

UNIDENTIFIED DECEASED PERSON (UDP) PROTOCOL

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Human identification can be a complex process requiring a mix of conventional and advanced investigative methods. Sometimes it can be as simple as a basic investigation combined with comparing a valid government identification photograph to an unidentified person's face. This paper sets forth standards that require both the establishment of case facts and circumstances, along with scientific processes that support the identification of a deceased person.

For the proper and timely identification of an UDP to occur it is imperative that law enforcement agencies (LEAs) and medical examiner/coroner (ME/C) offices work together. If one organization is not fulfilling their investigative obligations and/or there is a lack of communication between the organizations, deceased persons will go nameless, criminal investigations will be halted, families and communities will not be served, and dignity will be lost. LEAs and ME/C offices must have policies and procedures that clearly delineate their specific roles in the investigation of unidentified persons. These policies and procedures should be shared between and agreed upon by both entities. This will increase government accountability and prevent conflicts between the organizations in the future. The following is a protocol that LEAs and ME/C offices should follow.

This protocol does not necessarily apply to decedents that are pending identification. An example of a case pending identification is when investigators are on the scene of an incident where a sick or injured person was transported to a hospital and subsequently expired. In this case, the investigators were unable to compare the decedent's government identification photograph to the decedent's face at the time the remains are received by the ME/C, creating a pending identification scenario. Another example is when there are case facts and circumstances that led investigators to the decedent's next-of-kin, but the next-of-kin was not able to view the decedent for purposes of identification at the time the remains were received by the ME/C. This would also be considered a pending identification case.



THE UNIDENTIFIED DECEASED PERSON (UDP) ARRIVES TO THE ME/C OFFICE:

- Search the decedent thoroughly. Provide any property bearing a name or other identifying information to appropriate ME/C personnel unless it is being turned over to the LEA as evidence.
- Conduct full body radiographs/fluoroscopy of the remains for foreign bodies, prostheses, etc.
- Photograph and document per Intake Procedure Protocol.



WITHIN TWENTY-FOUR HOURS:

- The decedent is examined by a Forensic Pathologist – Postmortem Examination Protocol.
- Scars, marks, tattoos, or other anomalies should be photographed and documented to aid in future identification processes.



WITHIN SEVENTY-TWO HOURS:

- Fingerprints to be collected by the LEA from a fleshed decedent and searched through all available databases (e.g. State, FBI, and Immigration) for comparison.
- If there is advanced decomposition or skeletonization, begin Forensic Anthropology Protocol.
- The LEA will initiate an entry into the appropriate state law enforcement agency data system for Missing/Unidentified Persons and NCIC (National Crime Information Center). The LEA will provide the ME/C with the corresponding entry number for their records.



WITHIN TWO WEEKS:

- If the ME/C has not learned the results of the fingerprint comparison, then the office should follow up with the LEA to check on the status of the process.
- The face of the decedent to be evaluated by trained personnel for possible photographing and publishing in the media and/or on the official website of the ME/C office. This may include restoration of the face, or advanced photographing techniques, if decomposition, trauma and/or distortion are present.
- The ME/C to enter the case into the NamUs (National Missing and Unidentified Persons System) database; the entry can remain unpublished if there is a tentative identification pending confirmation. The ME/C should provide the LEA with the corresponding NamUs case number for their records.

**WITHIN FOUR WEEKS:**

- Forensic Odontology Protocol (FOP) is initiated and completed. FOP is when dental radiographs will be taken, and NCIC Unidentified Person Dental Report, NamUs Dental Section, and Dental Autopsy Report will be completed.
- Forensic Anthropology Report is completed (if applicable).
- LEA to modify the NCIC entry with the appropriate dental coding from the NCIC report or information gleaned from the Anthropology Report.
- Publish information regarding the UDP with photograph, if applicable, on the official website of the ME/C.

**WITHIN TWELVE WEEKS:**

- If the ME/C has not learned the results of the NCIC dental comparison, then the office should contact the LEA to check on the status of the process.
- If identification has not been made until this point, a biological sample from the decedent should be submitted for analysis to the appropriate DNA laboratory that has both nuclear and mitochondrial testing capabilities. DNA profile will be developed and entered into the state and federal DNA databases for comparison.

**AFTER THE DNA PROFILES HAVE BEEN SEARCHED THROUGH CODIS (FULL CYCLE – NUCLEAR AND MITOCHONDRIAL, IF OBTAINED):**

- A meeting should take place between the LEA and ME/C to review the case and complete the protocol checklist (appendix 1).
- At this time, advanced investigative methods such as facial reconstruction, phenotyping, forensic genealogy, isotope testing, etc. will be considered. A consensus must be reached between both organizations before final disposition of the remains are considered. Approval for final disposition from both organizations is required.



AFTER THE DNA PROFILES HAVE BEEN SEARCHED THROUGH CODIS (FULL CYCLE – NUCLEAR AND MITOCHONDRIAL, IF OBTAINED): *CONT.*

- The UDP will not be buried until all forensic testing has been completed and results, even negative results, have been received. Also, the burial will take place in a marked, single depth grave. The signed protocol checklist will be placed in the ME/C file.
- Cremation is never authorized for unidentified human remains.
- All reports, photographs, and evidence will be appropriately retained until the decedent is identified. Photos and data will remain on the ME/C website until that time. John/Jane Doe cases never close until the individual is identified.

