FY 2022-23 MOE BUDGET

April 12, 2022
Presented By: Brendon D. Woods, Public Defender
KETANJI BROWN JACKSON
CONFIRMED AS FIRST BLACK FEMALE SUPREME COURT JUSTICE
The Public Defender is the primary defense attorney for indigent individuals accused of crimes or otherwise facing potential incarceration or loss of liberty.

**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.

1. DEATH PENALTY CASES
2. FELONIES
3. MISDEMEANORS
4. MINORS
5. APPEALS
6. PRCS VIOLATIONS/ PAROLE REVOCATION HEARINGS
7. CLEAN SLATE
8. IMMIGRATION
## 2022-23 Financial Summary

<table>
<thead>
<tr>
<th></th>
<th>2021-22</th>
<th>2022-23</th>
<th>Amount</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approved Budget</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriations</td>
<td>$45,402,557</td>
<td>$49,645,030</td>
<td>$4,242,473</td>
<td>9.34%</td>
</tr>
<tr>
<td>Revenues</td>
<td>$1,250,227</td>
<td>$2,522,986</td>
<td>$1,272,759</td>
<td>101.80%</td>
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<tr>
<td><strong>Net County Cost</strong></td>
<td>$43,533,876</td>
<td>$46,503,590</td>
<td>$2,969,714</td>
<td>6.54%</td>
</tr>
<tr>
<td><strong>FTE - Mgmt.</strong></td>
<td>135.74</td>
<td>135.74</td>
<td>0.00</td>
<td>0%</td>
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<tr>
<td><strong>FTE - Non-Mgmt.</strong></td>
<td>48.83</td>
<td>54.83</td>
<td>6.00</td>
<td>12.29%</td>
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<tr>
<td><strong>Total FTE</strong></td>
<td>184.57</td>
<td>190.57</td>
<td>6.00</td>
<td>3.25%</td>
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</tbody>
</table>

source: publicdefender.acgov.org
MAJOR COMPONENTS OF NET COUNTY COST (NCC) CHANGE

<table>
<thead>
<tr>
<th>Component</th>
<th>NCC Change</th>
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</thead>
<tbody>
<tr>
<td>Salary &amp; Employee Benefits</td>
<td>$3,680,088</td>
</tr>
<tr>
<td>ISF Adjustments</td>
<td>$527,885</td>
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<tr>
<td>DS&amp;S</td>
<td>$34,500</td>
</tr>
<tr>
<td>Revenue</td>
<td>($1,272,759)</td>
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<tr>
<td>Total Change in NCC</td>
<td>$2,969,714</td>
</tr>
</tbody>
</table>
APPROPRIATIONS BY MAJOR OBJECT

86.9%  
$44.2M  
SALARY & EMPLOYEE BENEFITS

- $1.2M Intra-Fund Transfer

9.7%  
$4.9M  
NON-DISCRETIONARY SERVICES & SUPPLIES

3.4%  
$1.7M  
DISCRETIONARY SERVICES & SUPPLIES

$49.6M  
Net Appropriation
REVENUES BY SOURCE

27% 
$680K
GOVERNMENT AID

73% 
$1.84M
FUND DEVELOPMENT 
AND OTHERS

TOTAL REVENUE: $2.52M
## Public Defender and Contracted Indigent Defense Services (CAAP)

<table>
<thead>
<tr>
<th></th>
<th>2021-22 Approved Appropriations</th>
<th>2021-22 Net County Cost</th>
<th>2022-23 MOE Appropriations</th>
<th>2022-23 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>$45,402,557</td>
<td>$43,533,876</td>
<td>$49,645,030</td>
<td>$46,503,590</td>
<td>$2,969,714</td>
<td>6.54%</td>
<td></td>
</tr>
<tr>
<td>CAAP</td>
<td>$7,632,205</td>
<td>$7,398,432</td>
<td>$7,632,205</td>
<td>$7,398,432</td>
<td>$0</td>
<td>0.00%</td>
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<tr>
<td>Total</td>
<td>$53,034,762</td>
<td>$50,932,308</td>
<td>$57,277,235</td>
<td>$53,902,022</td>
<td>$2,969,714</td>
<td>5.83%</td>
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FUND DEVELOPMENT

$5,312,280 Secured

- $40,000 Peralta Colleges/Laney College
- $80,000 Vision Alameda County
- $85,000 Building Opportunities for Self-Sufficiency (BOSS)
- $2,107,280 Public Defense Pilot Program (BSCC)
- $3,000,000 Crankstart Foundation

(publicdefender.acgov.org)
LEGISLATIVE CHANGES WITH BUDGET IMPACTS

AB 2542 Racial Justice Act
Youthful Offender Parole/Franklin hearings
SB 775 Change to Felony Murder Law Resentencing
SB 483 Resentencing to Remove Sentence Enhancement
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

Opinion

To prevent wrongful convictions, invest in public defense solutions

by Emily Salveson Amaya
Open 22,127 files and represented 25,904 individuals

- Eliminate Poverty/Hunger
- Employment for All
- Eliminate Homelessness
- Prosperous and Vibrant Economy
- Thriving & Resilient Population
NEW WEBSITE

publicdefender.acgov.org
Assessed the needs of 203 Public Defender clients.

Crime Free County
78% of recommended treatment plans accepted by the courts
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.
Your program is the best. Because of your program I love myself. I go out of my way to be extra nice to everyone! From me to you, I appreciate you all. And to you, Taylor, thank you so much for teaching me about being in touch with myself, you're the best.
5 Advocates for 2 years, trained by the Bronx Defenders

Healthcare for All
PFJ Advocates enhanced access to preventative and supportive health services for 224 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 183 clients.
**GOAL:** Increase the number of residents enrolled in food assistance programs.

Employment for All
PFJ Advocates assisted 101 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 199 clients with housing.
**GOAL:** Increase number of clients assisted with housing including housing searches, applications, and landlord negotiations.
Successfully acquired dismissals and reductions of convictions in 1,567 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.
Clean Slate Petitions 2021

Petitions Filed: 1,647

Petitions Granted: 1,567

Success Rate: 95%
CLEAN SLATE CLIENT STORY

• BEFORE CS: Had previously been denied a job and was collecting unemployment.

• WHAT CS DID: Helped get her only conviction dismissed from her record.

• AFTER CS: She passed a background check for a position as a litigation paralegal. Her new position pays $62,500/annually and comes with 401K and health benefits.

• FUTURE GOALS: She hopes to attend law school to become a public defender. She wants to pursue public defense, because when she was at a low point in her life, her public defender fought for her, and she wants to do that for others.
Provided removal defense in 161 cases in 2021, and conducted 865 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.
Mr. M – Spent nearly 5 years in U.S. Immigration and Customs Enforcement (ICE) custody. We secured his release. He is now in a residential alcohol treatment program, and he is on the path to obtain legal status.

Mr. W – Spent in total over 4 years in ICE custody. ICE rearrested him after eight years in the community. We got him released and he is on his way to regaining his lawful permanent resident status.

Mr. G – Obtained Special Immigrant Juvenile Status a few weeks before his 18th birthday and then got his lawful permanent residency.
6TH AMENDMENT: RIGHT TO COUNSEL

Gideon vs. Wainwright

publicdefender.acgov.org
1. Reduce number of people incarcerated at Santa Rita

2. Reduce number of people incarcerated in state prison from Alameda County

3. Reduce racial disparities in criminal legal system in Alameda County