

DA urges change in public administrator oversight

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Fresno County's district attorney urged county supervisors to add staff and change oversight of the Public Administrator's office, which is under fire after theft allegations made last week by her department's internal affairs division.

District Attorney Lisa A. Smittcamp told supervisors during Tuesday's budget hearings that the Public Administrator's office requires more than a doubling in staff and should be taken out from under her office's oversight. Her office took over the Public Administrator's office after the independent Coroner's Office was dissolved in December.

She was concerned about the conflict of interest inherent in overseeing the Public Administrator's division. While the District Attorney can investigate, it must ask other agencies to prosecute. She said the state Attorney General's office is considering prosecution of Public Administrator employees based on her office's investigation.

Three employees are under investigation for allegedly stealing from the estates of dead people with no relatives or immediately available next of kin.

Dr. David Hadden, who oversaw the Public Administrator's office through December, said the office always had two people taking inventory of estates.

"There were no checks and balances put into the system," Smittcamp told supervisors. "When both people are of the same mindset that they may be able to take things that don't belong to them, it's not a good system."

The volume of work in the Public Administrator's office requires 10 employees instead of four positions that are now authorized, she said.

Smittcamp also said it's inappropriate for the District Attorney to oversee the Public Administrator's division because the division is "rife with the opportunity for unethical and immoral people to steal and quite honestly it's so offensive to those of us as law-abiding people that someone could steal from dead people."

She said most larger counties don't have the Public Administrator's office under the District Attorney's supervision because of conflict of interest concerns.

From her own preliminary examination, Smittcamp thinks the Public Administrator's office should be under the county Tax Collector or Public Guardian's office.

Smittcamp said six members of the District Attorney's staff are now covering for the Public Administrator's office since three of its four employees were placed on administrative leave.

"We cannot afford to sacrifice their regular duty," she said.

It was the first time John Navarrette, the county's chief administrative officer, said he had heard of Smittcamp's proposal. He suggested a full discussion in August that would allow supervisors to consider the future of the Public Administrator's office. He also said that extra time will allow county officials to explore ways other counties run their offices.

"I'm not disagreeing," he said. "We need time to look at all the avenues available to the board."

While much of the discussion involved the Public Administrator's office, Supervisor Henry R. Perea also suggested the

board revisit the move of the coroner's office to the sheriff's office because of the potential for a conflict of interest in a deputy-involved shooting.

He was referring to the 2013 decision by supervisors to break up the Coroner-Public Administrator's office, placing the coroner under the sheriff and public administrator under the District Attorney. With two new supervisors, Perea said the board may have other ideas about the future of those departments.

"There will be an officer-involved shooting and a sheriff will have that same conflict (as the District Attorney)," Perea said.

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