

The background features a complex geometric design. A diagonal line runs from the top-left corner towards the bottom-right. To the left of this line, there are several distinct patterns: a white circle at the top left, a grey semi-circle, a series of concentric circles, a pink area with diagonal lines, a pink area with a grid of lines, and a grey triangle. The rest of the background is a solid blue color.

CORONER'S INQUESTS

AGENDA



Introductions

Why hold an inquest

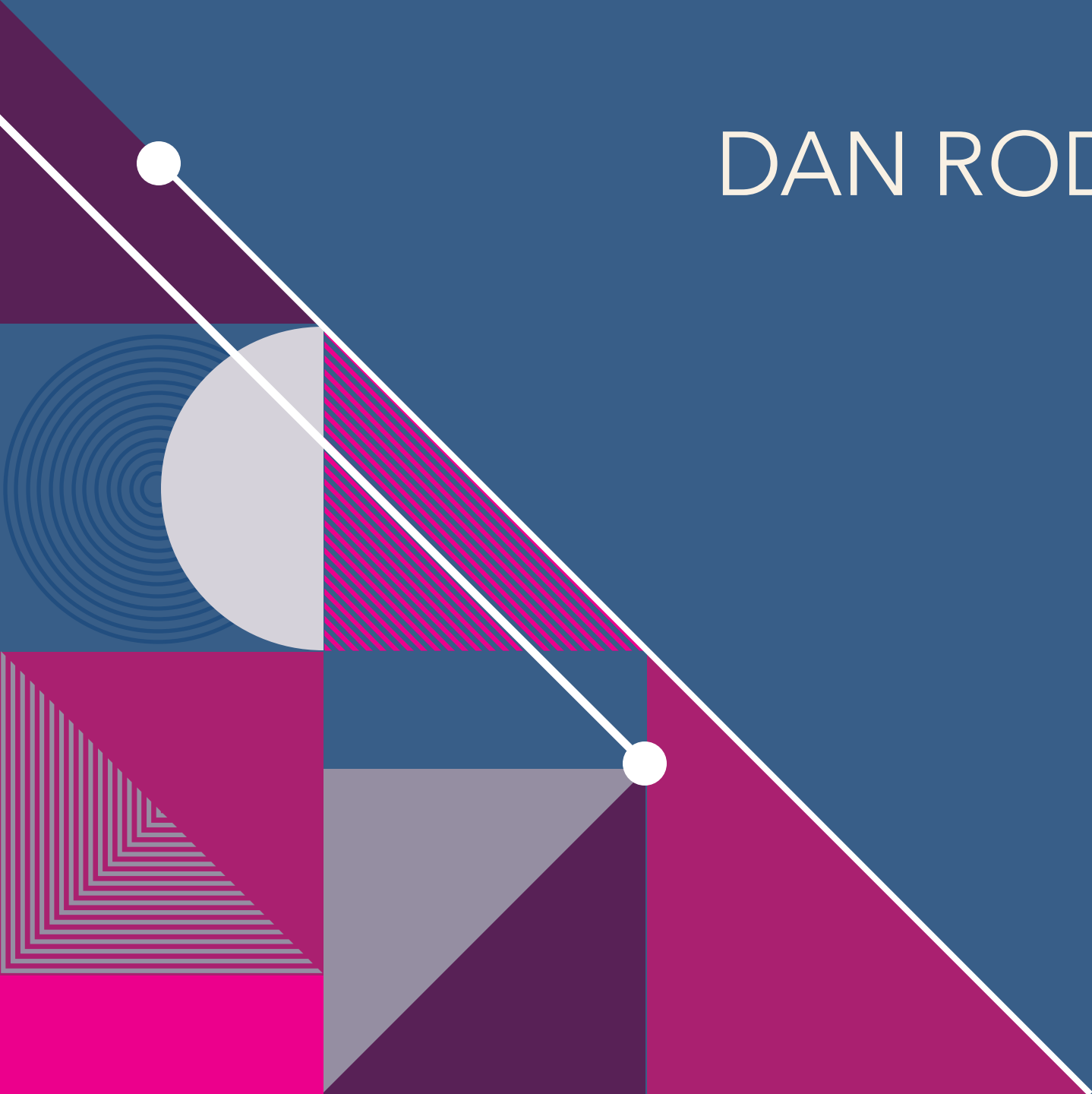
Idaho Code:

- Jurisdiction
- Jury
- Issuing subpoenas
- Verdict and warrant
- Report writing
- Rights to counsel

Case reviews

Tips for the first-timer

DAN RODRIGUEZ





ROBERT BEERS, D-ABMDI

12+ years law enforcement veteran.

Firearms and baton instructor.

Patrol supervisor.

Detective for 6 years, primarily narcotics.

8 years as the Bonner County Coroner

WHY HOLD AN INQUEST

- Law enforcement cannot require an individual to speak with them or provide statements. This may be your only opportunity to obtain additional evidence for your case.
- Law enforcement may have a conflict of interest; officer involved shootings where LE is the suspect.
- Witnesses may be more forthcoming with information on the witness stand.
- An inquest is an open court proceeding. It provides transparency for the investigation.
- As the coroner, you may lack knowledge about the subject matter. It may be pertinent for you to ask the help of professionals (your jury) to guide you to make a more informed decision on the Cause and Manner of death.
- Forensic evidence may be lacking in your case. Expert and witness testimony may provide what you need to proceed with a criminal proceeding (grand jury/trial)



19-4301: JURISDICTION

The coroner shall conduct an inquest only if he has reasonable grounds to believe that a death has occurred under any of the circumstances heretofore stated in sections 19-4301(a) or 19-4301(b).

When a coroner is informed that a person in his county has died:

- (a) as a result of violence whether apparently homicidal, suicidal or accidental;
- (b) under suspicious or unknown circumstances, or 19-4301.



INQUESTS ARE COVERED UNDER I.C. 19-4301-4310

Generally, the coroner has discretion on when to hold an inquest.

However, based on an old Idaho Supreme court case, *Stattner v. City of Caldwell*, 111 Idaho 714 (1986), the coroner must conduct a coroner's inquest if they have reasonable grounds to believe that the death occurred under any of the circumstances stated in I.C. 19-4301(a).



INQUEST JURIES I.C. 19-4301(4)

“If an inquest is to be conducted, the coroner shall summon six (6) persons qualified by law to serve as jurors for the inquest.”

I.C. 19-4302: CONVENING OF THE JURY

- When six (6) or more of the jurors attend, they must be sworn by the coroner to inquire who the person was, and when, where, and by what means he came to his death, and into the circumstances attending his death, and to render a true verdict thereon, according to the evidence offered them.

