



Contra
Costa
County

To: Board of Supervisors
From: Robin Lipetzky, Public Defender
Date: September 27, 2016

Subject: Grant Award from the California Endowment supporting Proposition 47 Defense Outreach

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Defender, or designee, to apply for and accept a grant in amount of \$25,000 from the California Endowment for the Proposition 47 Outreach program, for the period October 15, 2016 through April 14, 2017.

FISCAL IMPACT:

The grant will fund the salary and statutory benefit charges for one (1) temporary clerk, for a six-month period beginning October 15, 2016. There is no requirement for matching funds by the County, and the grant will not increase Net County Cost. Anticipated grant revenues to be received will expended in FY 2016-17.

BACKGROUND:

Reflecting a growing movement for justice reform, California voters overwhelming passed Proposition 47, which reclassifies some "non-serious and nonviolent" property and drug crimes from felonies to misdemeanors. The provisions of this new law terminate in November

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/27/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 27, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Richard Loomis, (925)
335-8093

cc:

BACKGROUND: (CONT'D)

2017, which provide Defense Counsel with a limited period of time to identify, locate, and provide legal services to eligible defendants.

By prioritizing an aggressive community outreach strategy in partnership with local community-based organizations and other government departments, the Public Defender's Office has become a statewide leader in Proposition 47 work. The department's efforts have resulted in the swift release of eligible persons from incarcerations, reductions for all known eligible felony probationers (more than 1,000 defendants) and the filing of resentencing and reclassification petitions in approximately 2,000 cases.

There are reclassification provisions in Proposition 47 allowing for the reduction of prior felony convictions retroactively. According to data received from the County's Department of Information Technology, between 10,000 to 15,000 convictions are potentially eligible for reclassification. Despite our Department's commitment to this work, given the limitations of our existing staffing, at the current rate of outreach, application and filing, we expect to identify, solicit and process only 40% of the estimated 10,000 (or more) eligible cases in Contra Costa County, prior to the November 2017 statutory deadline.

Solicitation of supplemental funding from non-profit foundations has previously resulted in three (3) individual awards of \$73,503 to augment the public funding commitment to this important work.

Currently the Proposition 47 Outreach Program has three (3) temporary clerical positions that work under the supervision of a Deputy Public Defender to accelerate the Proposition 47 activities already underway. The job duties include: client intake, review of closed cases, drafting and filing of petitions, preparing files for hearings, client communications and notification and conducting outreach events throughout the County. Continuation of the program is to be funded by the California Endowment in the amount of \$25,000 for one temporary clerk for a six-month period beginning October 15, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

The Office of the Public Defender will experience difficulty in fully implementing the mandates of Proposition 47 for the residents of Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

None.