



## Pathology Biology Section – 2011

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### G67 Death Certification of “Suicide by Cop”

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After attending this presentation, attendees will understand the concept of “suicide by cop” and the criteria used to certify these deaths as suicides.

This presentation will impact the forensic science community by discussing examples of “suicide by cop” and why suicide (and not homicide) is the appropriate manner for these deaths.

A death certification of “suicide by cop” is controversial among some medical examiners and coroners (ME/C). These are often complex investigations and the opinions of the medical examiner must take into consideration all relevant issues. Five such deaths are presented that were certified as suicides and discuss the medicolegal issues involved with these certifications. In order to certify such a death as a suicide, certain criteria should be met. The five criteria used to make this certification include evidence of: (1) suicidal intent; (2) intent to be shot by law enforcement; (3) possession of a lethal weapon or facsimile; (4) intentional escalation of the encounter; and, (5) legal use of force by law enforcement. These legal actions of law enforcement are what distinguish these deaths from other instances of “assisted-suicide” that would be certified as homicides if they involved the illegal actions of another.

All of the decedents were male and their average age was 34 years (range 26 to 43). Both ethanol and cocaine were detected in two of the decedents and the other three had a history of psychiatric illness. All of the decedents possessed weapons or a facsimile of a weapon. There were three handguns, two knives, and one silver cigarette lighter in the form of a gun.

Suicide by cop is a circumstance that involves the completion of intentional acts that may result in dichotomous determinations of the manner of death. In some jurisdictions, these deaths are certified as homicide. Since these deaths occur at the hand of another, the invoked reasoning is that homicide therefore dominates the certification. But what if there was reliable evidence that a person wanted to die and committed an intentional act to further that goal? If the death was the result of an intentional act to do self harm or cause death of one’s self,

then the manner of death is more appropriately certified as “suicide” in these instances despite the fact that the decedent did not pull the trigger.

For police shootings, the conventional certification remains “homicide” in the absence of other compelling circumstances. But just because these deaths occur at the hand of another, there should not be an automatic homicide determination in all instances. Suicide should be considered in these deaths. Despite the absence of direct self-infliction, there is overwhelming evidence that these five individuals intended to end their own lives. Their use of an unusual method to accomplish this goal may inappropriately result in a reflexive certification of homicide. Instances of suicide by cop and contend that these types of deaths are best certified as suicides will be presented.

**Suicide, Police, Manner**