



FY 2024-25 MOE BUDGET

April 9, 2024

Presented By: Brendon D. Woods, Public Defender





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.

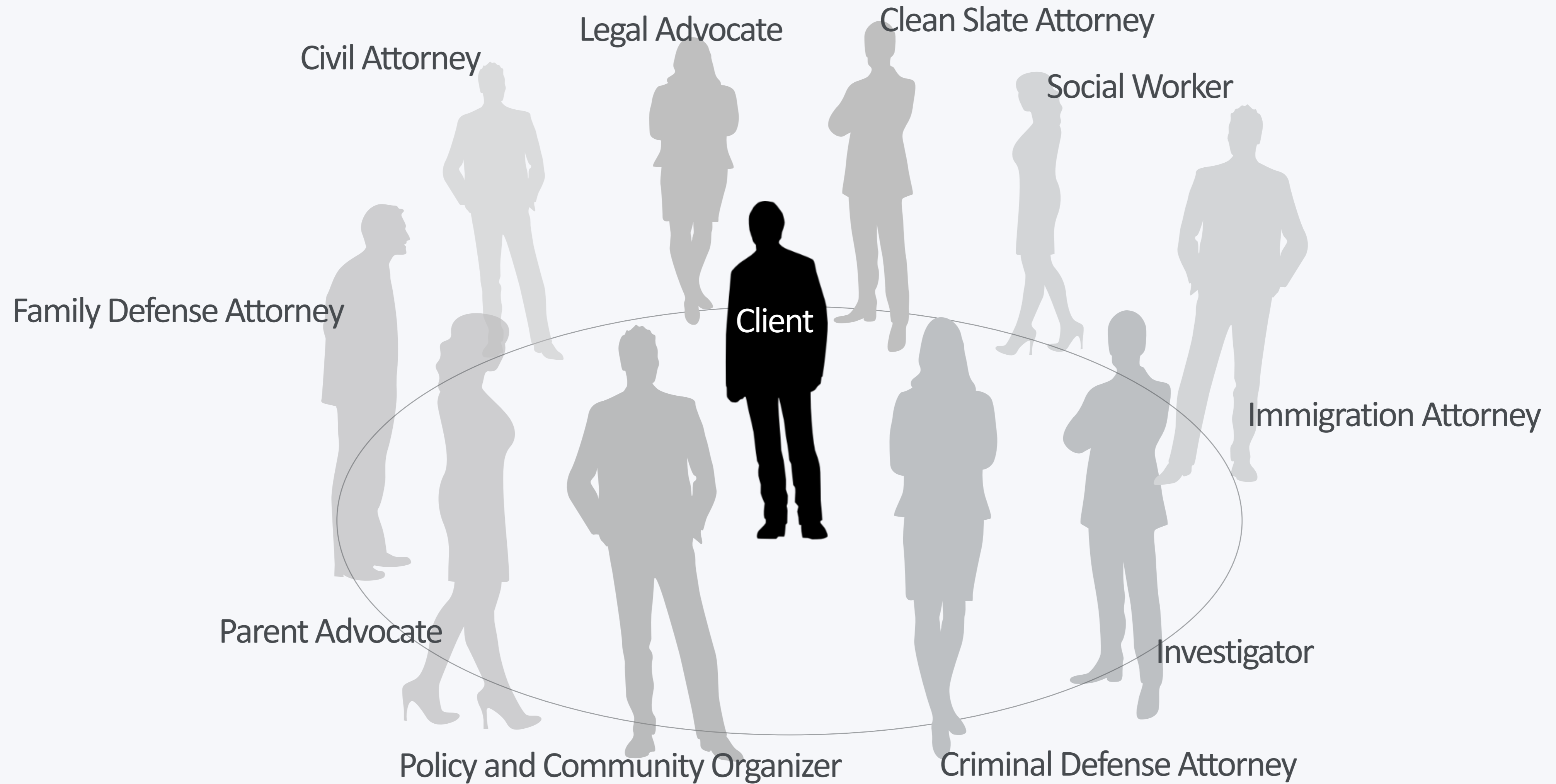
MANDATED SERVICES

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

HOLISTIC DEFENSE



2024-25 FINANCIAL SUMMARY



	2023-24	2024-25	Change from 2023-24	
	Approved Budget	MOE Budget	Amount	%
Appropriations	\$54,189,005	\$61,445,127	\$7,256,122	13.4%
Revenues	\$5,422,973	\$2,310,464	-\$3,112,509	-57.4%
Net County Cost	\$48,766,032	\$59,134,663	\$10,368,631	21.3%
FTE – Mgmt.	149.99	143.74	-6.25	-4.2%
FTE – Non-Mgmt.	50.83	44.99	-5.84	-11.5%
Total FTE	200.82	188.73	-12.09	

