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## State funeral board mired in accusations of harassment, altered record

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By **Randy Ludlow**

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The executive director of the Ohio Board of Embalmers and Funeral Directors is under fire from a board member who accuses her of altering a public record and practicing law without a license, prompting her and board officers to counter with charges of harassment.

Tommy Taneff, appointed to the funeral board in December by Gov. John Kasich, accuses Executive Director Vanessa Niekamp of retroactively altering an email she sent to a *Dispatch* reporter.

But in an Oct. 1 affidavit, Niekamp said it was Taneff who had a motive to alter the email, which came amid a September 2014 *Dispatch* investigation of the industry-dominated funeral board failing to proactively root out fraud in the sale of prepaid funeral services.

When told on Thursday that a copy of her original email forwarded to her by Taneff is identical to the email in the newspaper's computer archives, Niekamp responded that she had falsely accused Taneff and said *The Dispatch* must have altered the message.

"That's nonsense," said Alan D. Miller, editor of *The Dispatch*. "No one here altered anything. Our experience with Niekamp is that she has been unhelpful and has had difficulty at times dealing in facts."

Taneff, a Columbus lawyer, said that Niekamp altered the wording of the email in a bid to "make herself look better," to make it appear that she had offered to speak with the reporter after Taneff questioned Niekamp about not responding. Niekamp, according to Taneff, consistently blamed the alteration on the reporter.

Taneff has demanded that the board suspend Niekamp pending an investigation. His actions led Niekamp, with the support of board officers, to file harassment complaints against Taneff with four state agencies.

Board President Gregory Boyer, a funeral-home director from Waverly whom Taneff has asked to resign, wrote on Tuesday that he investigated the allegations and found no wrongdoing by Niekamp and her staff.

Still, Boyer joined Taneff recently in asking the office of Inspector General Randall J. Meyer to investigate, writing that discussion of the case at the board level now is "moot."

Taneff said he is counting on Meyer's office for a thorough investigation.



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Vanessa Niekamp, left, and Tommy Taneff

“You have a public official, and when she falsifies an email, that’s a crime,” Taneff said of Niekamp. “She can file as many complaints against me as she wants; I ain’t going away.”

Taneff said the three board officers, all funeral directors, have rallied around Niekamp without critically examining the complaint of misconduct.

“They all think this is a waste of time; they think it’s irrelevant. I don’t,” Taneff said.

Niekamp said that Taneff has been campaigning to oust her from her \$88,000-a-year job, saying, “He has been harassing me since he joined the board in December.” Boyer also believes that Taneff has mistreated Niekamp.

The board appointed by Kasich currently has five members instead of seven because of two vacancies.

On Aug. 20, Niekamp wrote to the inspector general’s office, the Department of Administrative Services and the Ohio Ethics Commission seeking assistance in addressing what she described as Taneff’s threats and “personal malice” against her.

The inspector general’s office wrote that it had evaluated Niekamp’s complaint and found insufficient cause to open an investigation.

Stephanie Loucka, the state’s chief of human resources, reviewed documents provided by Niekamp and watched online videos of funeral board meetings.

“I did not observe or believe there to be harassment directed to you by Mr. Taneff,” Loucka wrote on Sept. 19. “As we discussed, my observations were that Mr. Taneff has high expectations of accountability.”

Niekamp, the executive director since April 2012, also filed an employment discrimination complaint against Taneff with the Ohio Civil Rights Commission, alleging that he has targeted her for removal because she is a woman over age 40. The commission handed off the complaint to the federal Equal Employment Opportunity Commission.

While complaints about Niekamp, who’s also a Pickerington school board member, have been received by the inspector general’s office, it does not comment on unresolved investigations.

Ahead of a story published on Sept. 21, 2014, *Dispatch* Reporter Jennifer Smith Richards sought an interview with Niekamp. Niekamp declined in a Sept. 8 email, writing that she was “unwilling to comment” and saying that she would only provide public records.

Concerned about the story’s findings and Niekamp’s refusal to talk, Taneff said, he contacted the reporter for more information after he was appointed to the board in December and Smith Richards shared Niekamp’s email with him.

Taneff said he forwarded the email to Niekamp, informing Niekamp that her response made her appear evasive by refusing to speak to a reporter. Niekamp replied that her email had been altered from its original wording.

Niekamp said that Taneff accused Smith Richards, who now works for another newspaper, of altering the email to “sensationalize” her story. Taneff said that he never made such a statement and that in response to his questions Niekamp denied changing the email.

Niekamp said that the following sentence was altered in the email to remove the words in italic: “I am unwilling to comment on how our inspectors examine pre-need contracts, or conduct pre-need audits *as it could seriously impend (sic) our ability to identify fraud in the future if published.*”

Those words never appeared in the original email. The newspaper’s copy of the original email from Niekamp shows that she said twice that she was unwilling to comment on audits of prepaid funeral contracts. Niekamp said that her original email instead contained the phrase that she “may be able to comment.”

She also said that her closing sentence — “I can make myself available, just let me know when.” — had been removed from the email sent to the newspaper. That line did not appear in the original email received by the newspaper.

Niekamp said she sent the differing emails to former *Dispatch* Editor Benjamin J. Marrison on Jan. 14 — four months after she sent the original email — but did not receive a response. Newspaper editors reviewed the email at that time and determined that no one at the newspaper had altered the email, Miller said.

Taneff also had accused Niekamp of illegally practicing law by negotiating settlement agreements with funeral directors who admitted misconduct, a duty he contended belonged to the assistant attorney general assigned to the board.

The office of Attorney General Mike DeWine raised concerns on July 23 that Niekamp might have been improperly practicing law, and she stopped negotiating agreements. She said the funeral board had authorized her to handle the matters for the past year and she is seeking guidance from an arm of the Ohio Supreme Court.

Taneff said that with his appointment to the board, he received instructions from the governor's office: "We have a prepaid funeral problem in Ohio, and we want you to do everything you can to fix it."

Kasich spokesman Jim Lynch said, "Just as we have pushed innovation within the cabinet-level agencies of state government, we have challenged Ohio's many boards and commissions to do the same and look to improve the programs and services they provide."

Taneff has a decade of government board experience as a member of the state cosmetology board, of which he now serves as president.

Christopher Logsdon, executive director of the cosmetology board, said that Taneff is "a real champion of public interests; that's his focus. He runs the board excellently. He's been a good mentor and a good administrator for me to work with."

Taneff said the Board of Embalmers and Funeral Directors has been unwilling to reform how it investigates the potential misappropriation of consumers' pre-need funeral payments by some funeral home directors. *The Dispatch* found last year that most instances of fraud were discovered only after complaints were filed.

Niekamp said the board is working with a lawmaker to draft legislation that would not allow money for pre-need funerals to be paid to funeral directors. Under the proposal, consumers would send the money directly to an insurance company or trust, which would pay the funeral home when needed.

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