



FY 2021-22 MOE BUDGET

April 13, 2021

Presented By: Brendon D. Woods, Public Defender



MISSION

Protect. Defend. Serve.

To zealously protect and defend the rights of our clients through compassionate and inspired legal representation of the highest quality, in pursuit of a fair and unbiased system of justice for all.

MANDATED SERVICES

The Public Defender is the primary defense attorney for indigent individuals accused of crimes or otherwise facing potential incarceration or loss of liberty.

1

DEATH PENALTY CASES

2

FELONIES

3

MISDEMEANORS

4

MINORS

5

APPEALS

6

PRCS VIOLATIONS/
PAROLE REVOCATION HEARINGS

7

CLEAN SLATE

8

IMMIGRATION

2021-22 FINANCIAL SUMMARY



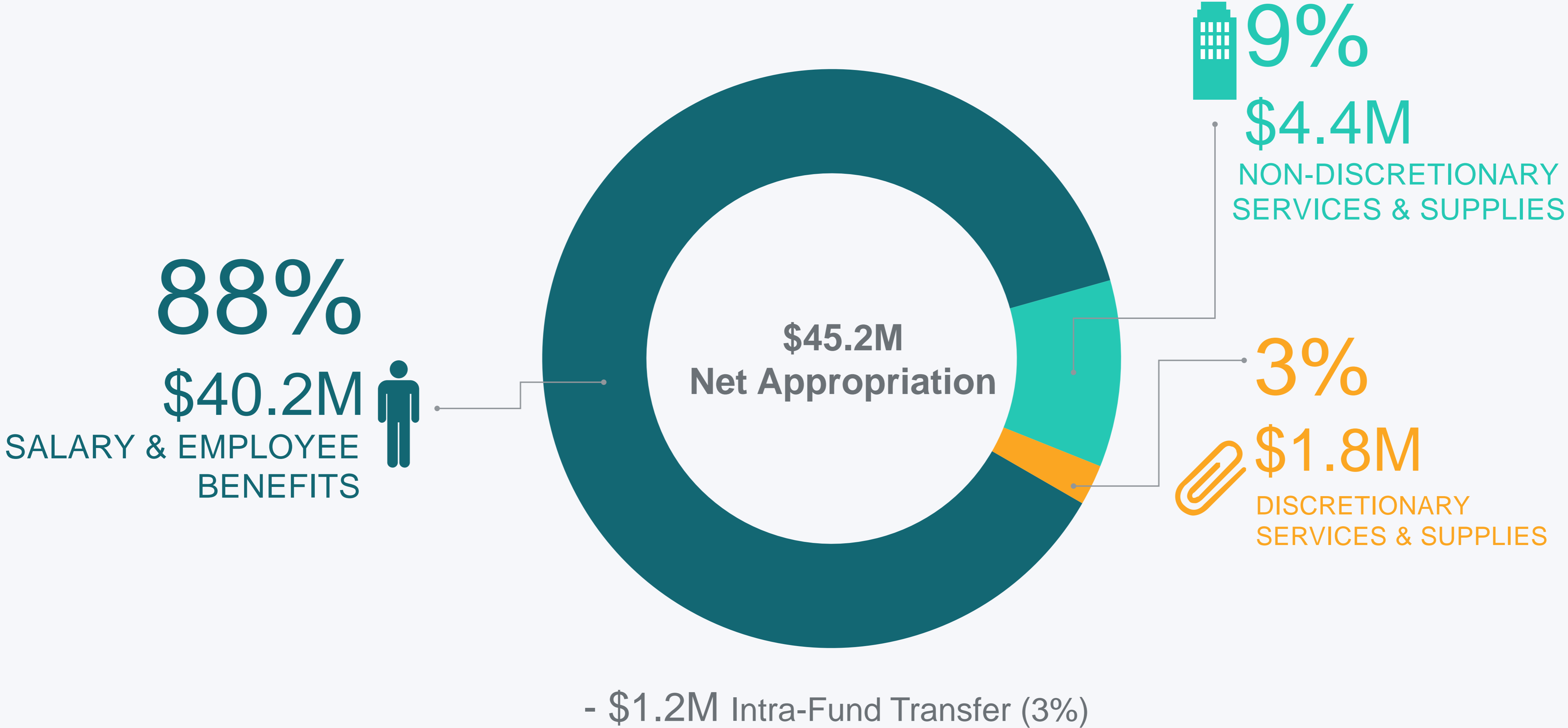
	2020-21	2021-22	Change from 2020-21	
	Approved Budget	MOE Budget	Amount	%
Appropriations	\$45,202,582	\$45,168,014	(\$34,568)	-0.08%
Revenues	\$2,252,291	\$1,575,934	(\$676,357)	-30.03%
Net County Cost	\$42,950,291	\$43,592,080	\$641,789	1.49%
FTE – Mgmt.	134.57	134.57	0.00	0%
FTE – Non-Mgmt.	47.29	47.29	0.00	0%
Total FTE	181.86	181.86	0.00	0%

