

**Resolution**  
**National Association of Medical Examiners**  
**Executive Committee**  
**July 2, 2009**

**Be it resolved:**

The National Association of Medical Examiners (NAME) strongly endorses all of the recommendations of the National Research Council (NRC) of the National Academies encompassed in the report "Strengthening Forensic Science in the United States: A Path Forward."

The NAME Executive Committee has the following specific comments on the recommendations:

Recommendation #1

The first and most important NAS recommendation is that a new and independent National Institute of Forensic Sciences (NIFS) be established to promote the development of forensic science into a mature field of multidisciplinary research and practice founded on the systematic collection and analysis of data. NAME strongly supports this recommendation and sees it as the foundation for the remainder of the NRC recommendations. NAME also recognizes that there might be impediments to establishing a new institute at this time. If NIFS is unattainable at present, NAME believes that the duties of this agency should be placed as a bridging step into a new Office of Forensic Services (OFS) within an existing agency fulfilling the spirit of the NRC recommendations.

The report outlines that one of the functions of NIFS is to establish and enforce best practices for forensic science professionals. In the arena of medicolegal death investigation, NAME has established forensic autopsy performance standards that can be used for this purpose.

NAME believes that an essential function of NIFS would be to conduct periodic forensic science needs assessments at the federal, state, regional, and local levels in order to ensure optimal provision of resources to service providers. Such assessments should also consider research needs. The assessment results should be presented in a report.

Recommendation #4

NAME supports the NRC recommendation that all public forensic science laboratories including medical examiner and coroner offices should be independent from or administratively autonomous within law enforcement agencies or prosecutor offices. Provisions should be made to assure the technical and professional autonomy of forensic service providers at all levels. The goal is to have unbiased professional testing and reporting and the absence of real and perceived conflicts of interest. We agree, that to achieve this end will require incentive funds as indicated in the report.

#### Recommendation #5

NAME endorses the recommendation that research programs on human observer bias and sources of human error in forensic examinations including studies to determine contextual bias in forensic practice should be encouraged. However, NAME urges caution in the arena of contextual information and forensic pathology. Medical examiners are physicians who operate in the medical paradigm of using a clinical history and information about the circumstances surrounding a death to generate hypotheses about potential causative diseases and injuries. The autopsy and laboratory examination allows a forensic pathologist to confirm or refute these hypotheses and reach medical conclusions. Autopsy is the practice of medicine. The history and circumstances provide the context for the autopsy and laboratory findings. In addition to determining cause of death, medical examiners are directed to determine the manner of death, which is largely based on the circumstances surrounding death.

#### Recommendation #7

NAME endorses the recommendation that laboratory accreditation and individual certification of forensic science professionals should be mandatory and all forensic science professionals should have access to a certification process. In the arena of medicolegal death investigation NAME believes that all death investigators should at least be certified by the American Board of Medicolegal Death Investigators at the registry (basic) level. All pathologists performing medicolegal autopsies should be certified by the American Board of Pathology in forensic pathology. All medicolegal death investigation offices and agencies should be accredited using professional consensus practice standards such as those developed by NAME. To achieve such ideals will require funding to improve the organization and operations of many medicolegal death investigation offices. Training programs and certifying and accrediting bodies will likely also need funding to process increasing numbers of applicants.

#### Recommendation #11

NAME fully supports the recommendation ideal that incentive funds should be provided to states and jurisdictions with the goal of replacing coroner systems with medical examiner systems. These funds should be used to build facilities, purchase necessary equipment, improve administration, and ensure education, training and staffing of offices. To foster this transition, NAME supports the recommendation that NIFS should work with the National Conference of Commissioners on Uniform State Laws, the American Law Institute and NAME to draft legislation for a modern model death investigation code. NAME also supports the recommendation that all medicolegal autopsies should be performed or directly supervised by a board certified (American Board of Pathology) forensic pathologist and that this standard should be phased in over a defined period of time. As a more immediate step, NAME believes it essential that all medicolegal death investigative systems incorporate the leadership of a board certified forensic pathologist. Efforts to achieve more uniformity in medicolegal death investigation can be hindered by the severe lack of resources (financial, personnel, equipment, and training) on a national level. Each of these resources should be addressed in order to improve our national medicolegal death investigation infrastructure on a jurisdictional or state level.

The report also recommends that NIFS and the National Institutes of Health (NIH) promote scholarly, competitive peer-reviewed research and technical development in forensic medicine and develop a strategy to improve forensic pathology research. This recommendation includes the provision of research funding and the development of a study section to establish research goals and evaluate research proposals. This goal is reinforced in recommendations #1 and 3. NAME enthusiastically supports these recommendations. Forensic pathology supports both public health and public safety but this combined role has often remained unrecognized. Historically, minimal research funds have been provided for forensic pathology research by the Centers for Disease Control and Prevention and the National Institute of Justice.

NAME also supports the recommendation that NIFS/NIH in conjunction with NAME and the American Board of Medicolegal Death Investigators establish a Scientific Working Group (SWG) for forensic pathology and medicolegal death investigation. NAME agrees that this committee should develop and promote standards for best practices, administration, staffing, education, training, and continuing education for competent death scene investigation and postmortem examinations. NAME believes that this committee should be led by and have strong representation from board certified forensic pathologists.

As also articulated in recommendation #7, NAME supports the concept that all medical examiner offices should be accredited pursuant to NIFS endorsed standards and believes that professional consensus accreditation standards such as those developed by NAME should become the NIFS standard. Restricting federal funding to offices that are accredited or making measurable and significant progress towards accreditation is appropriate.

As outlined in the report, recruitment of qualified practitioners into the forensic pathology should be enhanced. NAME supports the recommendation that funding in the form of medical student loan forgiveness and/or fellowship support should be made available to pathology residents who choose forensic pathology as their specialty. Increasing the numbers of forensic pathologists will facilitate the transition from coroner to medical examiner systems.