

# Sonoma County Sheriff-Coroner's Office

## *The Resurrection of a Coroner's Office*

### **SUMMARY**

The 2013-2014 Sonoma County Civil Grand Jury received a citizen's complaint requesting an investigation into the Sonoma County Sheriff-Coroner's Office. The complaint questioned whether Forensic Medical Group (FMG) could function as a reliable supplier of pathologists for the County of Sonoma. The County had been contracting with FMG to provide forensic medical services since 1997. The Grand Jury found that:

- Between 2012 and 2014, FMG had close to 400 delinquent autopsy reports, violating their contractual agreement.
- The delinquency was attributable to the lack of oversight by the Sonoma County Coroner's Office.
- Delays of autopsy reports may have resulted from the failure to use an up-to-date file management system.
- The County was not imposing financial penalties on FMG for the overdue reports.

The 2019-2020 Grand Jury conducted a new investigation into the Coroner's Office, following up on what changes had been made since the publication of the 2013-2014 Grand Jury report. The current Grand Jury's investigative research included touring the Coroner's facility, conducting interviews and reviewing the Coroner's Office's records.

This investigation learned:

- Starting in 1989, the Coroner's Office has been located at 3336 Chanate Rd, on the County-owned Chanate property. Since October 2018, the County has been in negotiations several times to sell this property. Once a buyer is found, the Coroner's facility will need to move to a new location.
- The Coroner's Office's caseload has been up-to-date since 2015.
- In 2016, the Coroner's Office purchased the Cohero Records Management System. This system improved the organization of all files and allow employees on-line access to all open and closed cases.
- A new full-body autopsy x-ray machine was purchased in 2016.
- In May 2019, the County of Sonoma entered into a contract with Kimi Verilhac, P.C. as the provider of forensic pathology services. This contractor agrees to provide one full-time pathologist and additional part-time or temporary pathologists to keep up with the current caseload.
- Daily supervisory contact has improved the operational oversight of the Coroner's Office.
- A new dental x-ray machine is needed.

## **BACKGROUND**

### **The most recent Coroner's Office Investigation**

The 2013-2014 Grand Jury made the following findings:

- There were almost 400 delinquent autopsy reports due to a lack of effective oversight by the Coroner's Office.
- The Coroner's Office had not imposed the contractually specified daily rate of a 2% fine for overdue autopsy reports.
- There was a concern that the Coroner's case backlog was attributed to the absence of an up-to-date file management software system.
- There was a lack of adequate storage for Coroner's records at the facility.

The 2013-2014 Grand Jury's final report was sent to the Sonoma County Sheriff-Coroner's Department and the Sonoma County Board of Supervisors for a required response. In their responses, both the Board of Supervisors and the Sheriff-Coroner's Office disagreed partially or wholly with each of the findings. It was uncertain if changes and improvements would occur.

### **The Sheriff-Coroner Model**

The Sheriff-Coroner is a County-wide elected position. The Sheriff provides law enforcement, court security, and detention services. The Coroner's Office and Morgue operate under the Sheriff's Office Investigations Bureau. Administrative offices and morgue facilities are overseen by a Special Services Lieutenant. Along with the lieutenant the unit is supervised by a Detective Sergeant who serves as Deputy Coroner. The Deputy Coroner is a three-year position with the possibility of reappointment. Along with the Deputy Coroner, the Coroner's Office staffing includes four detectives, two forensic assistants and one intern. The four detective investigators rotate through the Coroner's department approximately every three years. According to the Coroner's Office, skills acquired in forensic services prove useful when these detectives rotate to other units within the Sheriff's Office.

The responsibility of the Coroner's Office is to provide competent and timely law enforcement and scientific investigations of all deaths that meet the criteria as defined by the California Government Code Section 27490-27512 and California Health and Safety Code Section 102850-102870. The Health and Safety Code requires that a death certificate be issued within three days of examination of the deceased and be signed by a physician.