MAJOR COMPONENTS OF NET COUNTY COST (NCC) CHANGE

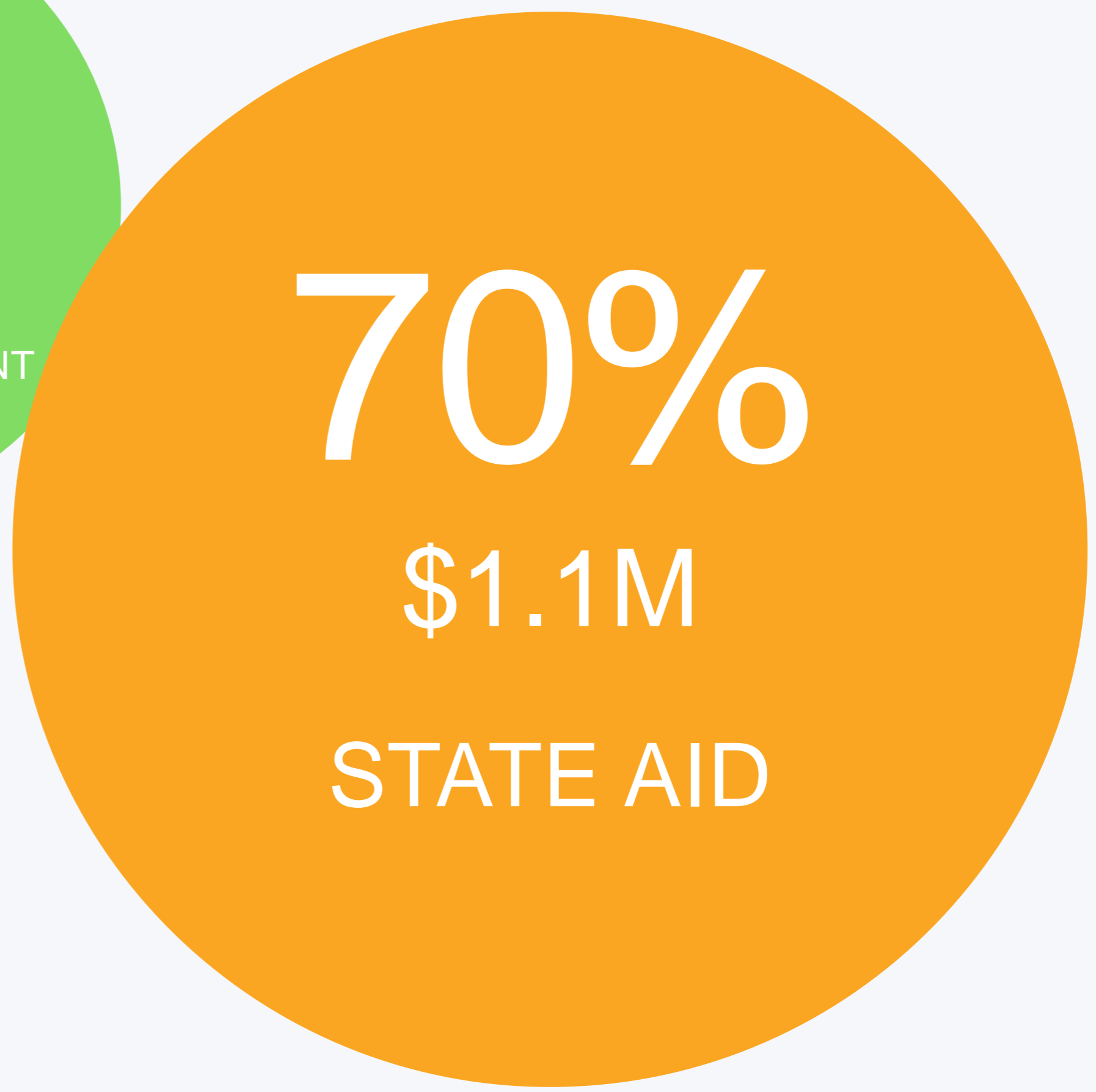


Component	NCC Change
Salary & Employee Benefits	(\$517,661)
ISF Adjustments	\$203,037
DS&S	\$280,056
Revenue	(\$719,232)
Realignment Revenue	\$42,875
Total	\$641,789

APPROPRIATIONS BY MAJOR OBJECT



REVENUES BY SOURCE



TOTAL REVENUE: \$1.5M

INDIGENT DEFENSE – COMBINED

Public Defender and Contracted Indigent Defense Services (CAAP)



	2020-21	2020-21	2021-22	2021-22	Net County Cost Change from 2020-21	
	Approved Appropriations	Approved Net County Cost	MOE Appropriations	MOE Net County Cost	Amount	%
Public Defender	\$45,202,582	\$43,525,870	\$45,168,014	\$44,210,534	\$684,664	1.57%
CAAP	\$7,471,623	\$7,134,623	\$7,632,205	\$7,398,432	\$263,809	3.70%
2011 Realignment – Public Defender	-	-\$575,579	-	-\$618,454	-\$42,875	7.45%
Total	\$52,674,205	\$50,084,914	\$52,800,219	\$50,990,512	\$905,598	1.81%

