



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

STAFF REPORT

BOARD MEETING DATE: June 20, 2023

DATE: May 12, 2023

TO: Board of County Commissioners

FROM: Kate Thomas, Assistant County Manager
775-328-2008, kathomas@washoecounty.gov

THROUGH: Eric P. Brown, County Manager

SUBJECT: Recommendation for the Board of County Commissioners to appoint Evelyn Grosenick as Washoe County Public Defender effective June 20, 2023, with an annual salary of \$180,003.20. (All Commission Districts.) FOR POSSIBLE ACTION

SUMMARY

On March 28, 2023, the Board accepted the resignation of former Public Defender, John Arrascada, and approved the County Manager's recommendation to appoint Chief Deputy Public Defender, Evelyn Grosenick, to the position of Interim Public Defender, effective April 14, 2023. Following a recruitment process for the screening and selection of a new Public Defender, approved by the Board in February 2023, this agenda item seeks the Board's appointment of Evelyn Grosenick as the Washoe County Public Defender, effective June 20, 2023, with an annual salary of \$180,003.20.

Washoe County Strategic Objective supported by this item: Vulnerable Populations

PREVIOUS ACTION

On April 24, 2018, the Board approved a recruitment process for the appointment of a new Washoe County Public Defender. The process included a review of applications by an Application Review Committee and recommendation of the top candidates to the County Manager for further consideration; candidate interviews and selection of the top candidate by a panel created by the County Manager's Office; a meeting between the top candidate selected by the interview panel and the County Manager; negotiation of a recommended annual salary and start date; and appointment of the new Public Defender by the Board pursuant to Nevada Revised Statute 260.010(5) and Washoe County Code 5.439(2).

On July 10, 2018, the Board appointed John Arrascada as the Washoe County Public Defender effective August 20, 2018, with an annual salary of \$173,576.00.

On February 28, 2023, the Board approved the process for the recruitment and appointment of non-elected, unclassified management employees. The process which was approved by the Board is outlined below.

AGENDA ITEM # _____

On March 28, 2023, the Board accepted the resignation of former Public Defender, John Arrascada, and approved the County Manager's recommendation to appoint Chief Deputy Public Defender, Evelyn Grosenick, to the position of Interim Public Defender, effective April 14, 2023.

BACKGROUND

NRS 260.010(1) and Washoe County Code 5.439(1) establish the office of the public defender for each county having a population of 100,000 or more. Pursuant to Washoe County Code 5.441(2), the Board of County Commissioners is to appoint a Public Defender to represent indigent persons who are under arrest and held for a public offense. The Board of County Commissioners and the Public Defender shall cooperate with the Board on Indigent Defense Services and the Department of Indigent Defense Services to collect, maintain, and provide information and reports concerning the provision of indigent defense services NRS 260.010(7).

The resignation of Public Defender John Arrascada necessitated the appointment of an interim staff member to oversee the office. The County process for appointing an interim/acting department head is based on past practice. The process for appointing interim/acting department heads is summarized as follows:

- The County Manager receives notification that a Board appointed department head is vacating his/her position.
- Together the County Manager and Assistant County Manager who supervises the department selects an employee to serve as interim/acting department head to oversee the management and day-to-day operations of the department during the recruitment/selection process for the permanent appointment of the department head.
- The County Manager makes a recommendation for the Board to approve and accept the interim/acting appointment. The person appointed as the interim/acting department head serves in that role from the date that the department head vacates his/her position to the date that a permanent department head is appointed.
- The interim/acting appointment ends on the date that the Board approves the permanent appointment of the newly selected department head.

Due to the resignation of Public Defender John Arrascada, the County Manager recommended that the Board of County Commissioners appoint Chief Deputy Public Defender Evelyn Grosenick to the position of Interim Public Defender, effective April 14, 2023. The Interim Public Defender was to serve in that role until a permanent Public Defender is appointed by the Board.