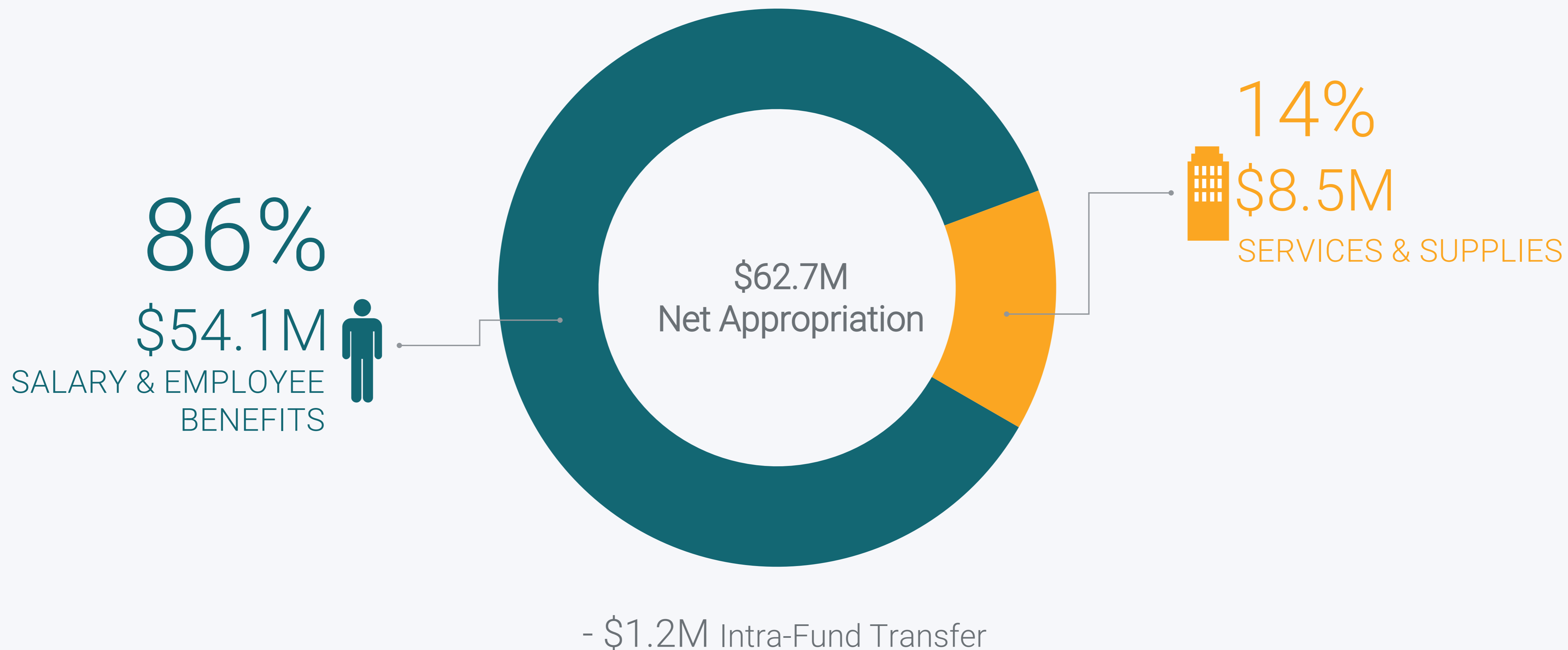
MAJOR COMPONENTS OF NET COUNTY COST (NCC) CHANGE

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Component	NCC Change
Salary & Employee Benefits	\$5,126,587
Risk Management Insurance	\$1,689,382
ISF Adjustments	\$20,153
Services & Supplies	\$420,000
Revenue	(\$3,112,509)
Total Change in NCC	\$10,368,631

APPROPRIATIONS BY MAJOR OBJECT

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REVENUES BY SOURCE

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33%

\$.8M

FUND DEVELOPMENT
/OTHER

67%

\$1.5M

GOVERNMENT AID

TOTAL REVENUE: \$2.3M

INDIGENT DEFENSE – COMBINED

Public Defender and Contracted Indigent Defense Services (CAAP)



	2023-24 Approved Appropriations	2023-24 Approved Net County Cost	2024-25 MOE Appropriations	2024-25 MOE Net County Cost	Net County Cost Change from 2023-24	
					Amount	%
Public Defender	\$54,189,005	\$48,766,032	\$61,445,127	\$59,134,663	\$10,368,631	21.3%
CAAP	\$7,632,205	\$7,398,432	\$10,729,231	\$10,729,231	\$3,330,799	45.0%
Total	\$61,821,210	\$56,164,464	\$72,174,783	\$69,863,894	\$13,699,430	24.4%

Note: The Criminal Court Appointed Attorneys Program (CAAP) and related contracts are administered by the County Administrator’s Office.

