

## Law Enforcement Advisory Board Meeting MAY 10, 2017

Meeting was called to order by Tony Carter at 4:00pm with the following in attendance: x denotes presence

X	Paul Soptick
x	Patrick Dunn
	Scott Mackey
X	Reed Partridge
	Lee Brown
	Lt Col Bob Gunja
	Dixie Kaster
X	Don Jolley
X	Tony Carter
X	Maria Cecilia Ysaac
X	Terry Zeigler
	Tyrone Garner
X	Irene Caudillo
X	Don Ash
	Mary Hopkins
	Rodney Smith
	Kelli Bailiff
X	JoanDeMoss
	Carol Diehl
	Dan Soptic

Tony Carter opened the meeting at 4:00pm

Reed Partridge gave a report on the District Coroner.

# BACKGROUND

## District Coroner Authorization and Appointment

Kansas statute K.S.A 22a-226 established the office of district coroner in each judicial district of the state.<sup>1</sup> Wyandotte County is a single county judicial district although other judicial districts in Kansas consist of multiple counties. Accordingly, Kansas statutes place the responsibility on county commissioners to appoint a district coroner.<sup>1</sup> Criteria for district coroner include being a resident of Kansas and licensed to practice medicine by the Kansas Board of Healing Arts.<sup>1</sup> Statutes set the term of the district coroner at four years.<sup>1</sup> Also, statutes provide that the district coroner's annual salary is fixed by county commissioners.<sup>2</sup>

### District Coroner

- *Office established by K.S.A 22a-226*
- *District Coroner Appointed by County Commissioners*
- *Four-Year Term*
- *Resident of Kansas*
- *Licensed to Practice Medicine*
- *Annual Salary set by County Commissioners*

## District Coroner Duties and Responsibilities

According to statutes, the district coroner shall be notified when a person dies under certain circumstances.<sup>3</sup> Those circumstances include homicide, suicide, or accident.<sup>3</sup> They also include the sudden death of an individual in apparent good health or one not regularly attended by a licensed physician or in the custody of law enforcement.<sup>3</sup>

### Circumstances Requiring Notification of Death to District Coroner

- *Death is Suspected to be Result of Violence*
- *Caused by Unlawful Means*
- *Suicide*
- *Accident*
- *Sudden Death of Individual in Apparent Good Health*
- *Decedent Not Regularly Attended by Licensed Physician*
- *Any Suspicious or Unusual Manner*
- *In Police Custody or in Jail*

# AUDIT RESULTS

## **Finding 1 – Appointment of District Coroner**

K.S.A. 22a-226 notes the county commissioners of a single-county judicial district, such as Wyandotte County, shall appoint a district coroner. Further, the statute explains the district coroner shall serve for a term of four years, which shall begin on the second Monday in January of the year in which the coroner is appointed.

The District Coroner for Wyandotte County was last appointed by the UG Board of County Commissioners on August 1999 for a four-year term beginning January 11, 1999.

**Recommendation** - The UG Board of County Commissioners should ensure a district coroner is appointed at the end of each four year term.

## **Finding 2 – Approving Invoices for Payment**

Vendors submit invoices for various autopsy and transportation services directly to the Accounting Division for payment without first being approved by the District Coroner's Office. The Accounting Division summarizes these invoices on a spreadsheet and forwards the spreadsheet to the District Coroner's Office for review and approval before payment. The District Coroner's Office notes on the spreadsheet which invoices are approved for payment and then returns it to the Accounting Division.

**Recommendation** – The District Coroner's Office should develop a system whereby invoices are approved for payment before they are submitted to the Accounting Division. The District Coroner's Office should ensure any new procedures implemented do not delay the payment process.

## **Finding 3 – Supervisory Approval of Timesheets**

Timesheets supporting payroll costs of the department's administrative coordinator lack supervisory approval.

**Recommendation** – Generally review and approval of timesheets should be performed by a supervisor with first-hand knowledge of the employee's work. In this case, the District Coroner is the person best suited to approve the administrative coordinator's timesheet. However, the District Coroner is a direct relative of the administrative coordinator. This relationship does not

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lend itself to the ideal condition for supervisory review and approval of the administrative coordinator's timesheet. Nevertheless, because of limited options the District Coroner should review and approve the administrative coordinator's timesheet before submitting it for processing.