## **METHODOLOGY**

During the investigation, the 2019-2020 Grand Jury:

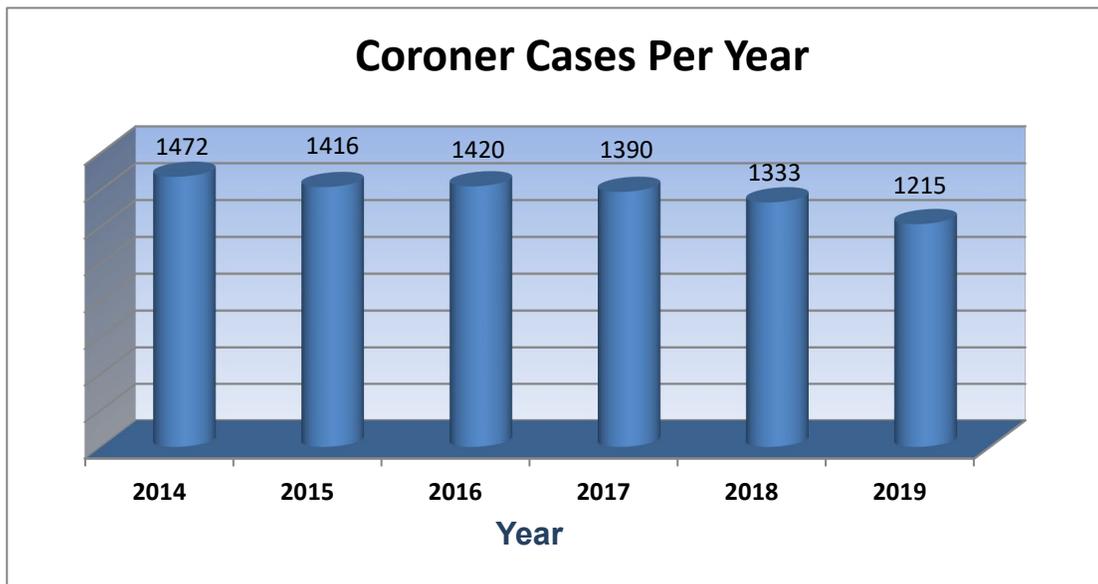
- Studied the 2013-2014 Grand Jury report titled "Sheriff-Coroner's Office and Morgue Inspection."
- Reviewed the responses from both the Sonoma County Sheriff-Coroner's Department and Sonoma County Board of Supervisors.

- Inspected the Coroner’s administrative office space and morgue facilities.
- Reviewed documents related to the Coroner’s operations.
- Conducted interviews with employees of the Sonoma County Sheriff-Coroner’s Department.

## DISCUSSION

### The Pathology Contractor

It is the Coroner’s Office’s responsibility to provide timely and competent law enforcement and scientific investigations of all deaths that meet the criteria as defined by the California Government Code and California Health and Safety Code (27491). From 2014 to 2019, there was a yearly average of 1,379 mandatory reported deaths to the Coroner’s office. Coroner cases include accidental deaths, homicides, suicides and deaths due to natural causes. Most of the deaths are from natural causes and do not require intervention from the pathologist.



About a third of the deaths each year require the pathologist to conduct either an *autopsy* or *inspection* of the body. An autopsy is an inspection and dissection of a body postmortem to determine the cause of death. Autopsies examine corpses internally and externally. An inspection is performed when an autopsy is not necessary to provide the cause of death. An inspection includes the external examination of a body and the analysis of medical records, medical history and similar history. A nationwide shortage of qualified forensic pathologists has made it difficult for Sonoma County to recruit and retain pathologists. To compensate for this shortage, Sonoma County has contracted with forensic medical companies that employ multiple pathologists.

A pathologist's autopsy report records the cause of death and is an integral part of the Coroner's final investigation report. This final report, which includes laboratory results, investigative reports and autopsy findings, is necessary for the issuance of a death certificate. The Coroner's report and death certificate are necessary for legal matters, life insurance and estate settlements. In 1997, Forensic Medical Group (FMG) became the primary provider of pathology and forensic services for Sonoma County. In 2012, Sonoma County entered into a new five-year contract with FMG. One contract provision required FMG to complete autopsy documentation within 30 days of the exam or pay a 2% daily fine for delinquent reports.

