

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

December 16, 2025

FROM
DISTRICT ATTORNEY, Jason Anderson

SUBJECT

Amendment to Contract with Sicuro Data Analytics Inc. for Data Preparation and Analysis

RECOMMENDATION(S)

1. Approve **Amendment No. 3 to Contract No. 24-389** with Sicuro Data Analytics, Inc. for preparation of case data and to conduct specialized statistical analyses necessary for the District Attorney to respond to certain defendant petitions at the designated courts, to assign the contract from Sicuro Data Analytics, LLC to Sicuro Data Analytics Inc. and to increase the total contract amount by \$425,000, from \$950,000 to \$1,375,000, with no change to the term of January 3, 2022, through January 2, 2027.
2. Authorize the Purchasing Agent to issue change orders up to an aggregate total of \$10,000, and execute subsequent non-substantive amendments to the contract, subject to County Counsel review.
3. Direct the District Attorney to transmit any change orders and subsequent non-substantive amendments to the contract to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Michael Fermin, Chief Assistant District Attorney, 382-3662)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The District Attorney's Office (Department) has expended over \$800,000 from the beginning of the Contract No. 24-389 (Contract) in 2022 through October 2025. Amendment No. 3 includes a rate increase from \$250.00 to \$300.00 per hour, increasing the total estimated contract cost up to \$1,375,000 through the end of the Contract on January 2, 2027. Sufficient appropriation has been included in the Department's 2025-26 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

The Department is the public prosecutor mandated to prosecute crimes committed within San Bernardino County (County), including city jurisdictions, pursuant to Government Code 26500. Over the last several years, measures of fairness and equity in the criminal justice system have received additional scrutiny. The California Legislature enacted the Racial Justice Act (RJA) with Assembly Bill (AB) 2542 that Governor Newsom signed into law on September 30, 2020. It was subsequently amended by AB 256, which was signed by Governor Newsom on September

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29, 2022. Further amendments occurred in 2023 (SB 883 and AB1118) and 2024 (SB 1518). This year, the Legislature passed, and Governor Newsom signed, AB1071. AB1071 reduces the requirements for defendants to obtain access to counsel and discovery rights. This change will likely increase litigation, and therefore workload, for the Department to respond to motions filed in Court.

The RJA is codified in Penal Code section 745 and prohibits criminal convictions or imposing sentences based on race, ethnicity, or national origin. Additionally, Penal Code section 741 instituted a requirement known as “Race Blind Charging,” which compels agencies to demonstrate a method of criminal charging that is free from racial bias by comparing criminal charges assessed before and after demographic information is made known. This process occurs before criminal charges are filed with the Superior Court. The RJA and Race Blind Charging both require sophisticated statistical processes and analysis, with many variables potentially impacting data outcomes. Some data may overlap between the two statutory areas, and interpretation and synthesis of that data is key to successful implementation and litigation.

The Department does not have in-house expertise to prepare prosecution data and perform statistical analyses. Data from the Department’s case management system needs to be prepared to be consistent and uniform so that complex statistical analyses can be performed with results that could be interpreted.

Therefore, in May 2022, the Purchasing Department approved Contract No. 4400019419 with Sicuro Data Analytics, LLC (Sicuro) to review and prepare data from its case management system (STAR:TNG) for analysis. Sicuro developed methods and procedures to prepare the case data, including automating the process to retrieve case disposition data from the Superior Court and uploading it to STAR:TNG. Statistical analyses were performed and the Department has successfully used the information to defend against claims and develop an independently-structured Race Blind Charging system for case review.

In May 2023, Purchasing approved Amendment No. 1 to Contract No. 4400019419 to increase the rate and the authorized amount of the Contract, and add to the scope of work to prepare for a potential legislative audit on the impacts of Proposition 47. This legislation reduced certain felony offenses to misdemeanor offenses. The Department was later notified that the audit was being placed on hold. Sicuro continued to focus on data analysis to assist the Department in examining its prosecution methods to ensure that violations of the Racial Justice Act did not occur.

