

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

June 25, 2024

**FROM**

**SHANNON D. DICUS, Sheriff/Coroner/Public Administrator**

**SUBJECT**

Memorandum of Understanding with the Superior Court of San Bernardino County for Court Security Services

**RECOMMENDATION(S)**

Approve Memorandum of Understanding (**Agreement No. 24-576**) with the Superior Court of San Bernardino County to provide court security services, for the period of July 1, 2024 through June 30, 2027.

(Presenter: Kelly Welty, Chief Deputy Director, 387-3760)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

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

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

Approval of this item may result in the use of additional Discretionary General Funding (Net County Cost). The County receives an allocation of 2011 Realignment (Assembly Bill 109) from the Trial Court Security Subaccount to fund the cost of providing court security services. The County's estimated funding allocation for 2024-25 is \$35 million, and the estimated cost to provide court security services is \$41.0 million. The Sheriff/Coroner/Public Administrator's (Department) 2024-25 recommended budget includes the use of \$2.2 million in one-time reserve funding and will fund the remaining portion with their existing budget allocation. The Department continues to monitor trial court security costs and develop program solutions to minimize the use of one-time funding. Sufficient appropriation and revenue are included in the Department's 2024-25 recommended budget and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

Government Code section 69926(b) requires the Sheriff, with the approval and authorization of the Board of Supervisors (Board), to enter into a Memorandum of Understanding (MOU) with the Superior Court of San Bernardino County (Court) specifying an agreed upon level of court security services and any other agreed-upon governing or operating procedures. The Board has previously approved three-year MOUs with the Court, most recently on June 8, 2021 (Item No. 85), Agreement No. 21-424, for the period of July 1, 2021 through June 30, 2024.

The recommended MOU outlines the services to be provided by the Department, including the following: provide courtroom security, develop a comprehensive Court Security Plan, participate in the Court Security Committee, provide training for Department personnel assigned to the

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Courts, manage personnel to minimize overtime, and provide necessary personal safety equipment and vehicles, as required, to perform court security services. This MOU is for a period of three years from July 1, 2024 through June 30, 2027.

The MOU includes the following terms that differ from the standard County contract:

1. The MOU with the Court allows for mutual indemnification.
  - The County standard contract language requires the contractor to indemnify the County in accordance with County Policy 11-07.
  - Potential Impact: The MOU will require the County and the Court to indemnify each other based on comparative fault. The County could be liable for potential harm or loss incurred by the Court.
2. Both the County and the Court are self-insured public entities for the purposes of Professional, General, and Automobile Liability, and Worker's Compensation insurance, with adequate coverage or resources.
  - The County standard contract language requires contractors to carry appropriate insurance or self-insurance at limits and under conditions determined by the County's Risk Management Department.
  - Potential Impact: Liabilities or claims arising from this MOU would be covered by each entity's insurance coverage.

While these are notable exceptions to the County's standard contract language, the Department recommends approval of this MOU to pursue County goals and objectives by working with other agencies. County Counsel and the Risk Management Department have reviewed and provided input to the proposed MOU.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Grace B. Parsons, Deputy County Counsel, 387-5455) on May 3, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst, 396-9008) on May 6, 2024; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on May 24, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on June 7, 2024.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: June 25, 2024



cc: Sheriff - Welty w/ agree  
Contractor c/o Sheriff w/ agree  
File w/ agree  
JLL 07/9/2024