FY 2023-24 MOE BUDGET

April 11, 2023
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
## 2023-24 Financial Summary

<table>
<thead>
<tr>
<th></th>
<th>2022-23</th>
<th>2023-24</th>
<th>Change from 2022-23</th>
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<tbody>
<tr>
<td></td>
<td>Approved Budget</td>
<td>MOE Budget</td>
<td>Amount</td>
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<tr>
<td>Appropriations</td>
<td>$51,156,917</td>
<td>$54,139,805</td>
<td>$2,982,888</td>
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<tr>
<td>Revenues</td>
<td>$4,208,937</td>
<td>$4,269,235</td>
<td>$60,298</td>
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<tr>
<td>Net County Cost</td>
<td>$46,947,980</td>
<td>$49,870,570</td>
<td>$2,922,590</td>
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<tr>
<td>FTE – Mgmt.</td>
<td>138.99</td>
<td>138.99</td>
<td>0.00</td>
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<tr>
<td>FTE – Non-Mgmt.</td>
<td>61.83</td>
<td>61.83</td>
<td>0.00</td>
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<tr>
<td>Total FTE</td>
<td>200.82</td>
<td>200.82</td>
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## MAJOR COMPONENTS OF NET COUNTY COST (NCC) CHANGE

<table>
<thead>
<tr>
<th>Component</th>
<th>NCC Change</th>
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<tbody>
<tr>
<td>Salary &amp; Employee Benefits</td>
<td>$2,417,519</td>
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<td>ISF Adjustments</td>
<td>$457,706</td>
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<td>DS&amp;S</td>
<td>$107,663</td>
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<td>Revenue</td>
<td>($60,298)</td>
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<td><strong>Total Change in NCC</strong></td>
<td><strong>$2,922,590</strong></td>
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APPROPRIATIONS BY MAJOR OBJECT

87.7% $48.6M SALARY & EMPLOYEE BENEFITS

9.0% $5.0M NON-DISCRETIONARY SERVICES & SUPPLIES

3.3% $1.83M DISCRETIONARY SERVICES & SUPPLIES

- $1.2M Intra-Fund Transfer

$55.4M Net Appropriation
REVENUES BY SOURCE

68%
$2.91M
GOVERNMENT AID

32%
$1.36M
FUND DEVELOPMENT AND OTHERS

TOTAL REVENUE: $4.27M
# INDIGENT DEFENSE – COMBINED

Public Defender and Contracted Indigent Defense Services (CAAP)

<table>
<thead>
<tr>
<th></th>
<th>2022-23 Approved Appropriations</th>
<th>2022-23 Net County Cost</th>
<th>2023-24 MOE Appropriations</th>
<th>2023-24 MOE Net County Cost</th>
<th>Net County Cost Change from 2022-23</th>
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<tbody>
<tr>
<td>Public Defender</td>
<td>$51,156,917</td>
<td>$46,947,980</td>
<td>$54,139,805</td>
<td>$49,870,570</td>
<td>$2,922,590</td>
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<tr>
<td>CAAP</td>
<td>$7,632,205</td>
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<td>$58,789,122</td>
<td>$54,346,412</td>
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publicdefender.acgov.org
FUND DEVELOPMENT

$3,278,334 Secured

- $25,000
  Firedoll Foundation

- $40,000
  Peralta Colleges/ Laney College

- $50,000
  Immigrant Legal Defense

- $1,000,000
  (1M per year over 3 years)
  Crankstart Foundation

- $2,136,334
  Public Defense Pilot Program (BSCC)

publicdefender.acgov.org
LEGISLATIVE CHANGES WITH BUDGET IMPACTS

- AB 2542 Racial Justice Act
- SB 1209 Resentencing for Veterans
- AB 2629 Removal of Juvenile Strikes
- AB 823 Department of Juvenile Justice Realignment
- AB 2644 Notification to Public Defender when Juvenile is in Custody
- SB 483 Resentencing to Remove Sentence Enhancement
- AB 625 California Public Defender Workload Study
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

Guest Post: Public defenders can do more for public safety — if we let them
Veteran defense lawyer suggests ways to reduce crime by providing services from the defense side

Assessing the Provision of Criminal Indigent Defense

USE OF DELPHI METHOD IN ABA SCLAID PUBLIC DEFENSE WORKLOAD STUDIES: A REPORT ON LESSONS LEARNED
Opened 24,726 files and represented 26,674 individuals

- Eliminate Poverty/Hunger
- Eliminate Homelessness
- Employment for All
- Prosperous and Vibrant Economy
- Thriving & Resilient Population
Assessed the needs of 267 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.

**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.
• Emerson D. was referred to the Public Defender Social Work Department at the age of 19. He had fled his country at 15, gangs had threatened his life. Upon arriving to the United States, he was alienated, without family, had endured significant trauma, and began abusing drugs in an ineffective attempt to cope with difficult emotions.

• After working with a Spanish-speaking Public Defender Social Worker, he began processing his trauma. They worked closely together to re-engage Emerson in school, connected him with a case manager, and assist him in finding a job.