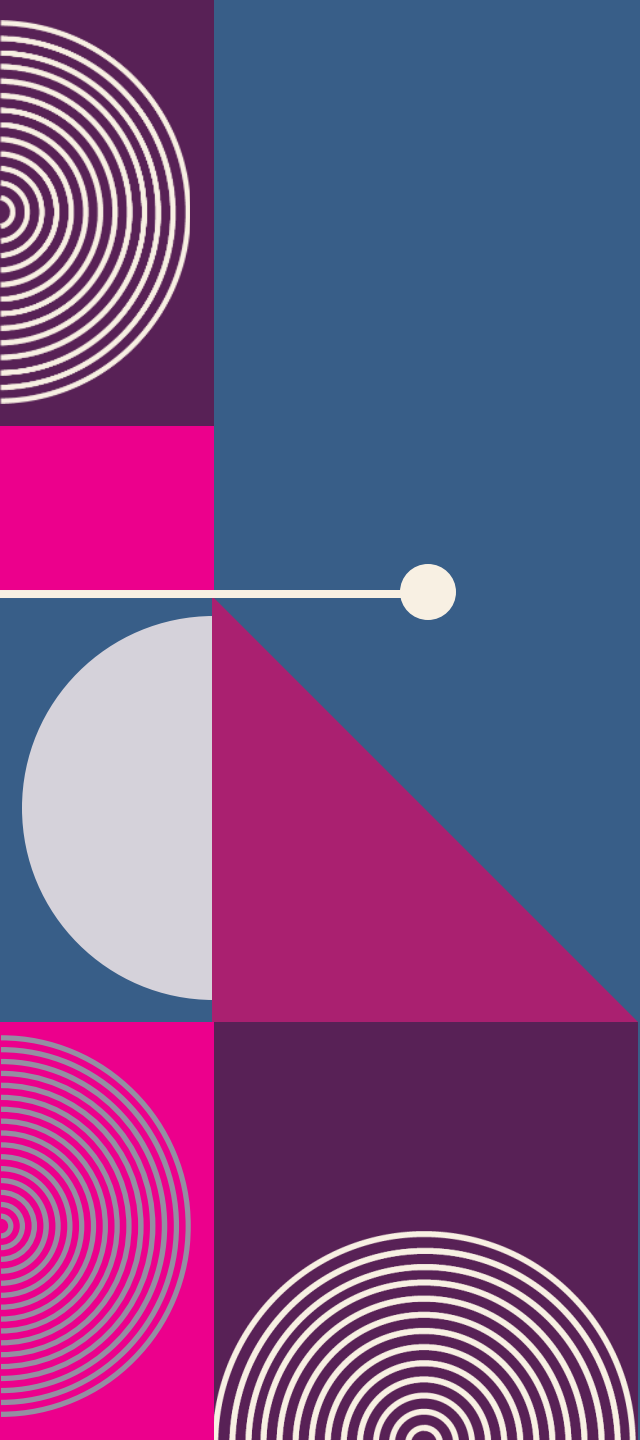


JURY: TIPS FOR THE FIRST TIMER

- Although there is no requirement for the prosecutor to attend, it is **ALWAYS** best to have the prosecutor's approval and help before moving forward. You'll need help with issuing subpoena's and explaining any laws applicable in your inquest to your jury.
- Advise your LE partners that you will be conducting an inquest and the reasons for it.
- Pick your jury carefully. Select members of the community that have specialized training in what you're investigating.

Examples:

- a. Vehicle crashes; mechanics, insurance investigator, LE reconstructionist.
 - b. Homicides; retired detectives, firearm instructors, blood spatter experts.
 - c. Medical deaths; doctors, nurses, EMT's, PA's, Pharmacists.
- Provide your jurors with all the information you have about the case prior to the inquest.



19-4303: ISSUING AND ENFORCING SUBPOENAS

The coroner may issue subpoenas for witnesses and must summon "every person who, in their opinion, or that of any of the jury, or the prosecuting attorney, has any knowledge of the facts."

Accordingly, the statutes contemplate that the prosecutor can attend. However, there is no requirement that compels the prosecutor to do so.

If a subpoena is disobeyed, a person can be compelled to attend or punished for disobedience in the same manner as the justice of the peace, I.C. 19-4304. This would be a contempt citation.

VERDICT AND WARRANT

After hearing testimony, the jury must render a verdict pursuant to I.C. 19-4305 as discussed previously.

The testimony before the coroner must be reduced in writing, I.C. 19-4306, transmitted to the magistrate, and, if necessary, if the party committing the act causing death which is not justifiable, and that person is not in custody, the coroner must issue a warrant for his arrest.

*Note - The form of the warrant is described in 19-4309, and the service of the warrant must be in the same way as that endorsed by a magistrate, 19-4310.

19-4301D

● **Coroner to make reports.** When the cause and manner of death is established under the provisions of this chapter the coroner shall make and file a written report of the material facts concerning the cause and manner of death in the office of the clerk of the district court...

19-4301D

The coroner shall promptly deliver to the prosecuting attorney of each county having criminal jurisdiction over the case copies of all records relating to every death as to which further investigation may be advisable...



RIGHTS TO COUNSEL AND AGAINST SELF-INCRIMINATION

- An inquest is NOT a trial. However, the absence of counsel may be relevant to determine whether a person has been denied the constitutional privilege against self incrimination. It is best practice to have a possible suspect represented by counsel.
- A person may be compelled to attend and testify, they **may not** be compelled to answer certain questions that would incriminate them.
- It may be best to not require the suspect to testify at the inquest. In this manner, you could avoid any problems with self-incrimination, but still perhaps obtain enough evidence in order to have a jury reach a verdict that may lead to the arrest of an individual(s).
- Evidence at an inquest may be admitted in a trial.
- Jurors have the right to ask questions.

