

Examiner's job often tricky

By GIGI SHAMSY
Reporter

In 1981, the unexpected happened at the Bexar County medical examiner's office.

Dr. Vincent DiMaio, chief medical examiner for San Antonio and its surrounding towns, received a telephone call from someone who had questions about the death of a family member—a death that occurred one year earlier.

The victim was a 70-year-old man with a history of heart ailments who was found dead at his home.

Shortly after the time of death, the medical examiner who preceded DiMaio ran a few laboratory tests and labeled the case a natural death—no questions asked.

One year later, DiMaio faced a critical question as to the cause of the victim's death.

He immediately ordered an exhumation of the body and ran lab tests to determine the amount of carbon monoxide in the blood.

"I found a 70 percent carbon monoxide level in the victim's blood," DiMaio said. "This indicated a fatal level of barbiturate in the blood. I signed out the cause of death as 'acute barbiturate overdose'."

Because of the nationwide shortage of qualified pathologists who investigate deaths, horror stories are common about autopsies that should have been conducted or autopsies that were misconducted.

A successful autopsy involves collaboration between the coroner or justice of the peace (neither requiring a medical degree), the medical examiner (a licensed pathologist specially trained in forensic pathology) and law enforcement officials.

The autopsy must be conducted and reported in an organized manner to find the cause of death and to avoid future legal stipulations, says Dr. Charles Petty, Dallas County's Chief Medical Examiner.

At the Institute of Forensic Sciences in Dallas, Petty has a library of films and videos which he uses to train personnel who investigate deaths or assist in autopsies.

Petty summed up the major accomplishments of a thorough autopsy:

- a complete investigation of the body.
- a complete record of fingerprints and photographs for proper identification of the body.
- a thorough examination of the body's external surfaces, such as clothing.
- a record of information for the court of law.
- a diagram drawn of the body's components and its wounds.
- a tape-recorded analysis of the pathologist's observations and procedures.

In the tape recording, Petty said, the medical examiner integrates his findings with the findings of the scientist who examines the body.

"Ultimately, the autopsy provides insight on how and why the death took place as well as giving adequate details to investigating law enforcement officials and to the courts of law."

Petty said that, because of case overload common to medical examiner systems, the employees at the Institute of Forensic Sciences can only afford to conduct autopsies if extenuating circumstances arise.

Last year, Petty and his staff accepted 4,000 cases for autopsy out of 8,500 reported deaths in Dallas County.

Smaller counties, like Brazos County, have fewer deaths and a smaller number of homicides, suicides and "unnatural" deaths.

Dr. J.C. Lee is the pathologist responsible for autopsies in Brazos County.

He, too, says he feels that a good working relationship between the coroner and the investigating officer is essential to a death investigation.

"My first case in Brazos County involved the death of an A&M professor who was supposedly shot by an A&M student," Lee said. "I quickly learned how important it was to work as a team with the police and detectives. I also learned that I would be called on to testify about my findings (from the autopsy) in court."

If Dr. Lee is not at St. Joseph Hospital conducting an autopsy or running a lab analysis, you can most likely find him working at his private pathological practice in Bryan.

Lee said that much to his dismay, he has appeared in court to present autopsy findings and to testify as an "expert witness."

"The question always comes up in court 'Are you a forensic pathologist?' and I explain about the expertise I have gained after doing autopsies, working in the investigation and presenting it to the court," Lee said.

Lee says that testifying in court as an "expert witness" is the least favorable aspect of his job.

Lt. Irvin Todd of the College Station Police Department says the Brazos County law enforcement officials have a strong working relationship with Dr. Lee and with the county justices of the peace.

"We treat every scene involving a dead body as if it were a homicide," Todd said.

"Roughly, College Station has about one homicide per year," Todd said. "We investigate more than just homicides. We investigate all assaults and threats, too, by going out and totally processing every crime scene with photographs and investigating all evidence and charting all information."