HOLISTIC CRIMINAL DEFENSE

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Opened 24,220 files and conflicted on 2,193



Eliminate Poverty/Hunger



Employment for All



Eliminate Homelessness



Prosperous and Vibrant Economy



Thriving & Resilient Population

HOLISTIC DEFENSE MITIGATION SPECIALIST



Assessed the needs of 320 Public Defender clients.



Crime Free County

90% of recommended treatment plans accepted by the courts

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.

MENTAL HEALTH DIVERSION SUCCESS STORY: JUAN



- During the COVID-19 pandemic, Juan was isolated, became homeless, and began suffering depression and substance abuse issues because of his unstable situation and the separation from his family whom he had not seen in nearly 10 years.
- After suffering an arrest, he was eager to receive help and find supportive treatment options. Juan began working closely with one of the Spanish speaking social workers.
- Over the course of several months, they identified underlying issues, developed insight around his needs, and collaboratively came up with a treatment plan. After successful advocacy, Juan was accepted into Mental Health Diversion where he was allowed to enter into mental health and substance use treatment in lieu of further incarceration.
- Since his release from custody, Juan has completed residential treatment, outpatient treatment, and remains an active participant in counseling. Juan is thankful for the support he received through the Adult Felony Social Work Unit and credits this opportunity for his continued recovery and ability to avoid a criminal conviction.

Juan (right) with Social Worker Manuel (left)

CLEAN SLATE UNIT



Successfully acquired dismissals and reductions of convictions in 2,059 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 2023

Petitions Filed: 2,059

Petitions Granted: 1,907

Success Rate: 92%



Clean Slate Client Story: William



ROC and Clean Slate Staff at an event

Before Coming to Clean Slate: William worked part-time in security but couldn't progress without a guard card, something he couldn't obtain due to his record at the time. He also was receiving services from our partner organization, Restoring Our Communities (ROC) at Laney College.

Clean Slate Helped Him: Get off probation early, get his felonies reduced, and his Alameda County convictions dismissed.

After Getting Clean Slate Relief in April 2023: Our team assisted him in appealing his guard card denial and he successfully received his guard card! He got his old job back and became a full-time security guard.

In October 2023, William received a promotion to supervisor which came with a \$4/ hour raise and additional family and medical benefits. William is looking towards a career change in the future and believes *"clean slate made a humongous change in [his] job and housing prospects."*

IMMIGRATION REPRESENTATION UNIT

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Provided removal defense in 146 cases in 2023 and conducted 1,206 *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 noncitizen clients pending deportation proceedings.

IMMIGRATION UNDER ATTACK



Jun 2, 2023 - Politics & Policy

The GOP battle to show who's tougher on immigration

NATIONAL

Why Florida's new immigration law is troubling businesses and workers alike

MAY 30, 2023 - 5:00 AM ET

 Vanessa Romo



U.S. NEWS

Arizona Republicans are pushing bills to punish migrants with the border a main election year focus



Newsweek U.S. World Science Health Life Rankings Opinion Entertainment Fact Check My Turn Education ...

HAPPENING NOW Taiwan Workers Trapped In Rock Quarry

News | U.S. Politics Immigration Migrants U.S.-Mexico Border Republicans Congress House Of Representatives

Republicans Have Plan To Upend Legal Immigration

Published Apr 02, 2024 at 2:06 PM EDT | Updated Apr 02, 2024 at 5:02 PM EDT

Sweeping Raids, Giant Camps and Mass Deportations: Inside Trump's 2025 Immigration Plans

If he regains power, Donald Trump wants not only to revive some of the immigration policies criticized as draconian during his presidency, but expand and toughen them.



United States

Trump calls migrants 'animals,' intensifying focus on illegal immigration

By Nathan Layne, Gram Slattery and Tim Reid

April 3, 2024 9:02 AM PDT - Updated 26 min ago



House Republicans eye crackdown on family-sponsored immigration

Rep. Eli Crane blasted 'unrestricted chain migration'

By Elizabeth Elkind · Fox News

Published April 2, 2024 11:00am EDT



8 Advocates for 2 years, trained by the Bronx Defenders



**PARTNERS
FOR JUSTICE**



Healthcare for All

PFJ Advocates enhanced access to preventative and supportive health services for **333** 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 **215** 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 benefit/food assistance to **258** clients.

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



Eliminate Homelessness

PFJ Advocates assisted **306** clients with housing.

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

PARTNERS FOR JUSTICE



Assists clients in obtaining or improving employment opportunities & access to housing and other services

- **60% of clients that received housing support now have stable housing**
- **68% of clients that received employment support are now employed**
- **80% of clients that received benefits support are now enrolled in benefits**
- **75% of clients that received mental health or substance use support completed a treatment program**

VOICE

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(VOTER OUTREACH INCREASES COMMUNITY EMPOWERMENT)



Registered 1,791 clients
in Santa Rita Jail
to vote



LYR.I.C.