FUND DEVELOPMENT

\$598,000 Secured



\$15,000

East Bay
Community
Foundation
COVID-19
Support



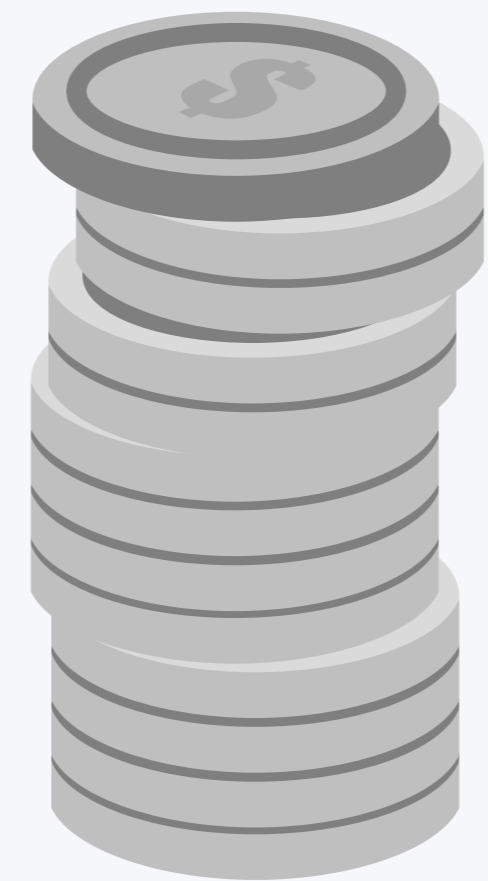
\$25,000

Firedoll



\$40,000

Peralta
Colleges/
Laney
College



\$65,000

Kelson
Foundation



\$74,000

Fair Chance
Housing
Ordinance



\$129,000

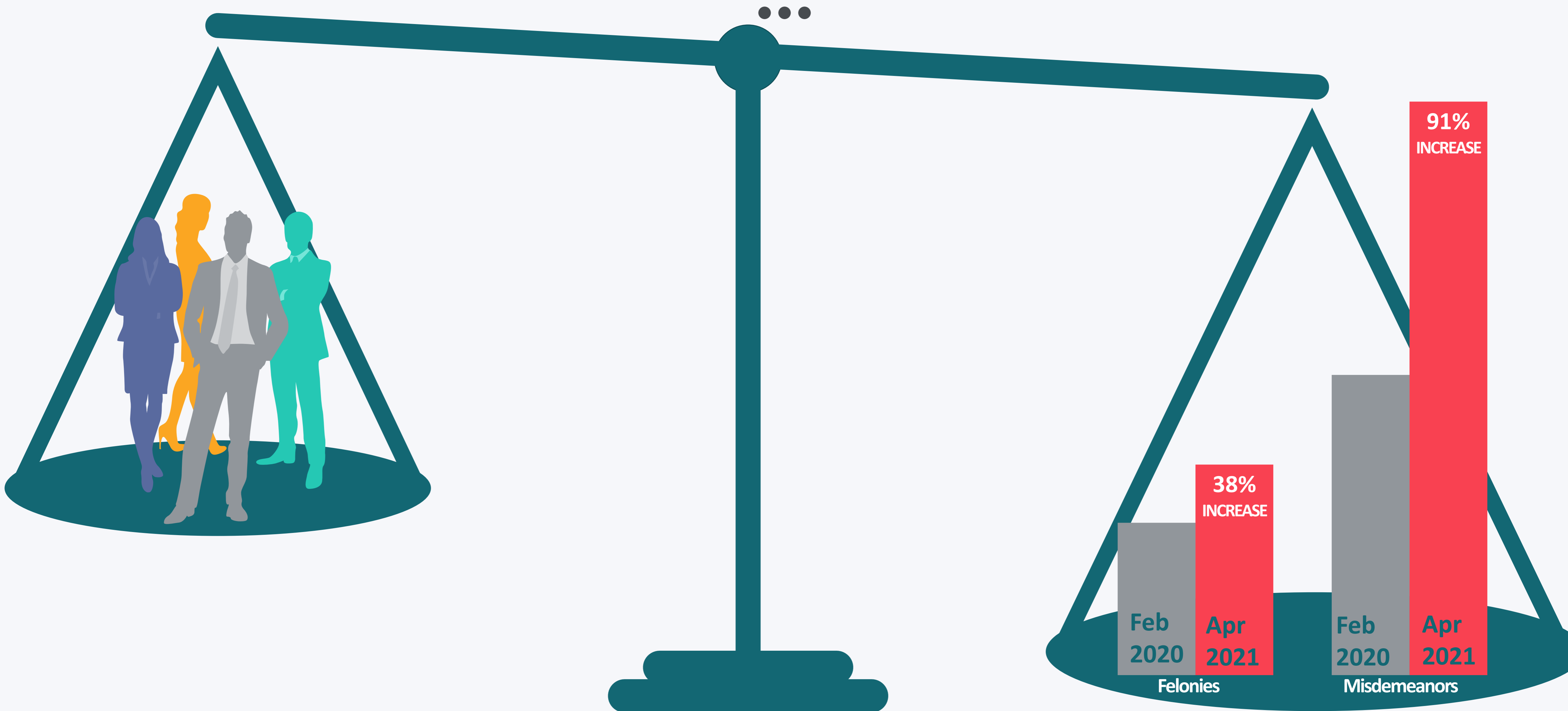
Justice and
Diversity
Center of the
Bar
Association



\$250,000

Crankstart
Foundation

CASELOAD INCREASE FEBRUARY 2020 (PRE-COVID) TO APRIL 2021





LEGISLATIVE CHANGES WITH BUDGET IMPACTS

SB 395 and SB 203 - Juvenile Miranda protection

SB 384 - Tiered Sex Registration

AB 1950 - Reducing probation terms

SB 1437 - Felony Murder Law resentencing

AB 1793 - Resentencing of certain cannabis offenders

AB 2867 - Post-conviction relief

AB 2942 - Allowing the court to recall and resentence people

Youthful Offender Parole/Franklin hearings

HUMAN IMPACTS OF FUNDING REDUCTION

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- ⊗ Increased time in custody for:
 - people who have been convicted; and
 - people who have not been convicted of a crime
- ⊗ Results in:
 - Unnecessary separation of families
 - Loss of housing
 - Loss of employment
- ⊗ Reduced access to Clean Slate remedies
- ⊗ Reduced access to rehabilitation services
- ⊗ Increased deportations
- ⊗ Reduced ability to recruit and retain quality staff

HUMAN IMPACTS OF FUNDING REDUCTION



Wrongful convictions

The Mercury News | TODAY'S E EDITION
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WEATHER

NEWS > CRIME AND PUBLIC SAFETY • News

'In a perfect world he would have been charged in juvenile court': Oakland man acquitted in murder trial over shooting when he was 18

Self-defense argued at trial

The Mercury News | TODAY'S E EDITION
MANAGE SUBSCRIPTION
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WEATHER

NEWS > CRIME AND PUBLIC SAFETY • News

Since 2013, an Oakland man has faced life in felony child assault case. It took five days of trial for a judge to throw out the case

Judge ruled DA evidence fell short even assuming it was true

EAST BAY TIMES | WEATHER
TODAY'S E EDITION
MANAGE SUBSCRIPTION
SIGN UP FOR NEWSLETTERS

NEWS > CRIME AND PUBLIC SAFETY • News

Alameda public defender's investigation shows 2019 killing was self-defense, murder charge dismissed; his client spent nearly 2 years in jail

Solano County man spent nearly two years in jail

HOLISTIC CRIMINAL DEFENSE

...

