

SOUTHERN UTE INDIAN TRIBAL CODE

TITLE 20

CORONER CODE

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- 20-1-101. Title.** This code shall be known as the Southern Ute Indian Tribal Coroner Code.
- 20-1-102. Purpose.** The purpose of this Code is to establish the Office of the Coroner within the Southern Ute Indian Tribal Government and set forth the Coroner’s duties.
- 20-1-103. Establishment.** There is hereby established within the Southern Ute Indian Tribal Government the Office of the Coroner.
- 20-1-104. Jurisdiction.** The powers and duties of the Coroner shall extend to all deaths that occur within the exterior boundaries of the Reservation over which the Tribe has jurisdiction pursuant to federal law.
- 20-1-105. Coroner – Appointment.** The Coroner and deputy coroner shall be appointed by the Southern Ute Indian Tribal Council (“Tribal Council”) to a term of 3 years, and shall serve at the pleasure of the Tribal Council.
- 20-1-106. Deputy Coroner.** The Tribal Council may appoint a person to serve as deputy coroner for a term of 3 years, who shall possess the same qualifications required for the Coroner. The Coroner may delegate any of his powers to one or more deputies who shall then have the same duties with respect thereto as the Coroner. Any action taken by a deputy shall be done in the name of the Coroner and signed by the deputy performing such act. A deputy coroner shall serve at the pleasure of the Tribal Council.
- 20-1-107. Qualifications.** The qualifications for Coroner and deputy coroner are as follows:
- (1) The person must be at least 21 years of age;
 - (2) The person must have law enforcement experience;
 - (3) The person must be EMT certified or possess other similar medical training.
- 20-1-108. Duties.** The Coroner is charged with the following duties:
- (1) To declare an individual dead by issuing a death certificate upon a finding that the individual has sustained irreversible cessation of circulatory and respiratory function.

- (2) To immediately notify the tribal police and the Bureau of Indian Affairs, proceed to view the body, and make all proper inquiry respecting the cause and manner of death of a person in his jurisdiction who has died under any of the following circumstances:
 - (a) from external violence, unexplained cause, or under suspicious circumstances;
 - (b) where no physician is in attendance, or where, though in attendance, the physician is unable to certify the cause of death;
 - (c) from thermal, chemical, or radiation injury;
 - (d) from a disease which may be hazardous or contagious or which may constitute a threat to the health of the general public;
 - (e) while in the custody of law enforcement officials or while incarcerated in a public institution;
 - (f) when the death was sudden and happened to a person who was in good health;
 - (g) from an industrial accident; or
 - (h) any other circumstance resulting in death which the Coroner, in his discretion, determines justifies the procedures set forth in this section.
- (3) When a person dies as a result of circumstances specified in subsection (2) of this section or is found dead and the cause of death is unknown, the person who discovers the death shall report it immediately to law enforcement officials or the Coroner, and the Coroner shall take legal custody of the body. The body of any such person shall not be removed from the place of death except upon the authority of the Coroner in consultation with the tribal prosecutor or Chief of Police, nor shall any article on or immediately surrounding such body be disturbed until authorized by the Coroner in consultation with the tribal prosecutor or Chief of Police.
- (4) **Post-Mortem Examination.**
 - (a) The Coroner shall, if he or the tribal prosecutor or Chief of Police deems it advisable, cause a post-mortem examination of the body of the deceased to be made by a licensed physician, to determine the cause of death.
 - (b) In any case where the Coroner orders a post-mortem examination, he may summon one or more licensed physicians to make a scientific examination

of the body of the deceased, and each such physician shall be allowed reasonable compensation for his services. Any person so summoned may rely on the Coroner's act in ordering an examination, and it shall be legally presumed that he has acted with due legal authority.

(5) Death Certificates.

- (a) The certificate of death shall be issued by the Coroner or his deputy, using a death certificate form approved by the Tribal Council.
- (b) Any certificate of death issued by the Coroner, or his deputy, shall be filed with the Colorado Registrar of Vital Statistics within 5 days of the death of the individual, and, if the deceased is a tribal member, with the Tribal Division of Vital Statistics. The certificate shall state the Coroner's findings concerning the nature of the disease or the manner of death, and, if from external causes, the certificate shall state whether in his opinion death was accidental, suicidal, or felonious. The Coroner shall retain a copy of all death certificates in the Office of the Coroner.

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History and Amendments¹

Title 20 - Coroner Code adopted on October 21, 1997 (Resolution No. 97-167).

Amendments proposed by the Bureau of Indian Affairs to the Coroner Code adopted on March 10, 1998 (Resolution No. 98-31).

Title 20 – Coroner Code repealed and replaced with a reformatted code for online publication (Resolution No. 2021-151), approved by the Bureau of Indian Affairs and effective on May 11, 2023.

¹ This page does not constitute an official part of any code. Information contained on this page is solely for informational and historical purposes and is from sources deemed reliable.