Learn Your Rights In California

Educated 6,000 Students
Over 175 in 2023

HOLIDAY GIFT GIVEAWAY

- On December 20th and 21st we partnered with Campaign Zero to provide 56 families over 250 gifts to children of incarcerated parents or caregivers





LEGISLATIVE CHANGES WITH BUDGET IMPACTS

AB 2542 Racial Justice Act

SB 1209 Resentencing for Veterans

SB 1437/SB 775 Felony Murder Resentencing

Youthful Offender Parole/Franklin Hearings

AB 2942/AB 600 /SB 483 Resentencing

AB 625 California Public Defender Workload Study

Governor's Proposed Cut to the Public Defense Pilot Program

Public Defense Pilot Program



Public Defense Pilot Program

Application Instructions Packet

Release Date: October 4, 2021

Applications Due: January 14, 2022

Grant Period: March 1, 2022 to March 1, 2025

STATE OF CALIFORNIA
BOARD OF STATE AND COMMUNITY CORRECTIONS
2590 VENTURE OAKS WAY, STE 200 ♦ SACRAMENTO CA 95833 ♦ WWW.BSCC.CA.GOV



The State Budget Act of 2021 (SB 129) provided indigent defense providers \$50 million a year for three years.

The grant was designed to cover four resentencing areas of the penal code – PC 1172.6, PC 1172.1, PC 1473.7, and PC 3051.

We received approximately \$2.1 million per year and created our Post Conviction Unit (PCU).

In January 2024, Governor Newsom cut the 3rd year of funding to the Public Defense Pilot Program - \$1.68 million to our office

Post Conviction Unit



POST CONVICTION UNIT SUCCESS STORIES

Mr. MN was 21 years old when he was sentenced to 40 years to life. His home was unstable, and he witnessed a close friend who was shot and killed in front of him. In 2019, his sentence was commuted by the governor to 25 years to life. After serving 16 years he was granted parole at his first parole hearing. Since then, he has successfully transitioned into the community and is living at a re-entry home in Oakland. He's working two jobs and just bought his first car, a Honda Accord.



POST CONVICTION UNIT SUCCESS STORIES

- Jessie Palmer was sentenced to 35 years to life in prison after killing a gas station attendant during a robbery. He served 25 years and was granted parole in 2023. After thriving in transitional housing for a year, he has moved into his own apartment. He is working at The St. Anthony's Foundation, has a 2nd job, and attends classes at SF State. He provided moving testimony on March 28, to the public protection committee.



“I am only here, in the community, because of the Post Conviction Unit. I owe them my freedom”

IN LESS THAN 2 YEARS:

- 66 clients have been resentenced
- 908 YEARS of incarceration saved
- Using the LAO marginal cost of \$15,000 savings is \$13,623,444
- Using the FY24/25 proposed cost of \$132,860 savings is \$120,676,738



