



**Miami-Dade County Medical Examiner Department
Forensic Morgue Bureau – Visitor Guidelines
And Release and Waiver of Liability Agreement**

Dear Morgue Bureau Visitor:

Welcome to the Miami-Dade County Medical Examiner Department. During your visit you will have an opportunity to observe firsthand the process of Medico-legal death investigation.

As a visitor you will need to understand the sensitive nature of what you will witness. The autopsy, which is similar to a surgical procedure, is but one tool that helps us understand cause and manner of death. Bear in mind that the decedents being autopsied deserve the same respect that you would wish accorded to members of your own family. In addition, our staff requires quiet to perform their work safely and accurately. Therefore you should refrain from loud talking and joking.

Because of the nature of an autopsy, you will be required to wear protective gear. It is important that this gear be worn properly all the time that you are in the morgue/autopsy area. It is your responsibility to ensure that you have, and are wearing, the appropriate protective gear. For your personal safety you should not approach closely to the autopsy table unless instructed to do so. Our staff will inform you of a reasonable distance to maintain.

We appreciate your interest in the work of forensic pathology and trust that your visit will be a valuable one.

The Morgue Bureau Staff

RELEASE and WAIVER OF LIABILITY AGREEMENT

I, _____ (print name), understand that as a visitor to the Miami-Dade Medical Examiner Department I am not covered by County health insurance benefits or by County Workman's Compensation. I have read the visitor guidelines and agree to display proper decorum and to assume full responsibility for my conduct. Since I may be exposed to various potential pathogens, I will wear protective clothing, including gown, mask, shoe covers and eye protection while in the morgue. Should I sustain any injury during my visit, I will immediately report the matter to the Morgue Bureau supervisor.

Further, I, THE UNDERSIGNED HEREBY RELEASES, WAIVES, DISCHARGES AND COVENANTS NOT TO SUE Miami-Dade County, the Public Health Trust, and each of their officers and employees, all for the purposes herein referred to as "Releasees," from all liability to the undersigned, his or her personal representatives, assigns, heirs, and next of kin for any and all loss or damage, and any claim or demands therefore on account of injury to the person or property or resulting in death of the undersigned, whether caused by the negligence of the Releasees or otherwise while the undersigned is in or upon the facilities of Miami-Dade County Medical Examiner Department or in any way arising out of the tour, visit, or the operation of that Department.

THE UNDERSIGNED further HEREBY ASSUMES FULL RESPONSIBILITY FOR AND RISK OF BODILY INJURY, DEATH OR PROPERTY DAMAGE due to the negligence of Releasees or otherwise while in or upon the facilities of Miami-Dade County Medical Examiner Department or while participating in the tour, visit, or the operation of that Department.

THE UNDERSIGNED further expressly acknowledges and agrees that the activities of the event can be dangerous and involve the risk of serious injury and/or death and/or property damage. THE UNDERSIGNED further expressly agrees that the foregoing release, waiver, and indemnity agreement is intended to be as broad and inclusive as is permitted by the law of the State of Florida and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

THE UNDERSIGNED HAS READ AND VOLUNTARILY SIGNS THIS RELEASE AND WAIVER OF LIABILITY AGREEMENT, and further agrees that no oral representations, statements or inducements apart from the foregoing written agreement have been made.

Signature

Date



CERTIFICATION OF COMPLIANCE

In conjunction with the filming of activities of a project by _____ on the topic of **The Miami-Dade County Medical Examiner Department**, _____, a multi-media production company, through its undersigned representative, certifies as follows:

- ❖ _____, through its undersigned representative, has been provided with a copy of Florida Statute 406.135.
- ❖ The undersigned certifies on behalf of _____, that he/she has read Florida Statute 406.135. BBC, its agents, servants, employees, and/or representatives, will each and all comply with the provisions of that statute.
- ❖ The undersigned certifies on behalf of _____, its agents, servants, employees, and/or representatives, that each and all of them, will neither: a) film or record any decedent or autopsy of any Medical Examiner case from the Miami-Dade County Medical Examiner Department; nor b) view, use, include, or show, as any part of any film, recording or video, any autopsy or decedent photos, recordings or videos in the custody of the Medical Examiner Department. The Medical Examiner may, but need not, waive this provision, if a valid signed approval and release has been obtained from the decedent's next of kin.

