

CRAWFORD COUNTY CORONER

The current Crawford County Coroner is the Honorable Patrick W. McHenry. His office gives the highest priority to deaths resulting from homicide, child abuse, elder abuse and drug abuse. Extensive efforts are made to determine the source of drugs in every drug related death. The information is given to the appropriate law enforcement authority for the purpose of criminal prosecution. This office maintains close ties with local and state police and the Office of Attorney General.

Coroner McHenry is a registered Medico legal Death Investigator, granted Diplomatic status by the American Board of Medico legal Death Investigators. ABMDI is an organization affiliated with the Division of Forensic & Environmental Pathology, Department of Pathology, School of Medicine, Saint Louis University, St. Louis, Missouri.

He retired from the Pennsylvania State Police after a thirty-one-year career, having attained the rank of Captain. During his police career, he served as a Patrol Investigator, a Pennsylvania State Police Academy Instructor, a Crime Unit Supervisor, Crime Section Commander, as Assistant Director of the Pennsylvania State Police Crime Laboratories, Director of Internal Affairs, Troop Commander and Patrol Services Commander.

Coroner McHenry attended the Pennsylvania State University and has extensive training and experience in the field of forensic criminal investigations. Police training includes graduation from the Pennsylvania State Police Academy, the F.B.I. National Academy, Homicide Investigation training conducted by the New York City Police Department and Serial Murder Investigations conducted at the Tampa Police Academy, Tampa, Florida.

Forensic training includes completion of the Basic Coroner's Course and Examination, several Death Investigation Seminars, mandated by the Pennsylvania State Coroner's Education Board and sponsored by the Pennsylvania State Coroner's Association, the 2002 Medico-Legal Death Investigator's Course conducted at the St. Louis School of Medicine, and the 2003 Masters Conference for Advanced Death Investigation, also conducted at the St. Louis School of Medicine.

Currently, Coroner McHenry sits on the Board of Directors of the Pennsylvania Coroner's Association as a Member at Large. He is Chairperson of the Association's Police Liaison Committee and a member of the Legislative and Educational Committees. He maintains his affiliation with the Northwest Pennsylvania Chiefs of Police and sits as the Chairperson of their Educational Committee.

Coroner McHenry was appointed to the various Educational Committee positions because of his training and experience as a Pennsylvania State Police Instructor, having been previously certified to instruct police subjects under the Municipal Police Training Act and the Lethal Weapons Training Act. Subjects taught included Pennsylvania and United States Constitutional Law, Police Liability, the Pennsylvania Crimes Code, the Pennsylvania Vehicle Code, the Pennsylvania Rules of Criminal Procedure, Police Firearms and Qualifications, Bombs and Bomb Threats and Police Ethics, et al.

Locally, Coroner McHenry sits on the Crawford Child Death Review Team and Safe Kids Coalition.

The Crawford County Coroner's Office functions twenty-four hours a day, three-hundred-sixty-five days a year. The Coroner's phone number is 814-763-4544. "Normal" working hours are 9:00 O'clock AM to 5:00 O'clock PM. However, this is a working office and investigative duties often leave the office vacant. Non-emergency messages may be left on the office answering machine. Speak slowly, give your name, time and date you called, return phone number, and leave a short message.

If you are calling to report a death or have information regarding a current investigation, you may call Crawford County Control at 814-724-2548. County Control will page the Coroner or one of his Deputies for you.

THE CORONER'S LAW AND JURISDICTION

The modern day Coroner is the only elected official required by law, to investigate all manner and causes of death. Jurisdiction includes Homicides, Suicides, Accidents, and those Natural deaths that cannot be properly certified by a personal care physician.

Section 1237 of the Coroner's Law defines the Coroner's Jurisdiction.

(a) The Coroner, having a view of the body shall investigate the facts and circumstances concerning deaths which appear to have happened within the county, regardless where the cause thereof may have occurred, for the purposes of determining whether or not an autopsy should be conducted or an inquest thereof should be had, in the following cases. (See below)

(b) The purpose of the investigation shall be to determine the cause of

death and to determine whether or not there is sufficient reason for the Coroner to believe that any such death may have resulted from criminal acts or criminal neglect of persons other than the deceased.

(c) As part of this investigation, the Coroner shall determine the identity of the deceased and notify the next of kin of the deceased.

Section 1237-(a) continued:

(1) Sudden deaths not caused by readily recognizable disease, or wherein the cause of death cannot be properly certified by a physician on the basis of prior (recent) medical attendance.

(Explanation) Physicians are permitted to certify only Natural Deaths. Additionally, the certifying physician must be the decedent's "attending" physician," and they must have been providing recent treatment to the decedent, for the condition or disease, from which he or she died. Guidance in the interpretation of this subsection is found elsewhere in the Coroner's Law.

