Stanislaus County Civil Grand Jury
Stanislaus County Coroner Facility Inspection
Case #11-43GJ

SUMMARY

The 2010/2011 Stanislaus County Civil Grand Jury, pursuant to California Penal Code section 925 and California Penal Code section 928, conducted an unannounced on-site inspection of the Stanislaus County Coroner's Office Facility.

The Coroner's Office Facility Inspection was conducted during regular business hours on Wednesday, February 2, 2011.

The Stanislaus County Coroner's Office is a division of the Stanislaus County Sheriff's Department and is responsible for carrying out the statutory duties of the Coroner. These duties include investigation into circumstances surrounding all deaths such as: the medical cause of death, homicides, suicides, accidents, suspicious and/or unexplained deaths. Additional duties include notifying the next of kin, safeguarding personal property, collection of evidence and completion of mandatory records and documents.

The Stanislaus County Civil Grand Jury found the current facility is more than 30 years old but is meeting mandated requirements. The Coroner's Office is currently conducting approximately 450-500 autopsies per year. This level far exceeds the recommended number of autopsies (250) pathologists should be performing per year. The recommended standards are set the National Association of Medical Examiners (N.A.M.E.).

The current facility lacks the ability to prevent odors in the examination rooms from emanating into the public areas. In addition, the current facility lacks the necessary insulation to prevent the sound of equipment, such as bone saws, from emanating into the public areas.

The Coroner's Division has implemented "stop gap" measures to directly address these issues. An air purification system has been installed in the autopsy suite for decomposition cases. There is also a separate heating and cooling system between the autopsy suite and administrative office, as well as automatic air fresheners in several locations. These measures have had limited effectiveness in odor control. Based on space limitations and construction materials used in the current facility, there are no sound insulation solutions readily available at this time.

The Coroner's Division operates a mobile response van to deal with multi-death incidents. However, the current facility does not have the space or resources available to adequately respond to a large-scale multi-casualty disaster.

The Coroner's Division/Stanislaus County Sheriff's Department is currently working with the County/Capital Projects in a proposal to move the Coroner's Division to the Medical Arts Building, near "G & 17th Streets, in downtown Modesto. The proposed move would address the following areas:

- Immediate need for larger more modern facility.
- Improved infrastructure issues i.e.: additional autopsy stations, heating, cooling, ventilation and sound insulation.
- Improved response to large-scale multi-casualty disasters.
- Improve staffing levels and pathology/forensic services based on population and demand for services.

The Stanislaus County Civil Grand Jury recommends the Coroner's Division/Stanislaus County Sheriff's Department actively pursue the relocation of the Coroner's Division and continue the use of the temporary odor control measures until the proposed move can be facilitated.

In addition, staffing levels need to be increased to meet N.A.M.E. recommended performance standards and measures be taken to improve the Coroner's Office ability to deal with a multi-casualty disaster.

GLOSSARY

California Penal Code section 925:

The grand jury shall investigate and report on operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts. The investigations may be conducted on some selective basis each year, but the grand jury shall not duplicate any examination of financial statements which has been performed by or for the board of supervisors pursuant to section 25220 of the Government Code; this provision shall not be construed to limit the power of the grand jury to investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county. The grand jury may enter into a joint contract with the board of supervisors to employ the services of an expert as provided in Penal Code section 926.

California Penal Code section 928:

Every grand jury may investigate and report upon the needs of all county officers in the county, including the abolition or creation of offices and the equipment for, or the method or system of performing the duties of, the several offices. Such investigation and report shall be conducted selectively each year. The grand jury shall cause a copy of such report to be transmitted to each member of the board of supervisors of the county.

California Health and Safety Code section 108250 (in summary):

A physician and surgeon, physician assistant, funeral director, or other person shall immediately notify the Coroner when he or she has knowledge of a death that occurred or has charge of a body in which death occurred under any of the following circumstances:

(a) Without medical attendance.

(b) During the continued absence of the attending physician and surgeon.

(c) Where the attending physician and surgeon or the physician assistant is unable to state the cause of death.

(d) Where suicide is suspected.

(e) Following an injury or an accident.

(f) Under circumstances as to afford a reasonable ground to suspect that the death was caused by a criminal act of another.

Any person who does not notify the Coroner, as required by this section, is guilty of a misdemeanor.

California Government Code section 27491 (in summary):

The Coroner is required to investigate all unnatural deaths or deaths where the attending Medical Doctor is unable to state a reasonable cause of death as well as cases where the deceased has not been seen by a doctor for 20 days prior to death. The Coroner has the responsibility to establish positive identity of the deceased, determine the place, date and time, and the cause and manner of death. The Coroner's examination is not limited to the investigation of the deceased, but may include interviews with family members and other witnesses, the collection of physical evidence and the safeguarding of personal property found at the death scene.

National Association of Medical Examiners (N.A.M.E.)

