

Contra Costa County Public Defender's Office Budget Presentation

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What Does the Public Defender's Office Do?

The Public Defender is mandated by law to provide indigent defense services to those charged with crimes.

Public-funded legal representation for indigent people accused of crimes is mandated by the United States and California Constitutions, as well as by statute.



Public Defender Mission

We are dedicated to pursuing justice for indigent people accused of crimes in Contra Costa County.

Our overriding goal is to serve the best interests of our clients in everything that we do. We tirelessly fight for our clients and ensure that individuals receive excellent legal representation.

Our mission also requires us to address the root causes of our clients' system involvement and to connect our clients with county and community-based resources to holistically assist them.



Public Defender Practice Areas

- Adult Criminal: Felonies and Misdemeanors
- Death Penalty Representation
- Juvenile Representation
- Felony Supervision Violations and Parole Violations
- Immigration Deportation Defense
- Clean Slate Relief
- Post-Conviction Resentencing
- Research, Writs, and Habeas Corpus Petitions



- Specialty Courts: Behavioral Health Court and Veterans Treatment Court
- Specialized Mental Health Representation, including:
 - Civil commitments due to Insanity (NGI), Incompetent to Stand Trial (IST), and Conservatorships (LPS)
 - Assisted Outpatient Treatment (AOT)
 - Petitions for Involuntary Medication

Public Defender Innovative and Holistic Programs

Holistic Intervention
Partnership (HIP)

Clean Slate Program

Reentry Services
Programming

Stand Together
Contra Costa

Social Work Unit

Specialty Courts:
Behavioral Health
Court and Veteran's
Court

Early Representation
Program

Conservatorship(LPS)
Laura's Law (AOT)

Legal Services Provided

TYPE OF CASE	CASES REFERRED IN CALENDAR YEAR 2021
MISDEMEANORS	4,681 ¹
FELONIES	3,239 ²
CLEAN SLATE	2,569
REVOCATIONS	2,344
HOLISTIC PRACTICE	945
TOTAL	13,778

¹ Of the 4,681 misdemeanor cases referred, 491 (15.1%) were referred out to the Criminal Conflicts Panel for representation due to excessive caseloads in the Public Defender's Office.

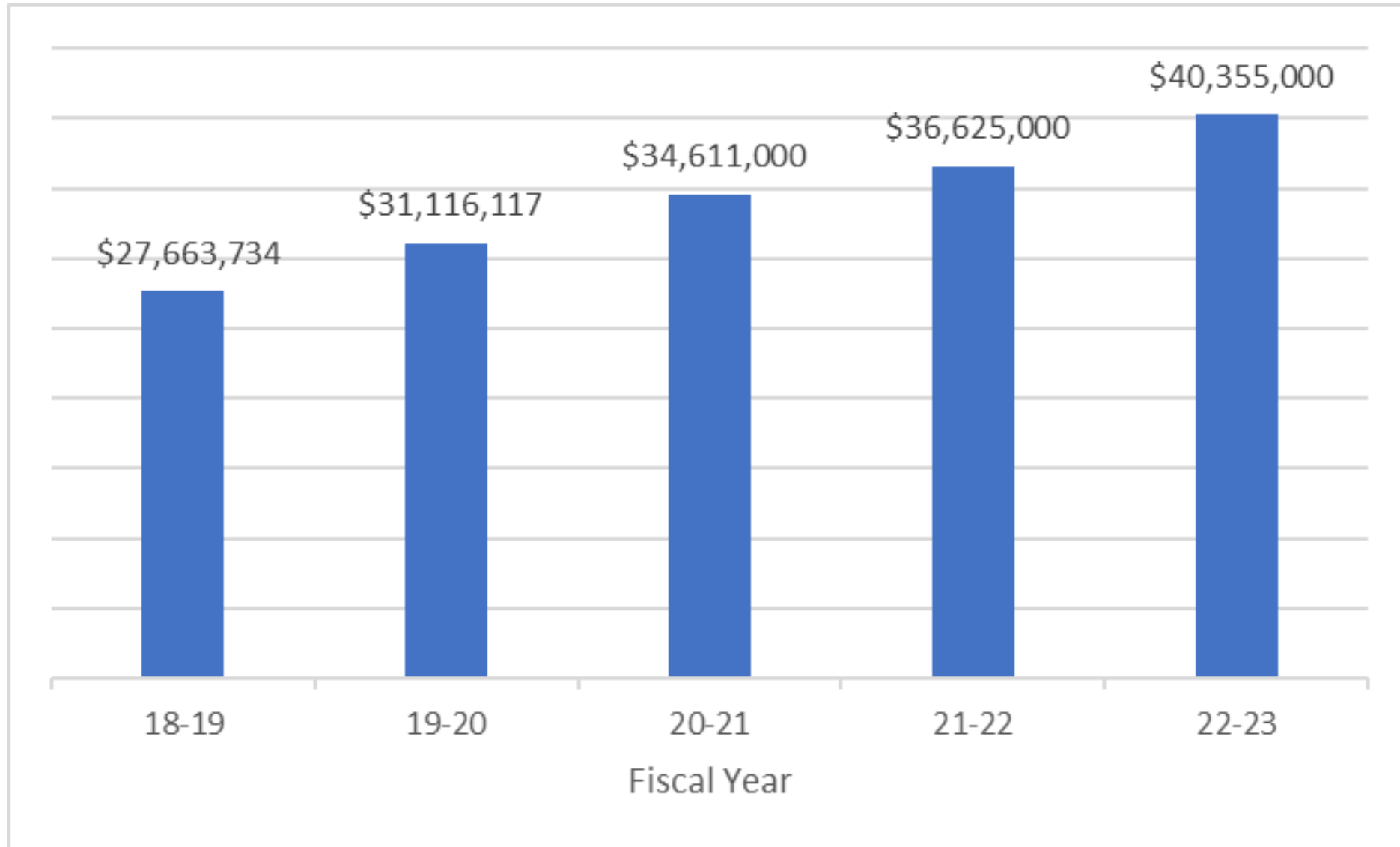
² Of the 3,239 felony cases referred, 681 (14.5%) were referred out to the Criminal Conflicts Panel for representation due to excessive caseloads in the Public Defender's Office.

