

The Question of Suicide Equivocal Death Investigations

**Karen S. Beers, BSW, CCDI and Dean A. Beers, CLI, CCDI
Associates in Forensic Investigations, LLC**

From Voltaire, "To the living we owe respect. To the dead we owe only the truth." That is the purpose of an Equivocal Death Analysis and Investigation (EDA or EDI); collectively referred to as equivocal death case review. One of the most common questions in death investigation is: "Was it a Suicide?" This question may often go unanswered due to lack of sufficient official investigation or attention to evidence. This leaves the possibility of closure for the families impossible, particularly if foul play is suspected, or even an accident. The wrong determination can also result in benefits, such as life insurance or workers' compensation, underpaid - or worse, denied.

First, what is 'Equivocal'? *Equivocal is unanswered, or lingering questions.*

Second, what is the difference between 'Analysis' and 'Investigation'? *In an analysis the official investigation is reviewed to determine if proper protocols were followed. In an investigation, the official records, reports and photographs are used in conjunction with a new investigation of the physical and circumstantial evidence.*

What does it mean to conduct an equivocal death case review (analysis and/or investigation)? If there are errors noted in the Equivocal Death Analysis, an in-depth investigation into the death (Equivocal Death Investigation), is the next stage. Many families need expert help in understanding the circumstances surrounding a loved one's death. The manners of death can be classified as any of the following: homicide, suicide, natural, accident or undetermined. Sometimes the family and loved ones of the deceased individual do not agree with the final determination and have a yearning for more answers.

First, it is necessary to understand how a death is certified by the coroner or medical examiner's office. There are two components listed on the death certificate. These are Manner of Death and Cause of Death. For example, "The manner of death is suicide and the cause of death is ligature strangulation." These statements are concise and follow a standard. The autopsy report and official investigation, if conducted, will provide more detail. It is therefore necessary to understand these components and definitions. The following are adapted from "*Practical Methods for Legal Investigations: Concepts and Protocols in Civil and Criminal Cases*" (Feb. 2011, CRC Press, Dean A. Beers, CLI), "*Death Investigation for Private Investigators*" (Feb. 2011, Dean A. Beers, CLI and Karen S. Beers, BSW for PIEducation.com).

Manner of Death:

There are five categories – Natural, Accident, Suicide, Homicide and Undetermined. The manner of death is by a 'Preponderance' – it being more likely than not that the

death was as officially certified, and not another manner. This question of preponderance is the medicolegal investigation and conclusion, and not a legal or criminal statute conclusion.

- Natural - Deaths caused solely by disease, like heart disease, cancer, etc. If natural death is hastened by injury or any other non-natural event, the manner of death will not be considered natural.

If the disease process is caused by a non-natural event (ex: pneumonia due to long-term bed confinement as a result of a motor vehicle accident) the manner of death will not be considered natural, it will be Accident due to a remote motor vehicle accident.

- Accident - Deaths other than natural, where there is no evidence of intent; an unintentional event or category of chain of events. Examples may include Motor Vehicle (including vehicular homicide), Drug Overdoses, Drowning, Electrocution, Autoerotic, Acute Alcohol Consumption, Recreational Activities, Plane Crashes, Hypothermia, Workplace, etc.
- Suicide - Death as a purposeful action set in motion (explicit or implicit) to end one's life. It is prejudicial to the investigation to try and determine the decedent's "final thoughts"; only their final actions can be determined and bear direct relevance. Examples may include Motor Vehicle (including vehicular homicide), Drug Overdoses, Drowning, Electrocution, Acute Alcohol Consumption, Recreational Activities, Plane Crashes, Hypothermia, Workplace, etc. Autoerotic is often mistaken as suicidal intent, but is not.
- Homicide - Death resulting from intentional harm (explicit or implicit) of one person by another, or by grossly reckless behavior. In death investigation, homicide is the medical determination. The legal determination is judicial, and therefore the two may seem inconsistent. Examples may include Motor Vehicle (if there is intentional harm), Drug Overdoses, Drowning, Electrocution, Workplace, etc. 'Assisted Suicide' or 'Suicide by Cop' are not suicide, they are homicide.
- Undetermined – this Manner of Death is assigned when there is insufficient evidence or information, especially about intent, to assign another manner. Examples include cases of Sudden Unexplained Infant Death Syndrome (formerly Sudden Infant Death Syndrome), advanced stages of decomposition, skeletal remains, and unknown identification and/or history. This includes when there is no clear medical evidence by the preponderance.

