



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Sheriff  
**Department No.:** 032  
**For Agenda Of:** 11/4/2014  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors

**FROM:** Department Sheriff Bill Brown  
Director(s)  
Contact Info: Lieutenant Craig Bonner, Ext. 4136

**SUBJECT:** Approve contract with Dr. Jon Smith for Pathology services through June 30, 2015 for an amount not to exceed \$308,000.

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: No

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve a contract for Pathology services with Dr. Jon Smith (not a local vendor) for an amount not to exceed \$308,000 expiring June 30, 2015.
- b) Approve Budget Journal Entry #0003692 shifting \$247,705 from the Salaries & Benefits object level and releasing \$15,355 in Restricted Fund Balance to the Services & Supplies object level.
- c) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b) (5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

**Summary Text:**

The Sheriff's staff Pathologist, Dr. Robert Anthony, left county service in July 2014. A plan to recruit and hire a replacement Pathologist is being developed. However, due to the extremely specialized skills, knowledge and professional licensing required to competently and proficiently perform the duties of a Forensic Pathologist, there is an exceedingly small pool of qualified candidates and competition for their services is significant. The Sheriff's Office is anticipating a lengthy hiring process, with July 2015 being the earliest reasonable expectation for hiring a new staff Pathologist. In the absence of our staff

forensic pathologist, the Sheriff-Coroner must cover the forensic pathologist work load for the existing position. In order to accomplish this, the Sheriff-Coroner proposes entering into a contract with Dr. Jon Smith, a board certified Forensic Pathologist based out of Ventura County. Based on an estimate of workload in performing autopsies, consulting with Sheriff’s Office staff on on-going cases, and providing testimony in court as an expert witness, it is anticipated that the cost for these services in FY2014-15 will total \$308,000.

**Background:**

The Sheriff-Coroner is required to investigate deaths occurring within Santa Barbara County, which fall within the parameters of California Government Code §27491 and California Health and Safety Code §102850. Furthermore, California Government Code §27491.5 requires, “The cause of death appearing on the death certificate shall be in conformity with facts ascertained from inquiry, autopsy and other scientific findings.” Compliance with this legal requirement requires the Sheriff-Coroner to utilize the services of a board certified forensic pathologist for case consultation, the completion of autopsy procedures, interpretation of pathology and toxicology test results and offering of expert opinions relating to the cause and manner of death.

Subsequent to the retirement of Dr. Robert Anthony, the Sheriff-Coroner has made significant inquiries seeking sources of necessary forensic pathology services throughout southern and central California. To date, Dr. Jon Smith has been the only viable contractor able to provide the levels of forensic pathology services required for the continued operation of the Coroner’s function within the Santa Barbara County Sheriff-Coroner’s Office.

**Fiscal and Facilities Impacts:**

Budgeted: No **Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund	\$ 308,000.00	\$ 308,000.00	\$ 308,000.00
State			
Federal			
Fees			
Other:			
<b>Total</b>	<b>\$ 308,000.00</b>	<b>\$ 308,000.00</b>	<b>\$ 308,000.00</b>

**Narrative:**

The Adopted Budget for the Sheriff’s Coroner’s Bureau for FY2014-15 contains \$296,226 in Salaries and Benefits for the Pathologist, and \$44,940 in Services and Supplies for contract pathology work to cover for the staff Pathologist while on vacation or training. In FY2014-15, the staff Pathologist used \$48,521 in Salaries and Benefits prior to his departure. This leaves \$247,705 of Pathologist salaries that will not be used for the remainder of the fiscal year. Budget Journal Entry #0003692 shifts the remaining \$247,705 to Services and Supplies and releases \$15,355 in Proposition 172 fund balance (current non-committed balance is approximately \$83,586). When combined with the existing contract Pathologist funding, the contract is covered.

**Special Instructions:**

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Please send a copy of the fully executed contract and a copy of the minute order to Douglas Martin, CFO Sheriff's Office.

**Attachments**

BRR #0003692

Contract between Santa Barbara County and Dr. Jon Smith

**Authored by:**

Douglas Martin, CFO, Sheriff's Office. Ext 4293