

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

April 23, 2024

FROM

THOMAS W. SONE, Public Defender

SUBJECT

Employment Contracts for the Second Chance Program

RECOMMENDATION(S)

1. Approve **Employment Contract No. 24-332** with Donna Gephart-Robinson as Deputy Public Defender IV, to support the Second Chance Program, for the estimated annual cost of \$188,563 (\$163,618 Salary, \$24,945 Benefits) for the period of May 4, 2024 through March 1, 2025.
2. Approve **Amendment No. 1 to Employment Contract No. 22-858** with Timothy R. Douglass, Deputy Public Defender, effective April 23, 2024, adding contract language to include Deputy Attorney V Compensation, for the estimated annual cost of \$287,807 (\$208,388 Salary, \$79,419 Benefits), with no change to the contract term of October 8, 2022 through October 7, 2024.
3. Authorize the Public Defender to execute an amendment to the Employment Contract with Donna Gephart-Robinson to extend the contract term for a maximum of one one-year period on behalf of the County, subject to County Counsel review.
4. Direct the Public Defender to transmit the amendment in relation to the extension of the Employment Contract with Donna Gephart-Robinson to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Thomas W. Sone, Public Defender, 382-3950)

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.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The estimated annual cost of the employment contract with Donna Gephart-Robinson (Ms. Gephart-Robinson) is \$188,563 and the estimated annual increase of Amendment No. 1 to Contract No. 22-858 is \$13,700. Both employment contracts will be funded by the Public Defense Pilot Program Grant (Grant). The Grant, established by the State of California Budget Act of 2021, has allocated \$5,236,230 to the County for indigent defense services related to legislative criminal resentencing and parole reform initiatives. In the event the Grant funding is not extended or ends, the Department will terminate the contracts. Adequate appropriation and revenue have been included in the Public Defender (Department) 2023-24 budget and will be included in future recommended budgets.

**Employment Contracts for the Second Chance Program
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BACKGROUND INFORMATION

The contract position for Ms. Gephart-Robinson listed in Recommendation No. 1 will support the Department's Second Chance Program (Program), developed to pursue criminal sentencing and parole reforms, as well as conviction relief. The position will assist attorneys with case research, hearing preparation, and witness coordination; review, summarize and organize case files, legal documents, depositions and exhibits; analyze facts, issues, elements, statutes, court decisions, legal documents and pleadings; prepare and file various legal documents; and may lead a clerical team to advance client resentencing efforts. Each party may terminate the contract at any time without cause with 14 days' prior written notice to the other party. The County may terminate the contract immediately for just cause. In the event the Grant funding is not extended or ends, the Department will terminate the contract.

On September 27, 2022 (Item No. 39), the Board approved two employment contracts (one Paralegal position and one Deputy Public Defender IV), including Employment Contract No. 22-858 with Mr. Douglass to support the Program.

The Department continuously recruits for open contract positions, and interviews qualified candidates to assess their work experience and skills set. Ms. Gephart-Robinson applied for the position, was interviewed, and was selected to fill the vacant position due to documented work experience and verified qualifications.

The contract amendment for Mr. Douglass listed in Recommendation No. 2 is requested to compensate Mr. Douglass in the same manner and amount as employees in the Attorney Unit.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Human Resources (Gina King, Assistant Director, 387-5571) on April 2, 2024; County Counsel (Richard Luczak, Deputy County Counsel, 387-0226) on April 1, 2024; Finance (Carl Lofton, Administrative Analyst, 387-5404) on April 03, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on April 08, 2024.

**Employment Contracts for the Second Chance Program
April 23, 2024**

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: April 23, 2024



cc: Public Defender - Lovelace w/ agrees
 Contractor c/o Public Defender w/ agree
 File w/ agree

JLL 04/24/2024