Equivocal death case reviews should include the analysis of all the information the family and loved ones have concerning the decedent, combing through the information step by step to trace the steps in the original investigative process. It may not be possible, but every effort should be made, to answer any questions the family and loved ones has regarding the death, and doing so with an unbiased open mind. Although it is

very difficult, it is also important for the family and loved ones to share the same unbiased open minds.

Reconstructing a death and the investigation will assist the family and loved ones in the healing process. Sometimes minds can get carried away creating numerous scenarios which only adds to lingering questions and distress over a loved one's death. Equivocal death case reviews may help quiet some or even all of those questions so that the family and loved ones may heal and carry on with their lives having been provided some answers to these lingering questions. Life can be stressful and difficult enough without the constant worry surrounding a loved one's death. Many times a professional second opinion regarding whether the investigation was conducted properly in the first place may be enough to ease one's mind.

The most common equivocal death case reviews involve the official determination v. family belief: Suicide v. Accident, Suicide v. Homicide, Accident v. Suicide, and Accident v. Homicide. It is not often that a ruling of homicide is questioned by the family; however, it must be considered that these investigations and official determinations may also be erroneous. Even less often are those deaths ruled natural that the family believes may be homicide, and to a lesser degree accident or suicide. These often involve cases of potential poisoning or toxicity and the official investigation did not include an autopsy or circumstantially support other than natural. This would include a review of the decedent's medical history and corresponding conclusion as to the cause and manner of death. The most common are those in which suicide is determined and there are associated concerns.

In addition to the emotional significance of suicide, that the decedent acted to such a degree as to take their own life, there are also considerations of insurance. Insurance companies may conduct their own investigation, and may reach a different conclusion. Even if there is not an insurance investigation, there may be significant underlying consequences to the official certification of death. Commonly, these may include non-payment of benefits due to a clause involving suicide (complete non-payment or within a specified time period following activation of the policy are common), or there may be a double indemnity clause in which the death is an accident (the policy payout is doubled to the beneficiary). There are also considerations of staged deaths, such as a beneficiary committing a homicide to appear suicide or accident.

The heaviness that so many questions weigh on a person's mind is one reason a family or loved ones may seek an equivocal death case review. This review offers most people enough information to get the answers they seek to the many questions that linger. This may begin the process of allowing themselves to let go and move on with their own lives. If simply understanding that they did all they could for their loved one, then perhaps their own healing process may begin. Letting go does not mean forgetting that person or their death; it simply allows them to calm their internal emotions and begin a path towards closure.

One unintended consequence of suicide is that when there are so many questions,

which only the decedent can answer, the person experiencing these questions will sometimes become obsessed, and the questions are played over and over again in their minds. This wears that person down, which can cause anxiety, depression, and an abundance of anger and sadness to the point that the person with the lingering questions becomes compromised in their own physical and emotional health. Once the questions are answered, the person's mind will quiet down, and then acceptance will simply calm their internal emotions and begin a path towards closure.

Sometimes a person may not have specific questions, yet they have doubt about some issues surrounding a death. With an equivocal death case review, these doubts can either be put to rest, or confirmed. If the doubts are put to rest, again, it eases the mind and allows that person to continue on with their life. If the review supports their doubt or suspicions, then a full equivocal death investigation may be necessary to confirm these doubts or suspicions.

In most deaths, there is no error in the official ruling – including those not autopsied. However, the likelihood of error may occur when there is no autopsy. Similarly, it is likely the initial investigation was in fact performed properly from the beginning. However, in cases of concern – flags being raised – is most often when there is no autopsy and the official investigation appears erroneous. Due to the abundance of 'crime' and 'CSI' television shows, the appearance of erroneous investigations has increased. Families must have closure, and an equivocal death case review (analysis and/or investigation) may save time and emotional energy – beginning the process of closure and preserving emotional well-being.

There is nothing more satisfying than hearing, "Thank you, I can now sleep at night", or "Thank you, I feel at peace now". These statements are simply because the lingering questions have finally been understood. So the answer to who needs an equivocal death case review is anyone with any lingering questions surrounding the death of a loved one. Suicide, cases in which our agency is predominantly consulted by families – including private investigators and attorneys representing families), is high. There are signs and indications of suicidal ideation, and actions that can be taken to save a life.