So justices of the peace and medical examiners alike sometimes find themselves tangled in a web of ethical questions concerning proper death investigations and presentation in court.

Being the "expert" is just part of the job for most coroners and medical examiners.

Dr. Elvin Smith, a Texas A&M Medical School pathology professor and former Galveston County medical examiner, admits that mistakes in death investigations are made.

"I've seen situations where, after the medical examiner presented the findings of his investigation in court," Smith said, "the jury doubts that someone has died."

"The autopsies get done—sometimes less than well. But they get done."

Texas fireman cooks nearly anything for his colleagues

Associated Press

BEAUMONT — Although the menu may initially alarm a cautious eater, members of the Beaumont Fire Department say they never go away hungry when Rex Hoffpaur puts on his starched chef's hat.

Whatever members of the department bring in, Hoffpaur cooks. The fare was barbecued raccoon one month. Another time, it was fried alligator tail. Once, Hoffpaur fixed armadillo, baked in onions.

On other occasions, the specialty has been baked dove, venison gumbo, catfish or just beans.

Although the menu may not always sound appetizing, Fire Chief Pete Shelton and department spokesman Tommy May said they have never tasted any of Hoffpaur's specialties they didn't like.

"I use a dash of this and some of this," Hoffpaur says. "I never measure anything."

At 47, he has been cooking for fun since he was about 10. A firefighter of 17 years, he now doubles as the department cook and supply officer. His gumbo won first place in the 1981 International Gumbo Cookoff in Orange, but he said he doesn't have the time to enter contests anymore.

Two years ago, Hoffpaur made his famous gumbo for 1,000 statewide fire department representatives at Riverfront Park.

Hoffpaur said he uses no recipes for what he affectionately calls his "half Cajun, half Texan" dishes. The fire department cook says he uses seasonings at random and by experimenting.

"The basics are there," he told

the Beaumont Enterprise. "I just keep changing, making variations of the theme each time I cook."

Hoffpaur said he has no secret ingredients.

Patience is the key to being a good chef, he advised, but using talent may run in the family. Hoffpaur's firefighting father whipped up gumbo and such for 37 years in Beaumont.

Hoffpaur is sometimes assisted by 34-year department veteran Harold Felps, 62. The two hover over huge pots, stirring green-colored powders and seasonings into the steaming gumbo.

Hoffpaur said he doesn't usually eat what he cooks, that's not because he doesn't like what he prepares.

"By the time I get through cooking everything while I'm cooking, I'm just not hungry anymore," said.

Damage requests high in worker's accidental shooting death on job

Associated Press

RIO GRANDE CITY — A Starr County jury has recommended that almost \$8 million in damages be given to the family of an oilfield worker fatally shot in the face by a co-worker.

The seven-man, five-woman jury found gross negligence Thursday on the part of Heldt Brothers Trucking of Alice, an oilfield service company, and one of its former employees, Moses Medrano, 37, of Port Isabel.

Medrano shot and killed Ruben Ruiz, 20, while playing with a gun at an oil rig at a west Starr County ranch on May 21, 1980, police said.

Medrano had testified that his supervisor, Rene Alvarado, saw him three times with the gun on the day of the accident, but only once told him to put it down.

Medrano was playing Russian roulette with the .22 magnum revolver and had pointed the supposedly broken gun at himself and others, he testified.

Medrano testified he put the

rel of the gun in his mouth and pulled the trigger. He then pulled it at Ruiz and "after so many times it clicked it and it went off," he testified.

The Ruiz family had asked \$10 million in damages. The jury awarded \$3,354,000 in actual damages to Ruben Ruiz's father, mother, daughter and widow.

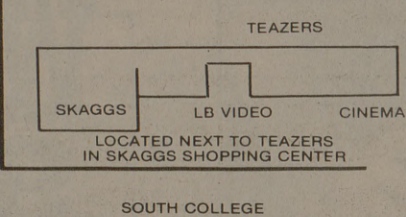
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