

## Longtime Fresno County coroner retires as controversy still simmers

By Marc Benjamin



Fresno County Coroner Dr. David Hadden's™ retirement is leading to his office duties being up divvied up between the district attorney and sheriff's™ offices. He is pictured in the coroner's™ homicide autopsy room.

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When David Hadden retires on Wednesday as Fresno County's longest-serving coroner, he'll have the satisfaction of knowing that his crowning achievement was the construction of one of the nation's most modern morgues. But he also knows the coroner's office will no longer be an independent agency and will once again be overseen by the Sheriff's Office — and he doesn't like it.

Hadden, 79, had no way of knowing last year that his decision not to seek re-election would trigger efforts by Fresno County supervisors to meld the coroner-public administrator's office with the Sheriff's Office and the District Attorney's Office. The plan created a sheriff-coroner, the same arrangement that was in place prior to Hadden taking office in 1979. He worries that the Sheriff's Office could have a conflict of interest in the medical examination of officer-involved deaths.

That same concern was why supervisors in 1977 opted to make the coroner's office an independent agency and to combine it with the office of public administrator. That office manages the estates of those who die without a will or without a survivor. At the time, private pathologists were performing autopsies at county expense and funeral directors had opposed earlier attempts to change. The office of sheriff-coroner had existed since 1950.

A 1977 letter co-authored by then-Sheriff Hal McKinney and Sloan McCormick, who was public administrator at the time, said: "It is felt that coroner investigations and decisions should be made independent of the authoritative influence of any police agency."

Hadden, who operated Hadden Pathology, a private Fresno-based laboratory, addressed the board when supervisors backed McKinney and McCormick.

"I had these convictions about the separation of the office even back then," he said this month. "In the medical community, it's clearly understood that you don't want a sheriff-coroner's office; it's not understood everywhere, but in the medical community, especially in the forensic medical community, it's an article of faith."

Hadden campaigned under the slogan "doctor for coroner," while four others ran as public administrators. Hadden said he initially had no idea what the public administrator did, and neither did much of the public. He was aided by the popular television show about a medical examiner at the time, overhearing one of his opponents say "damn that Quincy, he's like an hour ad for Hadden's campaign."

Hadden said supervisors last year approved the consolidation at the 11th hour. Supervisors were told that they could not consider the issue once the candidate filing period opened in mid-December 2013.

"The way they brought it up at the last possible minute so you couldn't delay the vote suggests to me that they knew what they were doing wasn't correct and they were being a little underhanded about it," he said.

Supervisors were told the merger could save money in the department's \$2.95 million budget. Hadden doesn't know how that would happen and Sheriff Margaret Mims recently told The Bee that she doesn't see savings either, even though county staff reports indicated \$50,000 will be saved yearly under the new arrangement.

The supervisors' staff report quoted a 1998-99 Orange County grand jury inquiry that opposed changing the sheriff-coroner into a medical examiner's office and found no conflict of interest in the sheriff-coroner post. But the same Fresno County staff report overlooked a recommendation last year by the Fresno County grand jury that opposed re-establishing the sheriff-coroner post.

After the supervisors voted for the consolidation, the county issued a response to the grand jury that said: "The county does not agree with the finding and consolidated the elective office of Sheriff and Coroner on Dec. 3, 2013."

### **The house that maggots built**

Hadden's retirement isn't the first time he left the coroner's office. In 2002, he had all but given up on the county building a new morgue.

He credits his successor, Lorelee Cervantes, with adding a second pathologist to the staff. But her tenure concerned coroner staffers, Hadden said, and they asked him to run again because the office had lost its medical emphasis. He won and returned in 2007, setting his sights on a new facility to replace the antiquated 1940s-era building on Nielsen and Teilman avenues. But with the onset of the Great Recession, the possibility appeared even more remote.

Then the maggots arrived. Hadden first learned of the insect interlopers in the Teilman morgue during a morning meeting of pathologists and deputy coroners in 2009.

"There were maggots coming out of the wall ... where the base plate meets the wall it separated, a fly got in there and evidently there was some old blood and there was a big thing of maggots...that went viral and kind of put the board or the spot, it didn't make me very popular."

