

Pennsylvania State Coroners Association
Administrative Guideline

This guideline was developed as a recommendation for the Retention of Suicide Notes, Letters & Correspondences

A **Standard** is the least minimum level of acceptable performance

A **Guideline or Principle** is a suggested level of performance, but not a standard

A **Best Practice** is the most rigorous level of performance and is based on current knowledge without resource limitations. (Shall; cannot deviate from; required)

The purpose of this guideline is to develop the proper protection and safekeeping of all original suicide notes, letters and/or correspondences. Additionally, create a guideline to release copies of such original document(s).

For the purpose of this guideline, a Suicide note will be defined as any writing, picture, recording, video, electronic document or anything else that may relate to an individual stating and/or directing the intent or ideation in taking their own life.

A suicide note is one of the most crucial pieces of evidence at a suicide scene. In every death investigation determined to be unequivocally a suicide, the Coroner's Office will retain the original suicide note indefinitely per the County Records Act. So, the safest place is with the Coroner's Office.

"In accordance with the Pennsylvania County Records Act of August 14, 1963 (P.L. 839, No 407) (16 P.S. 13001 – 13006) as Amended, section CN-3, Coroner's Investigatory Files, Retain records pertaining to anything but natural deaths permanently for administrative and legal purpose..." "A Coroner's Investigatory File may include autopsy and toxicology reports, correspondence, inquisition sheets, lists of personal effects, notes, photographs and summary reports."

When investigating a death and where a suicide note, letter or correspondence is located, the original document **SHALL** become a permanent record of the Office of the Coroner. The original document **SHALL** be handled and preserved as evidence, following your Office's protocol for collection of evidence. This should include but not limited to; photographing, inventorying, and preserving. Remember, it is extremely important to limited the handling of such documents as to preserve any potential trace evidence. Copies of the original document should be made and provided to the investigating Law Enforcement Agency.

Original documents **SHALL** be placed in a large manilla envelope, sealed with evidence tape, to avoid any type of tampering and secured in your Office's Evidence Locker/Safe.

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If during the investigation, the death and circumstances are determined to be suspicious in nature, the Law Enforcement agency may request to take possession of the suicide document(s) for further forensic examination. Upon completion of the criminal investigation and any criminality is unfounded, the Law Enforcement Agency **SHALL** return the original suicide document(s) back to the Office of the Coroner.

Next of Kin Request: a copy for the Legal Next of Kin or their legal representative (Funeral Director, Attorney or another family member acting on their behalf), will be made upon request. Next of Kin requests should be made in writing to the Coroner. Copied documents SHALL be stamped as "COPY." Also, make sure records are maintained as to who received a copy, date and time of release and the Coroner's or Deputy's signature. Always have the recipient sign for the copy. When releasing a copy of the suicide document, **NEVER** mail or email the document to the requester, all copies must be picked up in-person at the Office of the Coroner. The individual picking up such document(s) must provide legal proof of photo identification. A copy of the photo identification card should be made and placed in to the case file.

In those rare situations, when the legal Next of Kin do not reside locally and a written request is made for a copy of the suicide document(s), and upon your verification, the documents can be mailed by "Certified Mail Return Receipt" to a legal mailing address such as 123 Main Street, Anytown, USA and NOT to a Post Office Box.

Several items to remember about releasing Suicide document(s) to the Legal Next of Kin:

1. Always read and/or review document(s) as soon as possible;
2. Never share information to others not involved with the investigation;
3. Do not automatically release contents of the document to the Next of Kin, they may not want to know;
4. Never share photographs;
5. When properly releasing said document(s) to the Legal Next of Kin, depending what is in the contents, you may want to warn the N.O.K. The said document(s) may contain contents that may affect the individual;
6. Make sure there is no other on-going criminal investigation involving the decedent or Legal Next of Kin.