CASE REVIEW



MIRISSA SERRANO

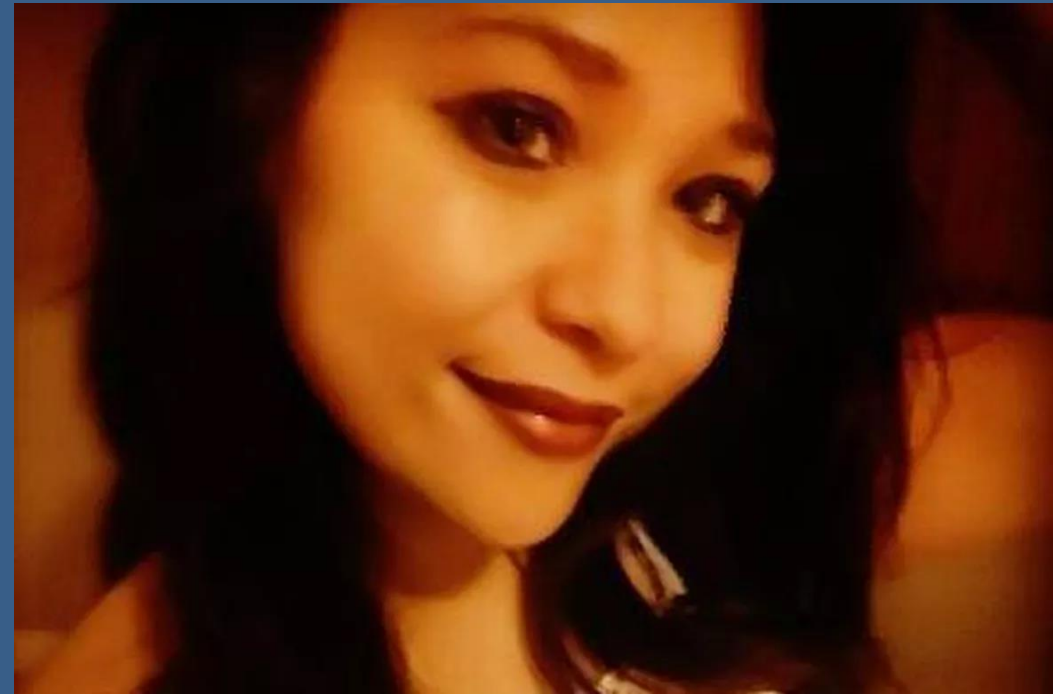
Mirissa is 27 years old and a mother of 3 children



"FAMILY FRANTIC AFTER MONTANA WOMAN REPORTED MISSING IN REMOTE IDAHO FOREST."

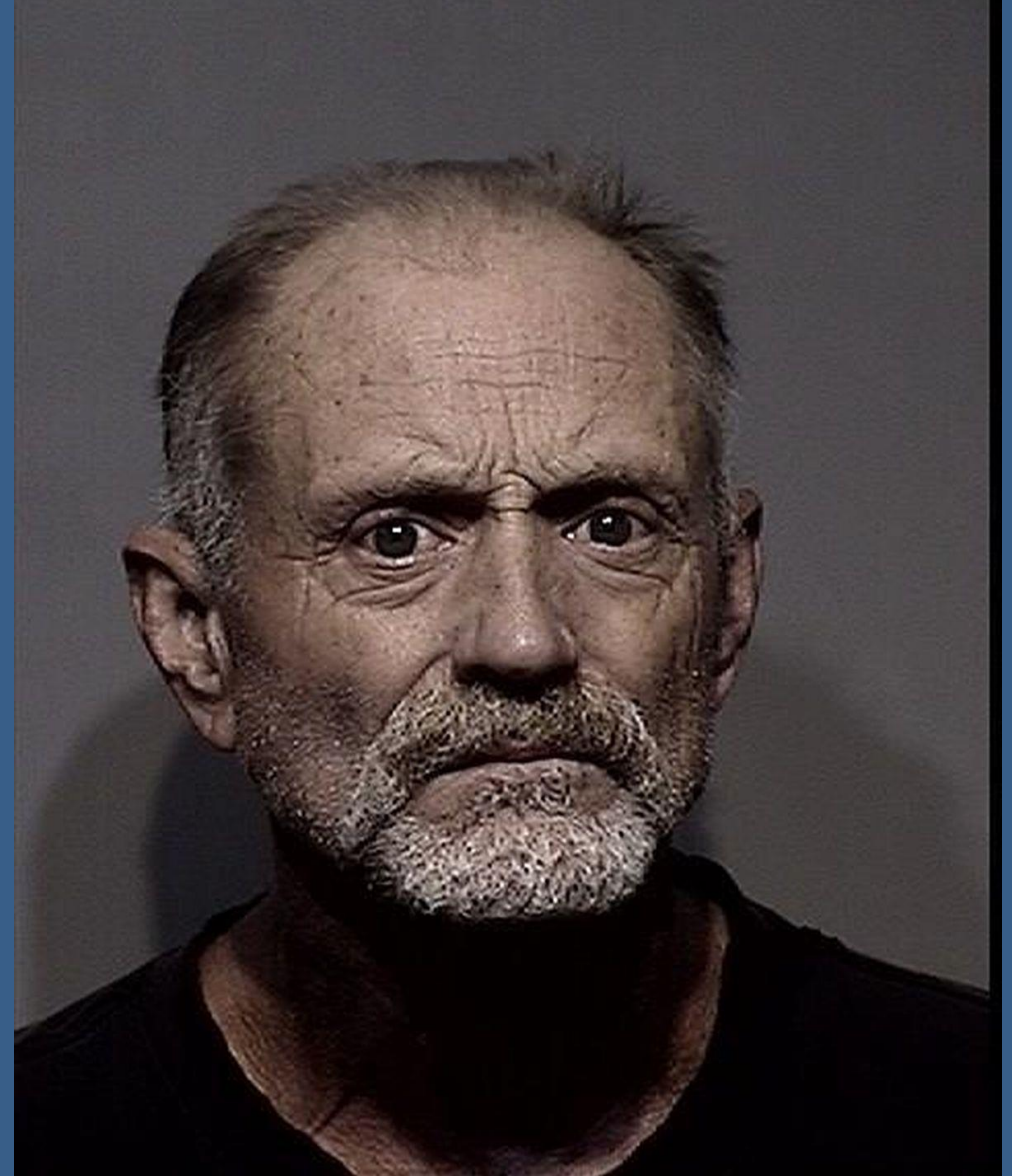


"Hopes dim for missing woman."



DANNY HAROLD NEEP

1. On 09/09/2017, Mirissa Serrano was working as a waitress at KT's Hayloft Saloon in Lolo Montana.
2. Neep advised his two friends, Ron and Karleen, that he was going to ask Mirissa for her phone # which she provided.
3. The following morning, Mirissa was found in the company of Neep at his hotel room.
4. Mirissa travelled with Neep, Ron and Karleen to Spokane, Washington.
5. Mirissa stayed with Neep while in Spokane until 09/14/17. They left his apartment and travelled to a cabin in Lakeview Idaho.
6. On 09/15/2017 Mirissa was reported missing by Neep at 1240 hours.



