

1 [Opposing Funding Cuts to the Statewide Public Defense Pilot Program]

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3 **Resolution urging Governor Gavin Newsom and the California State Legislature to**
4 **retain the full state funding of the Public Defense Pilot Program for three years.**
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6 WHEREAS, The Board of State and Community Corrections' Public Defense Pilot
7 Program was established by the Budget Act of 2021 by Senate Bill No. 129 (Skinner) and
8 approved three years of funding for the Public Defense Pilot Program; and

9 WHEREAS, The Public Defense Pilot Program allows indigent defense providers
10 including public defenders and alternate defenders statewide to implement numerous post-
11 conviction and resentencing reforms enacted by the California State Legislature in recent
12 years; and

13 WHEREAS, The Public Defense Pilot Program set aside approximately \$50 million
14 each year for three years to fund statewide resentencing units which employ lawyers, social
15 workers and paralegals to review cases, petition local courts for resentencing, and connect
16 clients to resources upon release; and

17 WHEREAS, The Public Defense Pilot Program has successfully provided essential
18 legal services to low-income Californians, reducing court backlogs, and saving the state
19 money by avoiding wrongful convictions and unnecessary incarceration; and

20 WHEREAS, In recent years, the California State Legislature has passed bills reforming
21 the state's incarceration rules which has resulted in a reduction of over 10,000 years of
22 incarceration across the state, and leading to hundreds of millions of dollars in state savings
23 annually, and returning individuals to the care of their families and loved ones and to serve
24 their communities; and
25

1 WHEREAS, Governor Gavin Newsom’s 2023-2024 Budget now proposes cutting the
2 third year of this program, which would mean thousands of people eligible for post-conviction
3 relief statewide will remain in prison without proper representation; and

4 WHEREAS, San Francisco is one of the cities participating in the Public Defense Pilot
5 Program, receiving about \$1.2 million annually, with funding provided to San Francisco’s
6 Public Defender and the Bar Association of San Francisco; and

7 WHEREAS, The San Francisco Public Defender’s post-conviction relief unit, The
8 Freedom Project, helped secure the safe release of dozens of community members who
9 reunited with their families, joined the workforce, and continue to better themselves and our
10 community as they pursue college degrees, therapy to undo decades of exile and
11 incarceration trauma, and model the resilience and indomitability of the human spirit, thanks to
12 this state funding that allows dedicated social workers to provide reentry support; and

13 WHEREAS, Because of these grant funds, the Bar Association of San Francisco was
14 able to form a new post-conviction relief unit in March 2022 to secure similar relief for all
15 clients assigned to due to a conflict of interest, thereby assuring compliance with statutory
16 relief available to their clients and support for their conflict attorneys with post-conviction
17 representation, which has increased the effectiveness, efficiency and quality of its post-
18 conviction representation and resentencing; and

19 WHEREAS, Absent state funding, neither office is able to comply with the legislative
20 mandate to provide representation to eligible incarcerated population from this county; now,
21 therefore, be it

22 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
23 recognize the financial burden that the proposed cuts to the Public Defense Pilot Program will
24 have on San Francisco; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
2 Francisco urges Governor Gavin Newsom and the California State Legislature to retain all
3 three years of funding for the Public Defense Pilot Program to avoid additional costs to the
4 city; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
6 Francisco hereby directs the Clerk of the Board to transmit copies of this resolution to the
7 Governor, the Speaker of the Assembly, the President pro Tempore of the Senate, and to
8 Budget Chair Assembly Member Phil Ting, Budget Chair Senator Nancy Skinner, Budget
9 Subcommittee No. 5 Chair Senator Maria Elena Durazo, and Budget Subcommittee No. 5
10 Chair Assembly Member Mia Bonta.