#### **Finding 4 - Procurement and Appearance of a Conflict of Interest**

Because of limited options and the specialized services needed, the District Coroner has historically procured the use of a morgue facility, autopsy, and transportation services without a contract or utilizing the competitive or sealed bidding process. During 2016 the cost for these services totaled \$192,727, \$120,900 and \$22,770 respectively. The UG Purchasing Guide requires formal solicitation of purchases greater than \$20,000.

Additionally, a deputy coroner for Wyandotte County is also an employee of the company utilized for autopsy services. If the deputy coroner has a substantial interest in the company utilized for autopsy services a conflict of interest may exist as defined by the UG Ethics Code.<sup>12</sup>

The District Coroner could benefit by engaging the Procurement Department and contracting for services through formal solicitation. Those benefits include helping ensure competitive pricing, avoiding sudden price increases and compliance with the UG Procurement Code. Additionally, formal solicitation could address conflict of interest issues that may exist between the deputy coroner and the company utilized for autopsy services.

**Recommendation** – The District Coroner should utilize the UG Procurement Department to contract for goods and services through formal solicitation.

## MANAGEMENT RESPONSE

The District Coroner reviewed a draft of the audit report before its release. The District Coroner's response to the report is summarized below:

- The homicide rate in Wyandotte County is higher than other Kansas counties. Since every homicide must be autopsied, the result is higher costs per capita for Wyandotte County when compared to other Kansas counties.
- Regarding Finding 2, the District Coroner agreed invoices should be authorized for payment before being submitted to the Accounting Division.
- Regarding Finding 3, the District Coroner agreed to review and approve the administrative coordinator's timesheet before submitting it for processing. Currently the administrative coordinator's position is part-time. The District Coroner suggested the administrative coordinator be a salaried position because it has the duties of a full-time job.
- Regarding Finding 4, the potential conflict of interest between the deputy coroner and the company that performs autopsies is negated for two reasons. First, the deputy coroner does not authorize payments of any kind. Secondly, the deputy coroner's duties are limited to when the District Coroner is out of town.
- Regarding Finding 4, there is no objection to utilizing the Procurement Department or contracting for services. However, the District Coroner prefers to have the flexibility to quickly terminate services if vendors suddenly raise prices without negotiation. Also, the opportunity for lowering costs through formal solicitation is limited. The District Coroner utilizes three crematories that charge the same rate. Rates charged for cremation services are already well below retail. The ability to negotiate fees related to morgue services is restricted by scarcity. Currently there is no other morgue facility available.

Sheriff Ash said they were in the budget mode and will be working with everyone to complete a comprehensive budget in a timely fashion.

He talked about the Juvenile Detention Center, possibly to be called the Youth Services Center, with a move-in date the end of 2018, to be built in what is known as parking lot A.

He talked about the 7 new deputies that graduated May 4<sup>th</sup> and welcomed the new deputies saying they will make a great addition to the department. He stated that there are deputies in transition and a Sargent in arbitration. There were two deputies hired by other jurisdictions.

The Sheriff Department will have a new class starting on June 13<sup>th</sup> with the next class at the end of September.

He mentioned the 3<sup>rd</sup> member tried in the Jones case was found guilty on all 10 counts.

Mr Lewis, the principle person in the Dave Melton homicide is now going through the process.

Sheriff Ash reminded everyone of the memorial on May 17<sup>th</sup> at noon.

Chief Zeigler also said they were deep into the budget process and will be working with all to get it finished in a timely manner.

The department removed Scott Holloway as director of Animal Services and replaced him with Jennifer Stewart.

Chief Zeigler talked about our officers, wheel unit, going to Washington D.C. for the National Fallen Officers Memorial.

He talked about the new pursuit policy that will let officers decide to pursue for probable cause.

He talked about the ACT program, formally DDACTS, starting on June 1. The area canvased, 7<sup>th</sup> street on the east to 18<sup>th</sup> street on the west, and I70 on the south to Orville street on the north. The surveys distributed in that area showed the top three issues to be, speeding, theft, and drugs.

He said the academy was graduating their class the next day 5-11-2017, with 11 recruits to start their real training with the FTO's.

A question from a board member about "gray death" a new drug on the streets. Nobody had any information on this new drug, but will look into it and see if it is on our streets.

We adjourned at 5:00

Submitted 6-14-2017