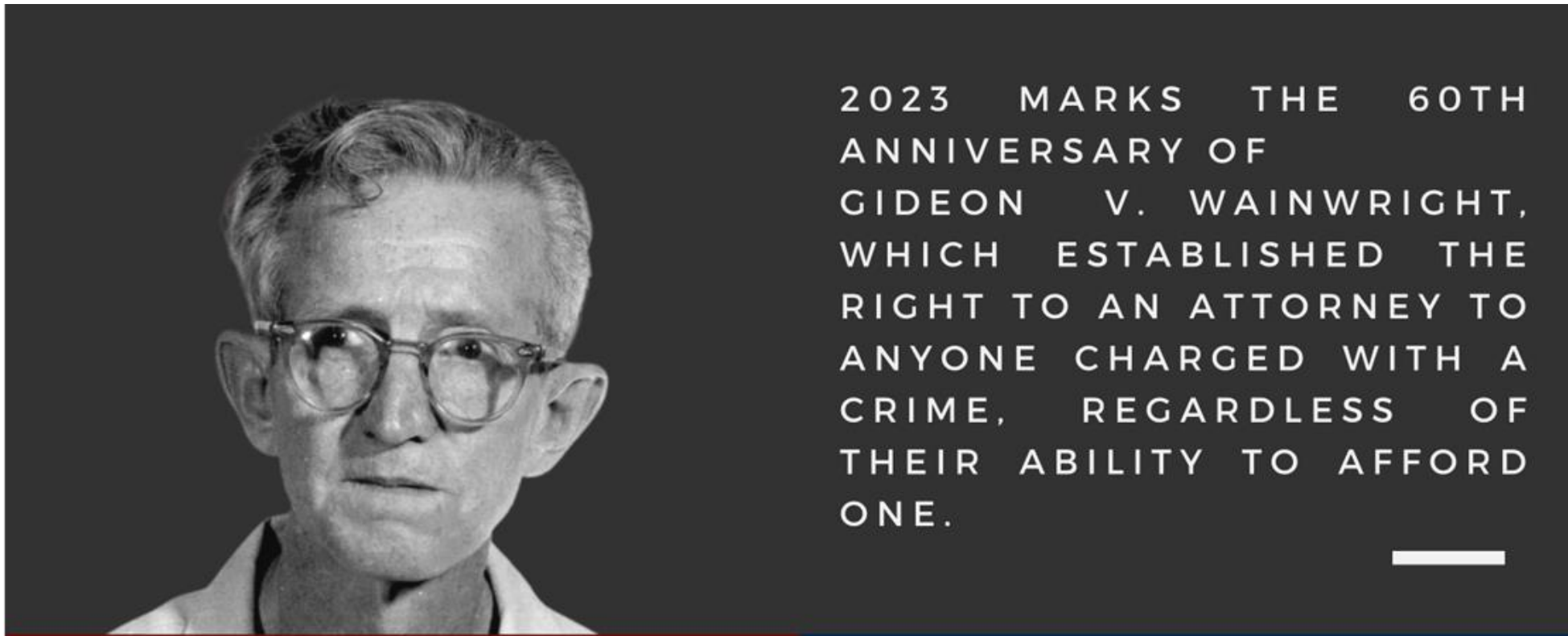


FISCAL YEAR 2023-2024
BUDGET PRESENTATION

ELLEN McDONNELL
PUBLIC DEFENDER





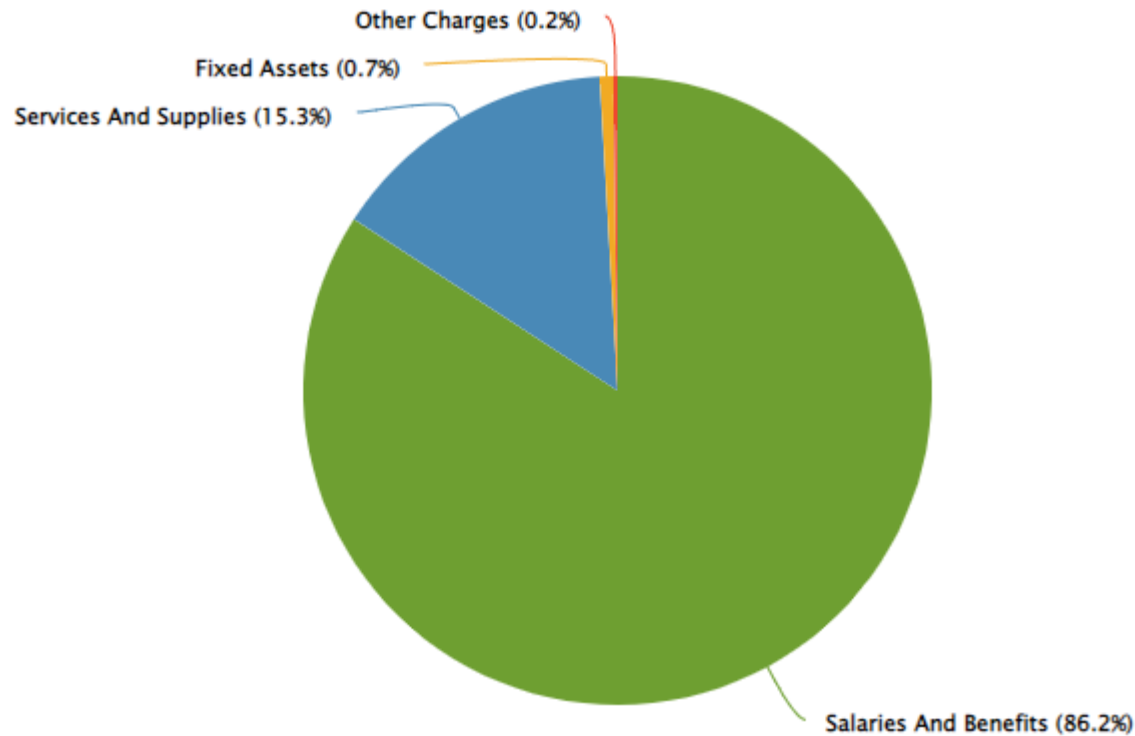
MISSION STATEMENT

We are dedicated to ensuring justice for indigent persons accused of crimes. 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 representation.

BUDGET OVERVIEW

	FY21-22 Actuals	FY22-23 Adjusted Budget	FY23-24 Recommended Budget	Change
Expenses	\$35,471,308	\$40,676,149	\$45,500,230	\$4,824,081
Revenue	\$5,977,274	\$8,812,000	\$11,182,230	\$2,370,230
Net Cost	\$ 29,494,034	\$31,864,149	\$34,318,000	\$2,453,851
FTE	160	172.5	180.5	8

FY23-24 Expenditure Appropriation (\$45.5M)



FY22-23 Employee Distribution by Category (172.5 FTE)

Category	Count
Managing Attorneys	12
Line Attorneys	90.5
Administration	10
Clerical Support	17
Legal Assistants	17
Investigators	14
Social Work Staff	12
Total FTE	172.5



