

HEARING BEFORE THE HOUSE TRANSPORTATION COMMITTEE  
ON HB 2088  
January 11, 2022

Good morning, Chairman Hennessey, Chairman Carroll and Members of the House Transportation Committee.

I am Charles Kiessling the Lycoming County Coroner and Immediate Past President of the PA State Coroner's Association. Thank you for allowing me to speak at this hearing addressing why the Coroners must have JNET access restored. By PA Coroner Statutes the Coroners and Medical Examiners are required to complete 3 tasks regarding every death investigation which are relevant to today's hearing.

1. Identify the deceased
2. Determine the cause and manner of death
3. Notify the deceased's next of kin of the death

For nearly 20 years, I have had JNET access allowing me to view JNET photos of the deceased confirming their identity. Through JNET access, I also had the deceased's address available to notify next of kin. If family members could not be located at the residence and we had names of family members, we could then query JNET for their addresses allowing us to notify the deceased's family in a timely manner.

While Coroners have been denied access the Medical Examiners in PA continue with JNET access. Under Title 16 the Coroner / ME statutes are the same. Why are the Coroners being treated differently?

JNET provides us with the deceased's organ and tissue donor status. From the time a person dies the clock is ticking to allow organ and tissue harvesting which must be completed within 24 hours. For the Coroner / ME to release the deceased for donation, the investigation into the cause of death must determine that there is no need for an autopsy therefore halting the donation process. The medical history must be obtained and reviewed to determine suitability for donation. Consent must be obtained from family members by the organ procurement organizations. Frequently the deceased must be transported to a recovery center sometimes hours away.

I have always supported organ and tissue donation, often times when notifying family members of their loved ones death then offering the option of tissue donation when deceased is identified as a possible candidate. This has provided comfort for countless grieving family members knowing that their loss has benefited many others awaiting organs and tissue transplantation.

If utilized by every driver in PA, the Emergency Contact Information Section on the Penn DOT website would markedly reduce the time it takes for notification to next of kin when

someone has died or is unconscious rendering them unable to speak. By Coroners / ME's having access to this section of JNET this streamlines this death notification process.

As President of the PA State Coroner's Association in spring 2021 when JNET access was pulled from all Coroners I immediately began asking Penn DOT why. I was told that the Coroners / ME's are not considered law enforcement agencies and therefore we were no longer being provided access. I explained the reasons as stated above to Penn DOT Leadership through numerous phone calls and emails. After repeated requests, their position remained unchanged. We were instructed to contact State and Local Law Enforcement personnel to obtain the JNET information.

I then made contact with my local Law Enforcement personnel including Lycoming County Law Enforcement Association President Chief Gyurina, PA State Police Major Shadle, Captain Werner and Lycoming County Sheriff Mark Lusk all who expressed extreme disappointment with this Penn DOT decision. Lehigh County DA Martin and Chief County Detective Tallarico have indicated that "Coroners are important and essential members of the law enforcement team" and should have JNET access. Copies of their expressions of support for Coroner access to JNET PennDOT functions follow my testimony.

The JNET rules prohibit sharing of JNET Information with non-law enforcement entities. If Coroners are considered non-law enforcement, concerns were voiced that the officer sharing this information could jeopardize his / her JNET access.

Penn DOT provided an email address [RA-PDRMODATAREQUEST@PA.GOV](mailto:RA-PDRMODATAREQUEST@PA.GOV) to request JNET information however this is not monitored 24/7/365 when Coroners / ME's frequently need this information. Two-thirds of the deaths investigated by my office occur after 5 PM, before 8 AM, on weekends and holidays. We do not have the luxury of waiting to notify family members until regular business hours.

As stated in the email below from PSP Major Shadle "By restricting their access, you are potentially adding a tremendous amount of manpower hours and overtime to the State Police budget". My office as do other Coroner Offices across PA handle hundreds of natural death investigations without Law Enforcement. Calling them to obtain JNET information or having them respond to natural death scenes unnecessarily is adding to their burden often times during the night shift, weekends and holidays when staffing is frequently less.

In 2022 it will cost my office and, therefore county taxpayers, several thousand dollars in access fees to other programs allowing us to search for next of kin which was done free of charge in JNET for the past nearly 20 years. This will be the same for many Coroners across PA costing PA taxpayers hundreds of thousands of dollars.

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**From:** Shadle, Sherman D <[SHSHADLE@pa.gov](mailto:SHSHADLE@pa.gov)>  
**Sent:** Monday, October 11, 2021 10:09 AM  
**To:** Lawson, Brent <[blawson@pa.gov](mailto:blawson@pa.gov)>  
**Cc:** Shadle, Sherman D <[SHSHADLE@pa.gov](mailto:SHSHADLE@pa.gov)>  
**Subject:** JNet Access for County Coroners

Mr. Lawson,

I am respectfully requesting your reconsideration in allowing County Coroners access to the Jnet driver's license information. Currently, the coroners handle many natural deaths in which PSP does not get requested to respond to. Many times in the past they have required the use of Jnet to help positively identify the victims. By restricting their access, this may require them to request PSP respond to these bodies to assist in identification. Our policy has always been that if we are requested to respond, we will conduct a complete investigation into the death which takes several manhours. This would increase a tremendous amount of manpower to the State Police into these situations which are currently conducted by the coroner's office.

