LEGAL TESTIMONY

Legal matters are a prime directive of the Medical Examiner Office, so a significant part of our duties involve legal testimony. Pathologists, investigators, and toxicologists are called to testify most commonly in homicide cases, but also in motor vehicle accidents (particularly those involving driving under the influence of alcohol, drugs, or medications) or other cases. Forensic Autopsy Specialists who assist with autopsies may sometimes be called to testify as witnesses as well.

Investigators, who conduct scene investigations and interviews, may be called to describe their findings. Toxicologists may be called to discuss their methods for conducting toxicology studies to prove their validity; the Toxicology Laboratory Manager may also serve as an expert witness with insight as to interpretation of drug or medication levels. In 2010, Toxicology staff testified in 6 jury trials (both criminal and civil).

Pathologists provide testimony regarding their autopsy findings, including evidence of both trauma and natural disease. Their expertise in evaluation of trauma can shed valuable insight on critical aspects of legal issues. In 2010, pathologists testified in 14 preliminary hearings and 38 jury trials, with a total of 70 hours of testimony.

In addition to criminal matters, Medical Examiner staff is often subpoenaed for testimony in civil matters, most commonly by deposition. In this situation, the County bills attorneys for the time of any witnesses called. Toxicologists were involved in 7 depositions in 2010 and pathologists in 13 depositions.