

**IN THE MATTER OF LASHUNDA WILLIAMS  
COIB CASE NO. 2014-652b  
DECEMBER 16, 2016**

**SUMMARY:** In a three-way settlement with the Board and the New York City Department of Health and Mental Hygiene (“DOHMH”)-Office of Chief Medical Examiner (“OCME”), a Forensic Mortuary Technician agreed to pay a \$2,000 fine – \$1,500 to DOHMH-OCME and \$500 to the Board – for appearing before DOHMH-OCME on three occasions to remove decedent bodies from OCME morgues in her private capacity as a funeral director. The City’s conflicts of interest law prohibits City employees from appearing on behalf of private interests before any City agency. *COIB v. L. Williams*, COIB Case No. 2014-652b (2016).

**STIPULATION AND DISPOSITION:**

**WHEREAS**, the New York City Department of Health and Mental Hygiene (“DOHMH”) – Office of Chief Medical Examiner (“OCME”) became aware that LaShunda Williams (“Respondent”) engaged in conduct in violation of the Agency’s Standards of Conduct, which include Chapter 68 of the City Charter (“Chapter 68”); and

**WHEREAS**, the Board, DOHMH, and Respondent wish to resolve this matter on the following terms,

**IT IS HEREBY AGREED** by and between the parties as follows:

1. In full satisfaction of the above-captioned matter, Respondent admits to the following:
  - a. Since December 1, 2014, I have been employed by DOHMH-OCME, most recently as a Forensic Mortuary Technician. As such, I am and have been a public servant within the meaning of and subject to Chapter 68.
  - b. I also operate a private business in which I offer my services as a licensed funeral director to funeral homes in and around New York City.
  - c. At the time of these incidents a Funeral Director requesting to remove a decedent from an OCME morgue was required to first produce four documents to the OCME Mortuary Technician charged with releasing the decedent: (1) an affidavit indicating the decedent’s name, the Medical Examiner case number, and the family member of the decedent who has authorized the Funeral Director to remove the decedent; (2) a Work Copy of the Death Certificate; (3) a valid Funeral Director license identification card; and (4) New York State personal identification. Upon receipt and review of these documents by an OCME Mortuary Technician and an OCME Forensic Quality Specialist they would then perform the checkout process that included but was not limited to examining the

decedent, the pouch, all tags and bands, taking photographs, and comparing the decedent to the OCME photographs and case information including demographics. If any documentation was missing and/or inconsistencies existed, the decedent would not be released. An OCME Forensic Quality Specialist would then perform the time out procedure. Finally the Funeral Director requesting to remove the decedent would attest that he/she had viewed the correct decedent to be removed, sign for the decedent, and the decedent could then be formally transferred to the Funeral Director to be removed from the morgue facilities.

- d. On three (3) occasions between April and September, 2015, I engaged in the process described in paragraph 1(c) above and removed decedent bodies from OCME morgues in my private capacity as a funeral director.
- e. I acknowledge that, by appearing before OCME, in person and in my private capacity as a funeral director for the purpose of removing decedent bodies, I violated Chapter 68, specifically City Charter § 2604(b)(6). City Charter § 2604(b)(6) states:

No public servant shall, for compensation, represent private interests before any city agency or appear directly or indirectly on behalf of private interests in matters involving the city. For a public servant who is not a regular employee, this prohibition shall apply only to the agency served by the public servant.

2. In determining the appropriate penalty for this case, the Board considered that there is no evidence that Respondent sought or received any special treatment because of her status as an DOHMH-OCME employee when she made the appearances described in paragraph 1(d) above and further considered the penalties imposed in prior cases in which public servants appeared before a City agency on behalf of their private businesses.

3. In recognition of the foregoing, Respondent agrees to:

- a. Pay a fine of One Thousand Five Hundred Dollars (\$1,500.00) to DOHMH-OCME to be deducted by DOHMH-OCME from Respondent's paycheck at regular intervals to be determined by DOHMH-OCME; and
- b. Pay a fine of Five Hundred Dollars (\$500) to the Board, by money order or by cashier check, bank check, or certified check, made payable to the "New York City Conflicts of Interest Board," as follows: Two Hundred Fifty Dollars (\$250) on or before September 29, 2016; and Two Hundred Fifty Dollars (\$250) on or before October 30, 2016.

4. Respondent also agrees to the following:

- a. I agree that this Disposition is a public and final resolution of the Board's action against me.
- b. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board, or DOHMH-OCME in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board or DOHMH-OCME, or any members or employees thereof relating to or arising out of this Disposition or the matters recited therein.
- c. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress, and after having had the opportunity to be represented by a union representative of my choice; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board or DOHMH-OCME; and that I fully understand all the terms of this Disposition.
- d. I agree that any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

5. The Board and DOHMH-OCME accept this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively state that other than as recited herein, no further action will be taken by the Board or DOHMH-OCME against Respondent based upon the facts and circumstances set forth herein, except that the Board and DOHMH-OCME shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

6. This Disposition shall not be effective until all parties have affixed their signatures below.

Dated: September 29, 2016

\_\_\_\_\_/s/  
LaShunda Williams  
Respondent

Dated: October 4, 2016

\_\_\_\_\_/s/  
Jim Golden  
Local 300  
Service Employees International Union (SEIU)  
Union Representative for Respondent

Dated: October 20, 2016

\_\_\_\_\_/s/  
Karrie Ann Sheridan  
Deputy Director, Employment Law Unit  
NYC Department of Health and Mental Hygiene

Dated: December 16, 2016

\_\_\_\_\_/s/  
Richard Briffault  
Chair  
NYC Conflicts of Interest Board