



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: September 12, 2017

Subject: INTERVIEW FINALISTS FOR THE POSITION OF DISTRICT ATTORNEY

RECOMMENDATION(S):

1. INTERVIEW five finalists for the position of District Attorney.
2. DETERMINE what action the Board wishes to take in regard to appointing an interim District Attorney.

FISCAL IMPACT:

The salary of the District Attorney is \$21,515 monthly (\$258,181 annually). In addition to a competitive salary, health and dental benefits, and a defined pension benefit, the appointed District Attorney is eligible for benefits which include: \$600 monthly auto allowance with use of personal vehicle; \$12,000 annual County contribution to deferred compensation plan; based on County hire date, eligibility for \$85 plus an additional \$150 per month County contribution upon qualifying employee contributions to deferred compensation plan; \$60,000 executive group term life insurance; \$700 annual executive professional

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/12/2017** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

See addendum

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 12, 2017

, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: David Twa (925)
335-1080

development reimbursement; long-term disability insurance; reimbursement of State Bar membership dues; and participation in Social Security.

Employee compensation costs were anticipated in the 2017/18 Budget.

BACKGROUND:

In accordance with the procedure established by the Board of Supervisors on June 23, 2017, the County Administrator's Office recruited for the position of District Attorney and received 12 applications. On August 1, the Board reviewed the applications and responses to supplemental questions, and selected five finalists for further consideration. The five finalists are (in alphabetical order):

Diana Becton, Contra Costa County Superior Court Judge
Danielle Douglas, Contra Costa County Superior Court Judge
Paul Graves, Contra Costa County Senior Deputy District Attorney
Thomas Kensok, Contra Costa County Assistant District Attorney
Patrick Vanier, Santa Clara County Supervising Deputy District Attorney

All of the finalists took part in a three-hour public forum in the Board of Supervisors Chambers on the evening of August 15, fielding a selection of questions that had been submitted by the members of the public. Retired Clerk-Recorder Stephen Weir served as the moderator and asked 13 questions, seven of which he selected from online submittals and six of which he selected from audience submittals. The finalists were allotted two minutes each to respond to each question and to provide opening and closing statements, for a total of 30 minutes per finalist. The forum was well-attended, with the Chambers filled to capacity. All members of the Board of Supervisors attended and observed the forum, which was also broadcast live and recorded for repeat viewing.

At the August 1 meeting, the Board of Supervisors had authorized and directed the County Administrator to conduct a background investigation of each finalist. The Board also directed the County Administrator to seek and obtain information regarding the existence of civil actions and/or restraining orders and other background information pertaining to the finalists for the position of District Attorney. Following are the results of the investigation:

- A search of records in the Federal Bureau of Investigations and the State Bureau of Criminal Information and Analysis files was done. No information meeting dissemination criteria or that would cause concern about any of the five finalists being considered by the Board of Supervisors was found.
- An online records search of civil filings in Napa, Santa Clara and Contra Costa Counties was done. No records of restraining orders or other acts of malfeasance were found.
- An economic disclosure statement (FPPC Form 700) for each finalist is **attached** hereto for reference.
- The constitutional question of whether a judicial officer can be considered for the office of District Attorney was answered at the August 15 Forum, at which the County Counsel advised that as long as the judges either retire or resign prior to appointment, they can be considered for the office of District Attorney.

The five finalists have been invited to be interviewed by the Board this morning. The finalists will be sequestered in the J. P. Kenney Conference Room prior to their interview and will be summoned individually to the Board Chambers at the direction of the Chair.

The appropriate effective date for the appointment will depend on the appointee. An appointee who is either of the judges must provide confirmation of her resignation or retirement from office prior to the appointment date. An appointee who is not a resident must move to Contra Costa County and become a registered voter in Contra Costa County prior to appointment. An appointee who is a County resident and not a judge may be appointed immediately. With full or majority consensus, an appointment decision could be made today with an effective date of September 18 or later to allow for the appointee to meet the statutory requirements or, if no consensus, the Board could continue the matter for further discussion on September 19.

CLERK'S ADDENDUM

Speakers: Paul Seger; Tamisha Walker, Victoria Adams; Melvin Willis; Dewanda Joseph; David Clark; Brodie Hilp; Greg Enholm, (handout attached); Cindy Hendricks; Kelly Sheridan; Tanya Brown; Judith Tannenbaum; Christine Hazlehulst; Devon Bell; Jim McMillan; Aron Deferrari; Gary Koepfel; Joe L. Fisher; Sharon Dhanoa; Eleanor Thompson; Cheryl Hudduth; Edith Pastrano; Jane Courant; Oscar Flores; Antwon Cloird; Frank Zagone; Maimoona Ahmed; Satish Jallepalca; David Sharples; Willie Mims; Maria Alegria; Marian Moore; Mike Parker; Nancy Ybarra; Irma L. Anderson. INTERVIEWED the five finalists (Diana Becton, Danielle Douglas, Paul Graves, Thomas Kensok, Patrick Vanier); and APPOINTED retired judge Diana Becton as Interim District Attorney, effective September 18, 2017.

ATTACHMENTS

Form 700_Diana Becton

Form 700_Danielle Douglas

Form 700_Paul Graves

Form 700_Thomas Kensok

Form 700_Patrick Vanier