A Year In Review

- Continued vigorous in person representation throughout the pandemic
- Launched new case management system "Defender by Karpel" in Fall of 2021
- Provided 24-hour legal advice to youth post-arrest through the Juvenile Miranda Phone
- Continued to increase the number of clients in Mental Health Diversion
- Expanded the Post-Conviction Unit through two grant awards from the Board of State and Community Corrections (BSCC) - \$1.7 million per year over 3 years



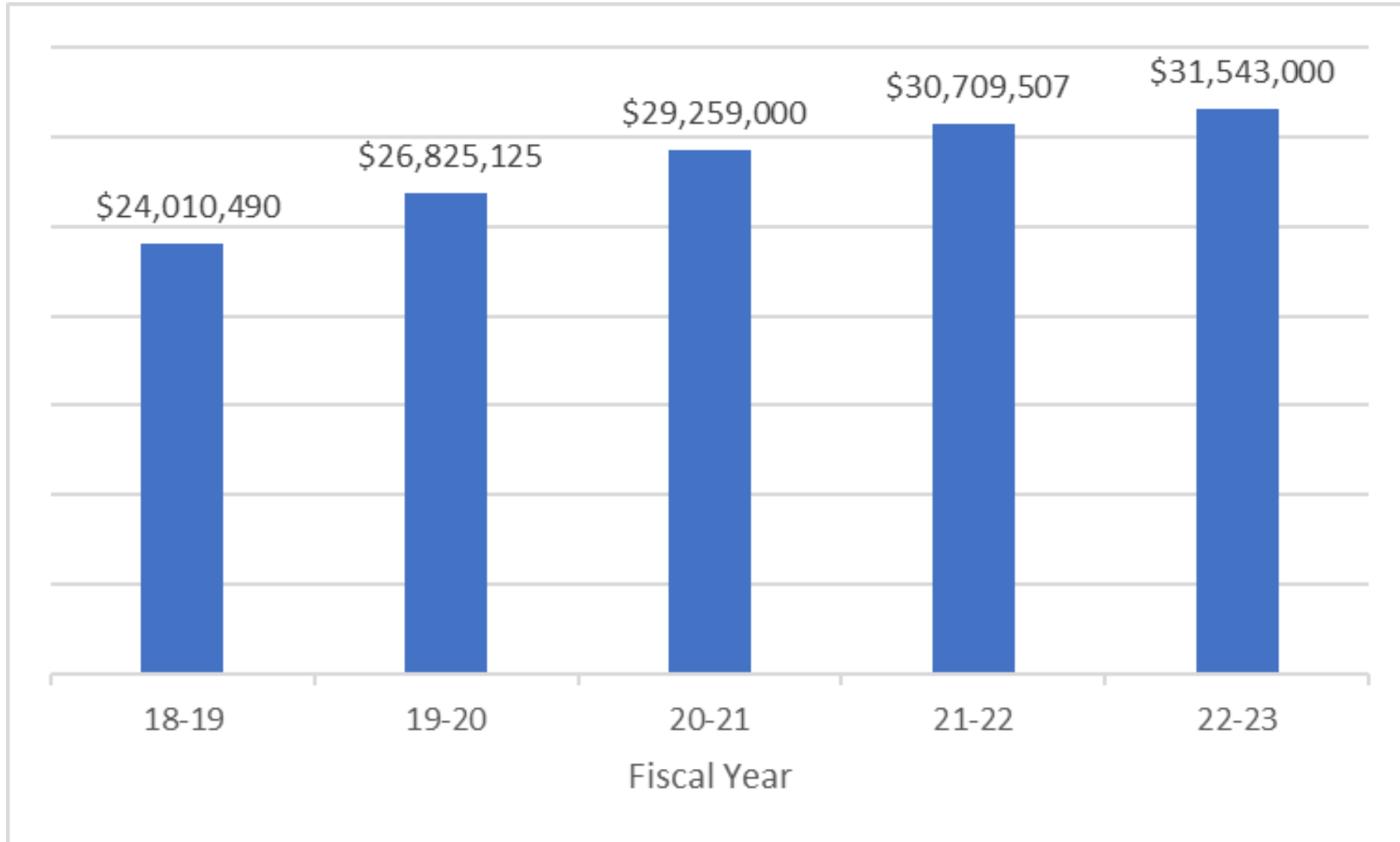
Public Defender Recommended Budget



Public Defender Budget

General Fund	2021-22 Budget	2022-23 Baseline	2022-23 Recommended	Change
Expense				
Salaries And Benefits	32,067,000	34,379,000	34,824,000	445,000
Services And Supplies	4,929,241	5,824,000	5,824,000	-
Other Charges	-	-	-	-
Fixed Assets	208,266	250,000	250,000	-
Expenditure Transfers	(157,000)	(276,000)	(543,000)	(267,000)
Expense Total	37,047,507	40,177,000	40,355,000	178,000
Revenue				
Other Local Revenue	5,685,000	7,983,000	7,983,000	-
State Assistance	392,000	829,000	829,000	-
Revenue Total	6,077,000	8,812,000	8,812,000	-
Net County Cost (NCC)	30,970,507	31,365,000	31,543,000	178,000
Allocated Positions (FTE)	147.0	159.0	162.0	3.0

Public Defender Net County Cost





Current Challenges

Operational challenges including insufficient administrative and fiscal bandwidth due to departmental growth

New Case Management System implemented with gaps in administrative level support

High volume of cases consistently referred by the Court with no increase in attorney positions

Increasing amount of digital discovery review required for case preparation

New legal obligations stemming from recently enacted legislation (11 new bills adding to increased workload in 2022 alone)

Lack of capacity to provide immigration deportation defense services through Stand Together Contra Costa (STCC)

Lack of sustainable funding for the Holistic Intervention Partnership (HIP)

FY 22-23 Budget Requests

- **Included** in Recommended Budget
 - 1.0 Departmental Fiscal Officer
 - 2.0 Social Workers (Grant Funded)
- **NOT Included** in Recommended Budget
 - 1.0 Business Systems Analyst
 - 1.0 Racial Justice Act Attorney
 - 4.0 Deputy Public Defender Attorneys
 - 2.0 Assistant Public Defenders
 - Stand Together Contra Costa Support:
 - 3.0 Deputy Public Defender Immigration Lawyers
