

COUNTY OF MILWAUKEE
Inter-Office Communication

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To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Brian L. Peterson, M.D., Chief Medical Examiner, Medical Examiner

Subject: Function of the Medical Examiner's Office

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This informational report detailing the functions of the Milwaukee County Medical Examiner's Office (MCMEO) is provided to empower district offices with resources and information that allows elected officials to best serve their constituents.

On average, 9,000 deaths occur in Milwaukee County annually. With a population of just under 950,000, this equates to approximately 1 percent of the population per year. Many deaths occur in hospitals, nursing homes, hospice care or under the immediate care of a physician and are not unexpected. Others occur as the result of obvious non-natural events (accidents, suicides and homicides). Many of the remaining deaths are unexplained, unexpected and/or suspicious.

All deaths in the State of Wisconsin must be explained by means of a certified death certificate which is a legal document kept on permanent file with the county and state vital records offices. This document must be filled out and signed by a medical physician caring for the deceased, or by a Medical Examiner/Coroner who has assumed legal jurisdiction over the death. Only a Medical Examiner or Coroner can certify a death as an accident, suicide or homicide because these cases must be investigated by the proper authorities.

In the State of Wisconsin, a county must establish an office to investigate unexplained and non-natural deaths. This office must be run by a Coroner (an elected official) or a Medical Examiner (an official appointed by the County Executive and/or County Board). In most counties in Wisconsin, Coroners and Medical Examiners are not required to be physicians or forensic pathologists. However, due to the population of Milwaukee County, Milwaukee County is required to have a Board-Certified Forensic Pathologist as its Medical Examiner.

As mentioned above, the criteria for assuming jurisdiction over a death is outlined in WI state statute 979.01. This statute details that when a person becomes aware of a death occurring in Milwaukee County and it is known to be related to non-natural causes, or if it is felt to meet one of the criteria spelled out in the statute, the death must be reported to the MCMEO.

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Upon receiving notification of a death, the death is assigned to a forensic investigator to investigate the circumstances and to determine if the death indeed falls within the authority of the office, based on state statute 979.01. If the death does not fall under its authority, jurisdiction will be declined, and the certification of the death certificate will be referred to the decedent's personal physician. If no physician can be found or if the physician refuses to sign the death certificate, MCMEO will assume jurisdiction and certify the death.

If the death falls under the jurisdiction of the MCMEO, the next step will be to determine what level of investigation is necessary to determine the cause and manner of death.

Every death is evaluated individually to determine what level of investigation is needed. Some cases may be adequately investigated by obtaining medical records, performing an external exam of the body, and speaking to physicians, family members and/or witnesses. Some cases may require a scene investigation where the forensic investigator goes to the scene of the death to investigate. Some will require an autopsy and toxicology studies. Some may require additional laboratory studies, follow-up interviews, and the review of police reports and other records.

A typical case requires many hours to determine the cause and manner of death. A complex case can take weeks or months and require extensive investigation and research by the MCMEO. Specimens sent to outside laboratories for preparation and/or testing may delay the completion of a case for weeks to months.

In the end, all information collected from the investigation is utilized to determine the cause and manner of death. The office generates an investigative report on each case reported, with autopsy or external examination reports generated for every decedent examined by the forensic pathologist. Diagrams, digital photographs and other documentation are also maintained in the permanent file/database.

Often, the forensic pathologist is required to testify in court with regards to his or her findings and opinions. While most of this testimony is related to criminal cases, the pathologists occasionally testify in civil proceedings, as well.

Additionally, MCMEO generates revenue from its services thereby offsetting costs and diminishing its reliance on the tax levy. In 2021, approximately 70 percent of the total operating budget was paid for with revenue dollars. Revenue is generated by charging fees for cremation permits, as well as completing death certifications. Body transport is also charged at cost and covers the expense of transport for this office, which generates no net revenue. Other jurisdictions utilizing the services of the office are charged for the performance of referral autopsies, toxicology testing, and for expert witness testimony by the forensic pathologists and/or toxicologists.

MCMEO also maintains a public access website that displays all reportable deaths in real time.

It is the ultimate goal of the office to lead the way in standardizing, improving and professionalizing death investigation in the State of Wisconsin.

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Fiscal Note

The report is informational only and there is no fiscal impact.

Brian L. Peterson, M.D.

Brian L. Peterson, M.D.
Chief Medical Examiner

Cc: Kelly Bablitch, Chief of Staff, County Board
Janelle Jensen, Legislative Services Division Manager, Office of the County Clerk