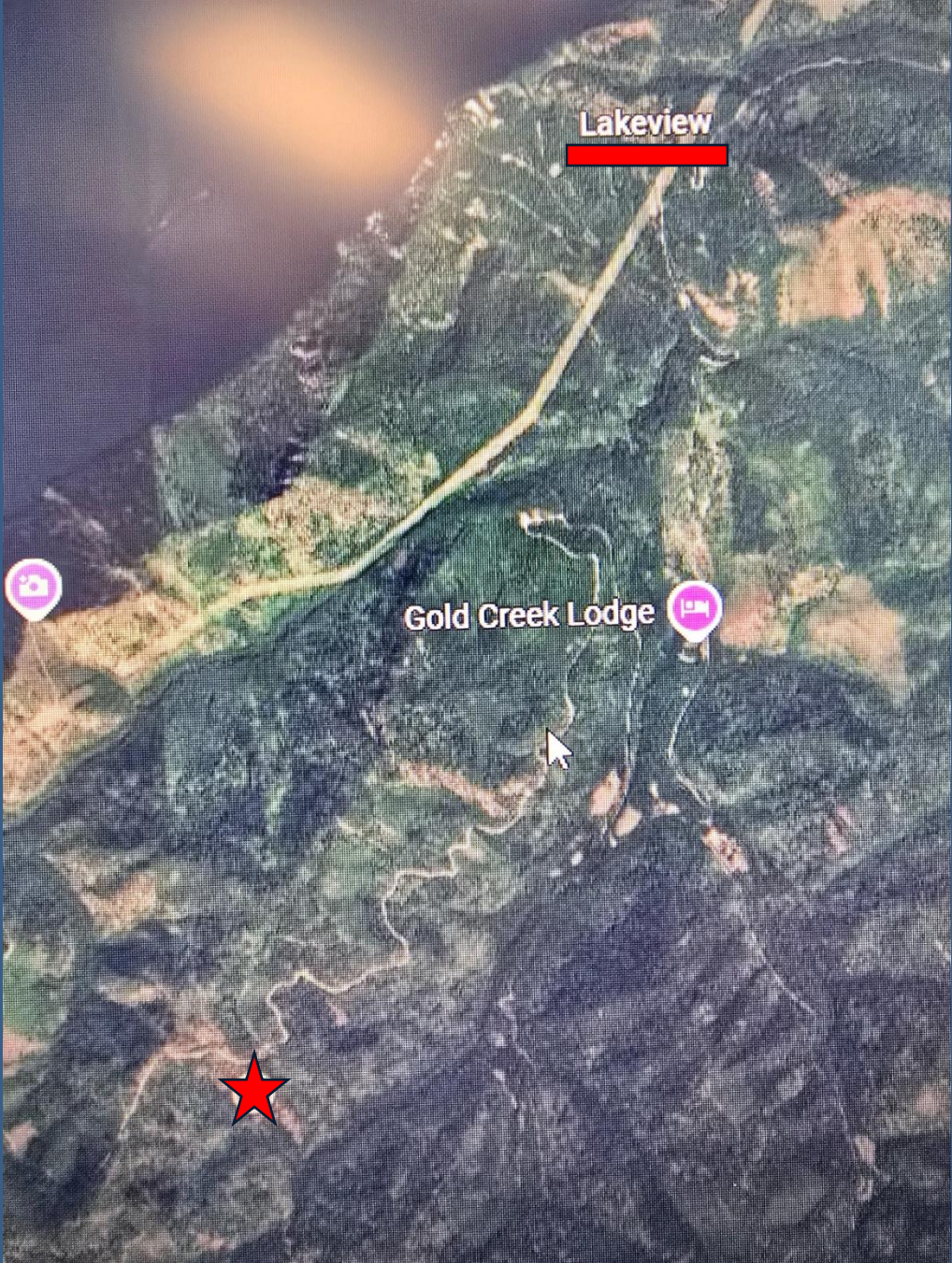
MISC. INFORMATION

1. Mirissa lived with her father, mother and brother in Lolo Montana which is just south of Missoula. She did not have custody of her children.
2. She had no friends or family in or near Spokane Wa.
3. Her father (Joe) had spoken to Neep a number of times advising him that Mirissa suffered from mental illness and was becoming manic. She also takes daily anti-seizure meds.
4. On 09/10 during a visit to Karleen's sister (Christine), she advised Mirissa was acting strange and collecting rocks from her pathway. Mirissa asked Christine if she could move in with her.
5. Mirissa was calling her father between 09/10-14. On 09/12 Mirissa sent her father a text and requested her dad send her EBT card and birth certificate so she could assign Neep as her SSN representative payee. Joe refused.



