

## **Consolidation of Sheriff and Coroner/PA**

### **SUMMARY**

The Humboldt County Board of Supervisors unanimously approved the consolidation of the Coroner's Office with the Sheriff's Office effective February 1, 2015.

Since the Board's consolidation action was explained mainly as an efficiency and cost-saving measure, questions have arisen as to whether or not the County has realized such efficiencies and cost savings. The Humboldt County Civil Grand Jury (HCCGJ) has investigated this question.

The HCCGJ found convincing evidence that the February 2015 consolidation is working well from an operational efficiency point of view. Coordination of the Coroner/Public Administrator (PA) Office with the Sheriff's law enforcement operations, and with the County Administration in the area of budgeting and financial reporting, has been greatly improved according to our investigation of reports from the present Coroner/Public Administration staff as well as from both the Sheriff and CAO Offices.

However, the promised fiscal benefits required deeper analysis, in that costs for the Coroner/PA operation have increased since the consolidation. Adding further expense, the Board of Supervisors increased the salary for the Sheriff's position in view of his increased Coroner/PA Office oversight duties.

We considered how the Coroner/PA Office was functioning before the consolidation, and found serious deficiencies in operations due to insufficient personnel and lack of requested equipment. One result of unfilled positions was high overtime costs, especially in periods of above average homicides and overdose cases. The consolidation alleviated this situation.

Given the factors detailed in this report, the Grand Jury concludes that added expense brought about by the consolidation is justified. At the same time, we recommend consideration of potential cost savings, as well as much-needed improvements in the Coroner's Office physical environment.

We conclude that Humboldt County residents are well-served by the consolidation.

### **BACKGROUND**

#### **Legal responsibilities of the Sheriff-Coroner**

Humboldt County Sheriff-Coroner/Public Administrators, and their deputies, have the responsibility to investigate deaths referred to the Coroner in order to determine the identity of the deceased and the circumstances surrounding each death, and to notify the decedent's next of kin. Deputy Coroners search for wills, medical records, and other legal documents and, if necessary, order autopsies to be performed by a forensic pathologist to determine cause of death. Deputy Coroners also appear as investigator-witnesses in criminal court proceedings.

The duties of the Coroner, acting as Public Administrator, include adjudication of decedent's property. Responsibilities include location and certification of wills, identification and notification of heirs, and filing of related court-required documents. In the case of lack of a decedent's will, storage and legal disposal of property is also required.

California Government Code Section 27491 instructs each Sheriff/Coroner to inquire into and determine the circumstances, manner and cause of:

1. All sudden, violent, or unusual deaths.
2. Unattended deaths (no physician in attendance, no medical history).
3. Deaths where the deceased has not been seen by a physician for 20 days or more.
4. Deaths related to or following known, or suspected, self-induced or criminal abortion.
5. Known or suspected homicide, suicide, or accidental poisoning.
6. Deaths that occurred as a result of an accident or injury, whether prior or recent.
7. Deaths due to drowning, fire, hanging, gunshot, stabbing, cutting, exposure, starvation, alcoholism, drug addiction, strangulation, or aspiration.
8. Sudden Infant Death Syndrome (SIDS).
9. Death due to criminal means.
10. Death that occurs while the subject is in custody (jail or during transportation).
11. Deaths due to contagious disease.
12. Deaths due to an occupational disease or exposure.
13. Deaths under such circumstances as to afford a reasonable ground to suspect that the death was caused by the criminal act of another.

Humboldt County is somewhat unique among California rural counties in having a dedicated Coroner facility where autopsies can be performed. It saves considerable expense to the County because investigations can be performed locally without incurring the considerable cost of using local hospitals or private morgue facilities (assuming these would be available).

Of California's 58 counties, 48 have a combined Sheriff/Coroner as of January 2015, including all of the counties adjacent to Humboldt. Additionally, in ten of the counties having a consolidated Sheriff/Coroner, that office also includes the Public Administrator function.

