

- Policy:** This policy represents the District of Columbia Office of the Chief Medical Examiner (DC OCME) Retention Policy which was developed pursuant to the District of Columbia Public Records Management Act of 1985, D.C. Law 6-19, § 2-1706 and Title I, Chapter 15, §§ 1516 and 1517.
- Purpose:** The purpose of this policy is to facilitate the process of developing and implementing agency retention schedules for the maintenance and disposition of records and specimens, and to maintain compliance with D.C.CODE §5-1412.
- Scope:** This policy shall apply to all OCME employees.

## **1. Records**

### **1.1. OCME Medical Examiner Case Files**

#### **1.1.1. Physical Case Files**

- 1.1.1.1. Medical examiner physical case files to include Cremations, as defined above, shall be preserved for a period of 30 years except that records and files related to an Undetermined cause of death shall be retained for 65 years, and open investigations of a homicide shall be retained for 65 years from the date the Chief Medical Examiner (CME) initiates its investigation of the homicide pursuant to sections 2909 and 2913 of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code §§ 5-1408 and 5-1412 ).
- 1.1.1.2. Medical Examiner physical case files are maintained onsite at OCME for five years. On an annual basis, the Records Management Unit shall transfer case files that are older than five years to District of Columbia Office of Public Records and/or to the Washington National Records Center in Suitland, Maryland. Once moved, the security of the file is the responsibility of the receiving facility.

#### **1.1.2. Electronic Case Files**

- 1.1.2.1. Electronic medical examiner case files and associated digital images shall remain on the OCME case management server for 30 years, except that electronic records and files related to an undetermined case, or an open investigation of a homicide shall be retained on the server for 65 years.

## 2. Photographs

- 2.1. Identification photographs associated with Medical Examiner Cases shall be stored in Medical Examiner Case Files within the Office of Quality Control and Records Management. Other photographs are stored as follows:
  - 2.1.1. Film Photographs/slides are stored in the Photography Unit onsite for five years.
  - 2.1.2. Digital photographs shall remain on the OCME case management server for 30 years, except that electronic records and files related to an undetermined case, or an open investigation of a homicide shall be retained on the server for 65 years.
- 2.2. On an annual basis, at the beginning of each calendar year, all photographs that are older than five years stored in the Photography Unit will be transferred to the Office of Quality Control and Records Management for transfer to the D.C .Office of Public Records and/or the Washington National Records Center for storage in compliance with the Public Records Retention Schedule 40, Section 16, pages 83 – 85.

## 3. X-Rays

- 3.1. Digital x-rays shall remain on the OCME case management server for 30 years, except that electronic records and files related to an undetermined case, or an open investigation of a homicide shall be retained on the server for 65 years.

## 4. Tissue/Specimens (Toxicology/Histology)

- 4.1. Formalin-fixed tissues are stored for a minimum of **3 years**.
  - 4.1.1. Formalin Fixed Tissue are stored for a minimum of **5 years** includes:
    - 4.1.1.1. Homicides
    - 4.1.1.2. Undetermined
    - 4.1.1.3. Infant Deaths ( $\leq$  1 years old)

NOTE: The Attending Pathologist should be notified prior to final disposition of all cases.

- 4.2. Microscopic slides are stored indefinitely.
- 4.3. Paraffin blocks are stored for a minimum of 10 years.

## 5. Toxicology Specimens (Blood/Urine/Tissue)

- 5.1. Post-mortem tissues and blood are stored for one year from the release of the initial toxicology report with the following exception:
  - 5.1.1. If the case is a homicide, only one tube of blood (or in the absence of blood, one tube of alternate tissue) will be stored for a minimum of 3 years after the release of the initial toxicology report. All remaining case blood and tissues are discarded at this time.

- 5.2. All Human Performance (DUI/DFSA) specimens are stored for 1 year after the release of the initial toxicology report.
- 5.3. The return of any Human Performance specimen may be requested at any time upon written request from the client prior to its disposal.
  - 5.3.1. The transfer must take place within 1 week of documented request.
  - 5.3.2. The specimen is only transferred to the client's appointed liaison