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October 5, 2018

Via e-mail: KMing@KOVr.com; TChristian@KOVr.com

Mr. Kurtis Ming
Ms. Tamara Christian
CBS/KOVR

Re: CPRA request received September 26, 2018

Dear Mr. Ming and Ms. Christian:

This letter is in response to your Public Records Act request which was received by San Joaquin County on September 26, 2018. This letter constitutes a written response pursuant to Government Code Section 6255(b), and is based upon the authorities interpreting the California Public Records Act and Article I, Section 3 of the California Constitution.

Responsive documents are attached.

The County does not waive any privileges, protections or objections which might be available in any future litigation, and without waiving any additional privileges, protections or exemptions available under the CPRA.

Should you have any questions, or should you require any additional information, please do not hesitate to contact the undersigned.

Very truly yours,

Kristen M. Hegge
Chief Deputy County Counsel

Attachments

c: Dave Konecny, San Joaquin County Sheriff's Office



SAN JOAQUIN COUNTY SHERIFF'S DEPARTMENT
OFFICE OF THE CORONER
DIRECTIVE

SUBJECT: Retention of Decedent Tissue

DATE ISSUED: 11/16/2011

POLICY STATEMENT

The Coroner's Office shall retain decedent tissue for specified periods of time based on the type of case being investigated and requests to save evidence for an extended period of time. Currently tissue or fluid samples will be retained, no more than, One (1) Year and One (1) Day.

AUTHORITY

California Government Code Section 27491

PROCEDURE

The Coroner's Office has the authority and responsibility to retain decedent tissue for a period of time after a case has been finalized and closed. The retention is predicated on the type of case and whether or not a request has been made to save the tissue for an extended period of time.

The categories used for tissue retention are: (1) homicide; (2) court ordered; (3) routine; The periods for tissue retention are summarized below.

Homicide – Tissue offered to law enforcement agency after one year, one day.

Court Ordered – Tissue stored for the period of time specified by the court.

Routine – Tissue retained for one (1) year and one (1) day from date of autopsy.

Individuals requesting that tissue be saved beyond one (1) year must submit a written request for approval. The request should specify why the tissue should be kept beyond a year and a day. Decedent tissue will be properly disposed of in a manner as detailed in *Biological Sample Disposal*.



**SAN JOAQUIN COUNTY SHERIFF'S DEPARTMENT
OFFICE OF THE CORONER
Policy and Procedure Manual**

CHAPTER: IV

SUBJECT: Biological Sample Disposal

DATE ISSUED: 5/18/2011

Policy Number:

Attachments:

POLICY STATEMENT

This procedure will outline the steps to be followed when purging biological materials, including blood and tissue, from the San Joaquin County Forensic Pathology Facility. This procedure is established to ensure the safety and environmental requirements are met related to the purging of biological material, record keeping is maintained, and storage requirements pursuant to proper handling are enforced.

AUTHORITY

- A. Cal/OSHA Bloodborne Pathogens Standard, CA Code of Regulations Title 8, Section 5193; OSHA Standard 29 CFR 1910.
- B. Each referenced regulation provides the following guidelines:
 - 1. Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials.
 - 2. Engineering controls and work practice controls shall be used to eliminate or minimize employee exposure. The controls shall be examined maintained or replaced on a regular schedule to ensure their effectiveness.
 - 3. Exposure to bloodborne pathogens and chemicals shall be minimized through the use of Personal Protective Equipment as explained in the Procedure.

PROCEDURE

A. Informational Overview

Purging of biological material shall be performed as necessary, following the timeline specified by category as outlined in the *Tissue Retention Policy*.

1. A variety of non-solid biological materials will be purged. Those materials include;
 - a. Blood
 - b. Urine
 - c. Bile
 - d. Vitreous
 - e. Gastric Contents
2. A variety of solid biological materials to be purged include:
 - a. Exemplary samples taken during autopsy, which consist of samples of heart, right and left lungs, liver, spleen, right and left kidneys, and brain placed in a single container.
 - b. Liver samples taken as toxicology specimens.
 - c. Other samples or whole organs taken for case specific reasons.

B. Purging Procedure

1. Methods used to purge non-solid and solid biological materials shall be standardized and consistent.
2. Safety considerations will be followed and materials shall be disposed of in a manner as to protect against contamination by such materials, and to protect the health and safety of employees and the public.
3. Documentation shall be completed to ensure up to date records for both stored specimens and destroyed materials.
4. The purging process shall take place in a location where safety considerations can be accurately practiced.
 - a. All Non-solid samples that are purged are disposed of in a biohazard container. This container, when full, is taken to San Joaquin General Hospital for disposal.
 - b. All un-fixed (no 10% Formalin) solid specimens that are unrecognizable as human samples shall be removed from their containers and placed in a biohazard container. This container, when full, is taken to Park View Memorial Cemetery for incineration.

- c. All fixed, solid, unrecognizable human samples are to have the 10% Formalin poured off into a separate container. Once all of the Formalin is removed, the sample is placed in a biohazard container. This container, when full, is taken to Park View Memorial Cemetery for incineration.
 - d. All recognizable human samples will be cut into smaller, unrecognizable pieces and will be disposed of following the procedure in paragraph c above.
 - e. Following purging, the containers will be numbered and weighed. The information will be reflected on the *Tissue Disposal Log*, as will the date and time the containers are released to Park View Memorial Cemetery along with the name of the transporting deputy and Park View employee.
5. The 10% Formalin poured off the tissue samples will be treated (neutralized) for disposal.
- a. Personal protective equipment shall be worn when treating 10% Formalin. Proper ventilation shall be present to minimize exposure to Formalin vapors.
 - b. When neutralizing each gallon of 10% Formalin, add one packet of *Neutralex* crystals to the container of Formalin. Stir for 30 seconds, then let stand for 5 minutes. Test for proper Ph level (6.0-9.0) using approved test strips. Once the Ph level is within limits, test for residual Formalin using approved test strips to obtain proper reading of between 0-10. After all tests are completed, up to 5 gallons of neutralized 10% Formalin may be disposed of down the drain with running tap water a maximum of once every 24 hours.
 - c. After each 10% Formalin treatment session, a *Formalin Disposal Log* will be completed documenting the date and time of each step in the process, along with the tests and name of person disposing of the Formalin.

FORMALIN DISPOSAL LOG



Formalin Disposal Log

<u>Filled</u>	<u>Initials</u>	<u>Ph Test</u>	<u>Initials</u>	<u>Trace Test</u>	<u>Initials</u>	<u>Disposal</u>	<u>Initials</u>

TISSUE DISPOSAL LOG

Park View Cemetery & Funeral Home

CEMETERY ♦ FUNERAL HOME ♦ MAUSOLEUMS ♦ CREMATORY

3661 E. French Camp Road, Manteca, CA 95336

Tel: 209-982-1611 Fax: 209-982-4504

www.parkviewmortuary.com

TISSUE WASTE DELIVERY

I, _____, a duly authorized representative of the
(Print Name)

San Joaquin County Coroner's Office, do hereby acknowledge delivery of the following specified number of human medical waste tissue containers. These boxes contain ONLY human medical waste tissue. This tissue is free from pacemakers and any other medical devices. I authorize Park View to cremate these containers immediately at their convenience.

BOX NUMBER	BOX WEIGHT
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

TOTALS =====

Coroner Representative Signature Park View Representative Signature

Date Delivered Time Delivered

(For Park View Use Only)

Date Cremated Park View Representative Signature