Opened 23,461 files and represented 23,982 individuals



Eliminate Poverty/Hunger



Employment for All



Eliminate Homelessness



Prosperous and Vibrant Economy



Thriving & Resilient Population

SOCIAL WORKER UNIT



(All numbers for FY 2019-20)

Assessed the needs of 202 Public Defender clients.



Crime Free County

Successfully referred **37** clients to treatment services in lieu of incarceration, 89% of which were accepted by the court

GOAL: Increase the number of clients who participate in treatment in lieu of incarceration.



Fiscal Stewardship

GOAL: Continue to save County money by successfully advocating for treatment and other services in lieu of incarceration.



Employment for All

GOAL: Increase number of clients with reduced barriers to employment and occupational licensing through treatment and other services.



Eliminate Homelessness

GOAL: Increase number of clients with reduced barriers to obtaining housing through Social Worker services.



Collaboration

GOAL: Increase already expansive network of over 50 community partners to assist with successful reentry.



5 Advocates for 2 years, trained by the Bronx Defenders



Healthcare for All

PFJ Advocates enhanced access to preventative and supportive health services for **134** Public Defender clients.

GOAL: Increase access to health services by assisting more clients with food services, health insurance, disability insurance, medical services referrals, mental health services referrals, substance use services referrals and more.



Employment for All

PFJ Advocates assisted **61** clients with obtaining/retaining employment.

GOAL: Increase number of clients referred to employment services, assisted with job searches, supported with professional licensing, and assisted with employer negotiation/intervention.



Eliminate Poverty/Hunger

PFJ Advocates provided food assistance to **90** clients.

GOAL: Increase the number of residents enrolled in food assistance programs.



Eliminate Homelessness

PFJ Advocates assisted **92** clients with housing.

GOAL: Increase number of clients assisted with housing including housing searches, applications, and landlord negotiations.



COVID Resource Guide



ALAMEDA COUNTY PUBLIC DEFENDERS

BRENDON D. WOODS
Public Defender

YOUSSEF J. ILIAS
Chief Assistant Public Defender

***** PRESS RELEASE ***
FOR IMMEDIATE RELEASE**

Public Defender Brendon Woods (510) 272-6621
Deputy Public Defender Jeff Chorney cell (510) 853-2439

PUBLIC DEFENDER RELEASES INFORMATION TO HELP WITH JOBS, FOOD, HOUSING, PUBLIC BENEFITS, ETC. DURING COVID-19 EMERGENCY

OAKLAND, Calif. – Partners for Justice Advocates with the Public Defender’s Office have compiled a list of resources to help low-income residents find help with unemployment, food, housing and other problems during the county’s shelter-in-place order.

“This emergency is hitting low income folks the hardest. Even before the virus, many of our clients and their families did not have stable housing nor reliable access to food and good medical care,” said Alameda County Public Defender Brendon Woods. “We want to make sure they know some help is available.”

Since the beginning of the emergency, the Public Defender has focused on getting people released from Santa Rita County jail. So far, more than 300 people have been released because of the emergency. All jail inmates are at high risk of contracting the virus because they are kept in such close quarters. No inmates can engage in the social distancing public health officials have ordered the rest of the populace to practice. Lack of access to hygiene products in the jail, poor sleep and nutrition also are problems.

But as part of its “holistic defense” model, the Public Defender also knows that keeping people out of trouble often means giving them services and help. About five years ago, the Public Defender began hiring a team of social workers to help attorneys with cases and to connect clients with services.

In 2018, Partners for Justice initiated a program to house a team of five college graduates known as PFJ Advocates to partner with Public Defender attorneys and to work directly with clients to prevent incarceration, protect clients from the collateral consequences of criminal justice involvement and connect clients with social services.

Here follows the information in its entirety. It can also be found here:
<http://www.co.alameda.ca.us/defender/news/covidinformationandresources.htm>

1101 Lakeside Drive, Suite 100, Oakland, CA 94612 | 510.272.6600 | acgov.org/defender

COVID-19 EMERGENCY INFORMATION & RESOURCES FOR JOBS, FOOD, HOUSING, PUBLIC BENEFITS, ETC.

Income: Know your rights if you cannot work

State disability insurance and unemployment insurance can help right now for those eligible who can't work or hours have been reduced. Refer to this [Covid-19 specific info from the EDD](#), this helpful [chart](#) to show who qualifies for what, and a [great FAQ from Legal Aid at Work](#). They also have virtual clinics and phone helplines listed [here](#).

Food: Where to get food for your children and you

All Oakland Unified students and families and any Oakland residents under 18 can pick up free food at [OUSD's 12 pick up sites](#). Hayward Unified provides the same support [here](#). Berkeley schools [here](#), San Leandro Unified [here](#), Fremont [here](#). Anyone, especially those who are unsheltered or elderly, can call the Alameda County Food Bank's [emergency food helpline](#). Seniors can also call a Meals on Wheels provider to sign up for food delivered daily -- county providers [here](#).

Public benefits: How to get and continue aid

Eligible people can still apply for food stamps, GA, CalWorks, and other benefits right now. Our county's social services agency is encouraging phone and online applications -- see [here](#). The governor also issued an [executive order](#) allowing safety net programs to continue without interruption and without need for re-certifications for 90 days.

Evictions, foreclosures and utilities

The Alameda County Sheriff and Alameda County Superior Court have agreed to [halt evictions](#) in our county. Find an ongoing updated page about eviction policies across the Bay during Covid-19 from Bay Legal [here](#). HUD also announced a 60-day moratorium on all evictions and foreclosures for single family homeowners with FHA-insured mortgages -- see [here](#). And, PG&E implemented a moratorium on service disconnections due to non-payment -- see [here](#).

