

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Chief Medical Examiner**



**Fiscal Year 2023**  
**Performance Oversight Public Hearing**

Testimony of  
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Chief Medical Examiner

Before the  
Committee on the Judiciary & Public Safety  
The Honorable Brooke Pinto, Chairperson

John A. Wilson Building  
Virtual  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
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Greetings Chairperson Pinto and members of the Committee on the Judiciary and Public Safety. I am Dr. Francisco Diaz, Chief Medical Examiner for the Office of the Chief Medical Examiner (OCME). I am joined today by my Executive Staff, including our Chief of Staff, Chief Toxicologist, General Counsel, Public Safety & Justice Cluster Budget Director, and Supervisory Fatality Review Program Manager.

Mayor Bowser's Fiscal Year 2023 budget - "A Fair Shot" - built upon those COVID-19 recovery efforts that have been implemented over the past few years to bolster core city services, improve the experience of residents and businesses interacting with District government, and provide greater opportunity for residents to learn, grow, and thrive. Our agency supported the efforts to "come back stronger than before," as we worked each day to fulfill the statutorily mandated mission of our agency, which is to perform accurate and timely medicolegal death investigations.

### **Agency Background**

The agency's priority is to perform its mission by serving our families during a time when they are most at need -- the sudden and unexpected loss of their loved ones. We implement the mission 24 hours a day, 7 days a week, and 365 days a year via effective and efficient operations. The agency is comprised of four divisions.

The *Administration Division* is responsible for oversight of operational and programmatic functions to include personnel management, training, labor relations, contracting and procurement; risk, fleet, property and financial management; information technology; legal services; communications; and agency performance management.

Our *Death Investigation Division* includes: a) forensic pathology, which involves conducting decedent examination and certifying the cause and manner of death; b) forensic investigation, which includes death scene response, medical records review, and provision

of information to aid in the determination of the cause and manner of death; c) an anthropology and identification unit which administers the agency's Decedent Identification Program; d) a histology laboratory, which processes samples of tissue in support of cause and manner of death findings; e) mortuary services, which provides body disposition and autopsy support to forensic pathology staff and the funeral industry; and f) the medical examiner transport team, which ensures timely response and removal of decedents from scenes, homes, and hospitals for examination and disposition by the OCME.

The third division, the *Forensic Toxicology Laboratory* is responsible for the detection, identification, and quantitation of alcohol, drugs, and other toxins in biological specimens. The Laboratory provides scientific support services to post-mortem testing so that the agency may provide accurate death investigation and certification information in a timely manner to next of kin, law enforcement agencies, legal counsel, and the community when required. The Forensic Toxicology Laboratory Division also administers the District's Breath Program and toxicology analysis for the Sexual Assault Response Team (SART)

The fourth Division, *Fatality Review*, facilitates the reviews by fatality review committees of the circumstances of the deaths of individuals within certain populations, including their interaction with District government services. The purpose of the reviews is to provide analysis and recommendations to the public and District entities serving defined populations, so they can address systemic problems, provide better services, and be held accountable. The Fatality Review Division currently supports six Fatality Review Committees: the Child Fatality Review Committee (CFRC); Infant Fatality Review Committee (IFRC); Developmental Disabilities Fatality Review Committee (DDFRC);

Maternal Mortality Review Committee (MMRC); Violence Fatality Review Committee (VFRC); and Opioid Fatality Review Board (OFRB).

During my testimony, I will highlight the agency's work during FY23 in key areas to include: 1) agency accreditation status; 2) death investigations; 3) forensic toxicology; 4) training and professional development; and 5) fatality review operations.

### **Accreditation Status**

I am proud to report that the agency was successful in FY23 in obtaining re-accreditation from the National Association of Medical Examiners (NAME) which consists of an annual review held during the full accreditation period February 16, 2021 to February 16, 2025. The agency also maintains accreditations with the International Organization for Standards (ISO) and the Accreditation Council for Graduate Medical Education (ACGME).

The agency's forensic toxicology laboratory has maintained the following accreditations:

- ISO/IEC 17025:2017 Forensic Testing;
- ANSI National Accreditation Board (ANAB) (breath alcohol program accreditation);
- ISO/IEC 17025:2017 Calibration (BrAC); and
- American Board of Forensic Toxicology.

In January of 2023, the Breath Alcohol (BrAC) program received its official accreditation, a first for the program. In August 2023, BrAC underwent its surveillance and had zero non-conformities. Additionally, in August, the toxicology testing laboratory had its first ISO/IEC 17025 inspection with zero non-conformities. The testing laboratory also maintained its American Board of Forensic Toxicology (ABFT) accreditation with one

non-conformity. The laboratory has corrected the non-conformity, and no further action is needed.

These accreditations are a direct result of the agency's strong quality program that includes adherence to accrediting body guidelines and best practices; implementation of continuous process improvement and quality control measures; and provision of academic and professional employee training.

In fact, the quality program has also resulted in meeting or exceeding the agency initiatives and Key Performance Indicators (KPIs) (many of which are tied to accreditation), to include post-mortem examinations reporting, forensic toxicology testing, fulfillment of customer records requests, and timely reporting to death scenes.

Through this rigorous and successful accreditation process, the residents of the District can have confidence that the agency mission is being met and that the agency is implementing quality death investigation and certification per industry standards and best practices.

