### MISSION

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.

<table>
<thead>
<tr>
<th></th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DEATH PENALTY CASES</td>
</tr>
<tr>
<td>2</td>
<td>FELONIES</td>
</tr>
<tr>
<td>3</td>
<td>MISDEMEANORS</td>
</tr>
<tr>
<td>4</td>
<td>MINORS</td>
</tr>
<tr>
<td>5</td>
<td>APPEALS</td>
</tr>
<tr>
<td>6</td>
<td>PRCS VIOLATIONS/ PAROLE REVOCATION HEARINGS</td>
</tr>
<tr>
<td>7</td>
<td>CLEAN SLATE</td>
</tr>
<tr>
<td>8</td>
<td>IMMIGRATION</td>
</tr>
</tbody>
</table>
## 2021-22 FINANCIAL SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>2020-21</th>
<th>2021-22</th>
<th>Change from 2020-21</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approved Budget</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriations</td>
<td>$45,202,582</td>
<td>$45,168,014</td>
<td>($34,568) -0.08%</td>
</tr>
<tr>
<td>Revenues</td>
<td>$2,252,291</td>
<td>$1,575,934</td>
<td>($676,357) -30.03%</td>
</tr>
<tr>
<td><strong>Net County Cost</strong></td>
<td>$42,950,291</td>
<td>$43,592,080</td>
<td>$641,789 1.49%</td>
</tr>
<tr>
<td><strong>FTE – Mgmt.</strong></td>
<td>134.57</td>
<td>134.57</td>
<td>0.00 0%</td>
</tr>
<tr>
<td><strong>FTE – Non-Mgmt.</strong></td>
<td>47.29</td>
<td>47.29</td>
<td>0.00 0%</td>
</tr>
<tr>
<td><strong>Total FTE</strong></td>
<td>181.86</td>
<td>181.86</td>
<td>0.00 0%</td>
</tr>
</tbody>
</table>
## MAJOR COMPONENTS OF NET COUNTY COST (NCC) CHANGE

<table>
<thead>
<tr>
<th>Component</th>
<th>NCC Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary &amp; Employee Benefits</td>
<td>($517,661)</td>
</tr>
<tr>
<td>ISF Adjustments</td>
<td>$203,037</td>
</tr>
<tr>
<td>DS&amp;S</td>
<td>$280,056</td>
</tr>
<tr>
<td>Revenue</td>
<td>($719,232)</td>
</tr>
<tr>
<td>Realignment Revenue</td>
<td>$42,875</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$641,789</strong></td>
</tr>
</tbody>
</table>
APPROPRIATIONS BY MAJOR OBJECT

- Salary & Employee Benefits: 88% ($40.2M)
- Discretionary Services & Supplies: 9% ($4.4M)
- Non-Discretionary Services & Supplies: 3% ($1.8M)

Net Appropriation: $45.2M

- $1.2M Intra-Fund Transfer (3%)
REVENUES BY SOURCE

30% $474K FUND DEVELOPMENT AND OTHER

70% $1.1M STATE AID

TOTAL REVENUE: $1.5M
# INDIGENT DEFENSE – COMBINED

Public Defender and Contracted Indigent Defense Services (CAAP)

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

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

- Misdemeanors: 38% increase
- Felonies: 91% increase
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

- 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

’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

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

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

Eliminate Homelessness

Employment for All

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.

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

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

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.

**Eliminate Poverty/Hunger**
PFJ Advocates provided food assistance to 90 clients.
**GOAL:** Increase the number of residents enrolled in food assistance programs.

**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 Homelessness**
PFJ Advocates assisted 92 clients with housing.
**GOAL:** Increase number of clients assisted with housing including housing searches, applications, and landlord negotiations.

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

Income: Know your rights if you cannot work

Some already receive unemployment or cannot work due to the COVID-19 pandemic, or have lost their jobs. There are resources available to help with unemployment benefits, food, housing, and public benefits. For more information, visit the COVID-19 Resource Guide at acgov.org/defender.

Food: Where to get food for your children and you

As California continues to adapt to COVID-19, many families are struggling to put food on the table. The following resources can help:

- Gov. Newsom announced $1 billion in federal funds to help families with food insecurity.
- The Community Food Bank of Alameda County is distributing food to those in need.
- Local food banks and pantries are offering assistance. Check 211.org for locations.

Public benefits: How to get and continue aid

For many families, the pandemic has hit hard. The following resources can help:

- The California Public Utilities Commission has extended bandwidths on data and energy assistance for low-income families.
- The Federal Communications Commission has increased the E-rate program, providing discounted宽带 for eligible families.
- The California Department of Social Services has extended unemployment benefits for qualified workers.

Evictions, foreclosures, and utilities

- Local governments have implemented moratoriums on evictions and foreclosures to protect tenants during the pandemic.
- Many utilities have extended payment plans and reduced rates to help customers.

Healthcare

The state of California has implemented a variety of measures to help those in need, including:

- Increased funding for COVID-19 testing and treatment.
- Extension of Medi-Cal eligibility to cover more people.
- Increased funding for community health centers.

Mental health, addiction, and homelessness

Resources are available for those in need, including:

- The California Department of Social Services has increased funding for mental health services.
- The National Alliance to End Homelessness has provided resources to help those experiencing homelessness.

Oakland housing aid

The City of Oakland has implemented measures to help residents, including:

- Increased funding for affordable housing programs.
- Extension of rental and utility assistance programs.

Can't find what you're looking for?

Visit the COVID-19 Resource Guide at acgov.org/defender for more information.
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.

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

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

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

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

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

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

**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.

**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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AWARDS

CHBA Honorable Justice Clinton W. White Advocacy Award

Daily Journal Top 100 Lawyers

acgov.org/defender
Pursuing Racial Justice:

AB 2542 & AB 3070
Story on peremptory challenge bill was inaccurate, unbalanced

In giving a misleading view to those who favor the bill as "permanently," the article is worse timed — as are many of the bill’s opponents — to legitimate the history of opportunity to begin to rectify the exclusion of Black and Latine citizens from jury service in California and the last word for each other.

K. A. LUTCHER
Deputy Attorney General, Office of the State Public Defender

ELIZABETH D. LINDZE
Clinical Professor of Law; Director, Criminal Justice Clinic, Berkeley School of Law

BRANDO S. WOODS
Public Defender, Santa Clara County Public Defender’s Office

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☐ 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
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

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