

FORS 6257

Medicolegal Death Investigation

6.4

UNIDENTIFIED & UNCLAIMED REMAINS

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(special thanks to Carlie Hayes)

UNCLAIMED REMAINS

- **ME/C has responsibility for return of the body and personal property to the NOK**
- **In many states, by tradition or default, ME/C have assumed the duty of locating survivors and notifying the NOK**
- **When NOK are not located or are unwilling or unable to accept the remains for disposal, then the office is responsible for their disposal; continued retention is simply impractical**
- **Statutes of 32 states in the U.S. specifically place unclaimed dead under the jurisdiction of the ME/C**

UNCLAIMED REMAINS

In a recent study conducted by GWU CSI student Carlie Hayes, approximately half of the unclaimed remains in DC are OCME jurisdiction cases and the other half are not, but the DC OCME nonetheless has responsibility for final disposition of all unclaimed remains in DC.

UNCLAIMED REMAINS

Unclaimed remains fall into three general categories:

- 1. The body remains unidentified**
- 2. The next-of-kin cannot be located**
- 3. the next-of-kin are unable or unwilling to take responsibility for disposal of the body**

UNIDENTIFIED REMAINS

Long Term Unidentified

Defined as unidentified for >30 days

Cold Cases

Defined as unidentified for >1 year

Every Year in the U.S.

- 600,000 go missing
- 4,400 unidentified bodies are recovered
- 1,000 will remain unidentified cold cases

UNIDENTIFIED

remains

**Role of
ME/C**

v.

MISSING PERSONS

names

**Role of
Law Enforcement**

These two functions impinge on each other, but they are not the same and they are carried out by different groups

NAME Inspection & Accreditation



B. INVESTIGATIONS

B.4. Identification

... [see: 6.1] ...

- j. Prior to disposition of unidentified bodies, does the office perform the following tasks in order to permit potential future identification: fingerprint the body; photograph the body; examine and chart the dentition; take radiographic images; store specimens for DNA analysis; and register and/or assist law enforcement in registering the case with appropriate national registries and any mandated state or local registry? II

NAME Forensic Autopsy Performance Standards



Standard C.8. Procedures Prior to Disposition of Unidentified Bodies

Prior to disposition of the unidentified remains, inventory and archiving of potentially useful objective data are required. A forensic autopsy can disclose medical conditions useful for identification. Full-body radiographs document skeletal characteristics and radio-opaque foreign bodies such as bullets, pacemakers, and artificial joints. Dental charting and radiography preserve unique dental characteristics. The documentation of a decedent's clothing and personal effects archives details that are familiar to the next-of-kin. Careful preservation and archiving provide an objective basis for future identification and thereby avoid the need for exhumation.

NAME Forensic Autopsy Performance Standards



Prior to disposition of an unidentified body the forensic pathologist shall:

- C.8.1. perform a forensic autopsy.
- C.8.2. take or cause to be taken radiographs of head, neck, chest, extremities, and torso in their entirety.
- C.8.3. cause the dentition to be charted and x-rayed.
- C.8.4. document or cause to be documented decedent's clothing and personal effects.

IDENTIFICATION

No unidentified body should be disposed without:

- An autopsy
- Photographs
- X-rays
- Fingerprints
- Dental charting and X-rays
- DNA specimen
- Clothing, jewelry, & personal effects documented
- National registry databases checked

UNIDENTIFIED REMAINS

National databases of missing persons should be checked:

- **NCIC**: National Crime Information Center
- **NCMEC**: National Center for Missing and Exploited Children
- **NamUs**: National Missing and Unidentified Persons System

IDENTIFICATION

MISSING PERSONS SEARCHES:

- FBI's The National Crime Information Center (NCIC) assists law enforcement for missing persons searches, but is not generally directly accessible to ME/C
- NIJ's The National Missing and Unidentified Persons System (NamUs) is accessible to law enforcement, the ME/C, and the public
- National Center for Missing & Exploited Children (NCMEC) is a private non-profit organization established by the U.S. Congress

NCIC



<https://www.fbi.gov/services/cjis/ncic>

The National Crime Information Center, or NCIC, has been called the lifeline of law enforcement—an electronic clearinghouse of crime data that can be tapped into by virtually every criminal justice agency nationwide, 24 hours a day, 365 days a year. It helps criminal justice professionals apprehend fugitives, locate missing persons, recover stolen property, and identify terrorists. It also assists law enforcement officers in performing their duties more safely and provides information necessary to protect the public.