National Public Defense Workload Study was released September 2023

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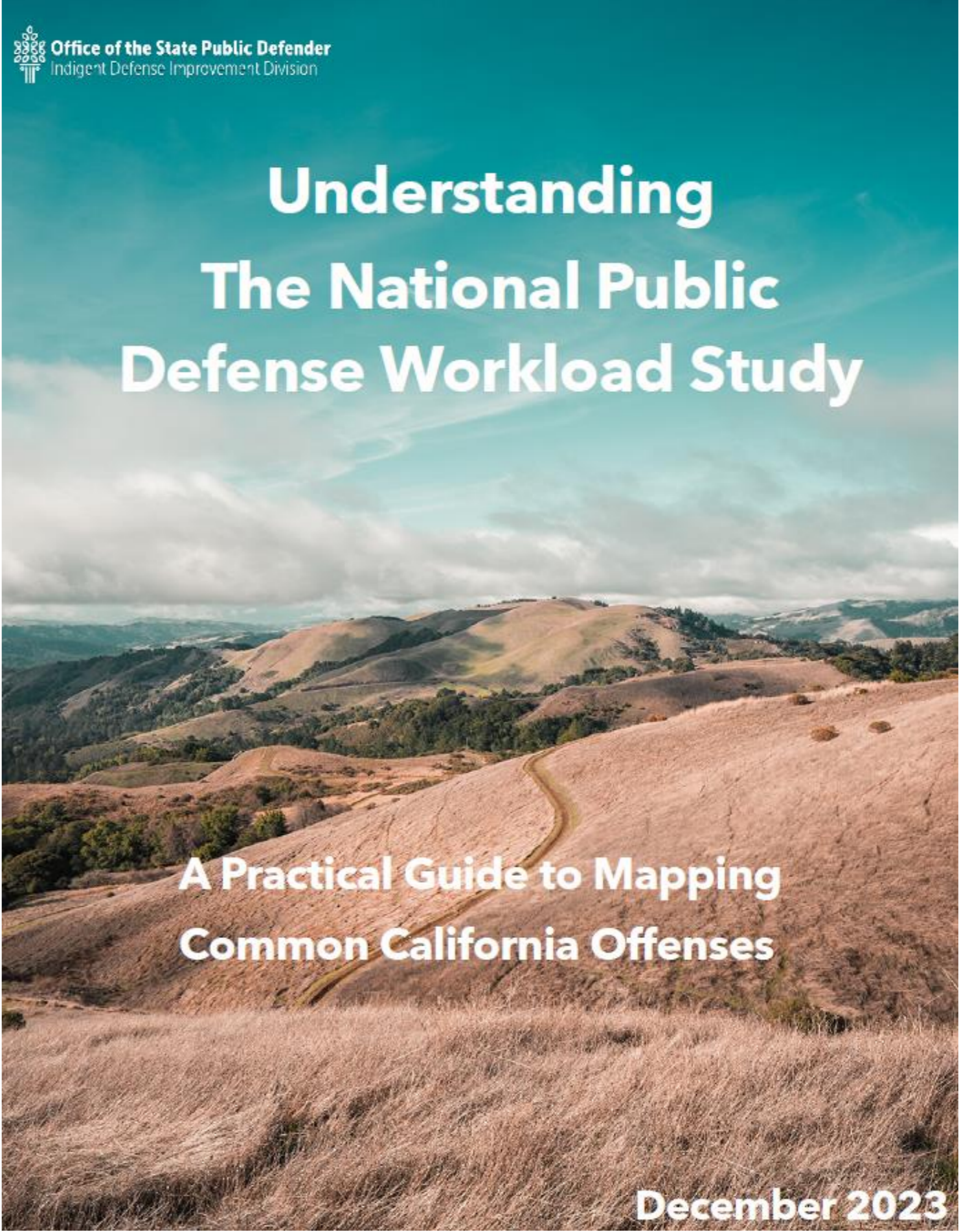
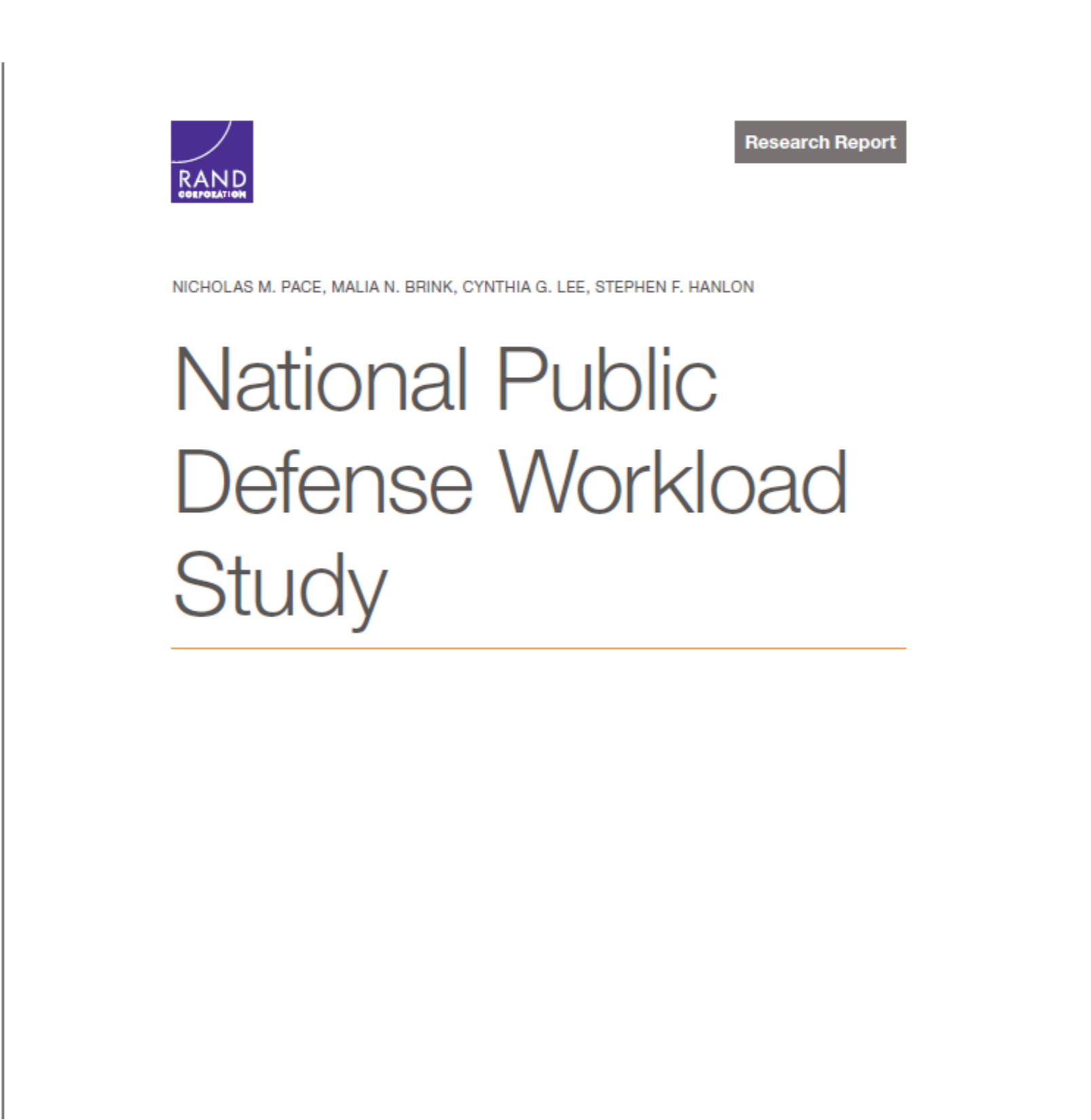
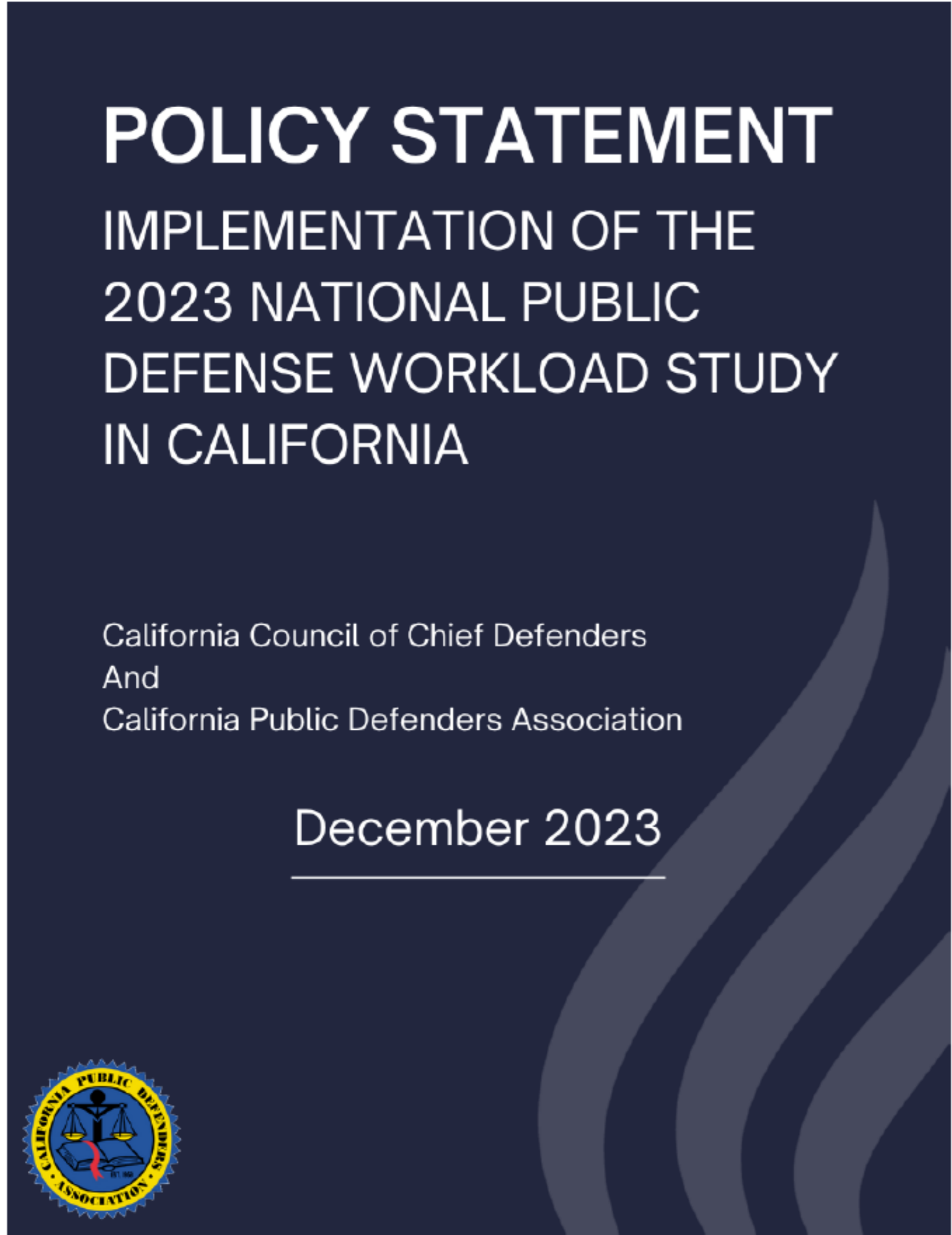