For 25 years, I have been taught that the Coroner is in fact a Law Enforcement Officer. By restricting their access, you are potentially adding a tremendous amount of manpower hours and overtime to the State Police budget which quite frankly is unnecessary and is being handled by the coroner's office. I respectfully request your reconsideration into this matter.

Major Sherman D. Shadle / Area III Commander  
Pennsylvania State Police / Troop F Montoursville  
899 Cherry Street / Montoursville, PA 17754  
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[www.psp.state.pa.us](http://www.psp.state.pa.us)

Mr. Reich,

My name is Jeff Gyurina. I am the President of the Lycoming County Law Enforcement Association. Chuck Keissling discussed with me what he relayed to you in an email. I'm not sure if I am understanding the entire situation, hence this email. I am being told that all the Coroners in all 67 counties had full J-net access from around 2002 until until May of this year. If this is inaccurate, please correct me. If they (Coroners) had full access, what changed recently to have their access restricted? I would say that Mr. Kiessling has a valid point about the emergency contact information as time is of the essence. I would much rather be notified by the Police or Coroner before reading about it online. I believe the facial recognition feature would be a good tool as well for a speedy identification. It was relayed to me that the reason may be that Coroner's are not Law Enforcement. According to title 16 Section 1228-B, Coroners may summon Juries.. Section 1230-B, Coroners have the power to obtain warrants, and commit people to prison. Title 75 4571(b) allow Coroner's to use red and blue emergency lights (same as police) when responding to a call. I saw in the email that it was mentioned to contact their local police for assistance. J-net is very strict, and clear that we do not give this information out to unauthorized persons or agencies. Most police are hesitant to do that. I'm not trying to be sarcastic, but if you can get in trouble over running your own name, I certainly am not going to risk losing my access for somebody else's case. I personally, was not even aware that a dissemination log existed, and am not sure if it needs to be approved first. If it doesn't need approved, then determined not to be a valid dissemination after the fact, would I be reprimanded ? Not sure how the process works.



I'm a factual guy. I heard Mr. Keissling's thoughts, and would like to hear yours so I can fully understand this situation. Thank you for your time.  
Sincerely,

Chief Jeffrey T. Gyurina Montoursville Police Department 617 North Loyalsock Avenue Montoursville, Pa. 17754  
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**From:** Louis Tallarico <[LouisTallarico@lehighcounty.org](mailto:LouisTallarico@lehighcounty.org)>

**Sent:** Wednesday, January 5, 2022 3:32 PM

**To:** Scott Grim <[executivedirector@pacoroners.org](mailto:executivedirector@pacoroners.org)>

**Subject:** JNET

As a Law Enforcement officer for 32 years, I've had the opportunity to work side by side with the Lehigh County Coroner's Office as well as other Coroner's Offices throughout the Commonwealth. Coroners have always been viewed as an extension of Law Enforcement and information has always flowed freely amongst us. I do not see any reason that Coroners should not have access to JNET, to not only aid in rapidly identifying deceased individuals, but always to located next of kin, for not only the purpose of making death notifications but also to share information gleaned from family members with Law Enforcement investigators.

To restrict access, not only prolongs identifications and death notifications, it also puts an extra burden on Law Enforcement in those instances that can be handled solely by the Coroner's office, but for the lack of access to JNET, Law Enforcement now needs to respond.

I respectfully ask that you reconsider your current position and allow Coroner's Offices to regain access to JNET.

Respectfully,

**Louis A. Tallarico, Chief County Detective**

Lehigh County District Attorney's Office  
Drug Task Force / Homicide Task Force  
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TO: Blawson @pa.gov and Kurt Myers--kumyers@pa.gov

Dear Messrs. Lawson and Myers:

It has been brought to my attention by Eric D. Minnich, Coroner of Lehigh County, that Coroners are no longer permitted access to JNET. It is further my understanding that Mr. Lawson is of the belief "...that law enforcement is present at all death scenes and therefore (Coroners) can get JNET information from them."

Although it is true that in Lehigh County law enforcement is often present at unattended death scenes, we are typically not present when Coroners conduct a death investigation at the hospital. In Lehigh County, we have two very busy trauma centers. Frequently deaths involve decedents from outside of Lehigh County. Access to JNET allows Coroners to rapidly confirm the identity of decedents, locate next of kin, and determine if they are organ and/or tissue donors.

I have complete confidence in Mr. Minnich and his staff to access JNET only in appropriate circumstances and to abide by all conditions attached to such access. Accordingly, I would appreciate if you would reconsider the decision to deny Coroners' access to JNET. As you know, Coroners are important and essential members of the law enforcement team when investigating homicides and other deaths which may give rise to criminal prosecution.

Thank you for your kind attention to this matter.

James B. Martin, District Attorney  
Lehigh County