 - 3.0 Legal Assistants
 - 2.0 Client Services Specialists
 - Community Engagement Specialists (CBO contract)



Stand Together Contra Costa (STCC) is a collaborative legal services and public education partnership between the County and community-based organizations to provide immigrant legal services, community outreach, and public education to ensure immigrant families have access to accurate and trusted information. Because attorneys are not provided by immigration courts, the vast majority of indigent immigrants lack legal representation. Through STCC, families are provided due process through no-cost legal representation in immigration court.

Local community partners: Jewish Family and Community Services, Immigration Institute of the Bay Area, and Bay Area Community Resources.



Unprecedented Need for Immigrant Legal Services



- Over **1.7 million** migrants seeking asylum in the US arrested in 2021, the highest number ever recorded.
- **7,840** Contra Costa residents have currently pending deportation cases.
- **496** Contra Costa residents, *in the last 90 days alone*, have been newly placed into deportation proceedings, and 85% without an attorney.
- Provided **510** free immigration legal consultations and conducted outreach to **2,736** people bundling legal consultations with free food and clothing, COVID-related services, and help with benefits from July-Dec. 2021.
- Represented **134** clients in immigration court in 2021. Currently operating at maximum capacity with a pending caseload of **126** active clients and **49** families with upcoming court dates now wait-listed for legal representation.
- Current attorney staffing (1 attorney in PD's Office & 2 from Non-Profit partners) is insufficient to meet ongoing demand. Current budget is \$1.1 Million.
- Requesting 8 positions including attorneys, legal assistants, CBO funding, and other support for a total of \$1.8 million to increase STCC services.

The Year to Come: FY 22-23

- Continue to effectively manage workloads
- Increase Stand Together Contra Costa capacity
- Respond to new criminal legal reforms
- Complete customization for Case Management System
- Launch grant funded Post-Conviction Unit expansion
- Potential future CARE Court implementation
- Complete capital improvements to Martinez Office
- Expand services to East County residents