



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: District Attorney
Department No.: 021
For Agenda Of: March 12, 2024
Placement: Departmental
Estimated Time: 5 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s): John T. Savrnoch, District Attorney (805)568-2308
Contact Info: Kelly Duncan, Assistant District Attorney (805) 568-2361

SUBJECT: Extra-Help Services and Retirement Waiver for District Attorney's Office

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) In accordance with California Government Code Section 7522.56(f)(1), certify that the appointment of retired County employee Kimberly Siegel is necessary to fill a critical need in the District Attorney's Office before 180 days have passed from her date of retirement;
- b) Approve and authorize the District Attorney's Office to appoint retired employee Kimberly Siegel as an Extra-Help employee to assist with post-conviction case review and resentencing hearings on a part-time basis, not to exceed 960 hours of annual service, with an effective start date of April 1, 2024; and
- c) Determine that the above actions are organizational and administrative activities of government that are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.

Summary Text:

The purpose of this item is to request that your Board certify that there is a critical need to allow the District Attorney's Office to hire retired Senior Deputy District Attorney Kimberly Siegel as an Extra-Help employee before 180 days have passed from her date of retirement. Ms. Siegel would be hired to assist the District Attorney's Post-Conviction Review Unit with post-conviction review and resentencing petitions. Ms. Siegel will be retiring as a Senior Deputy District Attorney on March 31, 2024. While the

Office was aware that Ms. Siegel was planning to retire, the complex and specialized area of recent criminal justice legislation that has passed affects many of her prior cases.

Ms. Siegel is currently working on several PC 1172.6 petitions. These petitions have been filed by defendants who are requesting resentencing on murder and attempted murder gang cases that she handled over 10 years ago. Each of these cases has four defendants per case requesting relief, which makes the petitions very time-consuming and complex. They require extensive knowledge of the facts of these particular cases, as well as theories of liability for murder.

If the petitions pass the prima facie stage, an evidentiary hearing will be held where witnesses to the crime or investigation will be called to testify. Ms. Siegel is familiar with these witnesses, having personally dealt with them years ago. Currently, she has several matters pending that require her specialized knowledge and experience. One matter is pending an evidentiary hearing with numerous witnesses subpoenaed.

Therefore, the District Attorney's Office anticipates that they will need Ms. Siegel's assistance shortly after her designated retirement date. Attempting to obtain another prosecutor to handle these cases would not be practical or feasible. Ms. Siegel's experience and familiarity with the cases make her an invaluable asset for this role. The office expects that she will be needed for approximately six months to one year, for no more than 960 hours.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

It is anticipated that Ms. Siegel will provide post-conviction review case support for up to 960 hours. In accordance with California Government Code section 7522.56(d), Ms. Siegel will perform this work at a salary rate that does not exceed the maximum authorized in the County's salary table for Senior Deputy District Attorney. The extra help position cost will be covered by existing budgeted funds, and will not result in an increase to GFC.

Staffing Impacts:

There are no staffing impacts.

Special Instructions:

Please return the following items to John DeAlba, DA Department Business Specialist:

1. One (1) Minute Order

Authored by:

John DeAlba, Department Business Specialist; (805) 568-2434