The organization that was founded for the purposes of fostering the professional growth of physician death investigators and disseminating the professional and technical information vital to the continuing improvement of the medical investigation of violent, suspicious and unusual deaths. N.A.M.E. serves as a resource to individuals and jurisdictions seeking to improve medicolegal death investigation by continually working to develop and upgrade national standards for death investigation.

The American Board of Medicolegal Death Investigators:

The organization that certifies death investigators based on their education, levels of experience and expertise based on United States Department of Justice published guidelines for death investigators. This certification, or lack there of, may directly affect the credibility of the death investigator in court proceedings.

BACKGROUND

The Stanislaus County Coroner's Office is a division of the Stanislaus County Sheriff's Department. The Current Coroner's Office facility was dedicated in 1979 and is located at 939 Oakdale Road, Modesto, California. The Coroner's Office is mandated to investigate certain deaths as described in California Health and Safety Code section 108250 and California Government Code section 27491.

At the time the original Coroner's facility was dedicated, the population for Stanislaus County was estimated to be 250,000. Currently, the population for Stanislaus County is estimated to be 510,385.

In 1979, there were 5- allocated positions in the Coroner's Division. There were 2,085 reported deaths for that year. There were 788 deaths referred to the Coroner's office. Of those 788 deaths, 760 were investigated as "Coroner's cases" (deaths requiring investigation pursuant to California Health and Safety Code section 108250 and/or California Government Code section 27491) with the remaining 1,297 deaths being referred back to primary care physicians.

In the 2010 calendar year, there were 3,999 reported deaths in Stanislaus County. Approximately 2,200 of those deaths were referred to the Coroner's Office. Of those 2,200 deaths, 700 were investigated as "Coroner's cases" with the remaining 1,500 deaths being referred back to primary care physicians.

The Stanislaus County Coroner's Office has a total staffing level of 10 full and part-time positions. These positions consist of: 1- fulltime Forensic Pathologist, 1- part-time Forensic Pathologist, 1- Chief Deputy Coroner- Manager II, 1- Legal Clerk IV, 4- Deputy Sheriff-Coroners and 2- part-time Deputy Sheriff-Coroners.

The Fiscal Year 2010-2011 annual budget for the Coroner's Division is $1,407,173.00. The Coroner's Division budget is one of thirteen budgets within the Stanislaus County Sheriff's Department and is funded primarily through general fund appropriations. The Coroner's Division generates approximately $126,000.00 per year in additional revenues through contractual services with Mariposa County.

The Coroner's Office is currently conducting approximately 450-500 autopsies per year with limited capacity of dealing with mass deaths resulting from a critical incident and/or natural disaster.

METHOD OF INSPECTION

The Stanislaus County Civil Grand Jury Planning and Buildings Committee was responsible for conducting the inspection of the Stanislaus County Coroner's Facility. The Stanislaus County Civil Grand Jury completed the following:

- Conducted an unannounced visit to the facility listed.
- Toured and inspected the facility independently with the guidance of supervisory and command staff officials.
- Interviewed the supervisory and command staff officials.
- Follow up contact and additional information request conducted via e-mail.

FINDINGS

The Stanislaus County Civil Grand Jury finds:

F1. The current Coroner's Facility is approximately 32 years old. The current facility is meeting current mandated requirements. Recent upgrades to heating, cooling and ventilation systems are limited "stop gap" measures at controlling odor. Based on the size and construction of the current facility, there are no available solutions for reducing noise levels or improving sound insulation.

Future operational mandates, as determined by the Department of Justice, and projected workloads are undetermined at this time.

F2 The Coroner's Office pathologists are performing an estimated 450-500 autopsies per year. According to N.A.M.E., Board Certified Pathologists should be performing **no more** than 250 autopsies per year. Based on N.A.M.E. standards, caseloads exceeding 350 autopsies per year increase the risk of errors and the quality of the autopsies can be sacrificed. In addition, more than 400 autopsies, performed by one pathologist, is considered a "phase 1" deficiency if accreditation is sought through N.A.M.E.

F3. The Stanislaus County Coroner's Division **is not** prepared/equipped to respond to a large-scale multi-casualty disaster. At current capacity, the Coroner's Office facility is only capable of adequately holding approximately 15-20 human remains.

RECOMMENDATIONS

The Stanislaus County Civil Grand Jury recommends the following:

R1. The Coroner's Division/Stanislaus County Sheriff's Department continue with the proposed renovation of the Medical Arts Building in an effort to re-locate the Coroner's Division.

The proposed move would allow the Coroner's Office to operate in a more up to date facility, improve and enlarge available work spaces and upgrade and/or add essential equipment.

These improvements would improve the efficiency of the Coroner's Office and subsequently benefit the current and future needs of Stanislaus County residents.

R2. Increase current staffing levels in an effort to conform to the performance standards as recommended by N.A.M.E.

R3 Dedicate use of increased space to an area prepared/equipped to adequately respond to a multi-casualty incident.

REQUEST FOR RESPONSES

The Stanislaus County Sheriff.

The Stanislaus County Chief Deputy Coroner.

The Stanislaus County Board of Supervisors

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. The California State Legislature has stated that it intends the provisions of Penal Code section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.