

CHAMPAIGN COUNTY BOARD
COMMITTEE MINUTES

**POLICY, PERSONNEL, & APPOINTMENTS COMMITTEE
PUBLIC HEARING ELECTED OFFICIAL VS. APPOINTED OFFICIAL FOR THE
CORONER**

Tuesday, June 9, 2009

**Brookens Administrative Center, Lyle Shields Meeting Room
1776 E. Washington St., Urbana**

7:00 p.m.

MEMBERS PRESENT: Tom Betz (Chair), Matthew Gladney, Greg Knott, Brendan McGinty, Alan Nudo, C. Pius Weibel

MEMBERS ABSENT: Carol Ammons, Kevin Hunt, Jonathan Schroeder

OTHERS PRESENT: Jan Anderson (County Board Member), Kat Bork (Administrative Secretary), Deb Busey (County Administrator of Finance & HR Management), Sasha Green (County Clerk's Office), Brad Jones (County Board Member), Alan Kurtz (County Board Member), Duane Northrup (Coroner), Larry Sapp (County Board Member), Amanda Tucker (HR Generalist), Barbara Wysocki (County Board Member)

CALL TO ORDER

Betz called the public hearing to order at 7:09 p.m.

ROLL CALL

Bork called the roll. Betz, Gladney, Knott, McGinty, and Nudo were present at the time of the roll call, establishing the presence of a quorum.

APPROVAL OF AGENDA/ADDENDUM

MOTION by Knott to approve the agenda; seconded by McGinty. **Motion carried with all ayes.**

PRESENTATION IN SUPPORT OF ELECTED CORONER

Northrup distributed a packet of materials to the committee. Technical difficulties delayed the start of the Coroner's presentation, but were resolved and Northrup proceeded.

Weibel entered the hearing at 7:16 p.m.

Northrup began with a statement expressing that his presentation was not meant to offend or upset anyone, simply to provide true and accurate statements. He described the Coroner's Office with

its staff of five full-time employees and five-six part-time employees and summarized the office's responsibilities as derived from the state statutes. The Coroner's Office determines the cause and manner of deaths; conducts death investigations on deaths within its jurisdiction; identifying decedents and/or human remains; notifies next-of-kin; conducts inquests as necessary; provides cremation authorization permits to funeral directors; takes charge of the decedents' valuable property; collects, tests, and retains forensic evidence from descendants in criminal cases; collects evidentiary items from the scene when necessary; works with interns from local schools, law enforcement agencies, and local hospitals; collects, compiles, and reports data to state and federal agencies; serves on local and state boards; and facilitates interaction and continuity between family members, funeral homes, hospitals and nursing homes. Northrup summarized his office as being involved or consulting on anything that has to do with death. Northrup currently sits on the boards for Illinois Child Death Review Team, Prevent Child Abuse Illinois, Illinois Coroners' Association, and the Long-Term Care Ombudsmen Advisory Council. The Coroner's Office ensures all deaths in Champaign County are properly registered in a timely manner with the local registrar. This role extends beyond the deaths the office investigates. He explained the Coroner acts as a public safety representative for the County in the form of checks and balances. The office is also charged with coordinating and overseeing morgue operations, recovering identification of remains, and determining the case and manner of death for victims of mass fatality incidents. Additionally, the office handles the final disposition of indigent cases or unclaimed human cremains.

The Coroner's Office has to be notified on all traumatic deaths, including those not considered criminal, such motor vehicle crashes, falls, and overdoses. The majority of deaths handled by the Coroner's Office are not suspicious deaths; many are those where cause of death is unknown. Northrup described when the Coroner's Office is required to be notified and investigate a death. These include when a person is DOA or dies within 24 hours after arriving at a hospital, an elderly person who dies of a blood clot caused by a fall, the death of a patient of a state institution or ward of the state, any death where alcohol or drugs cause or contribute to the death, any death not attended by a licensed physician, and any death when cremation is the final disposition. People can call the Coroner's Office with any concerns they have about a death.

A reason Northrup gave as why the Coroner should remain an elected position was that public interest warrants an independent investigation into some deaths, such as the deaths of people in police custody or that occur during interactions with law enforcement. Responding to the suggestions that the Coroner's Office could be combined with the Sheriff's Office, Northrup felt it would be conflict of interest for the Sheriff's Office to investigate deaths that occur at the County Jail or in police custody. Northrup described the Coroner's role in autopsies performed for insurance investigations. He receives numerous calls about accidental deaths because some life insurance policies pay more in the case of an accidental death. He emphasized that the Coroner's Office determines the manner of death; anyone outside of the office, such as a physician, can only sign death certificates for natural deaths. Concerning the idea that the Coroner could be replaced by a Medical Examiner, Northrup quoted state statutes that do not require the Sheriff to have a law enforcement background or the Treasurer to have investment expertise. He asked why the Coroner position should have more requirements than other elected officials. He addressed comments made in past meetings by County Board members. Of the 102 Illinois counties, 5 currently have a Sheriff performing the duties of a Coroner. Those 5 counties do not have trauma centers, the same number of nursing homes, or the population that Champaign County does. He posed the question of what would happen if the Coroner's Office was abolished and the Sheriff did not agree to take over the Coroner's duties. In some counties where Sheriff is jointly