Section 1239 defines the term, Sudden Death:

The Coroner shall regard any death as sudden, if it occurs without prior medical attendance by a person who may lawfully execute a certificate of death in the Commonwealth or if, within twenty-four hours of death, the decedent was discharged from such medical attendance or a change of medical attendance had occurred, or if any such medical attendance began within twenty-four hours of death, and the medical attendant refuses or is unable to certify the cause of death. Medical attendance includes hospitalization . . .

(Explanation) If the attending physician had been treating the decedent for the condition or disease from which he died, he may certify the death if he is licensed in PA. However, when death occurs within twenty-four hours of admission, discharge or transfer between medical providers, the Coroner must be called to investigate. The Coroner must also investigate when the primary care physician cannot or refuses to certify his patient's death.

This said **Section 1239** contains an additional provision that permits the Coroner to assume jurisdiction in any sudden death. To wit:

. . . The provisions of this section shall not be construed to affect the **Coroner's discretion** as to whether or not any death was suspicious, nor shall they be construed to authorize a Coroner to investigate a sudden death any further than necessary to determine the Cause and Manner of death.

(Explanation) The Coroner may assume jurisdiction over any Natural Death. The scope of the investigation is limited to determining the Cause of death and the Manner of Death. Acceptable Manners of Death are; Homicide, Suicide, Accidental, Natural or Undetermined.

Section 1237-a continued:

(2) Deaths occurring under suspicious circumstances, including those where alcohol, drugs or other toxic substances may have had a direct bearing on the outcome:

(3) Deaths occurring as a result of violence or trauma, whether apparently homicidal, suicidal or accidental (including but not limited to, those due to mechanical, thermal, chemical, electrical or rotational injury, drowning, cave-ins and subsidences);

(4) Any death in which trauma, chemical injury, drug overdose or reaction to drugs or medications or medical treatment was a primary or secondary, direct or indirect, contributory, aggravating or precipitating cause of death;

(5) Operative and peri-operative deaths in which the death is not readily explainable on the basis of prior disease;

(6) Any death wherein the body is unidentified or unclaimed;

(7) Deaths known or suspected as due to contagious disease and constituting a public hazard;

(8) Deaths occurring in prison or a penal institution or while in the custody of police;

(9) Stillbirths.

In Coroner's Cases or after a Coroner assumes jurisdiction, nothing may be moved or touched until the Coroner has had a chance to view the body.

Section 1240. Bodies not to be Moved.—In all cases where the Coroner has jurisdiction to investigate the facts and circumstances of death, the body and it's surroundings shall be left untouched until the Coroner has had a view thereof or until he shall otherwise direct or authorize, except as may be otherwise provided by law, or as circumstances may require. Bodies upon a public thoroughfare or in other places may be removed so much as is necessary for precaution against

traffic accidents or other serious consequences which might reasonably be anticipated if they were left intact.

Section 1241. Release of Coroner's Jurisdiction.—Whenever the Coroner assumes jurisdiction of a body pursuant to the provisions of this subdivision or of any other law, the body **shall not** be released or removed from his jurisdiction except upon his directions and consent, in accordance with law.

Section 1238.—Autopsy; Inquest; Records.

(a) If, upon investigation, the Coroner shall be unable to determine the cause and manner of death, he shall perform or order an autopsy on the body. (The Coroner is the only authority in the Commonwealth of Pennsylvania, empowered to order an autopsy, notwithstanding the objections of any person.)

(b) If the Coroner is unable to determine the cause and manner of death following the autopsy, he may conduct an inquest upon a view of the body, as provided by law. At the inquest, the Coroner's duty shall be to ascertain the Cause of Death, to determine whether any person other than the deceased was Criminally Responsible therefore, by act or neglect, and if so, the identity of the person, and to examine any further evidence and witnesses regarding the cause of death.

History and the appellate courts in Pennsylvania have determined the Coroner is a member of the Law Enforcement Team, possessing Criminal Investigation powers. Uniquely, the Coroner's office is also quasi-judicial. While not nearly as powerful as it was in Historical England the modern Coroner possesses many of the same powers granted to Judges of the Pennsylvania Courts of Common Pleas.

These powers include judicial authority to issue Process and to conduct Inquests. The Coroner may order persons to attend an Inquest and command that they bring with them such documents, papers and evidence as the Coroner directs. Those persons commanded to appear, must take an oath (or give affirmation) and answer all relevant and material questions put to them. The Coroner may commit to the County Prison, those persons who fail to appear, refuse to take an oath (or affirm), or refuse to testify. Those persons who fail to testify truthfully at the inquest shall be guilty of perjury.

Process issued by the Coroner may be served by himself, his Deputies, the Sheriff, or one of his Deputies. The District Attorney is required by law to advise the Coroner when a formal Inquest is to be conducted.