This article continues. In the next part, information on the signs and interventions of suicidal ideation.

PART 2

Life can be extremely hard on us, and unexpected deaths – especially traumatic and suicides – can be more difficult to accept and cope with – closure. There can be several triggering events leading to suicidal ideation and attempts – from personal to work, from relationships to friendships. Holidays, often a joyous time, become burdensome and some people still have a hard time coping with the letdown, the bills, and the broken relationships. While some people look to the future on a positive note, others see only dread and feel overwhelmed with the sense of "here we go again".

Many people know how burdensome life can be; many have struggled with depression and the feelings of despair. While most people are able to seek the help they need, others feel the help just isn't there, and nobody would understand them anyway.

Suicide has no boundaries and it does not matter what age, race, ethnicity, sex gender, sexual orientation, career status, monetary status or where you live; it can strike at any given moment. Those who believe suicide affects only certain types of people are misinformed, if informed at all, or are avoiding truth and reality.

The top ten repeated statements and questions, and bringing rise to an equivocal death case review, are:

1. *They didn't leave a note, so they couldn't have committed suicide.* The consistency is that a suicide note is rarely left behind. Sometimes even when a note is left behind, the questions are still unanswered.
2. *They never mentioned suicide, so they couldn't have committed suicide. Or they did mention suicide and we talked it through.* The consistency is some people will never mention suicide, while others will mention it here and there and still others talk about suicide, which may seem like too much to be taken seriously.
3. *They were so happy; it was one of the best days so they couldn't have committed suicide.* The consistency is that perhaps once the person has made this final decision, they no longer feel the depression, they feel relieved, and they are literally happy because they are not struggling with inner turmoil any longer.
4. *They couldn't have committed suicide there was a new baby in the family.* The consistency is that although a person may love that new family member, it brings on added stress from many aspects, maybe they were not ready for this new baby and everything might be too overwhelming for that person.
5. *They couldn't have committed suicide they just got a new job.* The consistency is getting a new job in the scheme of overwhelming life issues is not that important. Perhaps they felt pressured to take this job, when that job was not one they were truly interested in.
6. *They couldn't have committed suicide they just started a new relationship with a great person.* The consistency is although they have begun a new relationship; they may still be feeling the effects of a past relationship and cannot cope no matter who walks into their life.
7. *They couldn't have committed suicide they just bought a new car or new furniture, or some new gadget of some sort.* The consistency is, perhaps they bought the new item in hopes of cheering themselves up, when it just became another costly burden.

8. *They couldn't have committed suicide they had no drugs or alcohol in their system.* The consistency is perhaps they wanted to make a decision being free from any effects of drugs or alcohol. However, not everyone is under these influences when they have committed suicide.

9. *They couldn't have committed suicide they just received a clean bill of health from their doctor.* The consistency is, although the doctor gave the person a stamped physical healthy card, the doctor cannot know if the person is suffering from any sort of mental disparity unless the patient tells them. Being healthy does not stop someone from committing suicide.

10. *They couldn't have committed suicide they were financially stable and had no reason to commit suicide.* The consistency is, it does not matter how much money a person does or does not have. It is the struggles and stressors that come with having money or a lack financial stability. It seems to ring true that "money can't buy happiness".

This list continues with as much variety as the background of the decedent, circumstances of the death and emotions of the family and loved ones. Some of the resources listed below may have similar or different misconceptions, which only demonstrates just how broad the spectrum is and how there are no definite answers to this problem.

Suicide has long been epidemic and prevention is primarily through education and being alert to ourselves and those around us. When alerted and aware of the suicidal ideations of another, let them vent and do this with patience and sincerity. Contrary to what people might believe, a person can detect whether you are truly listening to them, or whether you are just sitting there pretending. Make it a point to truly listen to people, you never know how important just "listening" might be to another human being. If someone you know ever mentions anything surrounding suicidal thoughts, talk to them about it, offer them some resource options, and perhaps even offer to go with them to their physician. Ignoring the situation will not make it go away, and these days there is no topic that is considered "taboo".