Table S.1. Final Results of the Expert Panel Session with Example Caseload Standards

Case Type	Case Weight (Hours per Case)	Annual Caseload Standard
Felony–High–LWOP	286.0	7
Felony–High–Murder	248.0	8
Felony–High–Sex	167.0	12
Felony–High–Other	99.0	21
Felony–Mid	57.0	36
Felony–Low	35.0	59
DUI–High	33.0	63
DUI–Low	19.0	109
Misdemeanor–High	22.3	93
Misdemeanor–Low	13.8	150
Probation/Parole Violations	13.5	154

NOTE: Annual caseload standards were calculated using an assumption of 2,080 hours available annually to a defender for case-related work.

The NPDWS is the result of an in-depth process that synthesized seventeen prior state-level workload studies and then employed the Delphi method to facilitate the expertise of 33 veteran criminal defense lawyers from around the country.

Studied eight task activities that occur in every case and crimes were categorized into eleven case types.

They use weighted time-study methodologies that establish maximum caseload standards based on the amount of time attorneys should spend on each case type.

Based on the NPDWS, our office would need **50 additional attorneys** to satisfy the workload guidelines.

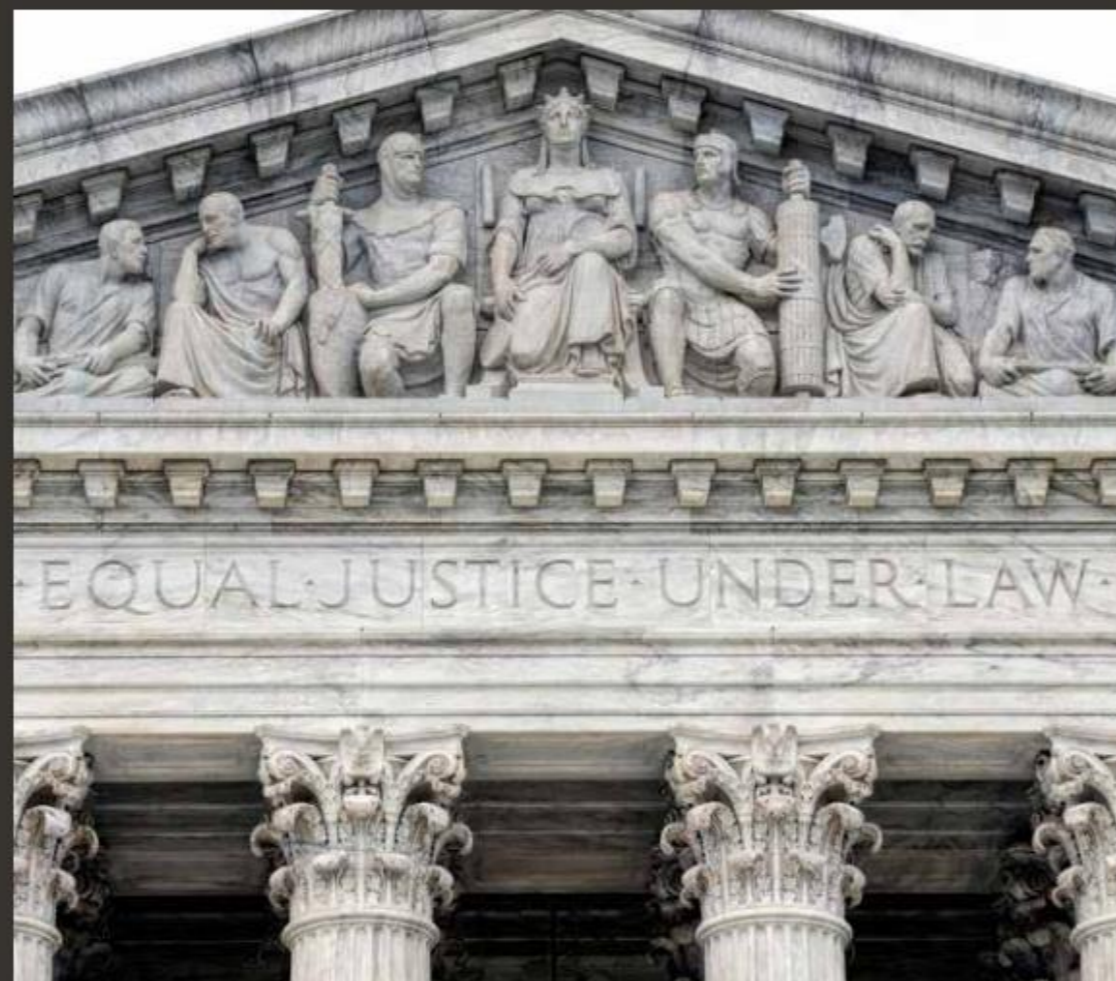
PARITY OF RESOURCES



If 50 deputy public defenders were added to the Public Defender's FY 23/24 budget, the District Attorney's budget would still be \$24 million more than the Public Defender's budget.



