

Forensic Nursing Pathway to Support In-Custody Death Investigations

The Problem

California faces a significant challenge in how it investigates suspicious deaths, including those occurring in law enforcement custody. A striking 90% of individuals in the U.S. who live under a Sheriff-Coroner model reside in California. This means that in 48 out of the state's 58 counties, the elected Sheriff also serves as the coroner. This is of particular concern when a law enforcement agency that may be implicated in a death is also responsible for determining its cause. The integrity and objectivity of the investigation are therefore compromised.

Why It Matters

A critical challenge in transparent death investigations is that Sheriff-Coroners lack sufficient medical expertise or specialized training to accurately determine the cause of death. Additionally, the lack of independent oversight for in-custody death investigations hides systemic issues; masking patterns of neglect, inadequate medical care, and abuse that disproportionately affect this population. Without impartial and medically informed review, opportunities to identify root causes, implement preventive measures, and advocate for systemic changes are missed. Ensuring independent investigations is an ethical imperative – it is about upholding human rights and ensuring that every death is thoroughly and fairly investigated, leading to accountability and reforms that can save lives.

Solution & Benefits

One potential solution is to establish a state-supported pathway to train and integrate Registered Nurses (RNs) into forensic death investigation roles. RNs possess a unique skillset suited for these roles; their medical expertise, critical thinking abilities, and documentation practices allow them to introduce a crucial, unbiased medical perspective into in-custody death investigations. They have extensive training in physiology, disease processes, injury patterns, and are adept at objective assessment and detailed reporting—all vital components of forensic work.

Key benefits of this solution include:

- Enhanced Objectivity and Accuracy
- Increased Public Trust and Accountability
- Identification of Systemic Issues
- Resource Utilization
- Improved Justice Outcomes

Legislative Proposal

We propose targeted legislative reform in California, primarily focusing on amending Government Code Section 27522(b) and (d) to 1) clarify and expand the role of eligible medically trained professionals to enable forensically trained RNs assist with autopsies and 2) hold the position of Coroner. Our goal is to authorize RNs, with certain additional training, to conduct medicolegal death investigations (MDI) for all deaths that must be investigated under Government Code 27491 (including in-custody deaths), particularly in counties without independent medical examiners.

To support the expansion of these roles, we propose directing California Community Colleges to create or adopt a post-licensure specialization program in forensic nursing and medicolegal death investigation. Leveraging the community college system will ensure the training pathway is:

- Accessible: Providing affordable education throughout the state for a diverse pool of RNs.
- Efficient: Building on existing nursing curriculum for quick development and deployment.
- Scalable: Meeting statewide demand for qualified MDI professionals, especially in counties reliant on Sheriff-Coroners.

FAQs

Have any other states taken steps to integrate nurses into death investigation roles?

In 2024, New York introduced Senate Bill S9443A, which proposed requiring county coroners to have formal medical or investigative training- criteria that would include RNs. While this bill did not advance through the legislature, its introduction reflects a growing national interest in professionalizing coroner roles with medically trained personnel, including nurses.

Will this solution lead to better outcomes?

By introducing a post-licensure specialization pathway for RNs to enter MDI roles, this solution fills a critical workforce and skill gap. Embedding medically trained professionals into investigative roles will improve the accuracy of cause-of-death findings and increase public trust.

What are the anticipated costs?

Amending California Government Code 27522 to permit counties to hire trained RNs as part of death investigations does not require additional funding and has no fiscal impact to the state. Costs incurred for the Forensic Nursing Pathway are unknown, but potentially moderate costs may arise if the pathway leads to increased enrollment in community colleges. Participating colleges may incur costs related to developing a curriculum and hiring qualified faculty.

Questions?

Please contact Shayla Wilson at justice2jobsadvocacy@gmail.com for questions or additional information.