#### SOURCE MATERIAL

- CAO Staff interview of 9/28/2016
- Sheriff's Office staff interview of 12/7/2016
- Former Coroner Interview of 12/17/2016
- CAO interview of 2/1/2017

- Site visits to Coroner's Office
- Grand Jury Final Reports: 2007-08, 2009-2010, 2010-2011, Coroner's Inv.
- Humboldt County Budget - Sheriff-Coroner 2016-2017
- Northcoast Journal: "Dead Men Talking," 11/21/2002, article by G. Fein
- Northcoast Journal: "Last Rites," 9/25/2014, article by Thadeus Greenon
- News Blog: Coroner's retirement, BOS vote to consolidate with Sheriff, 11/14/2014
- Times Standard: "Sheriff Gets Salary Bump," 3/11/2015 by Thadeus Greenon
- News blog; Northcoast Journal: Update - BOS consider Pay Bump for Sheriff, 03/10/2015

## DISCUSSION

### Recent History of Humboldt County's Coroner's Office

The Humboldt County Coroner/Public Administrator (PA), an elected position since 1905, remained an independent branch of county government until the resignation of the then Coroner/PA in January 2015. After the resignation, the Humboldt County Board of Supervisors unanimously approved the consolidation of the Coroner's Office with the Sheriff's Office effective February 1, 2015. Shortly afterward, the Board of Supervisors unanimously approved additional salary compensation for the Sheriff's oversight of the new roles of Coroner and Public Administrator.

Since the Board's consolidation action was explained mainly as an efficiency and cost-saving measure, some have questioned whether or not the County has realized such efficiencies and cost savings.

To investigate the question, the ICCGJ looked at the operation of the Coroner/Public Administrator **before and after the consolidation.**

### Before the Consolidation

In Humboldt County, the duties of the Coroner/Public Administrator always included the state-mandated responsibilities of dealing with deaths in the County, as well as performing the functions of the Public Administrator. In addition, the Coroner/PA supervised the Deputy Coroners as well as the general management of the office, proposing and managing budgets, keeping records, and supervising office staff.

We were told that there were serious problems encountered by both of the most recent former Coroner/Public Administrators. In interviews, they strongly supported each other's opinion that the County failed to provide the necessary personnel, equipment, training and support to carry out their mission in the professional manner both individuals struggled to maintain.

Before his resignation, with respect to his recommendation for consolidation with the Sheriff's Office, the last independent Coroner told us that for many years the office struggled with just three Deputy Coroners, one administrative support person and the elected Coroner himself to meet the increasing and demanding workload. Although the Coroner brought the need for

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additional employees to the attention of the Board of Supervisors (BOS), the allocated budget was not sufficient to meet the need. In his resignation letter, he stated, "It will be my recommendation to the BOS that the Office of Coroner be consolidated with the Humboldt County Sheriff's Office."

We asked another former Coroner if he had experienced any serious challenges or problems in staffing and budget. His answer indicated that he "certainly did," and that those kinds of budget problems and the overwhelming workload led to his retirement. He described the many times when everything, including estates, was handled by just himself and two other Deputy Coroners. "The workload was horrendous and the facilities...it's good for doing autopsies... but it's not good for office space."

The former Coroner went on to explain that there were many times when the job was difficult, given the County budgets, and times when the office just couldn't get what was needed to do the job, such as vehicles, and equipment for the autopsy room. There was always pressure not to do autopsies because of how much they cost... "Yes, the pressure came out of the CAO's office, always wanting me to line-item things out."

In summary, the consensus of those we interviewed was that, before the consolidation:

1. The Coroner's Office was historically understaffed, especially under circumstances of increased calls for service;
2. Issues of overtime and budget were constantly stressful and perplexing to the Coroner and staff;
3. Requests for vehicles, autopsy supplies and other equipment were often rejected;
4. The poor condition of their physical surroundings and the extremes of their working hours, often dictated by late night calls, weekend duty and holiday responsibilities, were demoralizing to all concerned.