NOTE:

In the event, Law Enforcement would take the suicide note, letter or correspondence, into their custody as evidence, it is recommended that you issue a subpoena for the original copy to that Law Enforcement Agency. Attached is a copy of a specific subpoena to produce documents the Susquehanna County Coroner's Office issues, when investigating a suicide and Law Enforcement already has taken the item into their possession or you can create and issue one of your own subpoenas.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF SUSQUEHANNA

CORONER'S SUBPOENA TO PRODUCE DOCUMENTS

TO: Pennsylvania State Police
Specifically: PSP Gibson or Troop R

We COMMAND YOU that, setting aside all manner of business and excuses, that you produce for and deliver to the coroner all of those documents and other items described and indicated below for the purpose of the holding of an inquest upon the death of: _____ DOB: _____ DOD: _____

☐ Any and all Suicide notes/letters/correspondences in your possession.

☐ _____

And this you are not to omit under penalty of law.

By: _____ Date: _____

Service Accomplished by _____ this _____ day of _____, 20____ at _____ pm/am by _____.

Susquehanna County Coroner's Office
309 Public Way
New Milford, PA 18834
Phone: 570-278-6630/6631
Fax: 570-278-6633
Email: coroner@susqco.com

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Reference: 1218-B CORONER'S INVESTIGATION (a) Duty. The coroner having a view of the body shall investigate the facts and circumstances concerning a death that appears to have happened within the county, notwithstanding where the cause of the death may have occurred, for the purpose of determining whether or not an autopsy or inquest should be conducted in the following case (3) A death occurring as a result of violence or trauma, whether apparently homicidal, suicidal or accidental, including, but not limited to, a death due to mechanical, thermal, chemical, electrical or radiational injury, drowning, cave-in or subsidence. (B) Purpose. The purpose of an investigation under subsection (a) shall be to determine: (1) The cause and manner of the death. (2) Whether or not there is sufficient reason for the coroner to believe that the death may have resulted from a criminal act or criminal neglect of a person other than the deceased.

Also see: SECTION 1227-B – SUBPOENA AND ATTACHMENT The coroner may issue a subpoena and attachment, which shall be served and executed by the sheriff, coroner or coroner's deputy, for the following purposes:

(1) A death investigation. (2) To obtain the attendance of an individual who may be necessary to examine as a witness at an inquest. (3) To compel attendance by attachment in a similar manner and extent as a court of common pleas may do in a case pending before the court. (4) To compel the production of the following: (i) A paper. (ii) A document in any form or media, including a medical and mental health record. (iii) Another thing relative to the investigation or inquest.

A suicide note is one of the most crucial pieces of evidence at a suicide scene. In every death investigation determined to be unequivocally a suicide. The Coroner's Office will retain the original suicide note indefinitely per coroner statute. Per coroner statute all non-natural death files are to be kept indefinitely.

A Coroner's Subpoena shall be provided on scene to any Law Enforcement agency as part of the investigation providing documentation as to the collection and storage of the original suicide note.

Collection: In as much the note is free of fluid, the note shall be collected and placed in a clear plastic tamper proof bag and tagged as evidence by the coroner's office. This collection should be witnessed by law enforcement if at all possible. The note should be placed in the bag as to be able to be read on the clear side of the evidence bag. One note per bag. Double sided notes should be placed in bags as to be ready clearly on each side.

If fluids of any type are present on the note and not in a dried condition the note must be collected and dried before placement in a plastic bag. Once dried they should be placed in a plastic evidence bag with several small hole punched holes at the top and bottom of the bag for good measure.

NOTICE: If during the investigation it proves that the note should be forensically processed for hand writing comparison, fingerprint or DNA or other forensic analysis by the Pennsylvania State Police or other Law Enforcement agency. The proper chain of custody protocols shall be followed. Once the note has been processed the note must be returned to the Coroner's Office for indefinite retention. (Photographic documentation of the note must be completed by the coroner's office and law enforcement agency prior to releasing the note)