In accordance with NRS 260.010(5), Washoe County Code 5.439(2), and the Board's approved process for recruitment and appointment of unclassified management positions, the process and timeline for the recruitment/appointment of the permanent Public Defender is summarized as follows:

Job Announcement Advertised	March 13 – April 10
Screening Committee Reviews/Ranks Qualified Applicants	April 17 – April 24
1 st Round of Interviews by Panel & Recommendation to County Manager	May 5, 2023
2 nd Interview of Top Candidate (2 nd Interview Panel includes the County Manager and District 1 Commissioner per recruitment policy established by the Board at the February 28, 2023, meeting.)	May 12, 2023
Chair & Vice Chair of the Board Meet Top Candidate	Week of May 15
Recommendation to the Board for Formal Appointment	June 20, 2023, BCC
Hire Date	June 20, 2023

Human Resources advertised the position in the following ways: State Bar of Nevada website and newsflash which included 6,000 emails to attorneys in Nevada; Nevada Department of Employment Training & Rehabilitation (DETR); Governmentjobs.com; Facebook, Twitter, Indeed; emailed the job announcement to Public Defender and Alternate Public Defender, State Public Defender, members of the Washoe County Bar Association, Public Defenders and Alternate Public Defenders in Nevada and multiple local Criminal Defense Attorneys to send to interested candidates.

Human Resources staff reviewed the applicants and forwarded five (5) candidates to the Public Defender Application Screening Committee for review and ranking. The committee consisted of six (6) examiners which included two from local law offices and four from the following agencies: Nevada Legal Aid, the Nevada State Bar Association, the National Association for the Advancement of Colored People (NAACP), and the Washoe County Bar Association.

Per Washoe County's Personnel Handbook section 5.227 (b), the names and identities of these special examiners are to remain confidential.

After careful review of qualifications and prior work history, the Application Screening Committee ranked qualified applicants based on the following "Ideal Candidate" criteria:

- ✓ Supervisory or management experience
- ✓ Understanding and experience of budget and strategic planning
- ✓ NRS 432B experience (dependency cases)
- ✓ Experience in delinquency cases
- ✓ Both criminal trial and appellate experience
- ✓ Specialty Court experience
- ✓ Years of experience

The first round of interviews included the top four (4) ranked candidates as identified by the Screening Committee. They were interviewed by a panel that included Washoe County Conflict Counsel Patrick McGinnis; District Court Administrator Alicia Lerud; Northern Nevada Legal Aid Child Advocacy Supervising Attorney Jeff Briggs and

Federal Public Defender Lori Teicher. The interview panel recommended three (3) candidates move to the final interview.

The final interview panel included Washoe County Commission Chair Alexis Hill, Clark County Special Prosecutor Jenelle Thomas, Washoe County Manager Eric Brown and Assistant Washoe County Manager Kate Thomas. The interview panel selected Evelyn Grosenick to be recommended to the Board of County Commissioners for appointment as the Washoe County Public Defender.

Ms. Grosenick has been with the Washoe County Public Defender's office since 2013. Prior to that she was a Judicial Clerk for the Honorable Janet J. Berry from 2012 -2013. Prior to her position as a Judicial Clerk, she was a Federal Judicial Clerk for the Honorable Gargland Burrell, District Court for the Eastern District of California. She received her Bachelor's Degree in Communication Studies with a minor in Economics from Vanderbilt University and her Law Degree from McGeorge School of Law where she was Editor-in-Chief, McGeorge Law Review, 2009–2010. Ms. Grosenick is currently a member of the Northern Nevada Women Lawyer's Association and the Washoe County Bar Association.

The final step in the recruitment process is Board appointment of the new Public Defender and approval the proposed annual salary and start date recommended by the County Manager.

FISCAL IMPACT

The Public Defender position is authorized and included in the FY23 adopted budget. As a required position, it is also included in the FY24 adopted budget. No fiscal impact related to this agenda item.

RECOMMENDATION

It is recommended the Board of County Commissioners appoint Evelyn Grosenick as Washoe County Public Defender effective June 20, 2023, with an annual salary of \$180,003.20.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to approve the recommendation for the Board of County Commissioners to appoint Evelyn Grosenick as Washoe County Public Defender effective June 20 2023, with an annual salary of \$180,003.20.”