PRACTICE AREAS

Felonies

Misdemeanors

Youth Defense

Mental Health

Revocations

Clean Slate

Post
Conviction

Immigration

PROGRAMS ADVANCING EQUITY

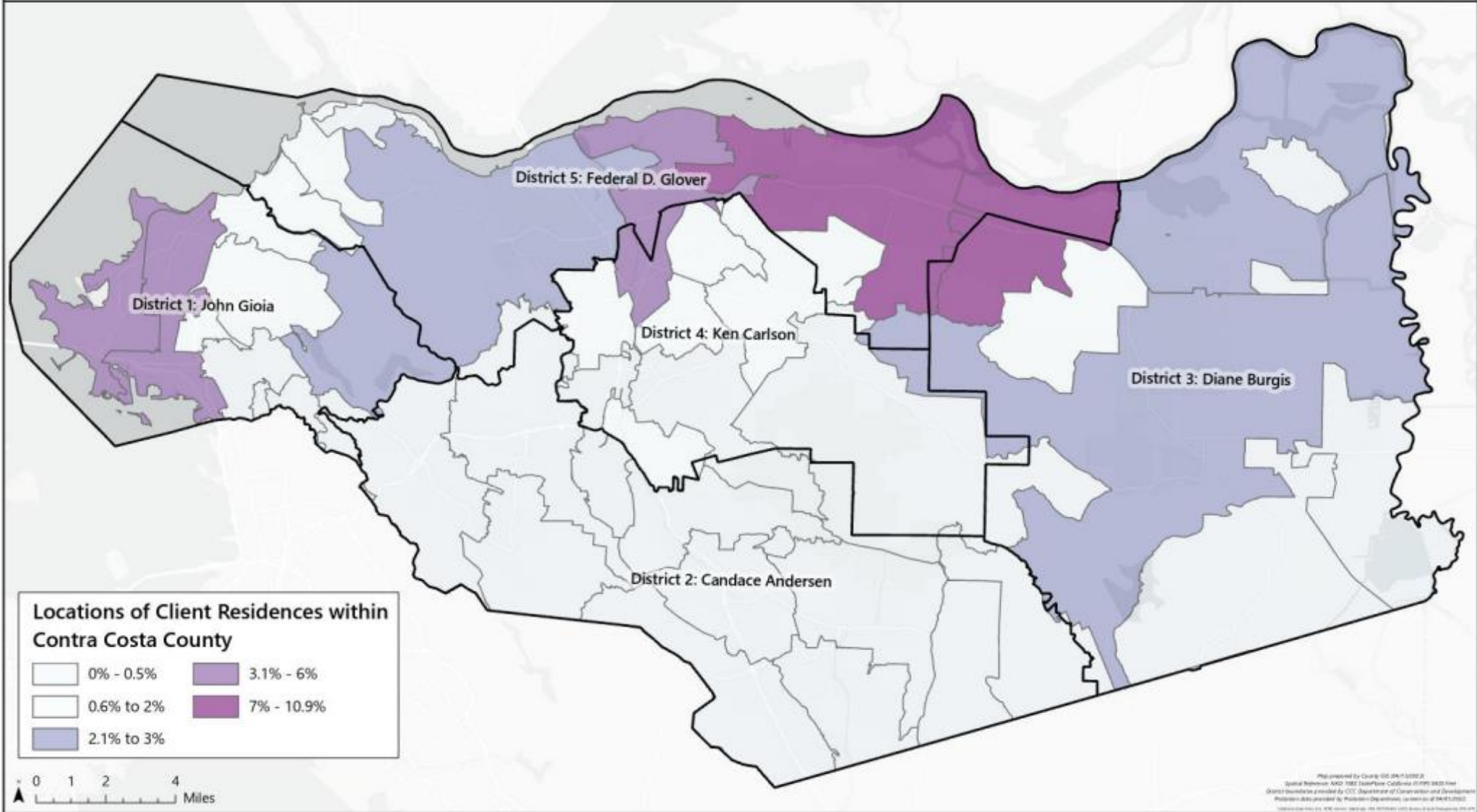
- HOLISTIC INTERVENTION PARTNERSHIP (HIP)
- STAND TOGETHER CONTRA COSTA
- POST CONVICTION UNIT
- YOUTH EARLY INTERVENTION PARTNERSHIP (YEIP)
- CLEAN SLATE PROGRAM
- RACIAL JUSTICE ACT LITIGATION
- ALTERNATIVES TO SUPERVISION PROGRAM
- SOCIAL WORK & REENTRY SERVICES UNIT



2022 CASE REFERRALS

FELONIES	2,985
MISDEMEANORS	4,231
YOUTH DEFENSE	408
MENTAL HEALTH	558
IMMIGRATION	148
CLEAN SLATE	6,320
REVOCATIONS	1,696
POST CONVICTION	406
TOTAL	16,752

Public Defender: Client Residence Location



2022 PUBLIC DEFENDER REFERRALS BY RACE

Race	2022 Contra Costa County Demographics
White alone	63.7%
Black or African American alone	9.5%
American Indian and Alaska Native alone	1.1%
Asian alone	19.3%
Native Hawaiian and Other Pacific Islander alone	0.6%
Two or More Races	5.8%

Ethnicity	2022 Contra Costa County Demographics
Hispanic or Latino, not white*	26.8%
White alone, not Hispanic or Latino*	40.8%

*Census Data defines Hispanic as Ethnicity.

Race/Ethnicity	2022 Referrals by Race/Ethnicity
White alone, not Hispanic or Latino	27.9%
Black or African American alone	36.6%
American Indian and Alaska Native alone	0.1%
Asian alone	1.7%
Native Hawaiian and Other Pacific Islander alone	0.2%
Hispanic or Latino, not white	29.7%
Two or More Races	3.2%
Unknown	0.7%

2022: A YEAR IN REVIEW



- 173 trials conducted
 - 131 jury trials
 - 42 court trials
- 73% of felony trials resulted in full acquittal, partial acquittal, or mistrial
- 65% of misdemeanor trials resulted in full acquittal, partial acquittal, or mistrial

NEW UNFUNDED MANDATES

RACIAL JUSTICE ACT LITIGATION

POLICE MISCONDUCT LITIGATION

PRE-ARRAIGNMENT REPRESENTATION IN JUVENILE COURT

EXPANDED MENTAL HEALTH OBLIGATIONS

NEW CLEAN SLATE LEGISLATION

NEW FELONY SENTENCING OBLIGATIONS

CURRENT CHALLENGES

HIGH VOLUME OF FELONY,
MISDEMEANOR, AND MENTAL
HEALTH CASE REFERRALS

UNPRECEDENTED RATE OF
DEPORTATION FILINGS LEADING
TO WAITLIST OF **241**
COMMUNITY MEMBERS WHO ARE
WAITING FOR STCC SERVICES