The 2013-2014 Grand Jury received a citizen complaint relating to the contractual agreement between the Coroner's Office and FMG. Their subsequent investigation determined that between 2012 and 2014, almost 400 autopsy reports were overdue. The Grand Jury concluded that this demonstrated a lack of Coroner's Office oversight of FMG. The Grand Jury also found that the Sheriff-Coroner's Office had not exercised its authority to impose the 2% daily fine for overdue reports.

The 2019 Grand Jury discovered that following the publication of the 2013-2014 Grand Jury report, changes were made in the Coroner's Office. FMG continued as the primary pathology service, but pathologists were reassigned in order to eliminate the backlog of autopsy reports. Some pathologists were directed to complete all of the overdue cases, while others were assigned to handle the incoming cases. By the end of 2015, the backlog had been eliminated. In 2016, Sonoma County contracted with Regional Pathology and Autopsy Services which then became the primary pathology service provider. FMG became a secondary provider of services to the County, acting as a back-up. FMG declared bankruptcy in 2018 and Regional Pathology declared bankruptcy in 2019. In May of 2019, Sonoma County contracted with Kimi Verilhac, P.C. to provide one full-time pathologist and additional part-time or temporary pathologists as needed.

The 2013-2014 Grand Jury reported that the fines were never imposed on FMG for the delinquent reports. In response to the Grand Jury report, the Sheriff's Department stated that there was concern that the amount of the fines was so great that FMG would be forced to go out of business if the penalty was enforced. The Sheriff's Department considered it more important for the pathologists to complete the 400 overdue reports than to collect the fines owed on the delinquent reports. Following the 2013-2014 Grand Jury's report, the Department made an agreement with FMG for a split payment provision; this agreement required partial payment to FMG following the autopsy, with the remainder of the fee to be paid at the completion of the report. This change was made in hopes of promoting timeliness in the conclusion of cases.

## **Case Management Software System**

The 2013-2014 Grand Jury concluded that file storage space was insufficient at the Coroner's Office. Many case files were kept in cardboard boxes and stored on the floor of the facility. Prior to 2017, the Sonoma County Sheriff-Coroner's Office did not use a computerized case management software system. In December 2016, the Sheriff's Department purchased the Cohero Records Management System, bringing digital organization to the Coroner's Office. This system allows the Coroner's employees to monitor the status of all open, pending and closed cases. It can be accessed at any time of day from on-site or off-site. This system helps to ensure oversight of all Coroner's cases and is designed to alert personnel when deadlines are approaching. The Cohero Records Management System has also allowed County personnel to scan all prior case files onto the new system.

## **Operations Oversight**

The 2013-2014 Grand Jury found a lack of effective oversight at the Sonoma County Coroner's Office. The 2019-2020 Grand Jury found that the organizational structure and staffing levels of the Coroner's Office had not changed since the 2013-2014 Grand Jury report. However the 2019-2020 Grand Jury found that a restructuring of responsibilities within the Coroner's leadership has



created positive changes. The increased availability of the Sheriff Department's Lieutenant has enhanced the efficiency of the Coroner's Office. Prior to 2015, the Lieutenant in charge of the Coroner's Office was also responsible for all investigations within the Sonoma County Sheriff's Department. This limited his ability to manage the Coroner's Office effectively. In 2015, the Lieutenant's responsibilities changed and Coroner's Officer Operations became the primary assignment. This led to daily case reviews and weekly meetings of the Lieutenant, Detective Sergeant and pathologists, which increased the effectiveness of supervision and guidance within the Coroner's Office.

The Detective Sergeant functions as a second tier of oversight in the Coroner's office. The Lieutenant and Sergeant monitor the case management system daily. The Sergeant reviews all autopsies and completed reports with the pathologists and supervises the Detectives and their caseloads. The Sergeant is also responsible for completing the staff's annual evaluations of the Coroner's Office.

## **Building and Equipment**

### *Building*

The 2013-2014 Grand Jury recommended the Sonoma County Sheriff's Department and the Sonoma County Board of Supervisors prioritize either remodeling the existing Coroner's Office building or relocating to a new facility.

