

LOCAL LAW No. 5 - 1971

A local law authorizing medical director and medical examiners of Erie county to conduct investigations and perform autopsies, in certain situations.

Became a law with the approval of the county executive, June 17, 1971. Passed by the local legislative body of the county of Erie. Filed in the office of the secretary of state June 21, 1971.

*Be it enacted by the legislature of the county of Erie as follows:*

Section 1. Authority to conduct investigations. The medical director and medical examiners of Erie county shall have jurisdiction and power, in addition to that, as authorized by any general law or special act, to investigate the death of every person dying within Erie county, or whose body is found within the county, or which death is or appears to be:

(a) A violent death, whether by criminal violence, suicide or casualty;

(b) A death caused by unlawful act or criminal neglect;

(c) A death occurring in a suspicious, unusual or unexplained manner;

(d) A death caused by suspected criminal abortion;

(e) A death while unattended by a physician, so far as can be discovered, or where no physician able to certify the cause of death as provided in the Public Health Law and in form as prescribed by the commissioner of health can be found;

(f) A death of a person confined in a public institution other than a hospital, infirmary or nursing home.

§ 2. Authority to perform autopsies. In the course of the investigation, the medical director or medical examiners, shall make or cause to be made such examinations, including an autopsy, or any subsequent examination or analysis of tissue or organs, as in his or their opinion are necessary to establish the cause of death, or to determine the means or manner of death.

§ 3. Deletion of previous restriction. This enactment supercedes section seven, chapter five hundred fifty-seven of the laws of nineteen hundred and two, as amended by chapter one hundred fifty-one of the laws of nineteen hundred and five, chapter one hundred eighty-nine of the laws of nineteen hundred and nine, and chapter two hundred sixty-seven of the laws of nineteen hundred forty-two insofar as that section and amendments thereto require that the medical director and medical examiners be authorized in writing to perform an autopsy by the district attorney of Erie county, or by a justice of the peace of the town where the body lies, before performing such autopsy.

§ 4. This local law shall take effect immediately.