To point number 4, the HCCGJ's 2014-15 report noted that the physical space in the Coroner's headquarters – the former General Hospital building near Harris on I Street – is "...old, with equipment dating back at least 50 years. The facility is not efficiently designed and is difficult to keep clean. There is a noted lack of safe storage. The department does not have a private space to talk to families of the deceased." The 2013-14 report indicates that private space is so limited "...that it makes it difficult for personnel to have confidential interviews and conversations." The report states, "When a deputy coroner needs to speak to someone in private, they talk in the Coroner's Office, which is inefficient [and a challenge] for providing the confidentiality required as a critical part of the Coroner's overall mission and duty to Humboldt County residents."

#### **After the Consolidation**

The situation after the consolidation was described by the former Coroner who noted that he wished he could be there right now because "now they've got what they need."

He went on to explain that the office now has four deputy coroners and a lieutenant, the "right number to do the job." Staffing now allows coverage for needed vacations, sick leave, etc. In addition, when field operations are required, deputy coroners have the resources of the Sheriff's

Office. He concluded by saying that, although he originally had some misgivings about the Coroner no longer being independent, he now realizes that it's much more efficient and friendly in terms of doing the job right. "From what I have seen, it's working very well."

Summarizing the above comment, the Humboldt County Coroner/PA's Office is presently supervised by a veteran lieutenant, and is staffed by four deputy coroners (two of whom are sworn deputy sheriffs) and an office manager.

In the present configuration of duties, the supervising Lieutenant Deputy Coroner is roughly 80% occupied with the PA duties. A part-time consultant also assists in performing public administration duties, primarily dealing with resolving probate issues and advising survivors when wills have not been provided by decedents.

An administrative fee of 4% of the estate value is assessed for handling probate estate settlements. Those fees are included in the Sheriff-Coroner's budget. About 220 estates per year require Public Administrator resolution.

The Coroner contracts with a local certified pathologist. Because Humboldt County does not have a forensic pathologist, which is required for suspected criminal deaths, the Coroner also contracts with a Bay Area forensic pathologist.

#### **Did the County save money with the Consolidation?**

On March 11, 2015, the Eureka Times-Standard quoted the Sheriff: "We have actually increased staffing to a better level, but that additional staffing has reduced overtime costs." Another improvement was the Coroner staff's ability to use the Sheriff's records management system thus increasing efficiency to track both property and people, and providing more transparency.

With respect to the new Sheriff-Coroner/PA budget, the Times-Standard article also noted: "While the county staff report said there is a net savings that the county would accrue from the consolidation, several supervisors said that these savings will unlikely be seen in the short-term with recent staff appointments to the coroner's office and with the over-\$26,700 allocation to the coroner's office budget unit for training and supervision. One Supervisor noted that the intent of the consolidation was not to generate budget savings, but to provide better coverage. 'If we eat up those savings by providing more services, I'm fine with that.'"

Another indication that the BOS was not particularly motivated by cost savings from the consolidation was their approval of a salary increase for the Sheriff, notwithstanding that no specific new operational duties were assigned to the position. The County Administrative Officer at the time, as well as the Human Resources Director, both recommended the proposed 10% increase in salary for the Sheriff to the BOS to compensate the Sheriff for the additional oversight responsibilities that the role of Coroner and Public Administrator brought to the Sheriff's position.

Nevertheless, as the Times-Standard report pointed out, "...given the public information around the consolidation, the public had reason to expect that the Sheriff/Coroner consolidation would in fact save the county money in the form of salary savings and overtime costs." The Grand Jury investigated whether there actually were any cost savings.

**Were there any savings in salary and overtime costs after the consolidation?**

When the offices were newly consolidated, the Coroner's Office was temporarily under the direct supervision of a Sheriff's sergeant. In addition, the BOS authorized an additional deputy sheriff position to help staff the office. Shortly thereafter, a lieutenant assumed the supervising role in the Coroner's Office at a higher pay scale than the former supervising sergeant, and also became responsible for PA duties.