the Coroner, the Chief Deputy Sheriff acts as the Coroner and this causes conflicts of interest in investigating certain deaths. In Northrup's opinion, a Coroner appointed by the County Board rather than elected by the voters would not ensure the placement of a qualified in the office. He gave the examples of a past Supervisor of Assessments and the current Auditor.

Northrup stated he is a registered medical-legal death investigator, completes 40-100 hours of training each year, has degree in criminal justice, is President of the Illinois Coroners/Medical Examiners Association, Chairman of the Champaign Area Child Death Review Team, and has been elected twice by the voters of Champaign County. He listed the numerous presentations he has made to classes and at conferences. He thought more oversight by the County Board is problematic for the Coroner's Office because the state statute only grants the County Board oversight of the Coroner's budget. A Coroner appointed by the County Board would translate to fewer checks and balances in death investigations and more political influence over the position. Northrup described circumstances where he has received calls from political officials about certain deaths and being an elected Coroner allowed him to make decisions on inquests or autopsies based on his own judgment, instead of politics. He emphasized that the Coroner must have the independence to investigate deaths, including those that occur at the County Jail or Champaign County Nursing Home without political interference. He stated the Coroner should be accountable directly to the citizens. In Northrup's opinion, less oversight of the Coroner by the County Board meant better services to the citizens.

Regarding the idea that cost savings could be achieved by combining the offices of the Coroner and Sheriff, Northrup did an analysis that showed a Deputy Sheriff annually earned a minimum of \$7,100 more than a Deputy Coroner. The retirement contributions for Deputy Sheriffs made by the County are also more costly than those for Deputy Coroners because the Sheriff's Office is on a different retirement system. Northrup stated his position was not purely administrative, unlike some other elected offices. As Coroner he responds to calls because of the office's caseload and minimal staffing. Deputy Coroners are specialists in death investigation, unlike the Sheriff's Deputies who handles all kinds of crimes. The only position close to this in Sheriff's Office is an Investigator. Investigators annually earn over \$10,800 more than Deputy Coroners. He described how his office is involved in many more deaths each year than the Sheriff's Office and how their duties do not overlap. Suicides and accidental deaths are not crimes and many times do not involve the police. The average time his office spends on a death due to natural causes ranges from 2 to 6 hours and investigations into unnatural deaths take more time to complete. The Coroner's Office handles between 120-140 deaths every month. Combining this workload with the Sheriff's Office would likely cost considerably more money than the current cost of death investigations. Northrup explained his deputies travel to Bloomington for the autopsies to be performed and each autopsy takes at least four hours. His office does their own removals in the Coroner's full-size vans, whereas employing a private removal agency would be costly and jeopardize the chain of custody in criminal cases. Sheriff's Deputies drive squad cars, which are not suitable for removals. In Northrup's opinion, it takes a minimum of two years for a full-time investigator in the Coroner's Office to become competent and proficient at the job.

Will County looked into changing from an elected Coroner to a Medical Examiner last year and decided to stay with the elected Coroner. Northrup explained Medical Examiners are physicians with special training in Forensic Pathology, not Deputy Sheriffs. He stated the Deputy Coroners in Illinois have the same training, if not more, than investigators in Medical Examiners' Offices. Northrup contracts with a Forensic Pathologist, who is not a County employee, to perform the autopsies for his office. The Coroner contracts with the Forensic Pathologist on a case-by-case basis and does not have

to pay his medical malpractice insurance or full salary. Champaign County currently operates similarly to most other counties in regards to the Coroner's Office. According to Northrup, Cook County has a Medical Examiner system, but all other counties in Illinois have a Coroner system of death investigation. He listed the deaths where the public would want to have a Coroner who functions independently: tasing incidents at the County Jail or during an arrest, death of someone in police custody, pandemic outbreaks with multiple fatalities, and Nursing Home deaths. He described his office's role in cooperation and coordination with organ procurement organizations, especially with a local trauma center, and training in taking samples of bodily fluids for toxicology testing. Law enforcement officers are not trained in these areas. Northrup emphasized that the Sheriff's Office and city police departments have different job duties than the Coroner's Office in many situations. He encouraged the County Board to maintain open government as it pertains to death and the only way to do so is to have an elected official overseeing the death investigations.