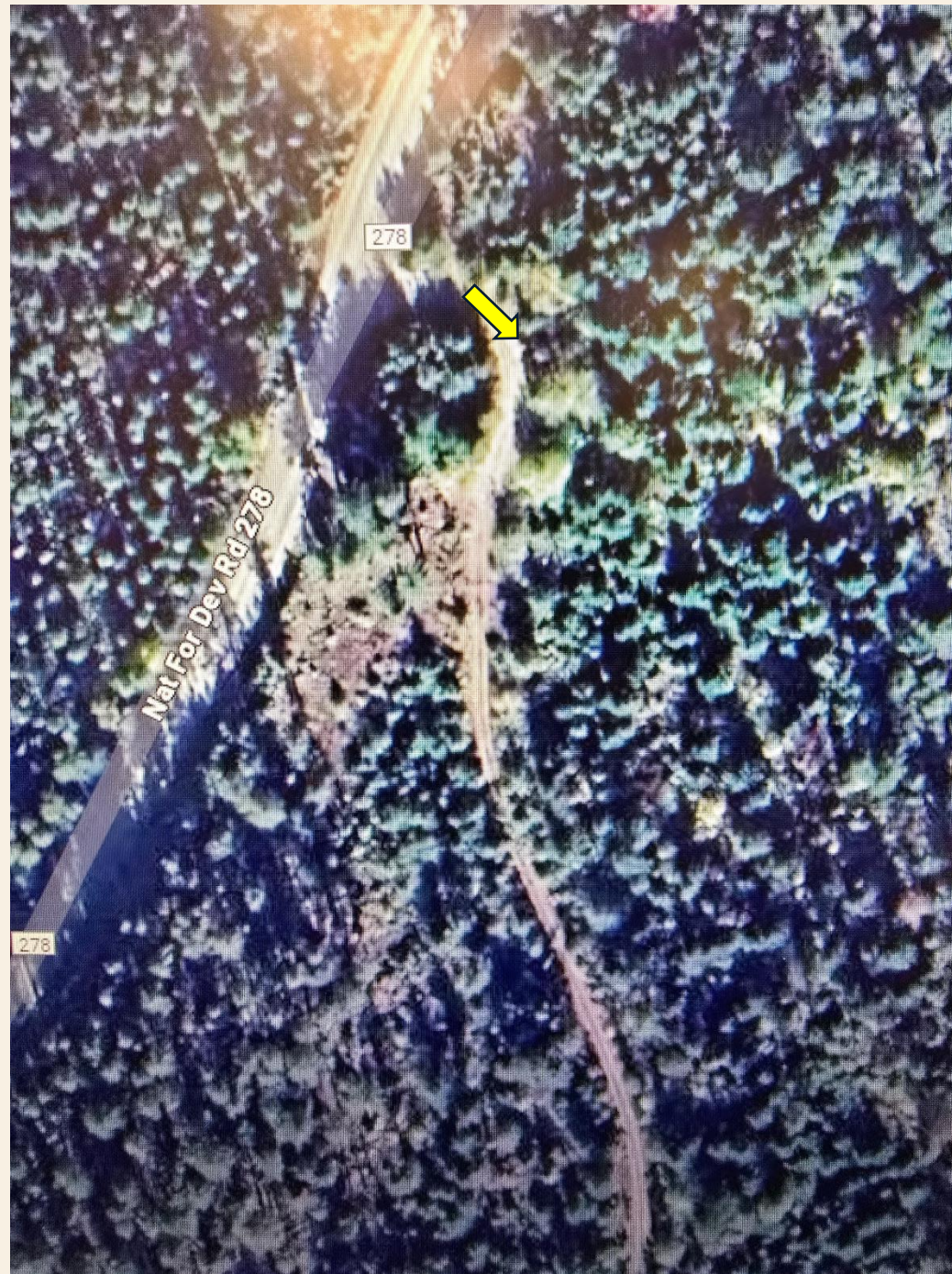
LAKEVIEW, IDAHO





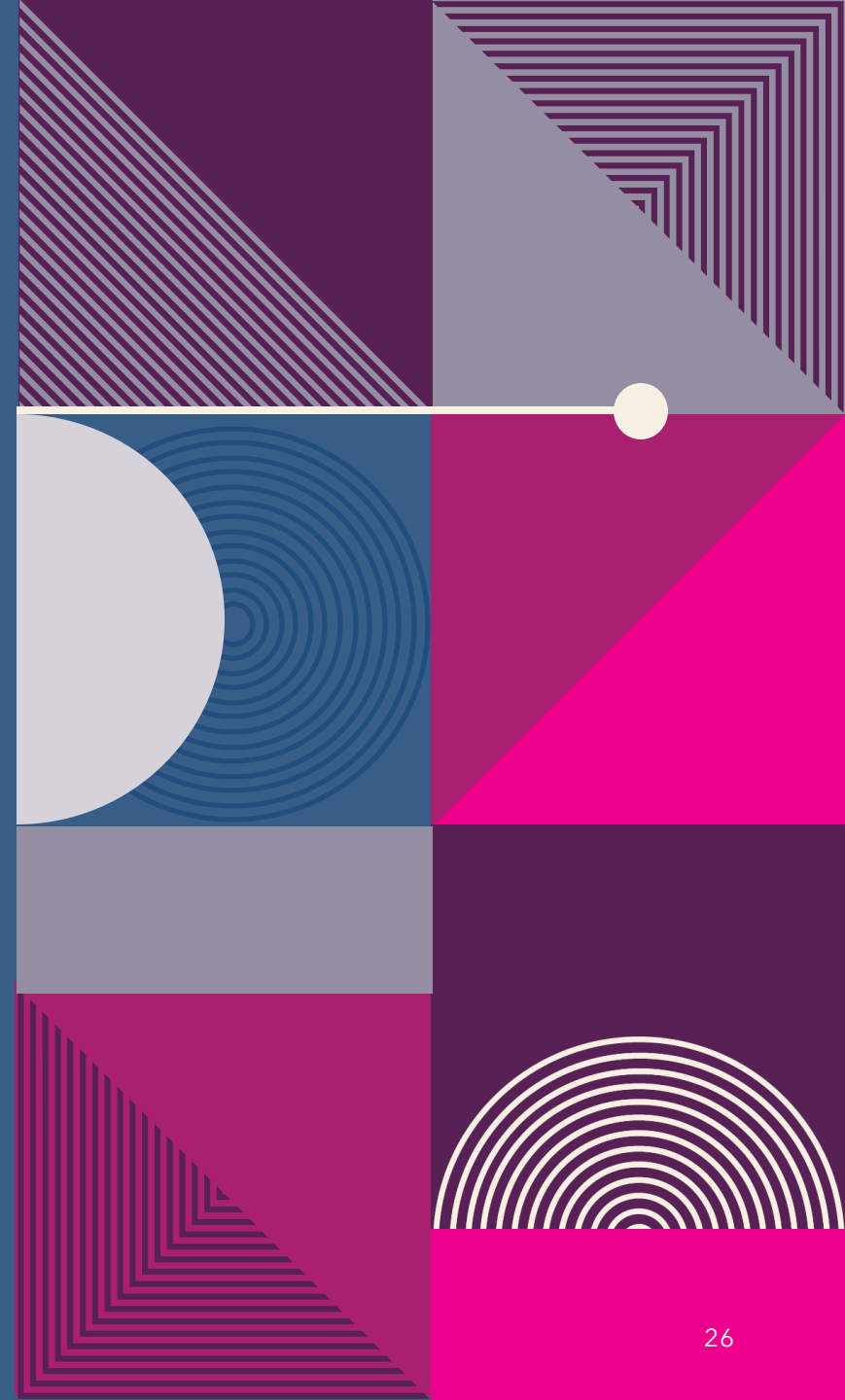
FACTS OF THE CASE

1. On 09/15/2017 at 1243 hours, a driver was stopped by Neep at a remote location on USFS 278
2. The driver advised Neep was "highly agitated" and told her that a girl "ran off into the woods."
3. The driver immediately called 9-1-1 and handed the phone to Neep who requested a "welfare check."
4. Neep advised dispatch the girl went off on a walk and he couldn't find her. Thought he could hear a man's voice. Hadn't heard from her in an hour or so. Neep couldn't tell dispatch her name.
5. Law enforcement arrived and Neep was arrested on a warrant. A shotgun was found in his truck and he was eventually charged for felon in possession of a firearm.
6. He was interviewed at the Kootenai Co. jail where detectives advised he was consistently inconsistent in his statements.
7. Neep would refer to Mirissa in the past tense, or call her "the/that girl" or "the waitress."
8. Mirissa's last known cell phone ping was on 09/13 in Spokane.
9. Multiple witnesses advise meeting Mirissa in Lakeview on 09/14.
10. According to Neep, Mirissa believed the cabin to be haunted so they left at sometime around midnight to head back to Spokane.



