

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.14
(ID # 15518)**

MEETING DATE:
Tuesday, October 26, 2021

FROM : PUBLIC DEFENDER:

SUBJECT: PUBLIC DEFENDER'S OFFICE: Amend Salary Ordinance No. 440 pursuant to Resolution No. 440-9223 for the Public Defender to hire Forensic Tech IT personnel to handle county-wide evidence discovery needs. All Districts.[\$241,248 Current FY Cost, \$482,496 Ongoing Cost - General Fund Contingency 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Amend Salary Ordinance No. 440 pursuant to Resolution No. 440-9223 submitted herewith. Per the Resolution, add the following positions.
2. Direct the Executive Office and Public Defender's Office to bring forward a funding proposal for these positions as part of the FY 21/22 1st Quarter Budget Report.

<u>Ord.440</u>	<u>Class Code +/-</u>	<u>Class Title</u>	<u>Sal Pln/Grd</u>	<u>Salary</u>
24001	98555	IT Forensics Examiner III	SEU 493	\$81,436- \$120,624

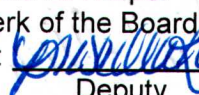
ACTION:4/5 Vote Required, Position Added


Steven Harmon, Public Defender 9/28/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that Resolution 440-9223 is adopted as recommended.

Ayes: Jeffries, Spiegel, Washington and Perez
Nays: None
Absent: Hewitt
Date: October 26, 2021
xc: PD, HR

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$241,248	\$482,496	\$723,744	\$482,496
NET COUNTY COST	\$241,248	\$482,496	\$723,744	\$482,496
SOURCE OF FUNDS: General Fund Contingency 100%, will be included in the first quarter budget adjustment			Budget Adjustment: No	
			For Fiscal Year: 2021/2022	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Public Defender's Office handles over 40,000 cases every year, defending indigent clients. For every case, there is provided to the Public Defender's Office "discovery" from the District Attorney's Office, law enforcement agencies and other sources. "Discovery" consists of police reports, investigation reports, crime scene photographs, criminal backgrounds of subjects, interview statements from subjects, audio and video recordings of interviews of victims, witnesses and defendants, "body cam" videos, surveillance videos, cell phone/cell tower records, confidential mental health records, autopsy reports and post-mortem examination photographs. Often this material consists of very graphic and disturbing images. However, this material must be dealt with and processed by experienced IT Forensic Examiner personnel, and then made available to the attorneys handling the cases.

The process in handling the discovery is as follows: Once the discovery is received by the Public Defender's Office, the discovery must be uploaded to our internal case organization data system or a separate "P" Drive, for homicide, sex and gang cases. Most of the discovery comes in electronic or digital form, such as Adobe, VLC Media Player and/or in other format that most attorneys are not readily familiar with. Frequently, other discovery, such as cell tower records, comes in a format that is not compatible with the Department's existing software and would need to be converted. In addition, depending on the age of the case, some of the audio or video may come in VHS or cassette tapes, and they would need to be converted into usable form in order for them to be uploaded and useful to the attorneys.

Once the discovery is converted into compatible format and uploaded, the attorneys would access them for review. In preparation for hearings, such as suppression motions and preliminary hearings, the attorneys would request the audio and/or video evidence to be redacted and made into an exhibit for the court. For trial, such requests would be more extensive, as each witness may be confronted with prior audio or video taped statements. In

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

order to present the defense case, the attorneys may require slides with audio, video clips embedded, as well as edited photographs with arrows/circles/names interposed on them. Due to the nature of trial work, often these requests are made at the last minute and extremely time sensitive. All of this work requires expert forensic technicians. Without this, the work of the Public Defender's Office cannot be carried out.

Until now, RCIT personnel have been processing and handling all of the discovery needs of the Public Defender's Office. However, RCIT has informed the Public Defender's Office that they will no longer be able to perform these services for the Public Defender's Office due to the operational nature of the work and because the forensic duties do not align with the job description of User Support Technicians, who are primarily responsible for installing and troubleshooting PC equipment and desktop applications. Therefore, the Public Defender's Office is now required to perform this work in-house. Because the handling and processing of the discovery requires expert technical personnel from forensic technicians, the Public Defender's Office must now hire the needed personnel to ensure that adequate legal representation can be provided to its clients.

The Public Defender has 6 offices throughout the county. Although each office requires Forensic Tech help for their discovery issues, this request is made for only 4 IT Forensic Examiner III positions to ensure the discovery obligations are met. The Public Defender's office is asking for level III IT Forensic Examiners, as there is a need for the level III's ability of performing and handling assignments that have a higher degree of responsibility and independence without direct supervision. The Public Defender's Office is not requesting a supervisory position for the forensic examiners, although the current Public Defender staff does not have the technical expertise to supervise the IT work. As such, the level III's experience and ability to supervise themselves is highly crucial. The IT Forensic Examiner IIIs will be supervised by one of the attorney supervisors, as far as approving timesheets and conducting performance appraisals.

In addition, IT Forensic Examiner IIIs would oversee the Public Defender's main case management application, Defender Data. They will be the IT liaison between Public Defender and RCIT and will be the subject matter expert for the department and will be able to work with their vendor for upgrades and support. Additionally, IT Forensic Examiner IIIs will be responsible for working with the DA, Probation and Courts as they share data with these departments and will act as first tier support for interface issues. The need to have a subject matter expert in the department will help better serve RCIT when trouble shooting any issues or implementing upgrades or new systems. The IT Forensic Examiner IIIs would also be able to assist with the IT budget and help establish an IT strategic plan for the department that would fall in-line with RCIT's strategic plan.

Additional Fiscal Information:

The impact on the fiscal year 21/22 will be half of the annual expense, as the personnel will be added at the beginning of the calendar year 2022. The estimated annual expense for these

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

positions is \$482,496. The requested budget for the current fiscal year is \$241,248, which will be included in the 1st Quarter Budget Adjustment to be considered by the Board.

Attachments:

- 1- Resolution 440-9223



Heydee Koury, Sr Accountant - Auditor 10/5/2021



Brenda Diederichs, Assistant CEO / Human Resources Director 10/5/2021

1 RESOLUTION NO. 440-9223

2
3 BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in
4 regular session assembled on October 26, 2021, that pursuant to Section 4(a)(ii) of Ordinance No. 440, the
5 Public Defender is authorized to make the following listed change(s), operative on the date of approval, as
6 follows:

7
8

<u>Job</u>	<u>+/-</u>	<u>Department ID</u>	<u>Class Title</u>
Code			
98555	+ 4	2400100000	IT Forensics Examiner III

10
11 ROLL CALL:

12 Ayes: Spiegel, Jeffries, Washington, Perez and Hewitt
13 Nays: None
14 Absent: None
15 Abstained:

16 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the
17 date therein set forth.

18 Kecia R. Harper, Clerk of said Board

19 By 
20 Deputy

21 /kc

22 09/29/2021

23 440 Resolutions\KC

24
25
26
27
28 10.26.2021 3.14