



Contents lists available at ScienceDirect

Journal of Forensic and Legal Medicine

journal homepage: www.elsevier.com/locate/jflm

Original communication

Custody and prison deaths autopsied in Istanbul between 2010 and 2012[☆]Volkan Ünal^{a, *}, Esra Özgün Ünal^a, Zafer Çetinkaya^a, Murat İmalı^a, Selçuk Gürler^a, Sermet Koç^b^a The Council of Forensic Medicine, Bahçelievler, Istanbul 34196, Turkey^b Department of Forensic Medicine, Istanbul University, Cerrahpaşa Medical Faculty, Istanbul, Turkey

ARTICLE INFO

Article history:

Received 4 October 2015

Received in revised form

30 December 2015

Accepted 4 January 2016

Available online 12 January 2016

Keywords:

Custodial deaths

Prison deaths

Forensic medicine

Amnesty

ABSTRACT

The occurred death of a convict in prison, police custody cell or in a hospital always attracts public attention and can be considered as a complex phenomenon. The aim of this study is to evaluate the data obtained from autopsies performed to the custody and prison deaths in Istanbul and to discuss the possible solutions by comparing with the literature. It is also aimed to discuss the postponement of the sentence and presidential amnesty facts in Turkey. Deaths of inmates, which occurred in hospitals, prisons, prison medical rooms, police vans and police custody cells between 2010 and 2012 in Istanbul, Turkey were included in the study. Totally 125 cases were found and 98.4% of them were male. Natural deaths accounted for a great majority of deaths (83.2%). The most common natural cause was cardiovascular diseases. Unnatural deaths accounted for 15.2% of the deaths. Death reason cannot be determined for 1.6% of the cases. More than half of the cases (56%) were died at the hospital, 34.4% were died at the prison, 4% of them at the police van, 3.2% were died under police custody and 2.4% were died at the prison medical room. Moreover, twelve of these cases had applied to Third Specialization Board previously for postponement of the sentence or Presidential amnesty. Totally five of these cases found suitable for postponement of the sentence. Prison conditions should be improved, prisoners with chronic diseases should be examined periodically and if appropriate their sentences should be postponed until they heal.

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1. Introduction

Nowadays it is known that more than nine million individuals are in prisons worldwide and the health problems of these individuals are an important public health priority.^{1,2} Every individual who is in prison or in police custody cells has the right to proper health care and the right to be treated humanely.^{1,3,4} It is known that a proper health care has to be provided for the ageing imprisoned population considering that most of them have chronic diseases and their morality is higher than they have outside of jail.⁵

The occurred death of a convict in prison, police custody cell or in a hospital always attracts public attention and can be considered as a complex phenomenon because of the wide ranges of death causes like natural causes, self-inflicted deaths, violence and lack of medical treatment.^{6–11} Moreover the reason of the convict's death can be considered as an important source for understanding the health problems of convicts.⁵ Meticulous investigation has to be done after considering the suspicion of all of the reasons of the deaths of convicts occurring in prisons, police custody cells or hospitals.¹²

Postponing the sentences of the prisoners until their illnesses heal or remitting because of incurable diseases is important for the health of the convicts and the public health priorities. In Turkey sentences of the prisoners can be postponed (sentence postponement) or absolved (presidential pardon) due to serious illnesses in order to provide treatment and prevent the progression of the disease. These are defined in article 104 of the current Turkey Constitution and in the law of execution of sentences and security measures.^{13,14}

[☆] Part of this paper was presented at the 23rd Congress of the International Academy of Legal Medicine, Dubai, UAE, 19–21 January 2015.

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There are many studies about deaths that have occurred in prisons and police custody cells from different countries but there not many international studies from Turkey.^{6,9–11,15–18}

The purpose of this study is to describe the causes of deaths of the convicts who died in prison, police custody cells or hospitals who were autopsied in Istanbul, the most crowded city of Turkey, to determine the demographic characteristics of convicts by cause of death and to determine the applications of those convicts about sentence postponement and presidential pardon.

2. Materials and methods

In Turkey autopsies are performed by Forensic Medicine Experts who mostly work with the Council of Forensic Medicine (CFM). CFM is the major forensic medicine expertise organ of Turkey. There are branches of CFM in all of the cities of Turkey. The headquarters of the CFM is located in Istanbul which is the most crowded city of Turkey. There are 13 departments in the Istanbul Branch of the CFM. All suspected deaths that have occurred in Istanbul are autopsied in the Istanbul Morgue Department of the CFM.

This study was conducted using data obtained from the Istanbul Morgue Department of the Council of Forensic Medicine of Turkey from 2010 to 2012. 12378 autopsy reports were retrospectively analyzed and 125 cases were included for this study. All of the deaths of convicts whose deaths occurred in prisons, prison medical rooms, police custody cells, police vans (for transportation) or in hospitals that were autopsied in Istanbul are included in the study.

