



F6 Case of Mistaken Identity Shatters Families

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After attending this presentation, attendees will understand the importance of scientific identification as part of the medical examiner process.

This presentation will impact the forensic science community by presenting procedures developed to prevent misidentifications and the family grief that follows.

A recent case in Phoenix, Arizona drew national attention and was the precursor for a state Senate bill that was established to help address identification mix-ups and improve steps for the positive identification of decedents. Such mix-ups are rare but are more likely to occur when officials rely on a visual identification rather than a scientific identification.

Indiana authorities visually misidentified a college student in a van crash in which five victims perished. One of the women died as a result of the trauma and was buried by her family, while a second woman who strongly resembled the decedent, survived in a coma for weeks. Upon regaining consciousness, she scrawled her name on a notepad revealing the name of the woman that was buried, shocking both families. A best-selling nonfiction book was written by the families describing this case.

In Michigan, a drunk driver struck two 14-year-old males while they were walking home from a skateboard park. The mother of one of the boys, Child A, claimed her son at the scene and rode to the hospital in the ambulance with the child who then died hours later. Child A was buried at a local cemetery after close family members viewed the body at the funeral home. The other boy, Child B, died in the emergency room and was claimed by his mother and father and was later cremated after an open casket visitation. During this service, many students from the school voiced their opinion that the boy in the casket was Child A and not Child B, but the parents denied their claims. Both children had severe head injuries and fingerprints were taken on both. One year later, the mother of Child A came to believe she had claimed the wrong child after reading the description in the autopsy report. Child A was exhumed and a comparison of dental records proved she was correct. Fingerprint and dental record comparison demonstrated the two cases were switched. Both sets of parents had visually misidentified their children. Similar cases have been reported in New Jersey, Kentucky, and Florida.

Identifying victims who have been badly injured or killed in a car accident with multiple victims is challenging, especially with the chaos at the accident scene or at the hospital and when dealing with families desperate for information about their loved ones. Officers arriving at the scene may find the victims unconscious or trapped in the wreckage with their personal effects such as purses, wallets, clothing, and driver licenses strewn on the ground. Police and Emergency Medical Services (EMS) focus on taking care of the injured before asking questions and may have trouble distinguishing between victims who may look alike. Even family members, dazed during the aftermath and suddenness of the accident, can be uncertain.

In Phoenix, a group of five friends, one male and four females were returning from a weekend trip to Disneyland. The SUV they were riding in blew a tire and rolled over on the Interstate while traveling at 75 mph. One female died at the scene, while two females and one male were transported to the hospital. The male passenger died at the hospital the next day. The female driver was not hospitalized.

The deceased female was transported to the Maricopa County Medical Examiner's Office and admitted under the name found on one of the driver's licenses recovered from the scene. Family members of one of the hospitalized girls were informed by a nurse that their daughter had survived and was critically injured with severe head trauma. They remained at the bedside while the other family began funeral arrangements for the female awaiting the autopsy.

Upon completion of the autopsy, and at the request of the medical examiner, a dental examination was completed including a full mouth series of radiographs to verify the identity of the female who allegedly died at the scene. The medical examiner was concerned about the similarities between the photographs of the two driver's licenses recovered at the scene and wanted confirmation by scientific means.

Comparison of the antemortem dental radiographs provided by the allegedly deceased female's family and the postmortem dental radiographs obtained by the forensic odontologist revealed numerous inconsistencies. Antemortem dental radiographs of the second victim (purportedly in the hospital) were compared to the postmortem dental radiographs and scientific identification was confirmed. All parties were immediately notified, especially the two families of the females involved in the accident.

This case of mistaken identity led to a Senate bill in the State of Arizona called "Abby's Law" which allows the family, on request, to view a decedent within 48 hours in order to establish positive identification. This law does not preclude misidentifications, but it does provide a reasonable timeframe within which a



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suspected mix-up can be addressed.

Lessons learned from this case include: (1) visual identifications may be challenging and unreliable; (2) protocols should be established to include scientific identification in predetermined scenarios; and, (3) emotion surrounding these types of cases can lead to legislative oversight which has more far-reaching effects on the practices of the medical examiner.

Mistaken Identity, Scientific Identification, State Senate Law