

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

January 27, 2026

FROM

LUTHER SNOKE, Chief Executive Officer, County Administrative Office

SUBJECT

Expanded Public Defense Services (Holistic Defense) Grant Award for Indigent Individuals with the Office of the State Public Defender

RECOMMENDATION(S)

1. Approve the Expanded Public Defense Services (Holistic Defense) Grant Award Letter (**Agreement No. 26-40**) with the Office of the State Public Defender to provide holistic defense services to individuals facing criminal charges, in the amount of \$850,000 for the grant period of February 1, 2026, to June 1, 2028.
2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post necessary budget adjustments as detailed in the Financial Impact Section (Four votes required).
(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

**Create, Maintain and Grow Jobs and Economic Value in the County.
Operate in a Fiscally-Responsible and Business-Like Manner.
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 will not result in the use of additional Discretionary General Funding (Net County Cost). The grant award, in the amount of \$850,000, covers the grant period of February 1, 2026, to June 1, 2028, and is administered by the Office of the State Public Defender (OSPD). The grant will fund salaries and benefits for Public Defender (PD) staff supporting the County's Holistic Defense Program (Program) in the amount of \$38,792 and services and supplies in the amount of \$811,208. The grant does not have a local match requirement though it does contain a supplanting prohibition, which requires the grant funds to be allocated to new programs or to augment existing programs.

The table below reflects the budget adjustments requested by the Department to fund the Program for the current fiscal year. Approval of this item will allow the Auditor-Controller/Treasurer/Tax Collector to post the following adjustments to the Holistic Defense Program and PD 2025-26 budgets:

Fund Center	Commitment Item	Description	Action	Amount
1250002695	40408840	State – Other	Increase	\$850,000
1250002695	52002445	Other Professional &	Increase	\$779,246

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Fund Center	Commitment Item	Description	Action	Amount
		Specialized Services		
1250002695	55405010	Salaries & Benefits Transfers Out	Increase	\$38,792
1250002695	55405012	Services & Supplies Transfers Out	Increase	\$31,962
4910001000	55415011	Salaries & Benefits Transfers In	Increase	\$38,792
4910001000	51001010	Regular Salary	Increase	\$38,792
4910001000	55415013	Services & Supplies Transfers In	Increase	\$31,962
4910001000	52002000	Operating Expenses – Services & Supplies	Increase	\$31,962

Adequate appropriations will be included in future recommended budgets.

BACKGROUND INFORMATION

California Assembly Bill 102 Budget Act of 2025 (AB 102) appropriated \$15,000,000 for indigent defense providers to support the expansion of public defense services, specifically holistic defense. Holistic defense is a client-centered approach that seeks to improve legal and life outcomes for justice involved individuals. Using a multi-disciplinary team, holistic defenders work to address legal, social, economic, and health issues that impede client stability and self-sufficiency.

Indigent defense providers include county public defender offices and qualifying entities that provide indigent defense in criminal matters at the behest of the County. PD provides indigent defense services to adult and juvenile clients. On May 21, 2024 (Item No. 25), the Board of Supervisors approved Contract No. 24-411 with Inland Juvenile Panel Attorneys, Inc., (IJPA) to provide court appointed legal representation services to minors and/or their parents in Juvenile Court delinquency proceedings where PD cannot provide conflict-free representation.

To encourage collaborative proposals, OSPD required one application per county. As such, PD and IJPA developed the Program, in partnership with Partners for Justice (PFJ), to expand public defense services in San Bernardino County, connecting defense clients with social service needs to support client stabilization and avoid detention. PFJ, a national non-profit organization, has extensive experience implementing collaborative defense programs in California and nationally. PD and IJPA will refer clients to PFJ Client Advocates, thereby ensuring indigent clients receive timely and consistent conflict-free holistic services. The County is required to collect, maintain, and report data, as requested by OSPD, to support the evaluation of the Programs impact.

On October 27, 2025, per County Policy 05-13 SP1, the County Administrative Office (CAO) requested and received approval to submit the application from the Chief Executive Officer and submitted a grant application to OSPD in the amount of \$850,000 to fund the Program.

On December 18, 2025, OSPD notified the County that it had been awarded \$850,000 to fund the Program, for the grant period of February 1, 2026, through June 1, 2028. The Expanded Defense Services (Holistic Defense) Grant Award Letter (Award Letter) contains terms required by the OSPD which differ from the standard County contract terms and omits certain County standard contract terms. The non-standard and omitted terms include the following:

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1. The Award Letter does not require OSPD to indemnify the County, as required by County Policies 11-05 and 11-07.
 - The County standard contract indemnity provision requires the contractor to indemnify, defend, and hold the County harmless from third-party claims arising out of the acts, errors or omissions of any person.
 - Potential Impact: OSPD is not required to defend, indemnify or hold the County harmless from any claims, including indemnification for claims arising from OSPD's negligent or intentional acts. If the County is sued for any claim, it may be solely liable for the costs of defense and damages.

2. The Award Letter does not require OSPD to meet the County's insurance standards as required pursuant to County Policies, 11-05, 11-07 and 11-07SP.
 - County policy requires contractors to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department and as set forth in County policy and in the County standard contract.
 - Potential Impact: The County does not have additional insurance policies from OSPD available if there is a dispute under the Award Letter.

3. OSPD reserves the right to terminate the Award Letter and recall all unspent funds if the County and/or IJPA fail to comply with the Award Letter terms, including failure to provide the required progress, expenditure, and/or data reports.
 - The County standard contract gives the County the right to terminate the contract, for any reason, with a 30-day written notice of termination.
 - Potential Impact: If the County and IJPA fail to comply with the grant terms, the OSPD could terminate the grant award and require the County to return all unexpended grant funds within 15 days of grant termination.

The CAO recommends approving the Award Letter including the non-standard and omitted terms because this Program will provide justice involved individuals with social service needs to support stabilization and avoid detention.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on January 2, 2026; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 382-7022) on January 6, 2025; Public Defender (Diana Lovelace, Chief of Administration, 382-3950) on January 6, 2026; County Finance and Administration (Celia McDonald, Administrative Analyst, 387-4286) on January 6, 2025.

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

Lynna Monell, CLERK OF THE BOARD

BY



DATED: January 27, 2026



cc: CAO - McDonald w/agree for sign
 Contractor - c/o CAO w/agree
 File - w/agree
MBA 01/28/2026