cause of death
- Manner of death
- Absence or presence of disease, injury or poisoning
- Evaluate historical & law enforcement information relating to manner of death



# What a Forensic Pathologist does

- View crime scene
- Trace evidence
- Forensic toxicology
- Time of death
- Write autopsy reports
- Testify in court

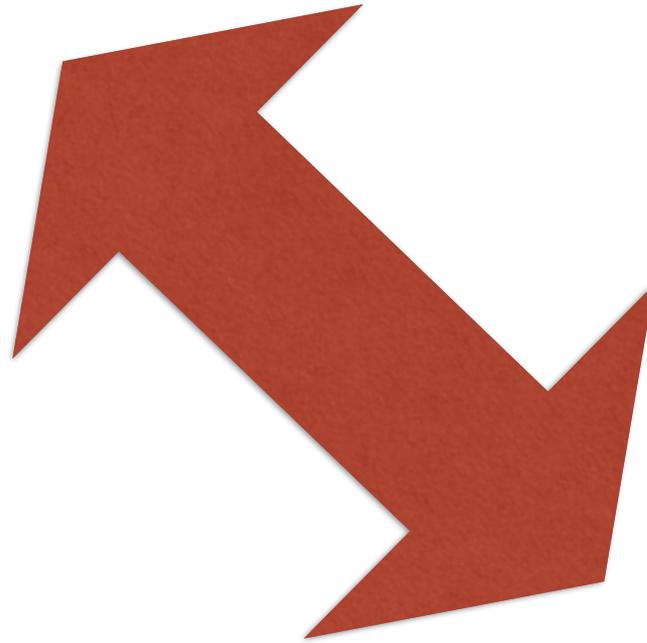


# What the ME is not an expert in:

- Ballistics/Toolmarks
- Trace evidence
- Serology/DNA
- Toxicology



**Cause of Death**



**Manner of Death**

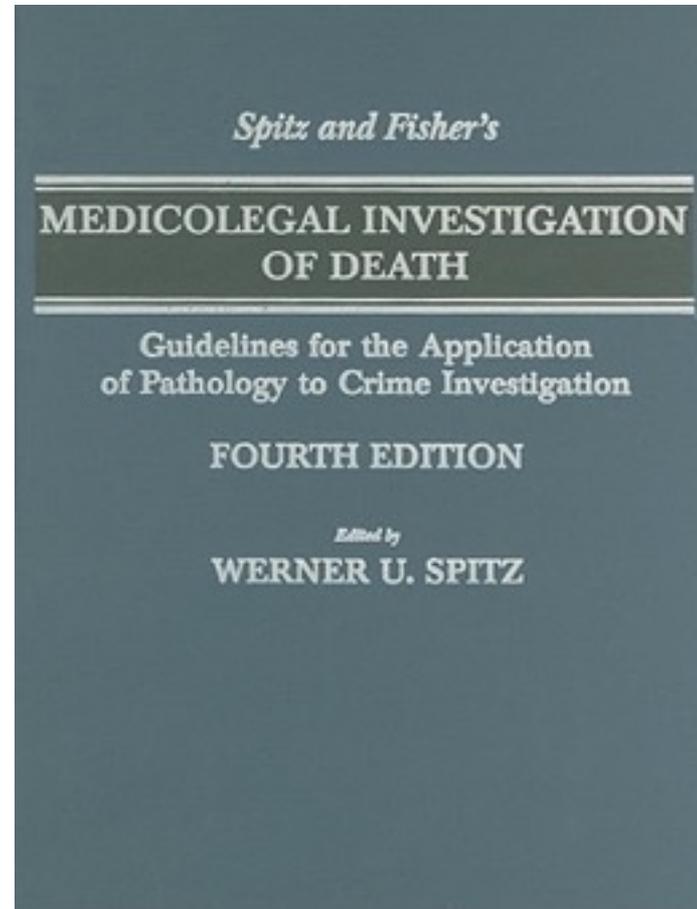
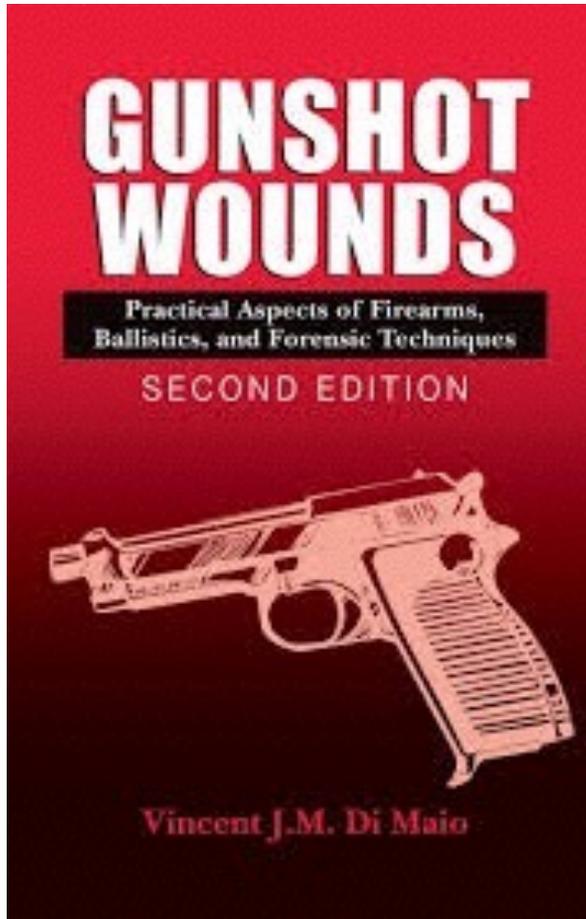
# Preparing for the Interview

