



**Office of the District  
One Medical Examiner**

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## Position Statement Medical Examiner Statutes

**To be in compliance with the law, officers must adhere to the following statutes:**

**406.14 Duty of law enforcement officers.**--Any evidence material to the determination of the cause of death in possession of the law enforcement officers assigned to the investigation of the death shall be made available to the medical examiner. It is the duty of the law enforcement officer assigned to and investigating the death to immediately establish and maintain liaison with the medical examiner during the investigation into the cause of death.

- Notification of death to the medical examiner is to be immediate.
- Evidence should not be collected or removed from the scene until Medicolegal Investigators can photograph and document the evidence and/or determine if the evidence needs to be collected by our office.

**406.12 Duty to report; prohibited acts.**--It is the duty of any person in the district where a death occurs, including all municipalities and unincorporated and federal areas, who becomes aware of the death of any person occurring under the circumstances described in s. [406.11](#) to report such death and circumstances forthwith to the district medical examiner. Any person who knowingly fails or refuses to report such death and circumstances, who refuses to make available prior medical or other information pertinent to the death investigation, or who, without an order from the office of the district medical examiner, willfully touches, removes, or disturbs the body, clothing, or any article upon or near the body, with the intent to alter the evidence or circumstances surrounding the death, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

- Neither Law enforcement nor any other persons shall touch, remove or disturb the body of a deceased person without an order from the medical examiner's office. (In most cases, officers need only to request permission via telephone).
- The medical examiner holds sole jurisdiction over a decedent's remains, clothing, or any article on or near the body unless jurisdiction is released by the medical examiner's office.

**406.11 Examinations, investigations, and autopsies.**-- (1) In any of the following circumstances involving the death of a human being, the medical examiner of the district in which the death occurred or the body was found shall determine the cause of death and shall, for that purpose, make or have performed such examinations, investigations, and autopsies as he or she shall deem necessary or as shall be requested by the state attorney:

(a) When any person dies in the state: 1. Of criminal violence. 2. By accident. 3. By suicide. 4. Suddenly, when in apparent good health. 5. Unattended by a practicing physician or other recognized practitioner. 6. In any prison or penal institution. 7. In police custody. 8. In any suspicious or unusual circumstance. 9. By criminal abortion. 10. By poison. 11. By disease constituting a threat to public health. 12. By disease, injury, or toxic agent resulting from employment. (b) When a dead body is brought into the state without proper medical certification. (c) When a body is to be cremated, dissected, or buried at sea. (2)(a) The district medical examiner shall have the authority in any case coming under subsection (1) to perform, or have performed, whatever autopsies or laboratory examinations he or she deems necessary and in the public interest to determine the identification of or cause or manner of death of the deceased or to obtain evidence necessary for forensic examination.

- It is the duty of the medical examiner to testify in court concerning the cause, nature, manner, and mechanism of how a person's death occurred.
- Core body temperatures are at the discretion of the medical examiner. Temperatures need to be performed in cases where time since death is an issue or in toxicology, environmental or excited delirium deaths.

PLEASE DIRECT ALL QUESTIONS OR COMMENTS TO: J.B. Martin – (850) 865-2178