Healthcare

Alameda County provides healthcare to low-income people who are not eligible for Medi-Cal (such as undocumented people) through [HealthPAC](#). Also, testing and treatment related to Covid-19 will not be considered in the USCIS public charge test -- see [here](#). Resources in Spanish can be found [here](#). **Street Level Health Project**: Hotline (510)306-4835, open M-F 8:30-5pm and has Mam and Spanish speakers to assist with applying for benefits (including HealthPAC) over the phone and online. They are also able to refer clients to a staff clinician for an over the phone assessment of symptoms and can make referrals to Highland Hospital.

Mental Health, addiction and homelessness

The county's contracted phone referral services for mental health ([ACCESS](#)) and [substance use](#) are still running. Alameda County Crisis Support Services offers a [24/7 crisis line](#).

Mutual Aid (community volunteer support) and crowd-sourced resources [Disability Justice Culture Club East Bay help form](#), [Oakland high risk matching project](#)--here's a [flyer](#), [Bay Area Covid-19 Mass Resource List](#)

Homeless Resources: [Alameda County Healthcare for the Homeless Covid-19](#) guidance includes a phone number to call if someone is unsheltered with symptoms. The state has already [leased 2](#) Oakland hotels for high-risk and confirmed coronavirus cases of homeless folks--we're staying updated on this. The Berkeley Free Clinic's Street Medicine Team, [East Oakland Collective](#), and other community orgs are working hard to deliver sanitation stations and food to encampments.

Oakland towing and parking

The city has suspended enforcement of most parking restrictions, metered parking, and time-limited parking. Most towing has been suspended also--refer [here](#).

Can't find what you're looking for?

The state government just created this <https://covid19.ca.gov/> new website to be a one stop shop for all California specific updates and resources about the pandemic.

CLEAN SLATE UNIT



Successfully acquired dismissals and reductions of convictions in 1,137 cases, reducing barriers and assisting with:



Prosperous and Vibrant Economy

GOAL: Increase number of clients contributing to a vibrant economy through reduced barriers to employment.



Collaboration

GOAL: Increase Clean Slate Clinic work with East Bay Community Law Center, District Attorney's Office and Probation Department.



Crime Free County

GOAL: Increase the number of clients with reduced barriers to employment and housing, which is known to reduce crime and recidivism.



Eliminate Homelessness

GOAL: Increase number of clients with reduced barriers to housing through Clean Slate services.



Employment for All

GOAL: Increase number of clients with reduced barriers to employment and occupational licensing through Clean Slate services.



Clean Slate Petitions 2015 – 2019

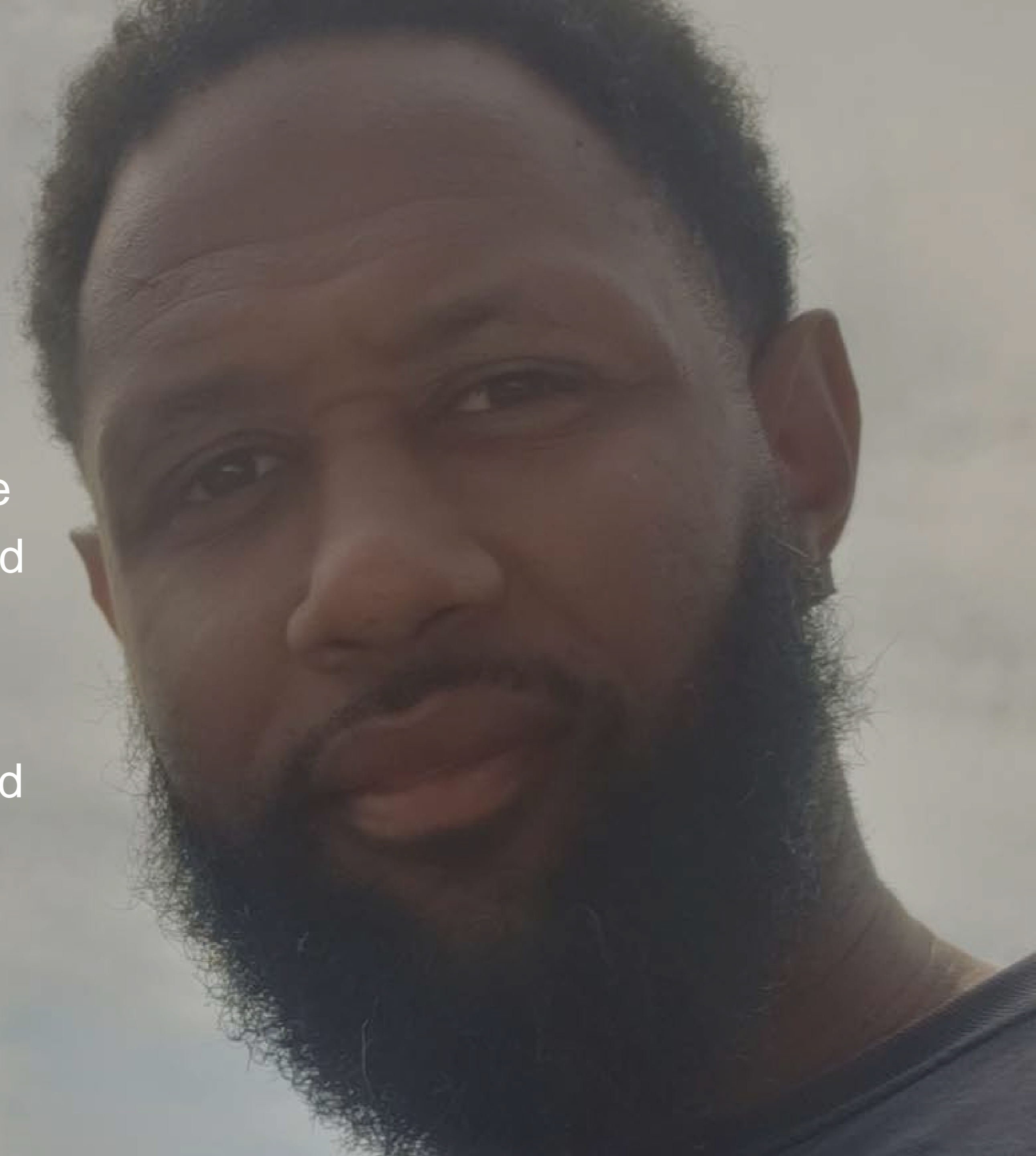
Petitions Filed: 11,035

Petitions Granted: 10,337

Success Rate: 97%

Dez

- **BEFORE Clean Slate**: Temp worker because couldn't pass background check
- **WHAT Clean Slate DID**: Helped him terminate his probation early, dismiss his convictions, and provided employment advocacy
- **AFTER Clean Slate**: In May 2020, during the pandemic, passed background check and hired as FT permanent employee
- His new role came with ***a \$2 per hour pay increase, vacation days, sick days, 401k, medical & dental benefits***