Roughly speaking, the lieutenant who became the new Chief Coroner/PA was a replacement for the pre-consolidation elected Coroner/PA. The salary/benefits package of the Lieutenant nearly equaled that of the former Coroner/PA, and represented a relatively minor savings to the department.

However, the addition of a new deputy for the Coroner's Office seems to clearly represent an additional cost. Yet, given the aforementioned serious shortage of Coroner staff, this additional cost can be seen as the remedy of a deficiency rather than an expansion due to the consolidation.

**What is the Post-Consolidation Cost of our Coroner/Public Administrator Office?**

Recommended Budget

The CAO's recommended budget for the Coroner's Office is \$1,023,758, an increase of \$208,398 or 26% from fiscal year (FY) 2015-2016. The General Fund contribution is \$570,665 which represents an increase of \$161,290 or 39% from last FY. The increase is primarily due to increased salary cost for the Sheriff's Lieutenant who has been assigned as the Chief Deputy Coroner, a position that was formerly funded in the Sheriff's operations budget. To offset this salary cost increase, part of the General Fund contribution from the Sheriff's operations budget was temporarily moved into the Sheriff-Coroner Office budget unit.

The 2016-17 Sheriff-Coroner's Office budget is about \$36 million, including the salaries of approximately 240 staff working for the Sheriff's Office.

In December 2016, the HCCGJ asked whether the Sheriff's Office was able to support the Coroner's operation with additional funds provided by the County, or was it necessary to supplement the Coroner's operation with other funding resources?

Essentially, the response was that before the budget was adjusted to make sure the office was fully staffed and funded, there was a need to transfer funds from the Sheriff patrol funds. However, according to the Sheriff's Office, those funds have now been "dis-allocated" from the regular budget, and the Coroner's budget this year is now in line with expected spending. The Sheriff spokesperson went on to say that, on the other hand, because there were so many murders in the County in the past year, the forensic autopsy budget was overspent by \$25-\$30K, making a transfer necessary. There also was a higher than average number of SIDS, vehicle and suspicious deaths in Humboldt County.

It is clear that a certain amount of budget adjustment is still occurring in response to the changed responsibilities. This flexibility also can be seen as a benefit of the combined operations of offices requiring close cooperation.

## FINDINGS

F1. Consolidating the Sheriff-Coroner/PA operation has produced significant operational improvements over the former independent operation of the Coroner/PA. These improvements include additional staffing, less reliance on overtime, better financial reporting and control, and better morale among staff.

F2. Monetary savings for overall operations have not been significant and, by some measure, have not been realized. Given the severe need for additional funding of the prior independent Coroner/PA, the consolidation was most successful in rescuing an underfunded operation.

F3. The increase in the Sheriff's compensation, approved by the BOS, was somewhat controversial since there were no additional operational duties imposed on the Sheriff by the consolidation. The BOS justified the increase based on increased overall responsibility, but did not enumerate additional operational duties,

F4. Currently, the duties of Chief Coroner/PA are performed by a single person, a Chief Deputy Coroner with the rank of lieutenant. This individual spends a majority of working time on the duties of Public Administrator which compromises the ability to effectively address the other duties of the position. In addition, a civilian consultant provides part-time support to handle the PA workload.

F5. As detailed in another section ("Jails" report) of this 2016-17 HCCGJ report, the physical conditions of the Coroner/PA Office are deplorable, and represent substandard working conditions for dedicated professionals.

## RECOMMENDATIONS

R1. The Humboldt County Civil Grand Jury recommends that the Sheriff-Coroner consider the future cost-saving alternative of hiring a civilian professional to handle Public Administrator duties. (F2, F4)

R2. The Humboldt County Civil Grand Jury recommends that the Sheriff-Coroner demand better physical working conditions in the Coroner's Office, and work with the Board of Supervisors to implement needed improvements. (F5)

## REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the Humboldt County Civil Grand Jury requests responses as follows:

- Humboldt County Sheriff's Office (R1, R2)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.