NCIC was launched on January 27, 1967 with five files and 356,784 records. By the end of 2015, NCIC contained 12 million active records in 21 files. During 2015, NCIC averaged 12.6 million transactions per day.

The Files: The NCIC database currently consists of 21 files. There are seven property files containing records of stolen articles, boats, guns, license plates, parts, securities, and vehicles. There are 14 persons files, including: Supervised Release; National Sex Offender Registry; Foreign Fugitive; Immigration Violator; Missing Person; Protection Order; Unidentified Person; Protective Interest; Gang; Known or Appropriately Suspected Terrorist; Wanted Person; Identity Theft; Violent Person; and National Instant Criminal Background Check System (NICS) Denied Transaction. The system also contains images that can be associated with NCIC records to help agencies identify people and property items. The Interstate Identification Index, which contains automated criminal history record information, is accessible through the same network as NCIC.

How NCIC is Used: Criminal justice agencies enter records into NCIC that are accessible to law enforcement agencies nationwide. For example, a law enforcement officer can search NCIC during a traffic stop to determine if the vehicle in question is stolen or if the driver is wanted by law enforcement. The system responds instantly. However, a positive response from NCIC is not probable cause for an officer to take action. NCIC policy requires the inquiring agency to make contact with the entering agency to verify the information is accurate and up-to-date. Once the record is confirmed, the inquiring agency may take action to arrest a fugitive, return a missing person, charge a subject with violation of a protection order, or recover stolen property.

UNIDENTIFIED REMAINS

NCIC Unidentified Person File

At the end of 2017, there were 8,634 unidentified person records in the National Crime Information Center (NCIC)

- During 2017, 886 unidentified records were entered**
- During 2016, 894 unidentified records were entered**

NamUs

The NamUs Mission: By bringing people, information, forensic science and technology together, NamUs helps resolve missing and unidentified person cases throughout the United

Our Core Services

- **Nationwide information clearinghouse** offering free, secure, easy-to-use, online technology to help expedite case associations and resolutions.
- **Free-of-charge forensic services** including forensic odontology and fingerprint examination, as well as forensic anthropology and DNA analyses through the UNT Center for Human Identification laboratories.
- **Investigative support** from seasoned staff who provide case consultations and support criminal justice efforts to drive missing and unidentified person case resolutions.
- **Training and outreach** from NamUs subject matter experts, including assistance with planning and facilitating Missing Person Day events across the country.

NamUs 2.0: In late 2015, plans to perform a complete rebuild of the NamUs application began. Stakeholders from the law enforcement, medical examiner, coroner, non-profit, and public sector were interviewed as part of a Discovery Phase to plan the features and functionality of the upgraded system. Development work began in the first quarter of 2016 and culminated in the release of the NamUs 2.0 application in May 2018.



More than 45,000 cases
were entered to NamUs.

More than 16,000 cases resolved.

<https://www.namus.gov/>

DNA Services

UNT | HEALTH
SCIENCE CENTER

UNT Center for Human Identification's
FORENSIC SERVICES UNIT



Home
NamUs
Media
Newsletters
Online Training
Regional Events
Statewide Initiatives
Submitting DNA
Forensic Art
Tools/Resources
Clearinghouses
Related Links
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Effective September 1, 2017, the Missing Persons Unit of the UNT Center for Human Identification will resume anthropological and DNA testing services for agencies outside the state of Texas. For submission guidance, click [here](#) for more information.

Submitting DNA Samples to UNTCHI

Click here for a list of [Frequently Asked Questions](#) related to DNA submissions and analyses.

DNA samples related to a missing person or unidentified human remains case can be submitted to UNTCHI at the mailing address listed below. All samples should be submitted with appropriate UNTCHI submission paperwork, which can be found in UNTCHI collection kits, or can be downloaded below. If you have questions or need further assistance with a DNA collection or submission, contact the UNTCHI Missing/Unidentified Person Program at any of the numbers listed below.



Download Submission Paperwork

[Family Reference Sample Paperwork](#)

[Direct Reference Sample Paperwork](#)

[Unidentified Human Remains Sample Paperwork](#)

[Unidentified Living Person Sample Paperwork](#)

[Forensic Evidence Submission Paperwork](#)

Missing and Unidentified Person Program Overview

The University of North Texas Center for Human Identification (UNTCHI) is an accredited forensic laboratory located in Fort Worth, Texas. Using grant funding from the National Institute of Justice, UNTCHI provides the following services related to missing and unidentified person investigations:

- Autosomal STR testing
- Y STR (Y chromosome) testing
- Mitochondrial DNA testing

All DNA profiles for missing and unidentified persons are uploaded to the Combined DNA Index System (CODIS) for searching and comparison.