PRINT NAME

DATE

SIGNATURE

TITLE

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

On this _____ day of _____, 2020, before me Personally appeared _____, and hereby acknowledges that he/she executed this instrument voluntarily.

_____ Known to me and presented no identification.

_____ Not known to me and presented _____ as identification

Notary Public, State of Florida at Large

Select Year:

The 2019 Florida Statutes

[Title XXIX](#)[Chapter 406](#)[View Entire Chapter](#)

PUBLIC HEALTH MEDICAL EXAMINERS; DISPOSITION OF HUMAN REMAINS

406.135 Autopsies; confidentiality of photographs and video and audio recordings; exemption.—

(1) For the purpose of this section, the term “medical examiner” means any district medical examiner, associate medical examiner, or substitute medical examiner acting pursuant to this chapter, as well as any employee, deputy, or agent of a medical examiner or any other person who may obtain possession of a photograph or audio or video recording of an autopsy in the course of assisting a medical examiner in the performance of his or her official duties.

(2) A photograph or video or audio recording of an autopsy held by a medical examiner is confidential and exempt from s. [119.07\(1\)](#) and s. 24(a), Art. I of the State Constitution, except that a surviving spouse may view and copy a photograph or video recording or listen to or copy an audio recording of the deceased spouse’s autopsy. If there is no surviving spouse, then the surviving parents shall have access to such records. If there is no surviving spouse or parent, then an adult child shall have access to such records.

(3)(a) The deceased’s surviving relative, with whom authority rests to obtain such records, may designate in writing an agent to obtain such records.

(b) A local governmental entity, or a state or federal agency, in furtherance of its official duties, pursuant to a written request, may view or copy a photograph or video recording or may listen to or copy an audio recording of an autopsy, and unless otherwise required in the performance of their duties, the identity of the deceased shall remain confidential and exempt.

(c) The custodian of the record, or his or her designee, may not permit any other person, except an agent designated in writing by the deceased’s surviving relative with whom authority rests to obtain such records, to view or copy such photograph or video recording or listen to or copy an audio recording without a court order.

(4)(a) The court, upon a showing of good cause, may issue an order authorizing any person to view or copy a photograph or video recording of an autopsy or to listen to or copy an audio recording of an autopsy and may prescribe any restrictions or stipulations that the court deems appropriate.

(b) In determining good cause, the court shall consider whether such disclosure is necessary for the public evaluation of governmental performance; the seriousness of the intrusion into the family’s right to privacy and whether such disclosure is the least intrusive means available; and the availability of similar information in other public records, regardless of form.

(c) In all cases, the viewing, copying, listening to or other handling of a photograph or video or audio recording of an autopsy must be under the direct supervision of the custodian of the record or his or her designee.

(5) A surviving spouse shall be given reasonable notice of a petition filed with the court to view or copy a photograph or video recording of an autopsy or a petition to listen to or copy an audio recording, a copy of such petition, and reasonable notice of the opportunity to be present and heard at any hearing on the matter. If there is no surviving spouse, then such notice must be given to the parents of the deceased, and if the deceased has no living parent, then to the adult children of the deceased.

(6)(a) Any custodian of a photograph or video or audio recording of an autopsy who willfully and knowingly violates this section commits a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

(b) Any person who willfully and knowingly violates a court order issued pursuant to this section commits a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

(7) A criminal or administrative proceeding is exempt from this section, but unless otherwise exempted, is subject to all other provisions of chapter 119, provided however that this section does not prohibit a court in a criminal or administrative proceeding upon good cause shown from restricting or otherwise controlling the disclosure of an autopsy, crime scene, or similar photograph or video or audio recordings in the manner prescribed herein.

(8) This exemption shall be given retroactive application.

History.—s. 1, ch. 2001-1; s. 1, ch. 2003-184; s. 1, ch. 2006-263.