1. Before leaving Lakeview, Neep and Mirissa were hanging out with Neep's friend, Richard McKinney at his house.
2. When they left Lakeview, Neep advises he stopped at a turn off on USFS 278 because he was too tired to drive.
3. Neep claims he and Mirissa slept in the back of his pickup truck. However, she was up most of the night "drinking Everclear and smoking pot."
4. Neep sent and received multiple phone calls that night/morning from McKinney and a female "friend" by the name of Debra Russell.
5. Neep stated Mirissa took off for a walk at approximately 0630-0700. When she didn't return he dumped her property onto the turnout.
6. A witness stated they contacted Neep driving his truck back into Lakeview around 0530-0600.
7. Neep told the witness that the girl "jumped out of his truck" so he left her and headed back to the cabin for a cup of coffee.
8. Neep's truck was seen by a different witness in Lakeview between 0800-0900 hours.
9. After leaving Lakeview, Neep traveled to Rathdrum where he stopped to get gas and charge his cell phone.
10. Neep called Karleen and advised her that Mirissa took off with a couple hunters, so he left her there and dumped her property.
11. Karleen told him he needed to go back and get her.

- ❑ Danny responded back to the location where he reported her missing.
- ❑ He never called dispatch on his own.
- ❑ At approximately 1130 hours, a hunter parked on the spur road to scout for elk.
- ❑ At approximately 1230, the hunter ran into Neep who asked for help in looking for Mirissa. The hunter advised Neep made him very nervous and refused to help him.
- ❑ At 1240 hours the passerby in the vehicle called 9-1-1 for Neep who then reported Mirissa missing.
- ❑ A search was conducted that evening and the following day. Mirissa was not found.
- ❑ Law enforcement did everything the could to locate Mirissa.
- ❑ After multiple interviews, cell phone dumps/pings, search warrants on multiple residences in Lakeview and Spokane, LE was unable to charge Neep with a crime related to Mirissa's disappearance.



HUMAN REMAINS FOUND

- On 09/22/2018 Mirissa's remains were located by a hunter approximately 1800 feet from the spur road where Neep originally reported her missing. Although this find wasn't reported to dispatch until 09/23.
- Human remains were confirmed on 09/23 by a BCSO detective.
- On 09/24 we responded to the scene and flagged evidence.
- On 09/25 we met forensic anthropology students from the University of Montana who assisted us with locating over 90% of Mirissa's skeletal remains.
- An autopsy was completed by Spokane ME Dr. Howard who was assisted by forensic anthropologists Dr. Hillary Parsons and Lily White.
- Using radiographs from 2015, Mirissa was positively identified by Dr. Howard although no cause of death could be determined.
- Methamphetamine, THC, buprenorphine and other medications were discovered in Mirissa's toxicology. No quantitative amounts could be determined.

47.918700334 -116.479901009



47°55'07.3"N 116°28'47.6"W
47.918700, -116.479901



Directions

- SAVE
- NEARBY
- SEND TO YOUR PHONE
- SHARE

- East Bonner County School District 84, ID
- WG9C+F2 Lakeview, Idaho
- Add a missing place
- Add your business
- Add a label



Measure distance
Click on the map to add to your path
Total distance: 1,937.92 ft (590.68 m)















ISSUES

- ❖ Mirissa's skeletal remains were intact and no evidence of trauma was discovered. However, the hyoid was missing.
- ❖ No cause of death could be listed and the manner is Undetermined.
- ❖ Evidence is scant. Law enforcement executed multiple search warrants and didn't come up with much.
- ❖ Some witness statements weren't trustworthy (Deb and Richard).
- ❖ Law enforcement didn't speak to her physician or psychologist.
- ❖ No one was willing to take a polygraph.
- ❖ She's an adult living with her parents.



INQUEST

- The inquest was held on 05/06-07, 09/2019
- I interviewed and subpoenaed 7 jury members:
An EMS captain, ER nurse, 2 retired law enforcement officers/detectives, CFO/COO for a Health Services organization, addiction counselor, pharmacist and business owner
- I subpoenaed 20 witnesses. All but 1, McKinney (UTL), appeared in court or testified via conference call.

JURY FINDINGS

- The subject of the inquiry was identified as Mirissa Serrano
- The death probably occurred in the vicinity of Lakeview, Idaho on September 15th 2017
- The circumstances surround her death were that Danny Neep provided drugs and alcohol to Mirissa resulting in her death. Contributing factors included, Neep knew Mirissa's location and that she was dead and failed to give this information to authorities.
- The death was by criminal means.
- The guilty party was most probably Neep.
- Manner of death, Homicide.



POST INQUEST

1. Danny Neep was already in custody for the felon in possession of a firearm charges stemming from the discovery of the shotgun in the bed of his pickup truck the day he reported Mirissa missing.
2. A grand jury was convened and they indicted Neep on involuntary manslaughter.
3. COVID19 delayed multiple hearings.
4. Neep died before the trial could take place.

EMILIA GRACE LARSON

DOB: 01/26/2021 at 2253 hours

DOD: 01/27/2021, TP: 0100

8lbs, 6oz



DENISE MIDSTOKKE, LPM



1. The mother's pregnancy was monitored by midwife Denise Midstokke, who claims to have participated in approximately 1,500 births.
2. Denise has been a licensed midwife since 2009/10 and had practiced midwifery before that time.
3. Denise stated she's participated in "hundreds" of water births.
4. Denise was recertified in neonatal CPR and first aid.
5. She was the owner/operator of Pend Oreille Midwifery in Sandpoint.



