



## Administration

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## CSAC 2020 Challenge Awards

### Virtual

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## Overview

A virtual work environment allows us to continue defending Constitutional Rights and pursuing justice through excellent representation while keeping our staff and clients safe.

## Challenge

Continuous operation of our courts is essential in providing due process and protecting the public. However, to do so during the COVID-19 global pandemic and prevent further spread of the disease proposes several challenges. How does a Public Defender have private communications with clients in-custody and out, negotiate cases with a prosecutor, conduct hearings in court all while complying with health and safety laws, regulations and orders to prevent the spread of COVID-19. How do we practice social distancing in a courtroom that is full of clients and loved ones on a daily basis?

## Solution/Innovation/Results

*Our mission is to Defend Constitutional rights and pursue justice through excellent representation.*

### Tele-Commuting

The Public Defender Data and File Management System was developed and specifically hosted on an external cloud-based server to allow all San Bernardino County staff access to client files from wherever internet connection is available. The goal of the telecommuting program was to promote the County's strategic objectives of minimizing disruption to service during an emergency, such as COVID-19, improving overall productivity, making optimal use of county office facilities and equipment, improving employee retention and reducing traffic congestion and improving air quality. Through this program our employees have been able to provide the same excellent representation of clients, through use of video conferencing, minimizing the number of bodies physically present in court.

### Virtual Court

How to limit the number of individuals in court to allow for practicing of social distancing continues to be a concern. An issue that was identified from the start was how to keep the spread of COVID-19 from transportation of those in-custody to and from court. Social distancing on transportation buses was virtually impossible. The concern was in preventing the spread of COVID-19 in both directions. To help alleviate some of these pressures, a virtual court program was developed. In collaboration with the San Bernardino County Sheriff's department, a designated video conference room was created at West Valley Detention Center and the High Desert Detention Center. A total of 13 video conferencing booths were created where the Public Defender installed 13 computers with access to Microsoft Teams. Microsoft Teams allows Public Defender's video conferencing access to clients that are incarcerated in San Bernardino County.

These stations allow Public Defenders to speak with in-custody clients privately via video. After discussing cases with the clients, the Public Defender is able to connect both the client and attorney to the court to make a video appearance.

On average, Public Defenders consult with 75 clients per day via the virtual courts. This has helped reduce the number of individuals being transported to court along with the number of individuals who are physically present in court. This program has allowed our Law & Justice Partners practice better social distancing.

### Outdoor Court

Prior to the COVID-19 court closure, the West Valley Division of the Public Defender's Office handled up to approximately 150 misdemeanor cases daily. This brought 150 clients to the courthouse. Many of these clients came with family causing the courtrooms handling misdemeanor cases to fill to capacity. In the COVID-19 world we experience today this type of crowding presents obvious problems. The telecommuting and virtual court programs has provided a solution to these problems.

Using Microsoft Teams the Deputy Public Defender's, already equipped with iPads, are able to connect to the court and appear via video. Upon arrival at the courthouse and while remaining outside, public defender clients are checked in by Public Defender Office Assistant staff using an automated electronic form created specifically by the Public Defender's Office. This form allows a single staff member, using an iPad, to check in several clients quickly and while maintaining social distancing. Clients provide a phone number to an Office Assistant which is automatically relayed to public defender attorneys electronically. The clients are able to leave the courthouse and are contacted within fifteen minutes by a public defender attorney who is telecommuting. Without bringing the clients into the courthouse and with minimal physical interaction by staff outside, attorneys are able to discuss cases with clients and conduct phone/video negotiations with the District Attorney. In addition, attorneys can access and update client files anywhere with an internet connection using the Public Defenders own electronic file and data management system, referred to as FACTS.

When the case is ready to be called, the Public Defender is able to appear for the client via an iPad and Microsoft Teams. If needed, the client can appear via video using a Public Defender iPad outside. Three Rancho Cucamonga misdemeanor courtrooms are now equipped with iPads running Microsoft Teams. These iPads are connected to the already existing courtroom displays allowing for a video court appearance. Each of these misdemeanor courtrooms currently calendars approximately a hundred cases each day.

The new "Video Court" has drastically decreased the volume of people within the courthouse and within the public defender offices. Each video courtroom is staffed by numerous public defenders but without bringing the clients or attorneys into the courtroom. The decrease in staff within the office creates a safer work environment allowing for social distancing within the office, and less physical contact for those telecommuting.