



Contra
Costa
County

To: Board of Supervisors
From: Robin Lipetzky, Public Defender
Date: October 25, 2016

Subject: Proposition 47 Defense Outreach Program

RECOMMENDATION(S):

Public Defender's Office (0243): APPROVE Appropriations and Revenue Adjustment No.5016 authorizing new revenue in the amount of \$25,000 from the California Endowment, and appropriating it to fund salaries and benefits for two (2) temporary clerical positions to continue to implement the Proposition 47 Outreach Program in Office of the Public Defender. (100% grant revenue)

FISCAL IMPACT:

Grant revenues fully fund anticipated program expenditures, for a six (6) month period beginning February 2017. There is no increase to Net County Cost.

\$25,000 in new revenue from the California Endowment
\$25,000 appropriated for temporary salaries and benefits

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/25/2016** ☒ 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: October 25, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Richard Loomis,
925-335-8093

cc:

BACKGROUND:

At its meeting on September 27, 2016, the Board of Supervisors authorized the Public Defender to apply and accept additional grant funding from the California Endowment to continue a Proposition 47 Outreach Program. Proposition 47 legislation reclassifies some non-serious and non-violent property and drug crimes from felonies to misdemeanors; however, the provisions of this new law will sunset in November of 2017. The prescribed timeframe for offender relief constrain Defense Counsel to a limited period of time to identify, locate, and provide legal services to eligible defendants.

The Contra Costa County Public Defender's Office has become a statewide leader in Proposition 47 work, and in partnership with local community based organizations has secured sentence reductions for all known eligible felony probationers (more than 1,000 defendants) in the County. There are reclassification provisions in Proposition 47 allowing for the reduction of prior felony convictions retroactively, and it is estimated that between 10,000 to 15,000 convictions in County are eligible for reclassification. Given existing staffing, as little as 40% of the eligible cases can be processed prior to the November 2017 deadline.

Diligent solicitation of supplemental funding from non-profit foundations has resulted in the award of grant revenues to augment the public funding commitment to pursue this important work.

The Department will continue to employ two (2) temporary clerical positions to work under the supervision of a Deputy Public Defender to accelerate the Proposition 47 activities already under way by permanent support staff. The job duties will include: client intake, review of closed cases, drafting and filing of petitions, preparing files for hearings, client communications and notifications and conducting outreach events.

CONSEQUENCE OF NEGATIVE ACTION:

If the new revenue and appropriations are not authorized and approved, the Public Defender's Office will not have access to the additional revenue and staffing needed to provide legal services to eligible defendants within the prescribed timeframe.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Appropriations and Revenue Adjustment No. 5016