The UDP Protocol does not prevent LEAs and/or ME/C from utilizing other conventional investigative methods like interviews, publication/distribution of informational bulletins, review of missing person's report, location of antemortem dental records, etc. to aid in identifying the decedent while the protocol is being completed. Broad timelines have been purposely placed into the protocol for that reason. If at any point, the decedent is identified, the protocol ends and the ME/C policy for known deceased persons will begin.

> IN CLOSING, THERE ARE A COUPLE POINTS OF CLARIFICATION:

- » Viewing of a corpse to establish identity can only be done by competent persons that have had consistent contact with the decedent. As an example, if a sibling has not seen their brother for 20 years then establishing identity based on the viewing may not be sufficient. Also, competent persons cannot view a decedent when the face is decomposed, damaged, or severely distorted.
- » Utilizing photographs from government issued identification cards to establish identity should only be done by using a valid identification card and when compared to decedents without facial decomposition, trauma, and/or distortion.
- » UDP found in a public place that cannot be identified by viewing or comparison to government identification must always have 1 form of scientific identification (fingerprints, dental, DNA, etc.), in addition to appropriate case facts and circumstances to establish identity.

> **IN CLOSING, THERE ARE A COUPLE POINTS OF CLARIFICATION: CONT.**

- » Fingerprints from all homicide victims (if available) should be obtained for current or future testing if needed.
- » Biological samples from all decedents receiving postmortem examinations should be properly obtained and retained by ME/C for future testing if needed. This can be in the form of blood card, tissue or bone sample.
- » This UDP protocol can be amended for small, medium, and large jurisdictions as needed. In some jurisdictions, depending on resources and skill set, human identification cases will become the responsibility of a LEA, more than the ME/C, or vice versa.
- » The protocol can be amended to aid in identification of unidentified living persons.
- » Advances in Rapid DNA testing can also be used for purposes of Human Identification. Like all processes involved in Death Investigation, specifically Human Identification, cooperation between LEA and ME/C is imperative.

UNIDENTIFIED DECEASED PERSON PROTOCOL CHECKLIST

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ME/C CASE NUMBER: _____

FORENSIC PATHOLOGIST: _____

LEA NAME AND CASE NUMBER: _____

LEA CONTACT PERSON: _____

CASE NAME (IF APPLICABLE): _____

LEGAL TIME OF DEATH: _____

ESTIMATED TIME OF DEATH: _____

YES NO N/A

Report of Postmortem Examination Completed (toxicology, histology, further studies, etc.)

Photograph of Remains including Scars, Marks, Tattoos, or other Anomalies

Photograph of Clothing and Other Associated Items

Photograph of Full Face (with restoration if necessary)

Photograph posted on LEA and/or ME/C website(s), and other publications

| | YES | NO | N/A |
|---|-----|----|-----|
| Report of Postmortem Examination Completed (toxicology, histology, further studies, etc.) | | | |
| Photograph of Remains including Scars, Marks, Tattoos, or other Anomalies | | | |
| Photograph of Clothing and Other Associated Items | | | |
| Photograph of Full Face (with restoration if necessary) | | | |
| Photograph posted on LEA and/or ME/C website(s), and other publications | | | |

Full Body Radiographs - Radiology Report Complete

Fingerprints Obtained and Searched

Dental Radiographs, NCIC Unidentified Dental Report, NamUs Dental Section, and Dental Autopsy Reports Completed

Anthropology Report Completed

Advanced Forensic Methods (e.g. facial reconstruction, phenotyping, forensic genealogy, isotope testing, etc).

Case Entered into NamUs – Reference NamUs UP# _____

Full DNA Profiles Obtained (Mitochondrial and Nuclear) and Searched Through CODIS – Reference Lab # _____

Case Entered into NCIC with Dental Report – Reference NCIC # _____

| | YES | NO | N/A |
|---|-----|----|-----|
| Full Body Radiographs - Radiology Report Complete | | | |
| Fingerprints Obtained and Searched | | | |
| Dental Radiographs, NCIC Unidentified Dental Report, NamUs Dental Section, and Dental Autopsy Reports Completed | | | |
| Anthropology Report Completed | | | |
| Advanced Forensic Methods (e.g. facial reconstruction, phenotyping, forensic genealogy, isotope testing, etc). | | | |
| Case Entered into NamUs – Reference NamUs UP# _____ | | | |
| Full DNA Profiles Obtained (Mitochondrial and Nuclear) and Searched Through CODIS – Reference Lab # _____ | | | |
| Case Entered into NCIC with Dental Report – Reference NCIC # _____ | | | |

NOTES: _____

BURIAL LOCATION OF DECEDENT: _____

OTHER INFORMATION: _____

BY: _____ **DATE:** _____

(FORENSIC PATHOLOGIST)

BY: _____ **DATE:** _____

(LEAD DETECTIVE/SUPERVISOR)