IMMIGRATION REPRESENTATION UNIT



Currently representing 90 people in removal proceedings and conducted over 900 *Padilla* consults.

(Padilla states that criminal defense attorneys must advise noncitizen clients about the deportation risks of a guilty plea.)

Helped stop deportations, vacated convictions that made clients deportable, and successfully challenged statutory and constitutional violations of clients' rights before Federal Courts.



Prosperous and Vibrant Economy

GOAL: Continue to secure immigration status for noncitizen clients, helping them secure the right to live and work in the United States and contribute to a prosperous economy.



Eliminate Poverty/Hunger

GOAL: Continue to secure immigration status for noncitizen clients, helping them secure the right to live and work in the United States.



Crime Free County

GOAL: Continue to connect clients with rehabilitative treatment programs in the course of deportation defense representation to prevent recidivism.



Employment for All

GOAL: Continue representing all eligible clients on work permit applications securing rights to work for immigrant clients pending deportation proceedings.

IMMIGRATION REPRESENTATION UNIT

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Doe v. Barr, No. 20-CV-02141-LB, 2020 WL 1820667 (N.D. Cal. Apr. 12, 2020)

AWARDS



CHBA Honorable Justice
Clinton W. White
Advocacy Award



Daily Journal Top 100
Lawyers



Freeze Warning from FRI 3:00 AM PST until FRI 9:00 AM PST, Mendocino County Coast

People before profits. [Learn More](#)

Public defender encourages incarcerated people at Santa Rita to vote

By Lisa Fernandez | Published September 21 | Updated September 22 | Santa Rita Jail | KTVU FOX 2



Viral [View More](#)

- FOX 11 obtains exclusive photos of Gov. Newsom at French restaurant allegedly not following COVID-19 protocols
- Video: CHP camera catches the moment a car veers off road, goes airborne
- Nike to release self-lacing Air Jordan 11 in December
- Wife's racist tweets about Harris spur official to resign

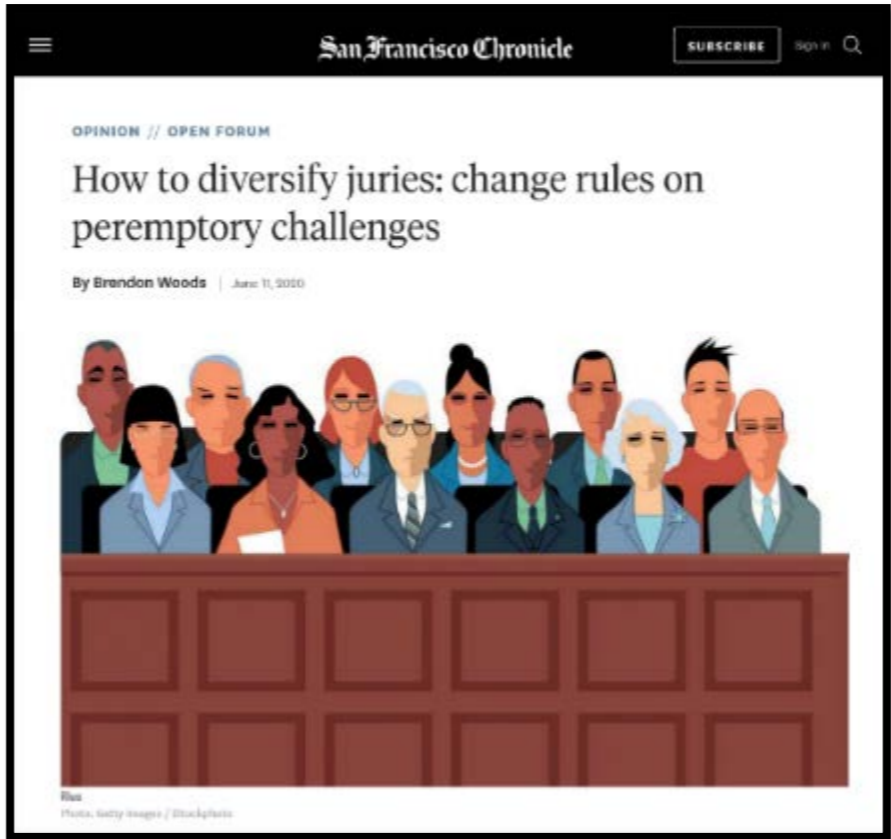
FILE ART - Santa Rita Jail in Dublin

VOICE Video

Pursuing Racial
Justice:

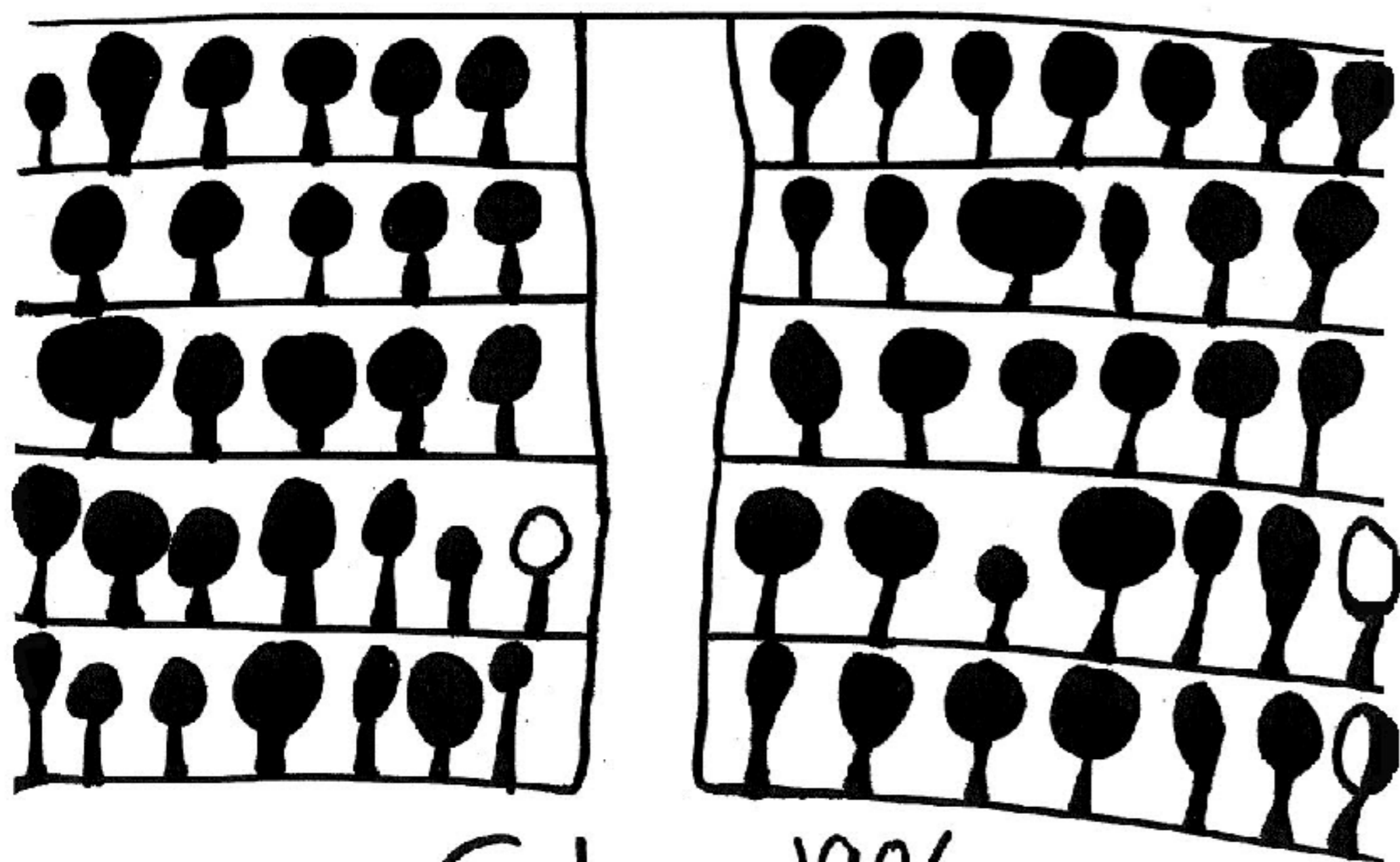
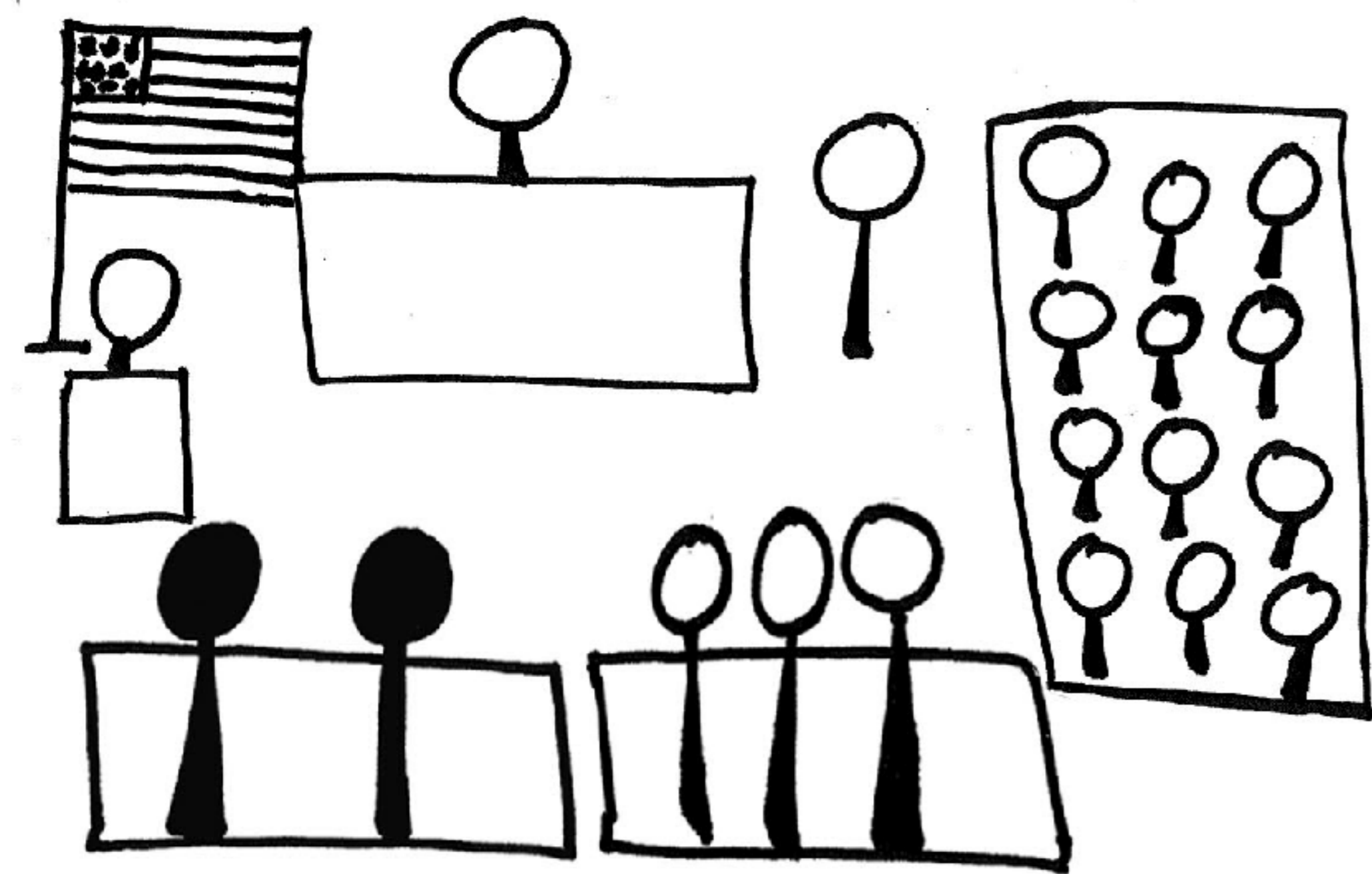
AB 2542 & AB 3070