Northrup went over the handouts he distributed including articles about errors made by funeral homes or Medical Examiner's Offices in other counties. He felt changing to a Medical Examiner system would not necessarily mean better death investigation. Given the salary comparison of his employees with the Deputy Sheriffs, Northrup did not see how the Coroner's functions could be done more cost effectively than they are done now. He included copies of lawsuits from other counties that defined the Coroner's authority compared to law enforcement.

MOTION by McGinty to receive and place on file the documents distributed by Northrup; seconded by Nudo. **Motion carried with all ayes.**

PRESENTATION IN SUPPORT OF APPOINTED CORONER

No presentation was made.

PUBLIC COMMENT

Bob Gessner, the Kankakee County Coroner and Secretary of the Illinois Coroners' Association spoke in favor of having a Coroner separate from the Sheriff's Office. He thought Northrup did a great job as a Coroner and as President of the Illinois Coroners' Association.

Patrick O'Neil, the Will County Coroner, described how Will County explored a similar situation regarding its Coroner. The primary cost differences would remain same if a Coroner was appointed instead of being elected. O'Neil spoke of how well respected Northrup in his field as a medical/legal death investigator. He felt there was no reason to change the current process since the voters have expressed their confidence in Northrup by electing him to office. An appointed Coroner, regardless of educational background, has no idea what the Coroners actually do on a daily basis. O'Neil thought many individuals interpret the Coroner's profession based on television shows. He stated a Coroner needs to possess a great deal of discretion, integrity, and compassion. O'Neil's opinion was that it would be an extreme disservice to the citizens to have the Sheriff replace the Coroner. The Coroner needs to be a separate entity to evaluate each case on its own merits and make an independent ruling on the case and manner of death without any outside influences. Allowing the Sheriff to oversee death investigations is a conflict of interest and would lead to innuendo or allegations regarding deaths occurring at the County Jail or in police custody.

Tom Henderson commended Northrup on his presentation and suggested the County Board members accompany the Coroner on his job for a week to alleviate any doubts about the Coroner's duties. He commented they were lucky to have Northrup doing his job.

John Farney supported keeping the Coroner as an elected office. His wife was a Deputy Coroner and he stated the Coroner's Office provides an essential service to the citizens of Champaign County. The office is a 24/7 specialized operation and employees should be specialists in only that area. He disagreed that combining the Coroner's Office with the Sheriff's Office would generate cost savings. Farney noted any efficiencies gained by changing the Recorder's or Coroner's Offices would not go into effect until at least 2013, so changes will not benefit the County's FY2010 budget.

Eldon Quick, a former Champaign County Coroner, recommended retaining the Coroner's Office as an elected position. He explained that the only Illinois counties with appointed Coroners are very small counties. He spoke about the state statutes in effect during his term that set the Coroner's minimum salary according to the size of the county. He emphasized that a county the size of Champaign with a trauma center needs a full-time Coroner with a professional staff.

Charles Vaughn, a funeral director in Champaign, spoke about deaths occurring at homes and how it would be scary for the family to interact with a law enforcement officer instead of a Deputy Coroner. Vaughn suggested Drew Peterson would be in favor of a law enforcement officer serving as Coroner. He felt it would be a conflict of interest if the Sheriff's Office investigated deaths rather than an independent, third-party Coroner. As a funeral director, he was concerned with having an unbiased investigator who is compassionate. He questioned whether patrol officers would be greeted warmly by a family who experienced a death. He encouraged the Board members to look at this issue from a pragmatic view because everyone would experience the death of a loved one.

Tami Wacker, Operations Manager in the Regional Ombudsmen with the East Central Illinois Area Agency on Aging, described her role as an advocate for the residents in long-term care facilities. She pointed out criminal acts do occur in long-term care facilities against residents. In the case of the death of a resident, whether by natural causes or at the hand or negligence of another, it is the right of the resident to have a fair and impartial advocate make sure the death is thoroughly investigated to determine the manner and cause of death. Her agency is responsible for the residents located in the 16 counties of East Central Illinois, including Champaign County. There are 11 licensed, long-term facilities in Champaign County. Wacker talked about the closure of Helia Healthcare in Urbana due to the substandard level of care delivery and immediate jeopardy tags assigned to facilities located within Champaign County, citing that the Ombudsmen program has investigated 239 complaints in Champaign County since October 2007. An elected Coroner has the autonomy and freedom from being controlled by an appointing agency and allows the Coroner to keep in mind that he is answerable to the citizens. She added that Northrup has represented Champaign County at the highest level of professionalism by continuing to investigate all deaths that occurred in skilled license facilities. Wacker stated Northrup has set the bar for all other Coroners in the state and his staff is highly respected because of their commitment to serving all residents. It was imperative to have a fair and impartial advocate for long-term residents and she urged the County Board to keep the Coroner accountable to the people.