### **Death Investigations**

The agency's Death Investigations Division is supported by forensic pathologists, an anthropologist, medicolegal and forensic death investigators, forensic photographers, autopsy and transport technicians, an histologist, a pathologist assistant and identification specialists. During FY2023, these dedicated staff members worked cooperatively in investigating, processing, and determining the cause and manner of death for 1971 cases, an increase over the FY22 caseload of 1869. This includes accidents, homicides, natural cases, suicides, and undetermined cases; as well as, reviews of medical records. In addition to the post-mortem caseload, the agency is responsible for annually processing:

- about 3700 cremation requests and 150 storage cases;

- over 2000 autopsy report requests from next of kin, MPD, legal entities such as the Assistant United States Attorney (AUSA) and hospitals; and
- investigating about 4500 cases of which 2000 are eventually declined as they are not within the agency's jurisdiction.

It is important to note the increase in caseload particularly over the past five years. For example, the number of homicides has increased by 62% since 2019. Such increases impact the supplies, equipment and staffing required to carry out the agency's mission of death investigation.

Despite this increase in caseload, critical agency Key Performance Indicators, or KPIs, were met and/or exceeded. For example:

- eight-nine percent (89%) of all reports of postmortem examinations were completed within 90 calendar days from the time of autopsy, slightly below the 90% target; and
- ninety-six percent (96%) of scenes were responded to by our transport technicians within one hour of notification of an accepted case, significantly exceeding the 90% target.

Moreover, through innovative use of its human and physical resources, the agency continues also completed its strategic initiatives resulting in increased efficiency and effectiveness in agency operations. However, the agency continuously monitors its resource needs to ensure a solid foundation to support the agency mission, as well as continuous operational improvement.

### **Forensic Toxicology**

The Forensic Toxicology Laboratory works in partnership with the agency's Death Investigation Division toward certifying death. In FY23, the laboratory tested 1358

medical examiner cases. Of note, however, is that the laboratory's services are utilized by external entities such as MPD, US Capital Police, US Secret Service, US Park Police, the US Attorney's Office, DDOT, and DC Sane. As a result, an additional 720 cases were tested in FY 23 for non-medical examiner purposes to include: driving under the influence (DUI), drug-facilitated assault (DFSA), and BrAC.

With this caseload, the laboratory exceeded key performance indicators to include:

- ninety-eight percent (98%) of toxicology examinations within 90 calendar days of case submission, exceeding the target of 80%; and
- eighty-four percent (84%) of toxicology examinations within 60 calendar days of case submission, exceeding the target of 50%.

The agency forensic toxicologists, laboratory technician and staff assistant are indeed committed to the quality, integrity, and success of the laboratory.

### **Training and Professional Development**

In addition to death investigation, the agency has an academic mission which is filled through employee training and professional development opportunities. This is a mandatory and significant budgetary cost to the agency. In order to be in compliance with licensure and accreditation requirements, the agency provides in-house educational trainings and support for attendance at industry conferences. Additionally, internships for students interested in careers in forensic pathology, investigation, anthropology, toxicology, and forensic science are available.

The agency also provides training to non-employees and stakeholders to include medical school residents and students, interns in various disciplines and forensic pathology fellows. During this third year of our forensic pathology fellowship, we are hosting two fellows.

## **Fatality Review Unit and Committee Operations**

As an important component of the District's work toward improving the health and safety of specific resident populations, as well as reducing associated mortalities, the agency supports the District's fatality review boards and committees to include Child and Infant Fatality, Developmentally Disabled, Maternal, Opioid, and Violence. The fatality review process is highly complex, labor intensive and requires extensive analysis of multi-system records (often over thousands of pages to review) for the purpose of identifying risk/protective factors on multiple levels (individual, family, community, environmental, institutional, etc.) and the circumstances leading to the death. The reviews have also involved public members who engaged several of the committees and one board for the purpose of furthering their educational research, learning more about the subject matter, or attempting to identify ways in which to further support the work of the committees and one board.

The fatality review specialists and staff assistants have worked diligently and have exceeded expectations in the quality of fatality reviews provided with particular emphasis on obtaining the necessary records to enable the committee/board members to make intentional findings, recommendations, system connections, and additional opportunities for resource sharing. This information is then provided to stakeholders and the general public via annual reports.

The agency will continue to refine our processes and engage stakeholders in additional ways to make the information contained in the Committees' and Boards' annual reports as "user friendly" and subject matter specific as possible.



Other key FY23 agency initiatives worth mentioning include a continued focus on emergency response and fatality management; the analysis and provision to stakeholders of mortality data through our Data Fusion Center; a focus on employee health and wellness via vicarious trauma training; and the renovation of our space within the Consolidated Forensic Laboratory.

The agency mission-critical work I have discussed today is supported by an administrative unit staffed by executive management, legal counsel, human resources, procurement, records management and quality, information technology, administrative and epidemiology/data fusion staff. These employees and all named throughout my presentation are committed to excellence in implementing the mission of the agency with compassion to the next of kin and friends of those deceased. The work is challenging, and our employees require support. As such, I would like to thank the entire OCME team for their dedication and hard work. And I appreciate the Administration and this Council's commitment to providing resources necessary to create an environment wherein our employees may succeed.

In closing, we continuously strive to be fully responsive to our families and improve the quality of our system. I would like to thank Mayor Bowser, City Administrator Kevin Donahue and Deputy Mayor for Public Safety & Justice Lindsey Appiah for their continued support and guidance. Lastly, thank you, Chairperson Pinto, for your leadership and support. We appreciate the opportunity to share our accomplishments and plans for continuous improvement and look forward to working with the Committee into the future. My team and I are happy to answer any questions that you may now have.