RACIAL JUSTICE ACT AND POLICE
MISCONDUCT

ONGOING TREND OF ELEVATED
CONSERVATORSHIP (LPS)
REFERRALS

INCREASED DIGITAL DISCOVERY

NEW LEGAL OBLIGATIONS FROM
RECENT LEGISLATION AND
UNFUNDED MANDATES

FY23-24 POSITION CHANGES

- Added 9.0 FTE funded through AB109:
 - 4.0 FTE for new Front End Advocacy Team (FEAT) to provide pre-arraignment representation in our jails: 1 Attorney, 1 Investigator, 1 Legal Assistant, 1 Clerk
 - 3.0 FTE Case Preparation Assistants
 - 2.0 FTE Clean Slate Legal Assistants
- Delete 1.0 FTE Clerk-Specialist Level

RACIAL JUSTICE ACT

- Unprecedented and emergent need for this work
- Requirement to challenge cases where racial discrimination or police misconduct occurred
- Highly complex, data driven, and time-consuming litigation

The screenshot displays a news interface. At the top, the logos for 'The New York Times' and 'abc NEWS' are visible. Below the logos, there is a navigation bar with a hamburger menu icon and a user profile icon. The main content area features two news articles. The first article, from The New York Times, is titled 'Judge Overturns Murder Convictions, Citing Use of Rap Lyrics at Trial' and includes a sub-headline 'Judge overturns murder convictions of Black men, ruling rap lyrics used at trial likely injected racial bias'. The second article, from CNN, is titled 'Murder convictions overturned after court rules rap lyrics likely injected racial bias'. Below the CNN article is a video player with the CNN logo and a 'Live TV' button. The video player shows a person wearing a red and white cap. To the left of the video player, there is a small image of a building with the text 'SFGate on MSN · 22h' and a headline 'It's vile': Trove of racist texts from police roils Antioch'.

The New York Times

abc NEWS

PLAY THE CROSSWORD

Judge Overturns Murder Convictions, Citing Use of Rap Lyrics at Trial

The decision was of particular interest because Gov. Gavin Newsom of California expanded a law last week to specifically restrict the use of rap lyrics in criminal proceedings.

Judge overturns murder convictions of Black men, ruling rap lyrics used at trial likely injected racial bias

Prosecutors' use of rap lyrics at trial has come under scrutiny.

CNN Live TV

Murder convictions overturned after court rules rap lyrics likely injected racial bias

By Kacey Cherry, CNN

Updated 9:39 PM EDT, Thu October 06, 2022

SFGate on MSN · 22h

'It's vile': Trove of racist texts from police roils Antioch

CONSERVATORSHIP CHALLENGES

- Complex cases involving vulnerable mentally ill individuals subject to involuntary civil commitment
- New legislation has caused elevated referrals and increased workload

A photograph of the Napa State Hospital entrance. In the foreground, a brick pillar holds a wooden sign with the text "NAPA STATE HOSPITAL" in gold lettering. A white van is driving on the road in the background, and a building is visible in the distance.

NAPA
STATE HOSPITAL



Stand Together Contra Costa

A Collaborative Partnership Between the County and Community-based Organizations to Provide Legal Services, Community Outreach, and Public Education to Immigrants

- Indigent immigrants are not provided with an attorney during court proceedings
- 80% of immigrants in the US ordered deported in immigration court last month did not have an attorney
- Nationally, immigrants seeking asylum protections without an attorney only win 18% of cases but, when represented, they win 48% of cases
- In our county, 1,463 new deportation cases filed against Contra Costa residents in the last 90 days and yet 91% have no legal representation
- In Contra Costa, immigrants who are represented by STCC win their cases 93% of the time
- STCC currently has a waitlist of **241** community members who are waiting for attorney services

A LARGE IMMIGRATION COURT IS OPENING IN CONCORD IN 2023



Due to the unprecedented rate of new deportation filing and case backlogs, the Department of Homeland Security (DHS) is opening a large deportation processing center (Immigration Court) in downtown Concord in 2023.

LOOKING AHEAD



PLAN

- WORK WITH COUNTY PARTNERS TO PLAN FOR CARE COURT IMPLEMENTATION

LAUNCH

- LAUNCH EARLY ACCESS TO COUNSEL THROUGH FRONT END ARRAIGNMENT TEAM (FEAT)

EXPAND

- EXPAND POLICE MISCONDUCT & RACIAL JUSTICE ACT LITIGATION

WIDEN

- WIDEN DEPARTMENT'S DIVERSITY, EQUITY, INCLUSION AND BELONGING FRAMEWORK

CONTINUE

- CONTINUE PARTNERSHIP WITH THE CENTER FOR POLICING EQUITY (CPE)

COMPLETE

- COMPLETE 800 FERRY STREET MARTINEZ CAPITAL PROJECT

QUESTIONS OR
COMMENTS?

