



**16th Judicial Circuit
State of Missouri
415 East 12th Street
Kansas City, Missouri 64106**

David M. Bym
Presiding Judge

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May 26, 2020

Mr. Frank White, Jr.
County Executive, Jackson County, Missouri
415 East 12th Street
Kansas City, MO 64106

Re: Failure to provide Temperature Screenings at
Jackson County Courthouses

Dear Mr. County Executive:

I presume you share my concern for the health and safety of all who enter courthouses throughout Jackson County to conduct county and/or court business, including employees and our fellow citizens. Therefore, I simply cannot understand the failure of Jackson County government/administration to honor its promise and its solemn obligation to provide a safe, healthy environment at the courthouses, by failing to provide temperature screenings for everyone entering the courthouses.

In multiple meetings preparing for the re-opening of the courthouses, I requested/recommended on behalf of the Court, that everyone entering the courthouses, employees and public, should have their temperatures taken. That minimally intrusive action would help protect the health and safety of everyone in the courthouses and provide some peace of mind in this increasingly uncertain time. The initial discussions focused on sheriff's deputies taking temperatures.

Your administration agreed to the importance of providing these screenings and admirably took the request further. Noting the availability of COVID funds, county administration agreed to retain medical professionals to take temperatures and ask standard medical screening questions of everyone entering the buildings - a reasonable and appropriate protocol. Relying on that promise, I repeated the county's promise to

court employees (advising them that they would be screened), attorneys and other members of the public. Unfortunately, county administration has not fulfilled that promise.

As preparations continued for the county to re-open courthouses to the general public, I was repeatedly assured that this standard medical protocol would be followed. The only question ever raised was that perhaps the county may not have thermometers to take temperatures. Notwithstanding that the medical professionals to be hired would likely have thermometers, the Court repeatedly offered to share thermometers we had proactively ordered and received, thereby making them available for the medical screenings. We never received any response to that offer.

Upon arriving at the courthouse on the morning of May 18, I discovered that no medical professionals were present and there were no temperature screenings being performed. When I asked why, the only response was that the county did not have thermometers. I again offered use of the Court's thermometers - again, no response from county administration. I was told however, that the temperature screenings would begin by Wednesday.

Upon arriving on Wednesday, May 20, I discovered the same failure - no medical professionals and no temperature screenings. Upon inquiry, I received a different answer - a contract with Children's Mercy Hospital had not been secured. This was the first time I was told there were no medical professionals to provide the screenings and/or that there was no contract, even though county administration had agreed for weeks to contract with medical professionals to provide the screenings.

I was told that the screenings would begin on Tuesday, May 26. Then, after business closed last Friday, I was advised that there were no medical professionals available to provide these screenings and no indication when or if screenings would *ever* occur. Sure enough, when I arrived this morning, there were no health care professionals present and no temperature screenings being performed.

It is hard to believe that no medical professionals are available to provide these recognized and encouraged temperature screenings. I understand that health care professionals have worked tirelessly as true heroes in the midst of this pandemic. At the same time, I have read numerous stories of those same professionals being adversely impacted by stay at home orders causing many to lose hours, income and consistency in their employment. Surely some of these dedicated individuals are available to come to our governmental buildings to help protect our employees and citizens.

All you have to do is listen to the news to discover that multiple hospitals and health care facilities are apparently losing millions of dollars. Medical services they normally

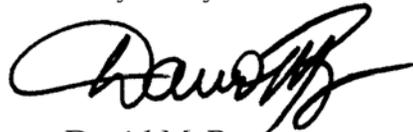
provide are not being provided – elective medical procedures are not occurring. Surely some of these medical providers would welcome a mutually beneficial arrangement which would in a small way, cover their financial obligations and also provide needed public health services to our community, employees and public.

In addition, there are private health care companies willing to provide this valuable service – many are actively advertising and soliciting their services. It only took a few key strokes and a short period of time to identify companies who could provide temperature screenings – it just wasn't that difficult. Although I acknowledge that I did not contact each identified company, the ease of finding them suggests that there was minimal effort made to identify sources available to honor the county's agreement.

Protecting the health and safety of employees as well as our fellow citizens is a fundamental and primary responsibility of Jackson County government. It is also simply the right thing to do – and it is what Jackson County government agreed to do. This failure is completely inexcusable.

County employees, court employees and the citizens of Jackson County deserve better – they deserve to have their government do what it promised to do and they deserve to have their government prioritize their health and safety. Please let me know if and when Jackson County intends to keep and fulfill its commitment and honor its responsibility in this critical regard.

Very Truly Yours,



David M. Byrn
Presiding Judge

cc:

Mr. Troy Schulte, Jackson County Administrator
Ms. Theresa Galvin, Chair, Jackson County Legislature
All Members of the Jackson County Legislature
Judges of the 16th Judicial Circuit
Ms. Mary Marquez, Court Administrator