

POLICY ON HANDLING CADAVERS FOR FORENSIC INVESTIGATION AND EXAMINATION

PNP MEMORANDUM CIRCULAR NUMBER 2014-006, February 19, 2014

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1. REFERENCES:

- Memorandum Circular 01-2013 PNP Crime Laboratory Policy on Morgue Accreditation;
- Rule 18, section 2 Police Operational Procedures (POP) Manual;
- Field Manual on Investigation;
- Batas Pambansa 856 (Sanitation Code); and
- PNP Crime Laboratory ISO 9001 International Standard Quality Manual.

2. PURPOSE:

This Memorandum Circular provides the guidelines and procedures to be undertaken by Investigators-on-Case, Scene of the Crime Operations team, and accredited Funeral Morgues during the removal/retrieval/transfer of cadaver and human remains and their transport from the crime scene/hospital to the accredited morgue for Forensic Examination.

3. DEFINITION OF TERMS:

- Autopsy - also known as postmortem examination, autopsia cadaverum, or obduction - is a medical procedure that consists of a thorough examination of a corpse to determine the cause and manner of death and to evaluate any disease or injury that may be present.
- Forensic examination - scientific examination concerning special medical and biological problems that arise in the course of a judicial investigation and performed at the request of bodies of investigation or the court in order to establish certain information pertaining to a case.
- Histopathological examination - to determine the cause of death through microscopic tissue examination.
- Morgue - a place where the bodies of unknown dead persons or those dead of unknown causes are kept to be identified, examined/autopsied etc. before burial or cremation.
- Morgue Accreditation - a process in which certification of morgue is presented for its competency, authority, or credibility for use in the conduct of autopsy.
- Medico-Legal Officer - is a trained physician employing recognized forensic procedures and techniques to give assistance to PNP investigators as well as to other government and non-government investigative agencies through the conduct of autopsy, physical examination and other forensic examinations.

- Postmortem examination - refers to an external examination of a dead body, without incision being made, although blood and other body fluids may be collected for examination.

4. SCOPE OF APPLICATION:

This Memorandum Circular shall apply to all Investigator-on-Case of police offices/units from the national, regional, provincial, city and municipal level; members of Scene of Crime Operations (SOCO) of the PNP Crime Laboratory and accredited funeral morgues handling human remains/cadavers involved in an incident being investigated.

5. PROCEDURES:

Investigator-on-case (IOC), SOCO Team shall observe the following procedures:

- All cadavers (including those in decomposed state) involved in criminal cases or having potential criminal bearing, shall be properly turned over by the Investigator-on-Case to the SOCO Team Leader or Medico-Legal Officer for the conduct of autopsy;
- Recovered human remains and dismembered body parts, being vital pieces of forensic evidence, shall be brought to a PNP accredited morgue for possible identification. In case of decapitated and mutilated corpses, forensic examination, identification and comparison shall be performed preferably in the morgue where the head is being kept;
- Cadavers should be ideally wrapped with linen before being placed into the cadaver bag by trained personnel under the supervision of the SOCO Team Leader;
- The SOCO Team Leader shall supervise the inventory and security of the personal belongings of the cadavers;
- The SOCO Team Leader shall identify the properties and clothing which may be used as evidence and these shall be turned over to the SOCO Evidence Custodian; while those personal belongings that are considered insignificant shall be handed over to the Investigator-on-case for proper disposition or to nearest kin;
- Immediate collection of all biological samples which are likely to vanish or deteriorate during transport must be prioritized;
- Identification tag must be placed on the body and markings placed on the body bag;
- The SOCO Team leader shall supervise the removal of the cadaver/human remains/body parts from the crime scene and facilitate the transport of the cadaver to the PNP Crime Laboratory morgue or to any PNP accredited funeral morgue where the autopsy and other forensic examinations shall be conducted. In the absence of a SOCO Team Leader, the Investigator-oncase shall facilitate the transfer of the same to an accredited morgue;
- Appropriate collection and examination of evidence for other forensic examinations such as DNA test, blood alcohol determination, toxicology, etc. may further be conducted during autopsy by Medico-Legal Officers; and
- The Investigator-on-Case shall be responsible for the retrieval and collection of pieces of evidence from the body of cadavers brought to a hospital facility.

6. GUIDELINES:

a. Conduct of Autopsy

a.1

PNP personnel must ensure that the cadaver is protected from any contamination;

a.2

PNP personnel are prohibited from referring services of funeral morgue;

a.3

The preference of the family of the deceased shall be given priority as to which funeral parlor shall be availed of, provided that the morgue is duly accredited by the PNP;

a.4

In cases where the family prefers to avail the services of a funeral parlor other than the morgue to which the cadaver was brought or autopsied, settlement of fees and other related issues shall be between the family and the funeral parlor but must be commensurate with the services provided and not exorbitant;

a.5

There shall be no fees for autopsy of cadavers, human remains or body parts related to criminal cases; or corpses with undetermined causes of death or those which are declared dead on arrival (DOA) by hospitals;

a.6

The PNP Crime laboratory morgue shall accommodate storage of cadavers not exceeding 12-hours from the estimated time of death considering practical limitations and the reduction of evidentiary value. Beyond the said period, the storage and safekeeping of said cadavers shall be referred to a PNP accredited morgue;

a.7

For cases not criminal in nature wherein the families opt to have the cadaver autopsied, the prescribed fees for gross autopsy in the amount of Php1,200.00 and Histopathological examinations in the amount Php1,000.00 shall be paid through the Land Bank of the Philippines; and

In cases of unidentified cadavers, request for autopsy from the Investigator-on-Case is required and should be considered sufficient in the absence of the immediate family or nearest of kin especially within 12-hours from the estimated time of death.

b. Release of Cadaver

b.1

In cases when the cadaver is examined in the PNP CL morgue, the examining Medico-Legal Officer shall be responsible for the release of the cadaver to the immediate family member/nearest kin with proper documentation; and

b.2

In the event that the immediate family member/nearest kin authorizes a funeral parlor the release of the cadaver, an authorization letter should be presented by the latter.

c. Other Provisions

c.1

If the victim is a foreigner, the embassy of the victim must be notified and consent from the nearest kin or representative from the concerned embassy is obtained prior to autopsy. The examining Medico-Legal Officer should be responsible for the release of the cadaver to the immediate family member/nearest kin/concerned embassy with proper documentation; and

c.2

For religious considerations, request for postmortem examination shall be accompanied by a waiver or a letter requesting non-dissection of the cadaver signed by the nearest kin. However, the Medico-Legal Officer should inform the requesting party that such is an incomplete examination compared to an autopsy:

7. REPEALING CLAUSE:

All issuances, memoranda, rules and regulations issued by the PNP inconsistent herewith are deemed repealed and amended accordingly.

8. EFFECTIVITY:

This PNP MC shall take effect fifteen (15) days from filing a copy thereof at the University of the Philippine Law Center in consonance with Section 3 and 4, Chapter 2, Book VII of Executive Order No. 292 known as, "The Revised Administrative Code of 1987".

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