In 1989, the Sonoma County Coroner's Office moved into its current facility on Chanate Road. The structure was built in 1935 and was originally designed to house the community hospital's laundry and power plant. The County of Sonoma is currently searching for a buyer for the property on Chanate Road, which will require the Coroner's facility to be moved in the near future. Collaboration between the County, Board of Supervisors, and the Coroner's Office will be imperative to ensure the new location will meet all the Department's requirements.



### *Equipment*

The 2013-2014 Grand Jury highlighted the importance of up-to-date equipment.

The 2019-2020 Grand Jury found that in 2016, the Coroner's Office purchased a digital full-body x-ray machine for autopsies. During the 2019-2020 Grand Jury investigation, the importance of modern forensic medical equipment at the Coroner's Office became apparent. The dental x-ray machine currently used is obsolete (it uses film rather than digital technology). A digital x-ray machine produces less radiation (70% less exposure for the operators), has a greater ability to enhance the image and allows for digital archiving on the Unit's computer system. Despite these shortcomings, the Coroner's Office does not currently have the budget to replace the obsolete x-ray machine.

## **CONCLUSION**

Since the Grand Jury investigation six years ago, the Sonoma County Sheriff-Coroner's Office has made significant improvements. They eliminated the case backlog, implemented a new case management system and retained a full time pathologist. The Grand Jury investigation this year found that the department has made organizational changes and is now operating efficiently and professionally. The biggest challenge the Coroner's Office faces today is the state of their facility. For 31 years, the Coroner's Office has worked from an antiquated building that has served the County's needs. As the timing of the Chanate property sale cannot be predicted, the Board of Supervisors should immediately begin the process of relocating the Coroner's Office or building a new and modern facility.

## **FINDINGS**

- F1. The County has addressed the timely completion of pathology reports by contracting with Kimi Verilhac, P.C. as the primary provider for forensic pathology services.
- F2. The responsibilities and organization of the Coroner's Office have been restructured, increasing oversight and efficiency.
- F3. The future sale of the Chanate property makes it necessary to relocate the Coroner's Office.
- F4. The obsolete dental x-ray machine impedes work flow and endangers staff.

## **COMMENDATIONS**

The Sonoma County Civil Grand Jury commends the Sheriff's Office and Coroner's Office for:

- Dealing effectively with the backlog problem. (F2)
- Restructuring responsibilities in the Coroner's Office. (F2)
- Settling the pathology contract issues. (F1)
- Adding a modern case management system.

## **RECOMMENDATIONS**

The Sonoma County Civil Grand Jury recommends that:

- R1. The Board of Supervisors, working in conjunction with the Sheriff's Office and the Coroner's Office Lieutenant, identify a new location for the Coroner's Office and Morgue facility by December 1, 2020. (F3)
- R2. The Board of Supervisors budget the purchase of a new dental x-ray machine for the Coroner's Office for delivery by December 1, 2020. (F4)

## REQUIRED RESPONSES

Pursuant to Penal Code § 933.05, the Grand Jury requires responses as follows:

- Sonoma County Sheriff-Coroner (R1)
- Sonoma County Board of Supervisors (R1, R2)

The governing bodies indicated above should be aware that their comments or responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

## BIBLIOGRAPHY

- 2013-2014 Sonoma County Civil Grand Jury Final Report. *Sheriff-Coroner's Office and Morgue Inspection*.
- Board of Supervisors Response to the 2013-2014 Grand Jury Final Report. *Sheriff-Coroner's Office and Morgue Inspection*.
- Sonoma County Sheriff's Office Response to the 2013-2014 Grand Jury Final Report. *Sheriff-Coroner's Office and Morgue Inspection*.
- Agreement for Forensic Pathology Services.
- The Canadian Academy of Dental Health & Community Sciences. "Digital vs Conventional Radiography in the Dental Office." August 26, 2014.

## GLOSSARY

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| • CMS                | Case Management System                     |
| • Coroner's Office   | Sonoma County Sheriff-Coroner's Department |
| • Detective Sergeant | Sergeant                                   |
| • FMG                | Forensic Medical Group                     |
| • Grand Jury         | Sonoma County Civil Grand Jury             |
| • Regional Pathology | Regional Pathology & Autopsy Services      |
| • Unit               | Coroner's Office                           |

Reports issued by the Civil 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 Civil Grand Jury.