If you or someone you know has been affected by someone having committed to suicide, do not blame the living, whether it is yourself or someone else. The devastation left behind after someone commits suicide is horrific enough without adding unnecessary fault finding. Unfortunately the responsibility lies upon the shoulders of the person who chose to take their own life and what ifs and whys will not change that final act. We have to find peace within ourselves, and that can sometimes take years, as with any death.

Here are some suggested resources that may be helpful:

National Suicide Prevention Lifeline - 1-800-273-8255

<http://www.suicidepreventionlifeline.org/>

<http://www.afsp.org/>

<http://www.nimh.nih.gov/health/topics/suicide-prevention/index.shtml>
http://www.mentalhealth.va.gov/suicide_prevention/
<http://www.save.org/>

If you or someone you know could benefit from this information we ask that you please pass it on, you might just save a life.

The authors:

Dean A. Beers, CLI, CCDI and Karen S. Beers, BSW, CCDI are both Colorado Licensed Private Investigators (#PI-503 and PI-502) and Certified Criminal Defense Investigators, and certified in Medicolegal Death Investigations to include as a forensic autopsy assistants; together they co-developed 'Death Investigation for Private Investigators' online continuing education for 14 states, for PI Education.com and can be found at www.MedicolegalDeathInvestigations.com. Dean formed the agency in 1987 and focused on general investigations, as well as individual locates, backgrounds and assets & liabilities. Karen began in 1996, gaining knowledge and experience in the same areas.

Dean is a Certified Legal Investigator and expert in criminal defense homicide and civil equivocal death investigations. He has lectured extensively and authored multiple articles, peer-reviewed white papers, and provided expert testimony on Protocols of Private Investigation, and Forensic Investigation of Injury Pattern Analysis. He authored *Professional Locate Investigations* and recently completed *Practical Methods for Legal Investigations: Concepts and Protocols in Civil and Criminal Cases*, released by CRC Press in February 2011. Their subject matter expertise is Death Investigation and Injury Causation.

In addition, he is actively involved in several associations for our profession. This includes the past Board Chairman, and Life Member, of the Professional Private Investigators Association of Colorado, Region 6 CLI Representative of the National Association of Legal Investigators with a column '*Forensic Focus*' in NALI's trade magazine '*The Legal Investigator*', Secretary of the National Council of Investigation and Security Services, Member and Forensic Investigations Advisor of the Criminal Defense Investigation Training Council, Governor of the Americas for the World Association of Detectives, National Defender Investigators Association, Affiliate Consultant member of the National Association of Medical Examiners, International Association for Identification, and Mensa USA.

Karen earned her Bachelor's in Social Work from Colorado State University (Magna Cum Laude). Her background, education and experience with victim advocacy and counseling are valuable assets in working with families and victims of traumatic events. Possessing strong interpersonal skills and ability to reach out to people, she brings a unique perspective to cases, particularly lifestyle matters and mitigation. Her death investigation training and experience, together with her social work and general investigative skills and experience, are an asset to the medicolegal and criminal

defense investigative processes. She is also a member of the Criminal Defense Investigation Training Council and National Defender Investigators Association.

She has been professionally published with '*The Basics of an Autopsy Report*' (PI Magazine, Dec 2011), '[Understanding Suicide and its Prevention – Equivocal Death Investigations](#)' (PursuitMag.com, Dec 2011), and '[False Confessions and Accusations](#)' (PursuitMag.com, Feb 2012).

Their national consultation and investigation agency is based in Colorado and is primarily focused on Expert Consultations and Legal Investigations of Personal Injury, Negligence & Death in Civil, Criminal and Probate matters; including Critical Case Analysis. They are proud parents of Jeberly and Winter, and have three grandchildren - Jacee, and identical twin grandsons Gage and Cash.

From Karen, which speaks of our agency...

"Equivocal Death Investigations and Analysis. Sometimes the death of a loved one leaves behind many unanswered questions. Helping clients understand the investigative process, answer questions to help ease their minds are the main goals of a death analysis. Due to the prevalence of Equivocal Death Analysis, we now offer a flat-fee to further help families in their time of need. Helping clients with lingering issues surrounding a loved one's death is difficult yet necessary to assist in resolving issues that can sometimes take years. Hearing the words, "Thank you, you have helped me to understand" whatever questions they may have had tucked inside their minds is very rewarding."