A full scale autopsy was performed at the Morgue Department of the Council of Forensic Medicine. Histopathologic examinations were also performed at the Morgue Department and toxicological analyses were performed at the Chemical Analysis Department of The CFM. Age, gender, nationality, place of death, time between death and autopsy, reason of death and the chemical and biological findings of the cases were recorded from the autopsy reports.

Causes of deaths were categorized under natural and unnatural reasons. Natural reasons were defined as deaths due to chronic illnesses or infections and unnatural reasons were defined as deaths due to hanging, stabbing, burning, intoxication, trauma, gun shot and falling from heights. There were two deaths which were classified as undetermined. The reason of these deaths could not be determined after a full scale autopsy and an investigation of case files.

In addition to the autopsy results, the reports of the Third Specialization Board of the CFM, that prepares reports about presidential pardons and compassionate releases (postponement of sentence), were investigated in order to see if the results of the report cases had any appeals about presidential pardon or compassionate release. The aim of this study is to discuss the main features of custody and prison deaths in Turkey.

3. Results

A Total of 125 cases of custody and prison deaths were analyzed. Autopsy numbers by year is shown in Fig. 1.

Among 125 deaths, 123 (98.4%) of the cases were male and 2 (1.6%) of them were female. The youngest was 17, the oldest was 95 years old and the average age was 48. Distribution of the cases due to age is shown in Fig. 2.

Both of the female cases who died at the prison were in their 6th decade and were not Turkish citizens. One of them died because of pathologic cerebral hemorrhage and the other one died because of lymphoma and complications.

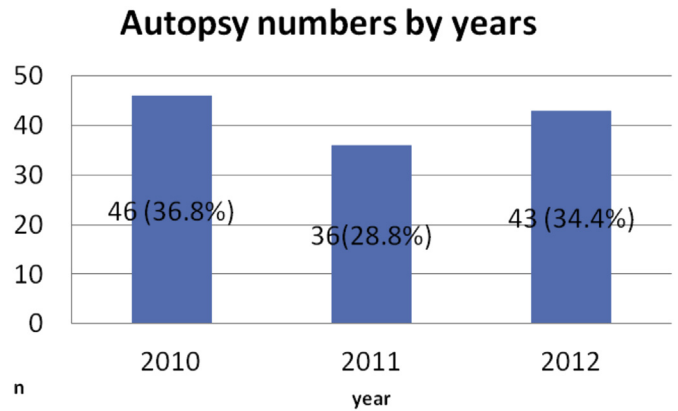


Fig. 1. Autopsy numbers by year.

The majority (n = 114, 91.2%) of the cases were Turkish citizens and 11 (8.8%) of them were foreigners. Nine of the foreigners were male and two of them were female. All foreigner cases died because of natural reasons.

The reason of deaths in two cases could not be determined whereas 104 (83.2%) of the cases' reason of death was natural reasons and 19 (15.2%) of the cases' reason of death were described as unnatural reasons. The reasons of death of the cases are shown at the Table 1.

Seventy (56%) of the cases died at the hospital, 43 (34.4%) at the prison, 5 (4%) at the police van, 4 (3.2%) under police custody and three (2.4%) died at the prison medical room. The reason of deaths of the cases that died at the hospital is shown on Table 2 and the reason of deaths of the cases that died at the prison is shown on Table 3.

Cardiovascular disease was the reason of three of the five deaths of the cases that died in a police van. The remaining two cases' reason of death could not be determined, however it was reported that one of the deaths was not caused by unnatural reasons. In other words; reason of death of this case could not be identified but there were no violent sign at the autopsy.

One case of hanging, one case of gunshot, one case falling from heights and one case of cardiovascular disease was determined as the reasons of the deaths of the four cases that were caused under police custody.

Two cardiovascular diseases and one case of cancer was the reason of deaths of the three cases that died in the prison medical room.

In a total of 97 (77.6%) of the cases, the reason of death was determined after autopsy. However 26 (20.8%) of the cases needed detailed information so the reason of these deaths were determined by the first specialization Board of the CFM which consists of different specialists from several medical branches (general

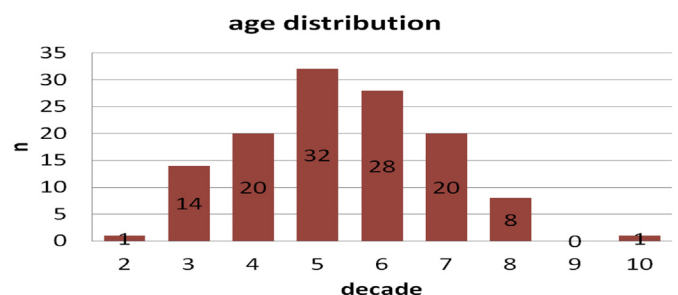


Fig. 2. Age distribution.

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