Contact UNTCHI (Forensic and Missing Persons Units)

MAILING ADDRESS:

UNT Center for Human Identification
Attention: Evidence Custodian

<http://untfsu.com/DNAInstructions.html>

NCMEC

The National Center for Missing & Exploited Children® is a non—profit 501(c)(3) corporation whose mission is to help find missing children, reduce child sexual exploitation, and prevent child victimization. Since 1984, NCMEC has served as the national clearinghouse and resource center for families, victims, private organizations, law enforcement and the public on issues relating to missing and sexually exploited children.

NCMEC's regional offices in California, Florida, New York, and Texas.



<http://www.missingkids.com/home>



The Doe Network

International Center For Unidentified & Missing Persons

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Welcome to the Doe Network!

The Doe Network is a 100% volunteer organization devoted to assisting investigating agencies in bringing closure to national and international cold cases concerning Missing & Unidentified Persons. It is **our mission** to give the nameless back their names and return the missing to their families.

We hope to accomplish this mission in three ways:

- By providing exposure to these cases on our web site.
- By providing credible potential matches between missing and unidentified persons to investigating agencies.
- By striving to get much needed and deserved media exposure to these cases.

We receive and accept tips regarding cases featured on our site. All relevant information will be forwarded to the proper investigating agencies. While Doe Network values your privacy, we will respond to court orders and/or requests made by investigating agencies in a timely manner regarding visitor information. **We are not private detectives.**

Members within our organization work together, utilizing individual skillsets, to ensure the success of our mission. Our volunteers and the users of our site are very important to us and any feedback to improve this site is graciously accepted.

**NOTE*: There are some case files listed on the Doe Network that contain a link that should lead to a NamUs file. There may be some case files where this link does not work. This usually means that the person is no longer unidentified or missing. If you are trying to find a match for any [file](#) listed on the Doe Network and you find that the NamUs link does not work, please notify us by sending an [email](#) to admin@doenetwork.com. Thank you.*

<http://www.doenetwork.org/index.php>

UNIDENTIFIED REMAINS

Unidentified remains should not be cremated, they should be stored or buried instead

OTHERWISE UNCLAIMED REMAINS

SEPULCHRAL RIGHTS

- Under U.S. law, bodies are *quasi-property* that, as a deceased person, cannot be *owned* by other people
 - If the body has been substantially changed, so that it is no longer recognizable, then it can be owned, i.e. cremains
 - Tissues from bodies can be owned. Saved tissues may be later discarded as medical waste
- However, the NOK have a *sepulchral right* (duty) to take possession and determine funerary rites and disposition of the body

UNCLAIMED REMAINS

- **There are unfortunate times when the NOK or legal representative of a decedent cannot be located**
- **Sadly, there are also times when the NOK is unable or unwilling to claim the remains of the decedent**
- **This does not mean that the family does not want to claim their loved one, it simply could mean they do not have the sufficient funds to bury the body**

UNCLAIMED REMAINS

NOK not located

- Remains should not be considered unclaimed until all possible efforts to locate the NOK have been exhausted
- If the NOK have not been located, they might appear later and pursue legal action if they believe a good-faith effort to locate them was not made
- If the body is buried and a family member is eventually located, the family then has the option of recovering the remains in order to relocate them or handle them accordingly

UNCLAIMED REMAINS

Storage and Cost

State, County, and other governmental jurisdictions typically provide funds for burial or cremation of indigent and unclaimed bodies

UNCLAIMED REMAINS



Forest Glade Cemetery;
Somersworth, NH

Potter's Field:

A place for the burial of
unknown or unclaimed
remains

... at government expense

UNCLAIMED REMAINS

Restrictions on Cremation

Some jurisdictions place restrictions on the public disposition and particularly of the cremation of remains

- i.e., DC OCME policy does not allow for cremation of veterans or children

UNCLAIMED REMAINS

- Local/state laws may regulate the disposition of unclaimed remains
 - e.g., in Maryland, bodies that are unclaimed within 72 hours are donated to the Anatomy Board
- Unclaimed remains may be donated to local medical schools or anthropological “body farms”
- State, local, or job-related funds may be available in some cases
- Local funeral homes and/or cemeteries may donate their services