- **Client version**
- **Police Reports**
- **Crime Scene View**
- **Crime Scene Photos**
- **Autopsy Protocol**
- **Autopsy Photos**
- **Crime Lab Findings**

# Medical Terminology



# Classic Texts



**Stephen J. Cina, M.D., FCAP**  
**Anatomic and Forensic Pathologist**

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**EDUCATION**

Vanderbilt University School of Medicine-Doctor of Medicine, May 1992.

University College Hospital, London, England-one month of training in autopsy pathology and immunocytochemical techniques, May 1990.

The Johns Hopkins University-Bachelor of Arts, Natural Sciences Major, May 1988.

**TRAINING**

Fellow in Forensic Pathology, Office of the Chief Medical Examiner, State of Maryland, July 1, 1996-June 30, 1997 (John E. Smialek, M.D., Chief Medical Examiner).

Senior Clinical Fellow in Surgical Pathology, Johns Hopkins Hospital, July 1, 1995-June 30, 1996 (Frederic B. Askin, M.D., Preceptor; Fred Sanfilippo, M.D., Ph.D., Chairman).

Resident in Anatomic Pathology, Medical University of South Carolina, July 1, 1992-June 30, 1995 (John E. Sanfilippo, M.D., Chairman).

**MILITARY SERVICE**

Major, USAF, Medical Corps, 59<sup>th</sup> Medical Wing, Wilford Hall Medical Center, Lackland Air Force Base, Texas. Staff Pathologist and Regional Medical Examiner, August 1997-July 2001, Honorable discharge, Meritorious Service Medal.

**PROFESSIONAL EXPERIENCE**

Associate Medical Director, University of Miami Tissue Bank, May 2011-the present.

Consultant Medical Examiner, U.S. Virgin Islands, September 2010-March 2011.

Associate Medical Examiner, District 19, Florida, December 2011-the present.

Deputy Chief Medical Examiner, District 17, Broward County, FL, January 2007-May 2011.

Associate Medical Examiner (secondary), Monroe County, FL, 2009-the present.

Chair, Department of Pathology, McKee Medical Center, May 2004-August 2006.

Coroner/Medical Examiner, Weld County, CO, January 2003-December 2006.

Vice-Chair, Department of Pathology, McKee Medical Center, July 2001-May 2004.

Partner, Colorado Pathology Associates, Loveland CO, July 2001-December 2006.

Deputy Coroner/Medical Examiner, Larimer County, CO, December 2000-December 2006.

Medical Examiner, Nueces County Forensic Sciences Center, Corpus Christi, Texas  
September 1999-December 2005.

Deputy Medical Examiner, Travis County Forensic Sciences Center, Austin, Texas  
August 1998-October 1999.

Medical Examiner, Bexar County Forensic Sciences Center, San Antonio, Texas  
May 1998-December 2000.

investigate credentials

# Get it all

- 1. ME investigator report**
- 2. Death Certificate**
- 3. Radiographs**
- 4. Toxicology Report**
- 5. Histology report**
- 6. Inventory of what was sent to a crime lab for analysis**
- 7. EMT reports**
- 8. Hospital reports (if deceased treated before death)**

# **Get it all**

- **Dictation Tapes by Doctor**
- **Doctor's Handwritten Notes**
- **Email Correspondence:  
Doctor, Police & Prosecutor**
- **Deceased's Prior Medical Records**

# Interviewing the ME

- **Have a plan**
- **Attorney should be there**
- **Take notes**
- **Make sure they're qualified to give opinion**
- **Translate medical terms**
- **“Is this consistent with?”**

