

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 and manner, the integrity and objectivity of the investigation are 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 healthcare, 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

Our proposed 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 to clarify and expand the role of eligible medically trained professionals to include RNs. 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. Concurrently, we propose requiring California Community Colleges to create an accessible forensic investigation training program to enable RNs to become eligible to hold the position of Coroner.

Amending California Government Code Section 27522:

Currently, California Government Code Section 27522 states who can conduct and determine the results of forensic autopsies, primarily restricting these to licensed physicians and surgeons (27522(a)). While it allows “trained county personnel” to assist under supervision (27522(b)), there is a pressing need to authorize and define a more expansive role for medically trained professionals. We propose the following amendments:

1. Amend 27522b to Include Forensically Trained RNs: Amending the code section to recognize forensically trained RNs as eligible to assist with autopsies in addition to “trained county personnel” would enable them to perform medically informed tasks. This change would leverage their existing medical expertise, allowing them to provide medical insight early in investigations to enhance medical integrity in counties reliant on Sheriff-Coroners or with limited medical examiner resources.

2. Amend 27522d to Authorize RN Eligibility for Coroner Roles: Amending the code section to make licensed RNs with specialized forensic training (e.g., Postgraduate Forensic Nursing Credential) eligible to hold the position of Coroner. This would formally recognize RNs medical background and advanced forensic training as qualified to lead death investigations and determine the manner of death.

Mandating a Training Pathway in California Community Colleges:

To effectively integrate RNs into these positions, establishing a robust and accessible training program is essential. We propose the development of a post-licensure specialization program in forensic nursing and medicolegal death investigation, housed within the California Community Colleges system. This training pathway would target currently licensed RNs seeking specialized roles in county coroner and medical examiner offices. Leveraging this 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?

Yes. 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.

Has any state implemented a training pathway specifically for RNs to serve in coroner or investigative roles?

Not yet. While some states allow RNs to serve as coroners or death investigators (such as Kentucky and Colorado), no state has implemented a structured training program. This pathway would be the first, giving California the opportunity to lead here.

Will this solution lead to better outcomes?

Yes. 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 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 college forensic nursing programs. Participating colleges may incur costs related to developing a curriculum and hiring qualified faculty.

Questions?

Please contact Shayla Wilson at shayla.wilson.policy@gmail.com for questions or additional information.