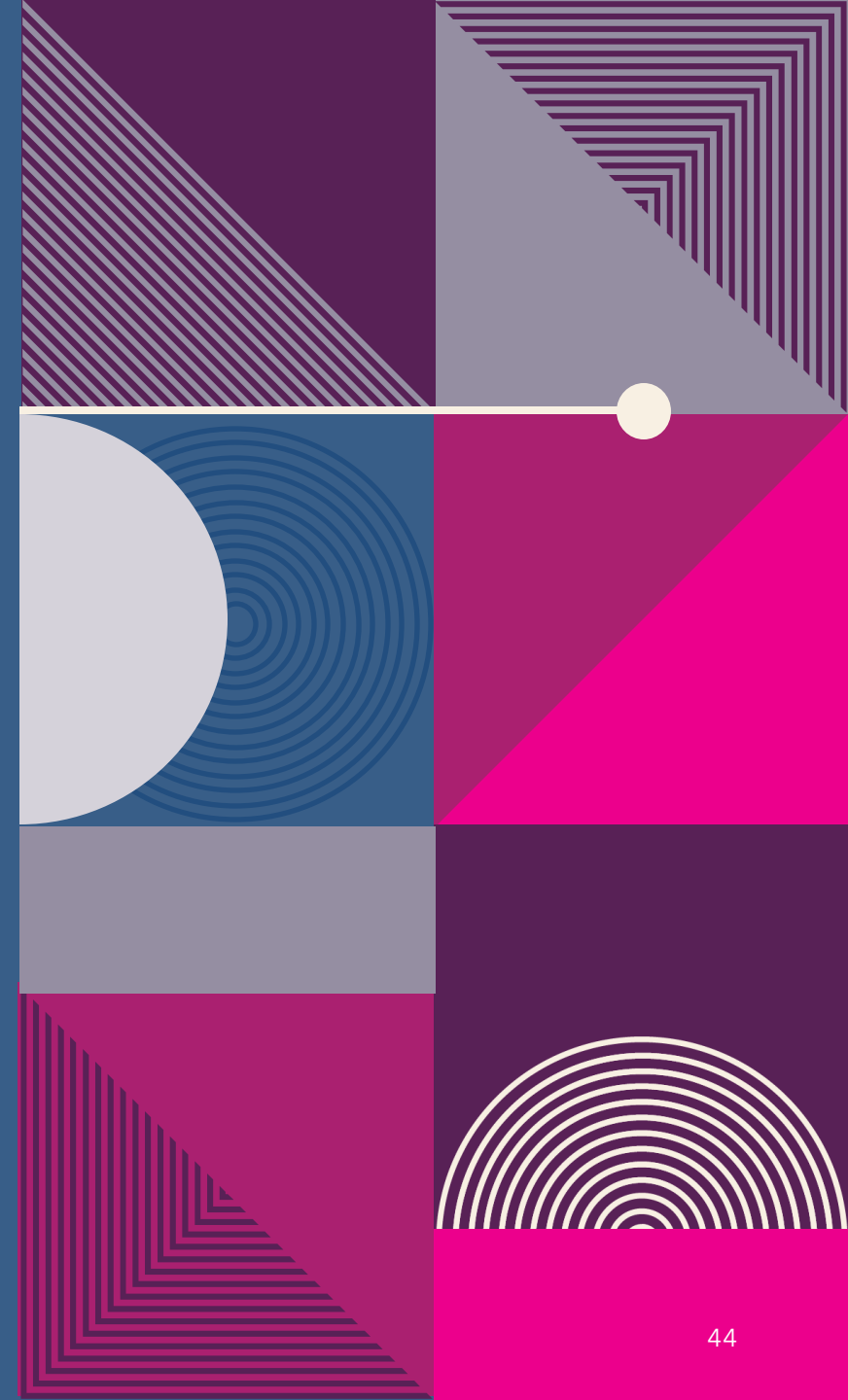
KRISTA HAYES, LM

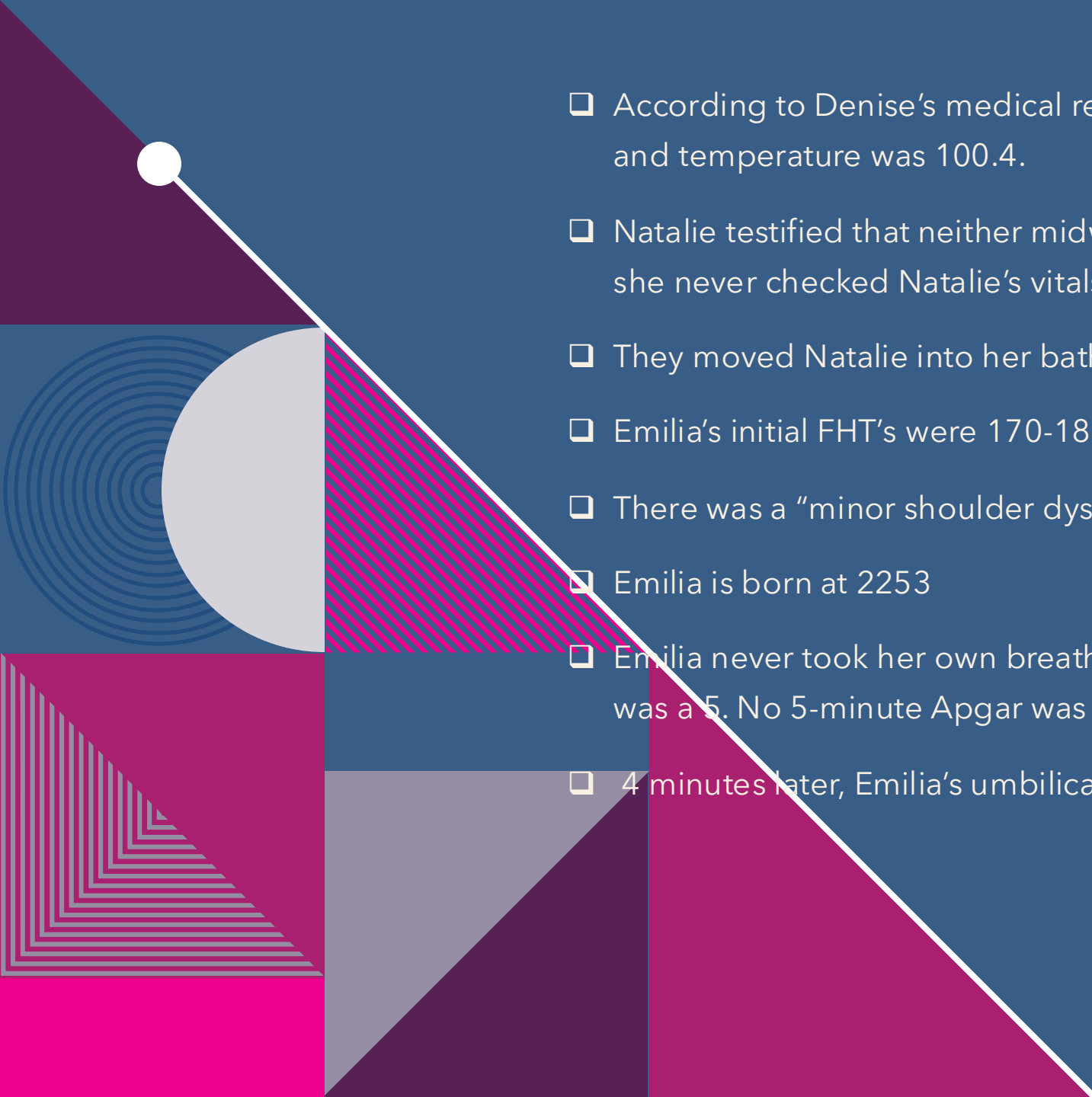
1. Krista is a licensed midwife in both Idaho and Montana.
2. She has been certified since 2012
3. She estimated that she had participated in approximately 450-500 births.
4. Approximately 100 of those were water births.
5. She was Denise's assistant and responsible for maintaining the birth log.

