



# COUNTY OF HUMBOLDT

For the meeting of: 10/9/2018

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File #: 18-1243

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To: Board of Supervisors

From: Public Defender

**SUBJECT:**

Advanced Step Increase for Deputy Public Defender, Richard Leohner, Jr. (4/5 Vote Required)

**RECOMMENDATION(S):**

That the Board of Supervisors approve a retroactive step increase for Richard Leohner, Deputy Public Defender III, from Step 1A to Step C (Class 604, Salary Range 488) for Conflict Counsel, Budget Unit No. 1100-246 effective August 27, 2018.

**SOURCE OF FUNDING:**

General Fund.

**DISCUSSION:**

Richard Leohner was hired by the Conflict Counsel Office as a Deputy Public Defender III, beginning at a salary Step 1A, the minimum compensation for this job classification, with a starting date of August 27, 2018. The Public Defender's Office believes that the maintenance of experienced personnel so requires, and that the qualifications, education, previous training and/or experiences of Mr. Leohner justify a beginning salary equivalent to Step C. A request to begin an employee at an advanced step is normally done prior to an employee's hiring date by contacting the County Administrative Office (CAO). However, due to an administrative oversight the Public Defender's Office did not submit the request to the CAO until after Mr. Leohner began his employment with the county. The proposed advanced step increase is in accordance with Section 4 of the Memorandum of Understanding between the County of Humboldt and the County Attorney's Association, which requires the Board of Supervisors to approve advanced step placements requested after an employee's date of hire.

Mr. Leohner has nearly six years defending indigent clients with two years as a Deputy Public Defender in Tulare County, two years as a Deputy Public Defender III for the Orange County Public Defender's Office, and nearly two years representing indigent clients in private practice. Mr. Leohner was selected as the top candidate due in part to his level of trial experience, his desire to continue his career representing indigent clients, and to ensure adequate representation and court coverage for the Conflict Counsel Office.

**FINANCIAL IMPACT:**

The Conflict Counsel fiscal year budget for 2018-19 contains a fully budgeted personnel allocation for Deputy Public Defender III, Step C. The request for an advanced Step C (Class 604, Salary Range 488), including retroactive pay of approximately \$1,340, will result in no additional cost to the General Fund.

This agenda item supports your Board's Strategic Framework, safeguarding the public trust, by investing in county employees.

**OTHER AGENCY INVOLVEMENT:**

None.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board of Supervisors could choose to not approve the advanced step increase. However, this alternative is not recommended as it may have an adverse effect in the Public Defender's ability to fill vacant positions. The Public Defender's Office has recruited

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extensively over the last year in an effort to hire qualified Deputy Public Defenders to fill two vacant positions, one of which remains vacant. In order to hire experienced Deputy Public Defenders in a tight labor market, it is necessary to offer salary that is commensurate with their experience.

**ATTACHMENTS:**

None.

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: N/A

Meeting of: N/A