- ✓ Testified in the Assembly Public Safety
- ✓ Testified in the Assembly Judiciary
- ✓ Testified in the Senate Public Safety
- ✓ Testified in the Senate Judiciary
- ✓ Presentation to Legislative staff

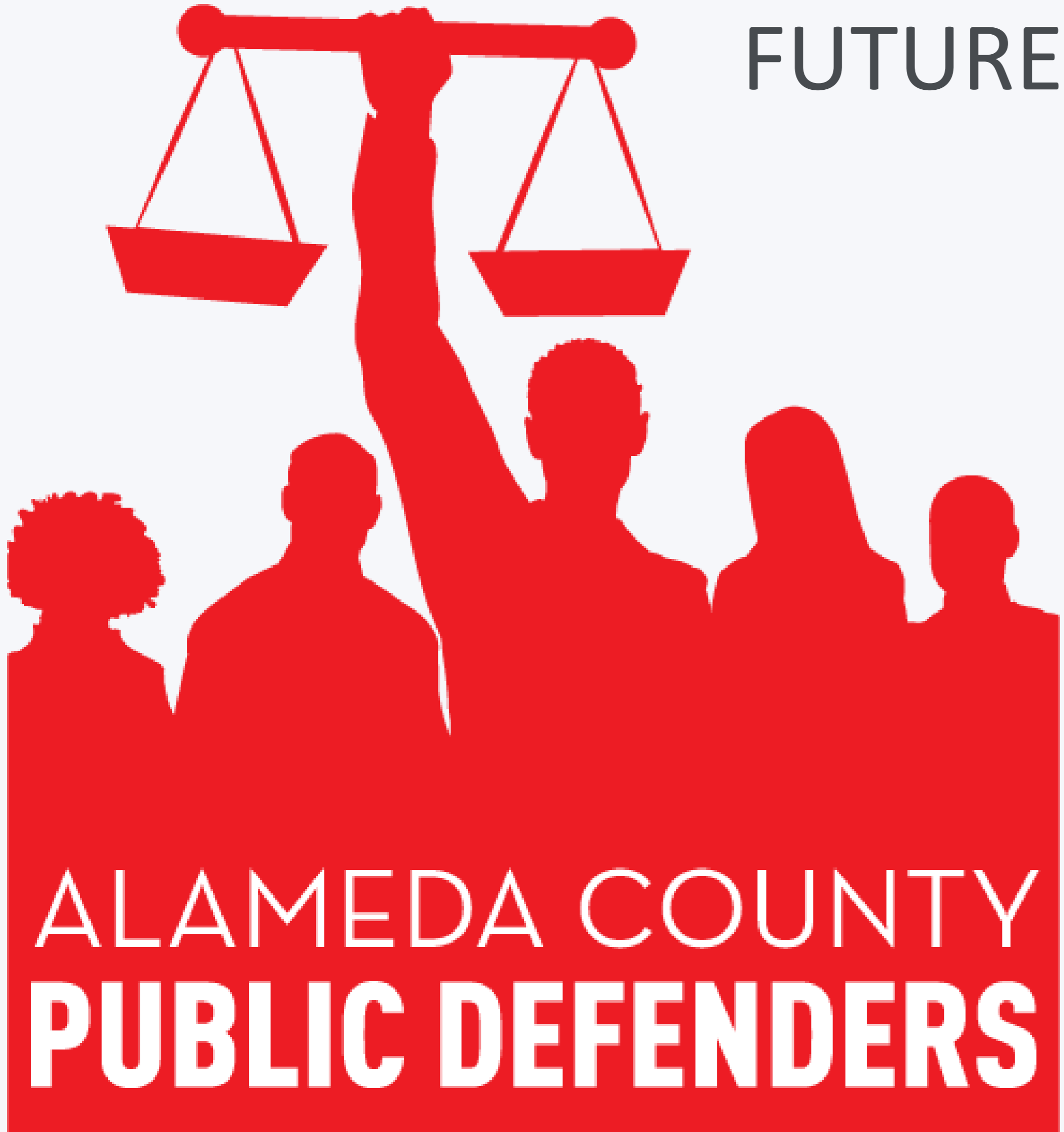




Selma, 1986

DIVERSITY ON JURIES

- 33 trials conducted between Jan. 2020 and Feb 2021
- Obtained jury demographic data from 23 of them
- 11 of the 23 trials **did not have a single Black person** on the jury
- Of the 276 jurors (12 jurors x 23 trials), **only 16 were Black**
- 7 Black clients who had trials **did not have a single Black person** on their jury



FUTURE INITIATIVES

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1. System-involved Advocate
2. Police, Judicial and Prosecutor Misconduct Attorney
3. Director of Training, Racial Equity and Inclusion
4. Stipend for Summer Law Clerks
5. Juror Diversity Project

