



Contra
Costa
County

To: Board of Supervisors
From: Diana Becton, District Attorney
Date: January 17, 2023

Subject: Waiver of 180-day Separation Period and Temporary Hire of Two (2) CCCERA Retirees in the District Attorney's Office

RECOMMENDATION(S):

CONSIDER waiving the 180-day sit-out period for Senior Inspectors Tim Jung and James Alexander, in the District Attorney's Office; FIND that the appointments of Mr. Jung and Mr. Alexander are necessary to fill critically needed positions; and APPROVE and AUTHORIZE the hiring of retirees Tim Jung and James Alexander as temporary county employees for the period January 18, 2023 through June 30, 2023, as recommended by the District Attorney.

FISCAL IMPACT:

The total estimated cost for both temporary employees is \$200,000. Sufficient funds will be appropriated and available in the District Attorney's budget through vacancy savings.

BACKGROUND:

The Public Employee's Pension Reform Act of 2013 requires that active members who retire on or after January 1, 2013, must wait 180 days after retirement before returning to work as a temporary employee. The Act also allows the Board, based on findings that the appointment is necessary to fill critically needed positions, to waive the 180-day "sit-out"

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/17/2023** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Ken Carlson, 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: January 17, 2023

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Monica Carlisle,
925-957-2234

By: June McHuen, Deputy

cc:

period.

BACKGROUND: (CONT'D)

Senior Inspector Tim Jung retired from County service on 12/15/2022. He was one of the senior members of the District Attorney/FBI Safe Streets Task Force (SSTF). The SSTF is tasked with investigating violent gang crime throughout the entire County. As a senior member of the SSTF, Senior Inspector Jung performed critical operational and logistical tasks that no other investigator is qualified to perform.

Senior Inspector Jim Alexander retired from County service on November 11, 2022. He was an experienced investigator who was assigned to the Homicide Unit within the District Attorney's Office. During the pandemic, homicide trials slowed down significantly.

However, homicide trials are resuming at pre-pandemic levels again. Practically speaking, this means Senior Inspector Alexander's retirement came at a time when activity in the Homicide Unit started to return to pre-pandemic levels, albeit with less staffing.

Additionally, a Senior Inspector in the Homicide Unit is required to forge relationships with law enforcement witnesses, reluctant civilian witnesses, and victim families—all of which are necessary for the successful prosecution of murder cases. At the time of his retirement, Senior Inspector Alexander had a caseload of at least 15 pending murder cases.

One of the most critical functions performed by the District Attorney is the investigation of Law Enforcement Involved Fatal Incidents (LEIFI). When a fatal officer involved shooting or in custody death occurs, the District Attorney sends a team of her most qualified senior inspectors to investigate the incident. Senior Inspectors Jung and Alexander both served as lead investigators in the investigation of LEIFI incidents. Their absence from this function will add to the workload of existing senior inspectors.

The temporary hire of experienced senior inspectors Tim Jung and Jim Alexander will allow the District Attorney's Office to immediately backfill for critical operational functions within the organization. The Department is in the process of recruiting for Senior Inspector positions. Senior Inspectors Jung and Alexander will also help and train the next incumbents that will take over their various responsibilities in the future.

CONSEQUENCE OF NEGATIVE ACTION:

Critical operational functions within the District Attorney's Office will be inhibited which could negatively impact high level gang investigations and the prosecution of felony crimes.

CLERK'S ADDENDUM

Speaker: Caller 6770.