COUNTY OF ALAMEDA
PUBLIC DEFENDER’S OFFICE

FY 2017-18 Proposed Budget June 2017

Presented by: Brendon Woods, Public Defender
MISSION

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.
The Public Defender is the primary defense attorney for indigent individuals facing potential incarceration or loss of liberty, as mandated by:

- US Constitution
- CA Constitution
- County Charter

**MAJOR SERVICE AREAS:**

1. Death Penalty Cases
2. Felonies
3. Misdemeanors
4. Minors
5. Appeals
6. PRCS Violations/Parole Revocation Hearings
7. Clean Slate
8. Prop 47
VALUES-BASED BUDGETING (VBB) REDUCTION PLAN

1. Fiscal Management Reward
2. Grant Revenue
3. Indigent Defense Contract Savings
## 2017-18 FINANCIAL SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>2016-17 Approved Budget</th>
<th>2017-18 Proposed Budget</th>
<th>Change from 2016-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriations</td>
<td>$39,101,585</td>
<td>$39,825,823</td>
<td>$724,238</td>
</tr>
<tr>
<td>Revenues</td>
<td>$1,426,568</td>
<td>$1,501,568</td>
<td>$75,000</td>
</tr>
<tr>
<td>Net County Cost</td>
<td>$37,675,017</td>
<td>$38,324,255</td>
<td>$649,238</td>
</tr>
<tr>
<td>FTE – Mgmt.</td>
<td>127.83</td>
<td>128.16</td>
<td>0.33</td>
</tr>
<tr>
<td>FTE – Non-Mgmt.</td>
<td>41.74</td>
<td>42.74</td>
<td>1.00</td>
</tr>
<tr>
<td>Total FTE</td>
<td>169.57</td>
<td>170.90</td>
<td>1.33</td>
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</tbody>
</table>
## MAJOR COMPONENTS OF NET COUNTY COST (NCC) CHANGE

<table>
<thead>
<tr>
<th>Component</th>
<th>NCC Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary &amp; Employee Benefits Increase</td>
<td>$497,201</td>
</tr>
<tr>
<td>ISF Adjustments</td>
<td>$31,584</td>
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<tr>
<td>DS&amp;S Increase</td>
<td>$190,353</td>
</tr>
<tr>
<td>Revenue Increase</td>
<td>($75,000)</td>
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<tr>
<td>Intra-Fund Transfer Decrease</td>
<td>$5,100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$649,238</strong></td>
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</tbody>
</table>
APPROPRIATIONS BY MAJOR OBJECT

86% $35M
SALARY & EMPLOYEE BENEFITS

3% $1.2M
DISCRETIONARY SERVICES & SUPPLIES

11% $4.5M
NON-DISCRETIONARY SERVICES & SUPPLIES

$39.8M Net Appropriation

- $800K Intra-Fund Transfer
REVENUES BY SOURCE

TOTAL REVENUE: $1.5M

76%
$1.1M
FUND DEVELOPMENT, CHARGES FOR SERVICES AND OTHER

24%
$368K
STATE AID
**INDIGENT DEFENSE – COMBINED**

Public Defender and Contracted Indigent Defense Services (CAAP)

<table>
<thead>
<tr>
<th></th>
<th>2016-17 Approved Appropriations</th>
<th>2016-17 Net County Cost</th>
<th>2017-18 Proposed Appropriations</th>
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<th>Net County Cost Change from 2016-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Defender</td>
<td>$39,101,585</td>
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<td>$39,825,823</td>
<td>$38,324,255</td>
<td>$649,238</td>
</tr>
<tr>
<td>CAAP</td>
<td>$6,813,132</td>
<td>$6,428,132</td>
<td>$6,510,982</td>
<td>$6,125,982</td>
<td>$-302,150</td>
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<tr>
<td>Total</td>
<td>$45,914,717</td>
<td>$44,103,149</td>
<td>$46,336,805</td>
<td>$44,450,237</td>
<td>$347,088</td>
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</tbody>
</table>
WORKLOAD

