

Identification

1101.1 PURPOSE AND SCOPE

Establishing a decedent's identification is a core duty of the Coroner established in Government Code 27491. The purpose of this policy is to provide rules and guidelines to members of the Coroner Division for establishing the identity of a decedent.

1101.2 PROMPT IDENTIFICATION

Accurate identification of a decedent shall be established at the onset of the death investigation or as soon as possible thereafter.

1101.3 METHODS OF IDENTIFICATION

Decedents falling under the jurisdiction of the Coroner Division shall be identified by one of the following means, each of which is explained more fully herein:

- (a) Visual identification
- (b) Fingerprint search or comparison
- (c) Dental comparison
- (d) Medical appliance
- (e) DNA search or comparison
- (f) Circumstantial evidence

1101.4 VISUAL IDENTIFICATION

Establishing the identity of a decedent by visual identification is permissible only when the facial features are not distorted by trauma, decomposition, thermal injury, or other factors that may change his or her appearance. Such visual identification may be performed by:

- (a) Source of Information
 1. The source of information will preferably be the most immediate relative to the decedent available at the time of the Deputy Coroner's body examination.
 2. If an immediate relative is unavailable, the source of information must have had qualified knowledge of the decedent during life.
 - (a) The responsibility to determine "qualified knowledge" lies with the Deputy Coroner.
 - (b) When the source of information is a non-immediate relative, the relation to and length of association with the decedent shall be documented in the Deputy Coroner's written report.
 3. The source of information must view the decedent's face to confirm identification.

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(a) The viewing shall be performed in person at the death location, or via a clear facial photograph taken by the Deputy Coroner or Coroner Technician and shown to a source of information at the Coroner Division Facility.

1. Deputy Coroners or Coroner Technicians shall make every effort to minimize the appearance of blood, injury, or other facial distortion prior to taking the photograph.

2. The shown photograph shall be approved by the on-duty Watch Commander prior to the source of information's viewing.

4. Visual identification shall not be accepted from a source of information suffering from obvious intoxication, developmental delay, or other condition causing the Deputy Coroner to have reasonable doubt in his/her ability to make an accurate visual identification.

(b) Photograph Identification

1. Identification via photograph comparison is permitted only by using an official government photo.

(a) Authorized government photos include a state driver's license or identification card, passport, immigration, or military identification card.

(b) Using any other photos (example: a minor's school identification card, a college identification card) for photograph identification shall be approved by the on duty Watch Commander.

2. Identification via photograph comparison shall be performed only by the Deputy Coroner performing the body examination.

(a) Deputy Coroners shall not delegate the duty of identifying the deceased via photograph comparison to a law enforcement officer or medical personnel.

(b) A name obtained by law enforcement and/or medical personnel may be accepted as a tentative identification only, and shall be confirmed by the Deputy Coroner via some other method.

(c) Deputy Coroners shall personally examine the deceased and make the comparison to the photo identification. Under no circumstances will a Deputy Coroner rely on photographs of the deceased provided remotely (example: email, text message) by law enforcement or medical personnel as the basis to compare the photo identification.

3. If the Deputy Coroner has any level of uncertainty when performing a visual photograph comparison to establish a decedent's identity, he/she shall treat that decedent as an unidentified person until identification is confirmed by other means.

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1101.5 FINGERPRINT IDENTIFICATION

All decedents processed at the Coroner Division Facility shall be fingerprinted by one of the following means:

- (a) Livescan
 - 1. Livescan shall be the preferred method of fingerprinting whenever possible.
 - 2. Ink print
 - 3. Silicone (Mikrosil) cast
 - 4. Kinderprint

1101.5.1 EXCEPTIONS TO FINGERPRINT IDENTIFICATION

There are few exceptions to the requirement that all decedents processed at the Coroner Division facility shall be fingerprinted. These include:

- (a) Bones and specimens
- (b) Fetuses
- (c) Children under age 7
 - 1. In lieu of fingerprints, footprints shall be taken on all children under age 7.
- (d) Decedents with poor fingerprint detail due to trauma, thermal injury, or decomposition.
 - 1. The Coroner Technician processing the decedent may use his/her discretion when evaluating a case for the presence of quality ridge detail.
 - 2. The Coroner Technician shall notify the on-duty Watch Commander if he/she is unable to obtain fingerprints for any reason.