On May 21, 2024 (Item No. 32), the Board of Supervisors approved Amendment No. 2 to Contract No. 4400019419, which was renamed Contract No. 24-389 (Contract), to add to the scope of work and increase the authorized amount of the Contract. The additions to the scope of work included updating STAR:TNG with data from the Superior Court, assist when needed with public records’ requests involving statistical analysis, implementation of the Race-Blind Charging process, and development of both internal and public-facing dashboards.

Sicuro requested a rate increase to reflect the advanced expertise needed to conduct specialized statistical analyses and the corresponding cost of the qualified staff who perform them. In addition, the Department has not provided a rate increase since May 2023, so the Department agreed with Sicuro’s request and is recommending the approval of a rate increase.

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Approval of Amendment No. 3 will increase the rate from \$250 to \$300 and increase the Contract authorization to \$1,375,000.

Amendment No. 3 adds projects such as preparing and reviewing data to determine the impact of diversion programs and the impact of Proposition 36 (codified in pertinent parts in Penal Code section 666.1 and Health and Safety Code section 11395) that was approved by the California voters in November 2024. Proposition 36 increased penalties and treatment for certain types of recidivist theft and drug crimes, capital punishment analysis pertaining to fair application of the death penalty and related litigation in both the Superior and Appellate courts, the move away from cash bail and the resulting statistical impact based on recidivism while on release pending trial, and the so-called “prison papers,” which present a statistically-flawed overview of incarceration rates. Sicuro will also continue to develop internal and public-facing dashboards.

If the Department's implementation of legislative requirements or statistical methods are challenged in Court, Sicuro can provide expert testimony to explain methodology and findings. The Department has an ongoing need for data preparation and statistical analysis to demonstrate the implementation of legislative requirements, to study the impacts of changing or new legislation, and monitor the efficacy of programs, such as diversion programs. Empirically sound analysis and findings enable good decision-making when implementing changes to aspects of criminal justice.

Sicuro has assisted with data preparation related to more than 40 cases in San Bernardino County in which Racial Justice Act challenges have been filed with the Court. Its data gathering and analysis play vital roles in not only defending against challenges, but also in analyzing how the Department charges and prosecutes crime to ensure the Department's actions are consistent with all aspects of due process and equal protection.

On September 12, 2025, Sicuro notified the County of its plans to dissolve Sicuro Data Analytics, LLC and form a corporation, Sicuro Data Analytics, Inc. (Sicuro Inc.). Sicuro desires to assign the Contract with all of its rights and obligations to Sicuro Inc. and Sicuro Inc. desires to assume all rights and obligations under the Contract. Section 19 of the Contract requires County approval for the assignment of rights and obligations of the Contract. The recommended Amendment No. 3 provides consent to the assignment of the Contract from Sicuro to Sicuro Inc.

PROCUREMENT

County Policy 11-04 requires Board of Supervisors approval for procurement of services that exceed \$200,000 in a single annual period. The Department exceeded the \$200,000 annual spending threshold for 2024-25 due to unforeseen statistical and reporting needs.

Purchasing concurs with the continued non-competitive procurement of services from Sicuro based on the justification of specialized credentials. Sicuro has spent a significant amount of time learning and preparing data from the Department's case management system to perform statistical analyses and prepare reports. Sicuro's ability to provide expert data analysis and their thorough understanding of criminal justice processes have enabled the Department to successfully litigate challenges to existing cases under the Racial Justice Act. Understanding the complexities of statistical analysis is critical for the Department to continue defending its past prosecution methods and making improvements to current and future cases. Sicuro can

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provide expert testimony in Court to defend its analyses in response to defendants' petitions. Sicuro can also critically examine faulty data that is presented by defendants in Court.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Daniella Hernandez, Deputy County Counsel, 387-5455) on November 18, 2025; Purchasing (Jessica Barajas, Supervising Buyer, 387-2065) on November 18, 2025; and County Finance and Administration (Elias Duenas, Administrative Analyst, 387-4052) on December 1, 2025.

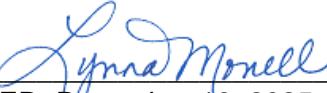
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Jesse Armendarez
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 16, 2025



cc: DA - Walker w/agree
Contractor - c/o DA w/agree
File - w/agree
MBA 12/26/2025