Represent 69 people charged with homicide

Accepted 31 new homicide cases

230 cases per felony attorney per year

452 cases per misdemeanor attorney per year

18 Investigators completed 3,895 requests

18 Investigators served 2,418 subpoenas
HUMAN IMPACTS OF FUNDING REDUCTION

- Wrongful convictions
- Increased time in custody
- Increased pretrial population
- Reduced access to Clean Slate and Prop 47 remedies
- Reduced access to rehabilitation services
- Increased deportations
- Unnecessary separation of families
- Reduced ability to hire & retain quality staff
<table>
<thead>
<tr>
<th>GOALS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>01</strong> VERTICAL</td>
<td></td>
</tr>
<tr>
<td>Implement vertical representation</td>
<td>Maximize opportunities for relief</td>
</tr>
<tr>
<td><strong>02</strong> ARRAIGNMENT</td>
<td></td>
</tr>
<tr>
<td>Provide universal representation at arraignment</td>
<td></td>
</tr>
<tr>
<td><strong>03</strong> JUVENILE</td>
<td></td>
</tr>
<tr>
<td>Representation at expulsion hearings; educational advocacy; employ social workers to address special issues &amp; connect youth to vital services</td>
<td></td>
</tr>
<tr>
<td><strong>07</strong> STAFF TRAINING</td>
<td></td>
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</tbody>
</table>
Accomplishments
FUND DEVELOPMENT

Awarded $961,676 to date
Secured $124,676 in FY 2016-17

Van Löben Sels/RembeRock Foundation
$10,000

Firedoll Foundation
$20,000

Superior Court of California, Alameda County
$39,676

Rosenberg Foundation
Year 2
$55,000

*Secured in 16-17 for payment in 17-18

acgov.org/defender
HOLISTIC DEFENSE

In the Courtroom
Social Workers
Clean Slate
In the Community
Immigration Representation
Civil Legal Aid
IN THE COURTROOM

Collaborative Courts

- Homeless and Caring Court
- Parole Reentry Court
- Juvenile Girls Court
- Veterans Treatment Court
- Mentor Diversion
- Drug Court
- Behavioral Health Court
Over 100 veterans served

Advocating for needy and homeless veterans

- Criminal/traffic cases
- Warrants
- Fines
Reduced the number of cases referred to Court Appointed Council for Indigent Defense (conflicts) from 6,406 to 3,429 between 2010 and 2017.

A conflict exists when we represent a co-defendant or witness on a case, preventing us from being able to accept a new client on the related case.
ARRAIGNMENT

REPRESENTATION

Funded by $400,000 two-year Smart Defense grant from U.S. Department of Justice
SOCIAL WORKER PROGRAM

- Served over 630 clients to date
- Courts accepted 82% of treatment plans in lieu of incarceration
- 85% of clients who received treatment did not recidivate
- Presented at National Legal Aid & Defender Association Holistic Defense Conference
IMMIGRATION REPRESENTATION

- Provided immigration advice in over 1,000 criminal proceedings
- Assisted undocumented youth in applying for Special Immigrant Juvenile Status based on abuse, neglect or abandonment by parents, and DACA
- Provided immigration representation to 32 clients – 12 were juveniles

First Public Defender’s Office in California to implement Immigration Representation unit within office
IN THE COMMUNITY
OAKLAND COMMUNITY FESTIVAL

acgov.org/defender
V.O.I.C.E.
Voter Outreach Increases Community Empowerment
Registered 174 clients in Santa Rita Jail to vote
L.Y.R.I.C. Learn Your Rights In California

• CHBA Honorable Judge Benjamin Travis Community Service Award

• Summer Interns
PROP 47

3,156 Petitions Granted

81% Success Rate
CLEAN SLATE
Assists clients in obtaining or improving employment opportunities & access to housing and other services

• 4,750 cases handled since inception
• 4,275 motions granted since inception
  • 1,652 current open cases
  • 1,758 motions filed in 2016

94% SUCCESS RATE
CHALLENGES
Software blamed in wrongful arrests

By Rachel Swan

A 24-year-old Fremont man was bewildered when four police officers came to his front door on a Saturday morning in September, saying they had a warrant for his arrest.

The man, a teacher’s assistant and college student who lives with his parents, was taken to jail in gym shorts, and spent a day behind bars. He was released after his father posted bail of $1,500.

He found out later that he was arrested on an invalid warrant — and should never have spent time in jail. The problem, officials say, lies in the county’s new digital case management system. The warrant had been issued in July for failure to appear in court to dismiss a previous drug possession case.

“Not surprising,” said Mark McNeil, an attorney for the man.

The man’s case is one of two that has been identified as having been mistaken by the new system. The other involved a man who was arrested for violating his probation, which never happened.

Alameda County Public Defender Brendon Woods (right) speaks with a man wrongfully arrested due to a glitch in the court’s new case management system.

Dramatic increase in workload

Filed over 2,000 motions

Filed writ challenging Odyssey in Court of Appeals
DIGITAL MEDIA

Challenges
On average, 547 clients visit Oakland Branch Office each month.
East County Hall of Justice
NEW RESPONSIBILITIES

Prop 64

Prop 57

Youthful Offender Parole Hearings
EQUAL ACCESS TO JUSTICE