1101.5.2 SUBMISSION TO CAL-ID

All fingerprints shall be submitted to CAL-ID for search or comparison. This submission shall be performed electronically via Livescan whenever possible; however, ink, silicone casts, and kinder prints may be hand delivered to the CAL-ID Bureau, with the proper examination request form, as needed. Refer to Policy 1108 of this manual for further.

1101.6 DENTAL IDENTIFICATION

Dental comparison may be performed on all decedents not identifiable by visual, photograph, or fingerprint identification. Deputy Coroners shall be responsible for locating and retrieving a decedent's antemortem dental x-rays and submitting said dental x-rays to the Coroner Technician. The Coroner Technician or his/her designee shall take postmortem x-rays of the decedent and arrange for dental comparison by the contracted Forensic Odontologist.

1101.7 MEDICAL APPLIANCE IDENTIFICATION

Identification via medical appliance comparison may be performed on all decedents who possess a serialized medical implant, and are not identifiable by other methods outlined in this policy.

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Deputy Coroners shall be responsible for locating and retrieving a decedent's ante-mortem x-rays and other medical records, and submitting said records to the Coroner Technician. The Coroner Technician shall take x-rays of the decedent and/or remove the appliance to arrange for comparison by the on-duty Watch Commander. The Watch Commander may enlist the assistance of the contract pathologist as he/she deems necessary.

1101.8 DNA IDENTIFICATION

DNA search or comparison shall be performed on all decedents not identifiable by visual, photograph, fingerprint, or dental identification.

Deputy Coroners shall be responsible for obtaining a familial comparison sample, when available, and submitting the sample along with required paperwork (if applicable) to the Forensic Unit. The Forensic Unit shall be responsible for obtaining sample(s) from the decedent and submitting both specimens for DNA comparison.

The Rapid DNA Machine shall be the preferred method of DNA identification. If results were unsuccessful or negative, then specimens may be submitted to Department of Justice forensic lab or Orange County Crime Lab for further processing.

1101.8.1 RETENTION OF DNA PROFILE, SAMPLES, AND RESULTS

If the results of the DNA test reflect a match and a positive identification is made, the results will be printed and retained in the Coroner case file. DNA profiles obtained from both the familial comparison sample and decedent sample will be deleted from the Rapid DNA machine software. If any part of the familial comparison sample remains after the DNA test is run, the sample shall be discarded.

If the results of the DNA test are not a match, leaving the decedent unidentified, the results will be printed and retained in the Coroner case file. Any profile obtained from the familial comparison sample will be deleted from the Rapid DNA machine software. The DNA profile of the decedent may be retained in the software for the purpose of identifying the decedent in the future. If any part of the familial comparison sample remains after the DNA test is run, the sample shall be discarded.

Except for the sample from the decedent, no DNA samples used for identification of a decedent shall be retained by the Sheriff-Coroner. Under no circumstances will a familial comparison sample be used for any purpose other than identifying a decedent.

1101.9 CIRCUMSTANTIAL IDENTIFICATION

On rare occasions, and when efforts to identify a decedent by other means are either not possible or have yielded inconclusive results, circumstantial identification may be employed. The Coroner Division Commander or his/her designee shall approve any identification made by circumstances alone.

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1101.10 DOCUMENTATION

The following information shall be documented in the CME database once positive identification is complete:

- (a) The name of the person performing the identification
- (b) The relationship of the identifying party to the decedent
- (c) The method used to achieve the identification
- (d) The date and time identification was complete

1101.10.1 UNACCEPTABLE IDENTIFICATION METHODS

Deputy Coroners shall not accept a decedent's self-reported name as positive identification, without confirming the name by other acceptable methods as outlined in this policy.