The discussion with supervisors took many turns, with board members saying, " 'We just don't have the money,' but they were very concerned," Hadden said.

He suggested that his chief pathologist, Dr. Venu Gopal, address the board with a plan to save money by building a morgue without an administration building.

“I knew from their faces, 20 seconds later, we had a deal,” he said.

The \$7.7 morgue south of Malaga measures 14,500 square feet and opened three years ago.

An administration building to house staff is still needed, especially if more deputy coroners are added, and it would cost much less than the morgue, Hadden said.

It requires a conference room and offices for deputy coroners and pathologists and should be built to serve a staff twice the size of today’s staff, he said.

### **The final vote**

Last year, at age 78, Hadden decided not to seek re-election. Within weeks and with little warning, supervisors introduced the consolidation proposal, saying that it could save money and criticizing Hadden’s management as inefficient. He also was criticized for not making Fresno County’s modern morgue, one of the most sophisticated in the nation, a regional facility where it can assist surrounding smaller counties with their cases and raise revenue by charging for services.

But Hadden said that there’s barely enough staff now for the county’s needs, so more staff would be needed for a regional facility.

He urged the board to take more time to discuss the issue, and Supervisor Judy Case McNairy agreed. She wound up abstaining when the issue came up for a vote.

Supervisor Phil Larson cited a theft from a dead body by one of his employees — who was fired — as an example of why he thought there needed to be a change.

Supervisor Debbie Poochigian made the case that the county could save money and shrink its bureaucracy. She said about two-thirds of California counties have sheriff-coroner offices.

“The board felt it would produce greater efficiencies at a lower cost,” she said. “If there were problems with it I don’t think you would see a vast majority of the counties using this format. I think it’s only fair to give them some time to get their footing. We expect it to save money in the long run and I hope that’s everyone’s goal.”

Mims said her relationships with other sheriff-coroners could enhance Fresno County’s opportunity to become a regional site.

Supervisor Henry R. Perea, who cast the sole dissenting vote against consolidation, said he sees no financial benefit to the merger and that the process to dissolve the independent coroner’s office moved too fast and without enough thought given to potential conflicts of interest for the sheriff.

He said Hadden has credibility as an independent official. Such independence is needed more than ever with the criticism and conspiracy theories over officer-involved deaths nationwide, including Missouri and New York.

“Why create the opportunity for someone to bring up a conspiracy or question the objectivity of the process when you don’t have to?” Perea said.

For Hadden, the decision to consolidate was upsetting, especially coming from people without a medical background.

“It was a seminal moment when I had to sit in the audience and listen to a non-scientist supervisor lecture (pathologist) Dr. Gopal, who has 27 or 28 years of education and done 11,000 autopsies, about what the best coroner system would be,” he said. “Incredible hubris.”

## **Mission unaccomplished**

Hadden, who comes from a long family line of doctors, isn't taking any shortcuts to retirement. He said he plans to work until Wednesday .

"I've got such a good crew, good people," he said.

Retirement will allow him time to write a book about his coroner experiences — the emotional and political challenges, as well as the fascinating cases like "the body bag that moved." He will also have time for mountain hikes with his dogs, more reading, photography and tennis.

The mergers, Hadden admits, have gone smoothly. Mims and new District Attorney Lisa Sondergaard Smittcamp, whose office is taking over the public administrator duties, have been observing the way Hadden's coroner/public administrator offices function.

The new sheriff-coroner's position, held by Mims, will oversee 10 employees. Mims said she knows the coroner's employees are a "hardworking" group. Sondergaard Smittcamp said she is impressed with the workload managed by the four public administrator employees.

But Hadden can't help but think he let down his staff. He said Fresno County residents should at least have had the opportunity to vote on the consolidation.

"Leaving for me isn't a personal tragedy, but for me, it's leaving a job undone," he said. The new arrangement "is devastating to the concept of what the best coroner system is, and it's pushed us into the last century and will probably endure for 10 or 20 years."

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