**How a diagnosis is reached**

**[www.innerbody.com](http://www.innerbody.com)**

# Medicine is an Art

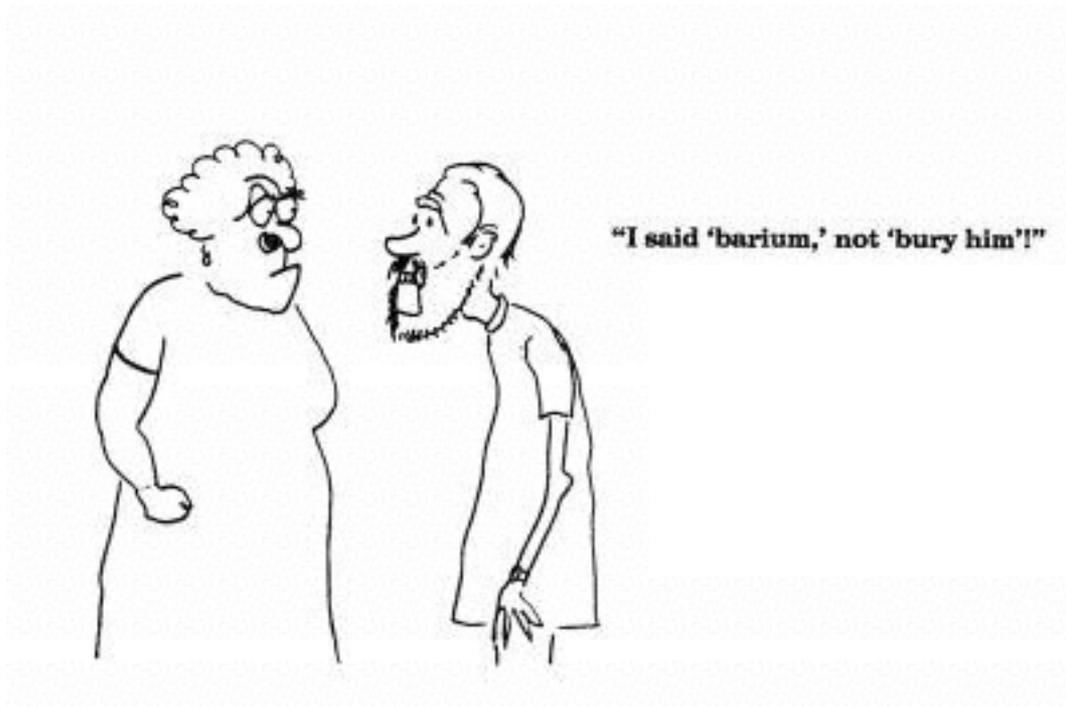
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"It's an inexact science."

# Different languages?



# Pre-Autopsy Conclusion

	20b.	
<b>CERTIFIER</b>	<b>MANNER OF DEATH</b> <input type="checkbox"/> Natural <input type="checkbox"/> Accident <input type="checkbox"/> Suicide 21c. <input checked="" type="checkbox"/> Homicide <input type="checkbox"/> Pending <input type="checkbox"/> Not Determined	<b>DATE OF</b> (Month, Day, Year) 22a.
	<b>PLACE OF INJURY</b> — At home, farm, street, factory, office building, etc. (Specify) 22e.	
	To the best of my knowledge, death occurred at the time, date and place specified above. 23a. <i>[Signature]</i>	
	<b>NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE</b> 24a. <i>TRIOBBIANI NC OLIVE</i>	
<b>DISPOSITION</b>	<b>METHOD OF DISPOSITION</b> <input type="checkbox"/> Burial <input checked="" type="checkbox"/> Cremation <input type="checkbox"/> Removal from State <input type="checkbox"/> Donation 25a. <input type="checkbox"/> Other (Specify)	<b>PLACE OF DISPOSITION</b> 25b.
	<b>NAME AND ADDRESS OF FUNERAL HOME</b>	

# Where Docs get Information knew what police assumed



# **What ME Never Knew**

- **Mental health history of deceased**
- **Writings**
- **Account of a witness**
- **If witness statement correlated to physical evidence or scene**
- **Didn't see scene photos**
- **Or know where evidence was recovered**

# Consult a defense pathologist



# Reasonable Degree of Medical Certainty

??????????

# Some Case Examples

- **Did client's acts cause the injuries?**
- **Bullet angles & distances**
- **Knife wounds**
- **Medical Malpractice**
- **“Shaken Baby” & Infant Skull Fractures**
- **Intoxication: vary based on vitreous vs. urine or blood**