

# Practice Alert



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## Accidental Manner of Death Investigative Conclusions

The purpose of this Practice Alert is to clarify fatality investigation conclusions when the manner of death has been determined to be accidental by the coroner or medical examiner. A finding of Preponderance of Evidence (POE) may still be appropriate, even if manner of death has been determined accidental. Investigative staff should still explore all conclusion types and determine the most appropriate conclusion based on all evidence available.

Even though a manner of death is determined accidental, this alone does not determine the Children's Division Investigation to be 'Unsubstantiated'. It is still the responsibility of staff to thoroughly review and document all information gathered. This may include statements from parents, alleged perpetrators, other children, witnesses, collateral contacts, law enforcement reports, medical reports and timeline of events leading up to and after the fatality.

Examples when the manner of death has been determined to be accidental but a POE finding **may** still be made based on **all** evidence:

Manner of Death: Accident; Cause of Death: Gunshot - A parent leaves a gun accessible to a child, who then obtains it and accidentally discharges the weapon.

Manner of Death: Accident; Cause of Death: Drowning - A child is left unattended for a length of time and is able to access a nearby body of water and drowns.

Manner of Death: Accident; Cause of Death: Smoke Inhalation – A 6 year old child is left home alone overnight and the house catches fire and the child is unable to escape.

Please refer to [CWM 5.3.8 Investigation Conclusions](#) and [CWM 5.3.8.3.1 The Legal Elements of Child Abuse/Neglect](#) when determining appropriate conclusions. If a staff member is unsure of a conclusion they are encouraged to review the report with their supervisor and appropriate Central Office Prevention and Safety Unit staff and/or Division of Legal Services.