FACTS OF THE CASE

- Emilia's mother sought midwifery services from Pend Oreille Midwifery services. Denise and Krista were assigned to be the midwives during Natalie's pregnancy.
- Natalie had been previously diagnosed with hypothyroidism and was being treated by a NP, rather than a physician as stated by law.
- At 37 weeks and 4 days gestational period (01/15), a Cooks Bulb was placed into Natalie's cervix at the midwifery. Per Denise's testimony, she only used 40cc's of water into the bulb rather than the recommended 80cc's. Shortly after leaving the midwifery, the bulb fell out.
- A second bulb was placed at the midwifery the following day. While trying to remove the rod which places the bulb, Denise had to use "pliers" to pull the rod and remove it.
- A medical note advised Natalie had been having contractions since they "replaced a Cook's Bulb." There was nothing else mentioned about the 2nd procedure.
- The midwives decided to check on Natalie before it got to late. They reported that Natalie had been having contractions since the 2nd bulb had been placed.
- The bulb was "easily removed with slight tension and the head replaced into the pelvis easily." Again, there was no mention of where this procedure took place.

- According to Natalie's testimony, the 2nd removal took place on their living room couch.
- No sterile environment or barrier was created between Natalie and the couch.
- No further "augmentations" of labor were attempted after the removal of the 2nd bulb.
- Natalie testified that she did not see Denise again until the evening of Amelia's birth on 01/26. However, Denise's medical records advised she did see her for approximately 20 minutes on 01/25.
- On 01/26 at 1930, Natalie texted Denise and advised her waters broke but didn't want her to show up yet.
- At 2055 Natalie felt like she was getting a fever. Her temperature was 100.5. This was relayed to Denise but nothing was done.
- Denise arrived at the house around 2130.



- 
- ❑ According to Denise's medical records, Natalie's BP and temperature were 110/60 and temperature was 100.4.
 - ❑ Natalie testified that neither midwife checked her temperature or BP. Krista stated she never checked Natalie's vitals, she got those numbers from Denise.
 - ❑ They moved Natalie into her bathtub for a water birth.
 - ❑ Emilia's initial FHT's were 170-185. 20 Minutes later they were 160-174.
 - ❑ There was a "minor shoulder dystocia" which was resolved.
 - ❑ Emilia is born at 2253
 - ❑ Emilia never took her own breath, but Denise estimated her 1-minute Apgar score was a 5. No 5-minute Apgar was given.
 - ❑ 4 minutes later, Emilia's umbilical cord is cut and she is taken into the bedroom.

- Emilia is not breathing on her own. She is limp and pale.
- Blood is coming from Emilia's nose. Neither midwife had ever seen this before and could not explain what it meant.
- The midwives left Natalie in the tub alone.
- After removing Emilia from the tub, Denise begins CPR.
- She stops CPR after approximately 30 seconds.
- 9 minutes after Denise took her baby, Natalie leaves the tub on her own without assistance.
- According to the medical notes, Emilia had a pulse of 120 and O2 readings of 75-80% but she wasn't breathing on her own.
- At 2315 a 9-1-1 call is made. This is 23 minutes after the delivery.
- Total time from delivery to EMS arrival is 34 minutes.
- EMS testified that there was no active warming going on and no active CPR being performed.
- EMS advised the baby had a pulse rate of 40bpm and was not breathing.
- Emilia was transported to the hospital where she was pronounced deceased at 0100 hours.
- Emilia was autopsied and her COD was listed as Intrauterine Pneumonia due to ascending streptococcus mitis infection.

INQUEST:

- The inquest was held on 04/15-16/2021
- I interviewed, then subpoenaed 6 jurors:
 - EMS Lt. Paramedic, ER nurse with over 30 years experience, certified midwife, and 3 M.D.'s - Pediatrician, Ob/Gyn and an ER doc.
- I initially subpoenaed 9 witnesses to testify but cancelled 3 of those.
- I requested an OB/Gyn and a Nurse midwife testify as expert witnesses.
- Prior to the inquest, Denise sued me and requested a declaratory judgement with a permanent injunction which was denied.
- I withdrew my subpoena for her, but she would ultimately respond to the courthouse and provide testimony.



JURY FINDINGS

- There was no informed consent for care and procedures.
- Inducing labor before 39 weeks.
- Performing a non-indicated procedure without benefit and risk conversation.
- Failure to adequately record some notes and completely omitting some other procedures and notes.
- Falsified records regarding risk/benefits of the Cook's catheter.
- Performing a procedure without understanding the risks.
- Failure to follow standard of care for labor that hasn't started.
- Failure to transfer care after failed induction.
- 10-day lapse in care after invasive procedure.
- Failure to recognize chorioamnionitis and follow IDAPA guidelines for mother and child.
- Failure to ensure proper working equipment
- Failure to provide adequate resuscitative care.



JURY OPINION


At 37 weeks without medical need or adequate discussion of the risks and benefits, 2 Cooks catheters were placed which likely led to an intrauterine pneumonia from an ascending infection. Of note there was a 10-day lapse in follow-up care post procedure.

On the day of delivery, Denise was told that Natalie had a 100.5 temperature. She failed to adequately recognize and respond to potential infection even after fetal tachycardia was noted.

Post delivery, Emilia was in profound respiratory distress and poorly presenting. Inadequate resuscitative efforts were undertaken leading to cardiac arrest and, what we believe, to be a preventable death due to willful and wanton negligence.



POST INQUEST

1. Denise was charged with Involuntary Manslaughter and Destruction, alteration or concealment of evidence.
 2. The case was sent to mediation and Denise was required to surrender her license to the state, divest herself from her midwifery business and could no longer operate a midwifery in the state of Idaho. She also spent 30 days in jail and was on probation for 3 years.
 3. The state board of midwifery opened an investigation.
 4. At the end of the board's investigation, Denise was ordered to surrender her license and could not reapply for licensure in this state. She was also order to pay attorney's fees.
- 



TIPS FOR THE FIRST TIMER

- An inquest is an open court proceeding. In an effort to be transparent, you may want to notify the press.
- Make a schedule for the proceedings with estimated testimony times for your witnesses. Get your prosecutor to assist with this!
- You must keep track of your subpoenas. Have your S.O. serve them.
- Contact your jury commissioner to reserve a courtroom.
- You'll need a court clerk and security during the proceedings.
- You'll have to provide lunch and snacks for your jurors. Be prepared with menus and coffee!
- Advise your jurors what the pay rate is for mileage and service. Each county sets its own pay scale for jurors.
- Provide your jury list to your jury commissioner. Their service at an inquest will count as a service in a normal jury proceeding.



TIPS FOR THE FIRST TIMER

- You may subpoena expert witnesses to testify.
- Witnesses may testify via Zoom, but in-person testimony is preferred.
- If a suspect decides to testify, advise them and the jury that they have a right against self-incrimination. Likewise, if they decide to leave, they are allowed to.
- Have a working knowledge of the courtroom projectors and computer systems. Security will most likely be able to assist.
- If you have multiple suspects, you need a jury verdict form for each individual.



THANK YOU

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