Sheriff Dan Walsh explained that his purpose was to make a disclaimer because much has been said about the Sheriff's Office. He was not agreeing or disagreeing with anything said at the hearing.

Walsh stated the Coroner performs a lot of job functions that the Sheriff, his deputies, and law enforcement in general do not do. He felt Northrup has done a good job of describing the differences. Vermilion County lost their Coroner about five years ago and its Sheriff was tasked with the Coroner's duties for about two months. The Vermilion County Sheriff did not feel there would be any noticeable cost savings by combining the two offices.

COUNTY BOARD MEMBER COMMENTS

Kurtz took exception to the public participant who impugned the Champaign County Sheriff's Office by associating the County's law enforcement personnel with an alleged murderer. The Champaign County Sheriff's Office is trusted to protect and defend residents and they do a great job. Kurtz felt an apology was due the law enforcement personnel for the comments made. He thought there seemed to be a misconception about the hearing. No action was being taken tonight; the departments are simply being reviewed. He had no intention of replacing the elected officials with appointed department heads because it would turn those departments into political footballs. The purpose of the hearings was to review how some efficiencies could be made.

Wysocki was aware the Coroner has a very small office with a 24/7 operation on a tight budget. She commended Northrup and his predecessors for performing the job. In a difficult budget time and with the Coroner's limited resources, Wysocki asked Northrup what changes he would make to comply with the 6% budget cut. Busey clarified the request to departments for 6% budget cuts is for next year's budget. The budget cuts implemented in February amounted to about 4% of the FY2009 budget. Northrup thought he took cuts from multiple areas in minimal amounts. Busey explained the savings that were achieved in February came substantially from revenue generation or cuts to a few departments, not from 4% cuts to every department. Wysocki asked where Northrup would cut his budget to comply with the request to reduce the budget by 6% in FY2010. Northrup intended to look at whether the cuts could be accomplished through inquest expenses, though it was against his better judgment to completely eliminate inquests altogether. The Coroner's expense may increase more than 6% in FY2010 because the pathology and toxicology vendors raise their fees every year. Northrup has limited places in his budget to make cuts. Wysocki asked if fees were charged when someone requests an inquest. Northrup said there were no fees and he performs inquests based on his judgment, not by request. He is required to allow family members to testify at inquests if they request it. Wysocki asked about the Coroner's role when bodies are returned from overseas. Northrup explained the military handles the remains even if it involves a resident of Champaign County. He only has jurisdiction over deaths that occur in Champaign County.

Nudo commended both the Recorder and Coroner for making fine presentations about their offices. He found it insightful to gather information about the offices, so the County Board members could be persuaded by facts and comparisons that lend to making good decisions on reform issues and streamlining County government. He spoke about how most issues are not black and white, but involve shades of gray. He was not persuaded that every elected position should remain elected because the public has the final say, especially when a position is best served by someone qualified for the position. He was also not persuaded by the accusations that the County Board had a good old boy system that would nominate appointees for offices. The County Board recently passed sweeping reforms for the County Administrator to handle the hiring, job qualifications, and performance reviews of the appointed officials. Nudo expressed that the issue of elected versus appointed officials is one with shades of gray. There have been numerous occasions when an elected official resigned mid-term

and the person appointed to fill the vacancy used it as a springboard for a future election. The County Board has to look at issues objectively when considering reforms. He appreciated the Coroner's information about efficiency and cost savings.

McGinty appreciated the officials providing useful data about their offices. He was confident Northrup does a good job. He felt it was healthy to analyze the organizational development of Champaign County. He did not want the officials to take it personally, but he appreciated the fact that Northrup fought for what he knew was right. McGinty wanted to make sure the County Board members stay focused on taking the personalities out of the position analysis because it is about the organization that best serves the County. An elected Coroner may well make the most sense. The hearings were not about changing the elected positions into appointed positions, because other options could be considered.

Kurtz thanked Northrup for preparing an insightful presentation about what the Coroner's Offices does and how they work. He wanted to see legislation at the state level to help Coroners improve their revenue streams in the next session.

Anderson appreciated the officials' presentations because she always learns something new. She wished more people from the public were present to gain a better understanding of the Recorder's and Coroner's offices. Betz noted that the Administrative Services Department reminded all Board members about the hearings and he had hoped to see all 27 members attend. He said tonight's hearings have been very useful in learning about these offices because a huge percentage of the public does not know much about the Coroner or Recorder. Knott had asked the presentations recorded on video so they can be viewed by those Board members not in attendance.

Northrup greatly appreciated the other Coroners, funeral directors, and agencies who made the effort to come to the hearing when they received the notice, even traveling from out of town. Weibel noted there were more Coroners in the room than there were County Board members.

ADJOURNMENT

The public hearing was adjourned at 8:46 p.m.

Respectfully submitted,

Kat Bork
Administrative Secretary

Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.