Assessing the Provision of Criminal Indigent Defense



LAO

GABRIEL PETEK | LEGISLATIVE ANALYST
SEPTEMBER 2022

[ender.acgov.org](http://pender.acgov.org)

HUMAN IMPACTS OF FUNDING REDUCTION

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- ✕ Loss of dedicated and talented staff
- ✕ 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 complete resentencing

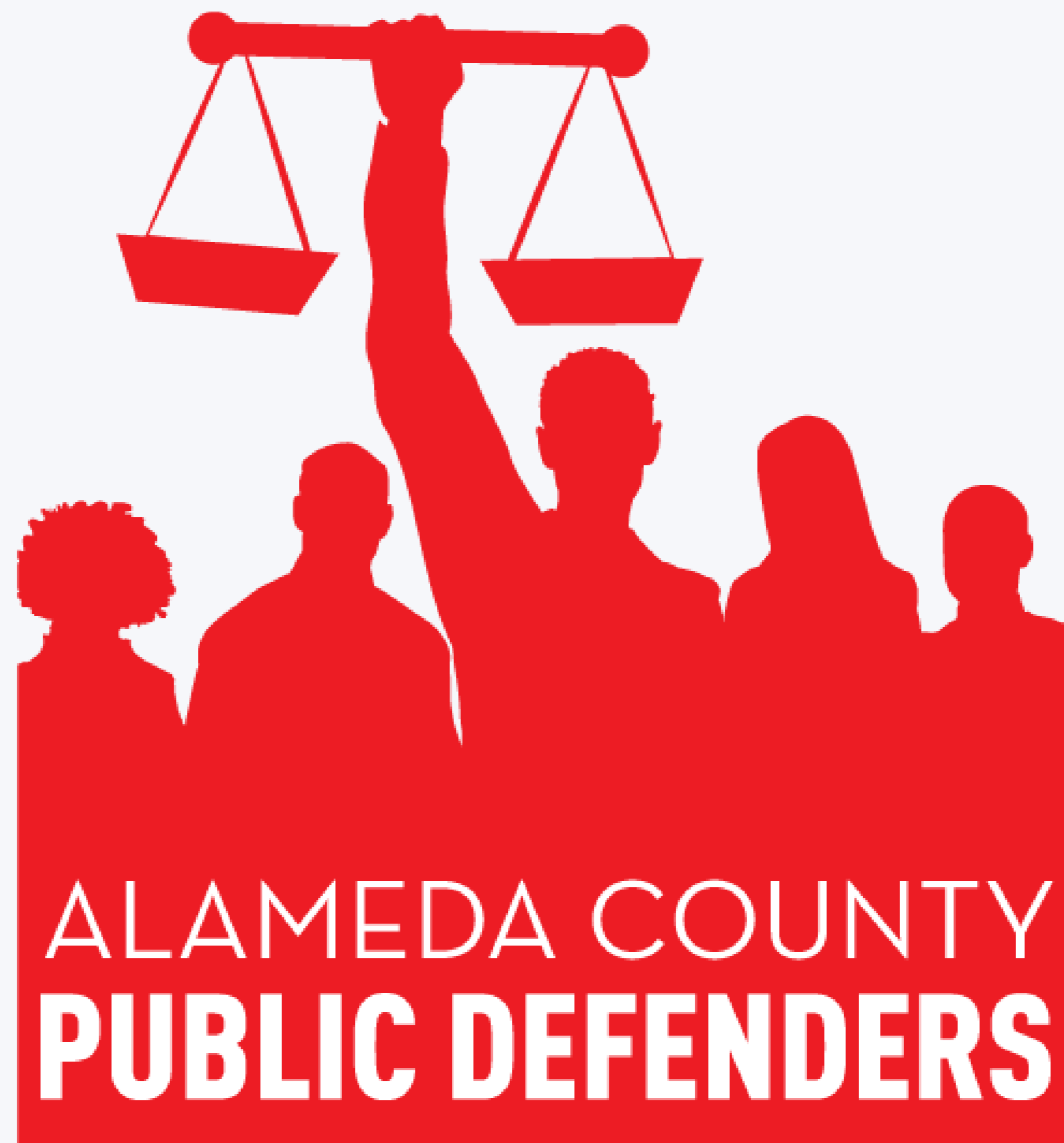
Approximately 2,392 people are in CDCR custody from Alameda County

65% are Black (1,562)
19% are Hispanic (463)
<10% are white (206)

Over 2,100 persons of color in CDCR custody from Alameda County

Released after being wrongfully
convicted and sentenced to 98 years
to life in prison





publicdefender.acgov.org