• Emerson is now sober, employed, and a proud father of two beautiful infant boys.
Holistic Defense Mitigation Specialist

Alexis Davis
Adult Felony

Elvia Gutierrez
Adult Felony/Post Conviction

Diego Cardenas
Educational Youth Advocate

Isacha Sandy
Adult Felony

Kristen Black
Post Conviction

Manuel Ortiz
Adult Felony

Marynella Woods
Clinical Supervisor

Sascha Atkins-Loria
Juvenile

Parmveer Deol
Adult Felony

Tanaya Reid
Post Conviction

Taylor Kohles
Post Conviction

Vy Ly
Adult Felony
Mr. LR – Grew up in East Oakland and witnessed extreme domestic violence. When he was 17, he was sentenced to 17 years to life. He served 31 years and was unsuccessful at 7 parole hearings before our office helped. He was released in 2022 and is now employed and living in Castro Valley.

Mr. JM – Was sentenced to 20 years when he was 22 years old. In Prison he participated in Delancey Street Honors and other programs, earned his GED. After 11 years we were able to get him released. He is engaged and employed.

Mr. JB – Was sentenced to 27 years in prison. He completed extensive programming in prison. The victim did not oppose his release. 15 community members came to court. He had over 30 letters of support. Released after 10 years.
In the first year of our Post Conviction Unit
Saved people 234 years of incarceration

$26,369,694
8 Advocates for 2 years, trained by the Bronx Defenders

**Healthcare for All**
PFJ Advocates enhanced access to preventative and supportive health services for 298 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 benefit/food assistance to 162 clients.  
**GOAL:** Increase the number of residents enrolled in food assistance programs.

**Employment for All**
PFJ Advocates assisted 143 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 296 clients with housing.  
**GOAL:** Increase number of clients assisted with housing including housing searches, applications, and landlord negotiations.
CLEAN SLATE UNIT

Successfully acquired dismissals and reductions of convictions in 2,055 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 2022

Petitions Filed: 2,177

Petitions Granted: 2,055

Success Rate: 94%
CLEAN SLATE
CLIENT STORY: “W”

• **BEFORE CONTACTING CLEAN SLATE:** W applied for housing and was asked about her conviction history and had her application rejected in violation of a local housing ordinance.

• **WHAT CLEAN SLATE DID:** (1) Got W’s only Alameda County conviction dismissed, (2) informed her about the ordinance, and (3) helped her file a complaint pursuant to the housing ordinance.

• **AFTER CLEAN SLATE:** The complaint resulted in W getting the apartment she had applied for.

“I’m really grateful and could not have been at my new address without you . . . and your colleagues . . . Thank you for your determination to make sure the laws were up to par on my behalf . . .” - W
CLEAN SLATE CLIENT STORY: KM

• **BACKGROUND:** Turned 18 just before his first and only felony conviction.

• **BEFORE CS:** “Before I couldn’t do anything. I was more limited in what I could do and didn’t have that many options of jobs to pick from. I was rejected by jobs due to my background. That’s not the case now…”

• **WHAT CS DID:** Helped KM have his conviction dismissed and his felony reduced to a misdemeanor.

• **AFTER CS:** KM got a job with an Amazon fulfillment center and says he “was able to get the job because of the clean slate.” KM says he is also likely to pursue a guard card now that he is more confident that he can pass the background check, and noted he is exploring options for pursuing higher education.

“I’m glad I was able to move past [my record] so I could better my situation and my surroundings.” -KM
Provided removal defense in 152 cases in 2022 and conducted 1,000 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.
Ms. MA – Lived in the U.S. since she was 18 and was a LPR. Her husband was abusive for 20 years. In 2010 she was sentenced to life without the possibility of parole. Gov. Brown commuted her sentence in 2018. In 2021 she went from prison to immigration detention. She represented herself in immigration court and lost. We appealed, won her freedom on March 28 and are fighting to regain her legal status.

Mr. OV – Was eligible for Special Immigrant Juvenile Status based on abuse by a parent. We represented him, he was granted SIJS and became a LPR a few months ago. He is now married, a new father, and employed.
JUVENILE REPRESENTATION

• Created AHEAD program (Advocates for Holistic Education and Development) Has worked with 32 youth.
• Participated significantly as a member of the JJCC SB 823 subcommittee to continue to improve Alameda County’s Secure Track program.
• 100% of juvenile clients facing transfer to adult court who received social worker intervention remained in juvenile.
• Met with the Oakland Mayor and numerous police agencies to discuss juvenile justice issues.
• 351 Juvenile Miranda calls
VOICE
(VOTER OUTREACH INCREASES COMMUNITY EMPOWERMENT)

Registered 1,517 clients in Santa Rita Jail to vote
L.Y.R.I.C.
Learn Your Rights In California
Educated 6,000 Students
Over 425 in 2022
Oakland police have faced scandals and controversies for two decades. Here’s a look back.

Chief LeRonne Armstrong, who recently was fired after the department struggled historically with community interactions, began his tenure as Oakland’s Police Chief on March 21, 2023.

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‘Systemic failures’ found in Oakland police investigations of officer misconduct

A sergeant who failed to report a hit-and-run and later destroyed evidence after an elevator shooting at an OPD internal affairs.

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I was not truthful’: Murder conviction overturned after witness says Oakland police officer paid for her testimony

A star witness who sent a man to prison for life in a 2011 slaying revealed recently she felt “pressured” to lie by an OPD officer.

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Oakland police hit with scathing report, more fallout from misconduct scandal

Former police captain fired from new job as others placed on leave.
PUBLIC DEFENDER
VISION 2026 10X GOALS

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
4. Increase the diversity on our juries
5. Increase Funding for Public Defense

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6TH AMENDMENT: RIGHT TO COUNSEL

ALAMEDA COUNTY
PUBLIC DEFENDERS

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