

File No. 260298

Committee Item No. 6

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date April 29, 2026

Board of Supervisors Meeting Date _____

Cmte Board

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OTHER (Use back side if additional space is needed)

- PDR Presentation 4/29/2026
- _____
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Completed by: Brent Jalipa Date April 23, 2026

Completed by: Brent Jalipa Date _____

1 [Appropriation - General Reserve - Public Defender - Salaries and Benefits - \$1,500,000
- FY2025-2026]

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3 **Ordinance appropriating \$1,500,000 from the General Reserve to the Public**
4 **Defender to support the projected increases in salaries and fringe benefit costs in**
5 **Fiscal Year (FY) 2025-2026; this Ordinance requires a two-thirds approval vote of**
6 **all members of the Board of Supervisors, pursuant to Charter, Section 9.113(c).**

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8 Note: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strikethrough italics Times New Roman*~~.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough normal~~.

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12 Be it ordained by the People of the City and County of San Francisco:

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14 Section 1. The sources of funding outlined below are herein appropriated to
15 reflect the projected sources of funding for FY2025-2026.

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17 **SOURCES Appropriation**

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	Fund /	Project & Activity /	Account	Description	Amount
	Department ID	Authority			
1					
2					
3	10020 / 230018	10023237- 0001	598040	Designated For	\$1,500,000
4	GF Continuing Authority	17064 General	Designated For	General	
5	Ctrl/ GEN General City	Reserve / General	General Reserve	Reserve	
6	Responsibility	Reserve			
7					
8	Total SOURCES Appropriation				\$1,500,000
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10 Section 2. The uses of funding outlined below are herein appropriated in the Public
11 Defender's Office for FY2025-2026.

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13 **USES APPROPRIATION**

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<p>Item 6 File 26-0298</p>	<p>Department: Public Defender (PDR)</p>
<p>EXECUTIVE SUMMARY</p>	
<p style="text-align: center;">Legislative Objectives</p> <ul style="list-style-type: none"> • The proposed ordinance would appropriate \$1,500,000 from the General Reserve to the Public Defender to fund projected increases in salaries and fringe benefit costs in FY 2025-26. Approval of the proposed appropriation requires a two-thirds vote of all members of the Board of Supervisors pursuant to Charter Section 9.113(c). <p style="text-align: center;">Key Points</p> <ul style="list-style-type: none"> • The Public Defender’s Office represents approximately 84 percent of indigent defendants and 80 percent of all criminal defendants in San Francisco. In May 2025, the San Francisco Public Defender’s Office (PDR) declared unavailability for a limited number of cases, indicating that existing staffing and resource levels were insufficient to meet caseload demands and fulfill constitutional obligations under the Sixth Amendment. • Since 2019, the Public Defender’s Office’s active cases have increased due to an increase in the number of misdemeanor filings and an increase in the length of time that cases are open. The department’s staffing has also increased, but at a lower rate, resulting in an increase in active cases per attorney. • The Public Defender’s Office is projecting a \$2.0 million shortfall in salaries and fringe benefits because the department’s budget was not sufficient to support their staffing levels. The department is working with the Controller’s Office and Mayor’s Budget Office to address the remaining \$0.5 million shortfall. <p style="text-align: center;">Fiscal Impact</p> <ul style="list-style-type: none"> • The proposed ordinance would increase PDR’s total FY 2025-26 General Fund salaries and benefits budgets by \$1.5 million. The proposed appropriation would fund existing filled positions for the remainder of the year and does not provide funding to fill additional vacant positions. The appropriation draws from the General Reserve, which must be replenished in the next year’s budget. <p style="text-align: center;">Policy Consideration</p> <ul style="list-style-type: none"> • The FY 2025-26 budget did not provide sufficient funding to maintain the Public Defender’s existing staffing levels, and the Public Defender did not reduce hiring within the year to remain in budget. PDR states that, unlike other departments, it cannot hold positions vacant to achieve savings, as maintaining full staffing levels is necessary to meet its constitutional obligation to provide legal representation to criminal defendants. Without the proposed additional funding, the Public Defenders Office will be forced to layoff existing staff. <p style="text-align: center;">Recommendation</p> <ul style="list-style-type: none"> • Approve the proposed ordinance. 	

MANDATE STATEMENT

City Charter Section 9.105 states that amendments to the Annual Appropriations Ordinance, after the Controller certifies the availability of funds, are subject to Board of Supervisors approval by ordinance.

Charter Section 9.113(c) states that in the event the Mayor or a member of the Board of Supervisors recommends a supplemental appropriation ordinance after the adoption of the budget and prior to the end to the budget year that contains any item rejected by the Mayor or the Board of Supervisors in the original budget appropriation, the supplemental appropriation can only be approved by a two-thirds vote of the Board of Supervisors.

BACKGROUND

The Public Defender’s Office represents approximately 84 percent of indigent defendants and 80 percent of all criminal defendants in San Francisco. In May 2025, the San Francisco Public Defender’s Office (PDR) declared unavailability for a limited number of cases, indicating that existing staffing and resource levels were insufficient to meet caseload demands and fulfill constitutional obligations under the Sixth Amendment.¹ The share of cases taken by the Public Defender declined from 81 percent in April 2025 to 66 percent in April 2026.

According to Superior Court data, active pending felony cases increased by 56 percent and active pending misdemeanor cases increased by 78 percent between 2019 and 2026. This increase was driven by an increase in misdemeanor filings and an increase in the length of time that cases are open. Over the same time period, PDR’s felony and misdemeanor attorneys have increased but at a lower rate (17 percent and 20 percent respectively) according to PDR staff, resulting in an increase in the caseload per attorney. As of January 2026, caseload averaged 55 felonies per attorney and 142 misdemeanors per attorney. To contextualize these numbers, the Public Defender’s Office considers an open caseload standard of between 20 to 40 felonies per attorney and between 40 and 80 misdemeanors per attorney as recommended by a 2025 report from the Southern Methodist University Deason Criminal Justice Reform Center.²

As of April 2026, the Public Defender’s Office is projecting a \$2.0 million shortfall in salaries and fringe benefits because the department’s budget was not sufficient to support their staffing current levels. Consequently, PDR is requesting a \$1.5 million supplemental appropriation from the General Reserve and is working with the Controller’s Office and Mayor’s Budget Office to address the remaining \$0.5 million shortfall.

DETAILS OF PROPOSED LEGISLATION

The proposed ordinance would appropriate \$1,500,000 from the General Reserve to the Public Defender to fund projected increases in salaries and fringe benefit costs in FY 2025-26. Approval

¹ The Sixth Amendment to the United States Constitution guarantees individuals accused of a crime the right to a fair trial, including the right to legal counsel.

² *California Public Defense Workloads and Staffing*. Deason Criminal Justice Reform Center, Southern Methodist University. September 29, 2025

of the proposed appropriation requires a two-thirds vote of all members of the Board of Supervisors pursuant to Charter Section 9.113(c).

Exhibit 1 below summarizes the proposed appropriation of \$1,500,000.

Exhibit 1: Proposed Supplemental Appropriation

Sources	Amount
General Reserve	\$1,500,000
Total Sources	\$1,500,000

Uses	Amount
Permanent Salaries	\$1,045,474
Fringe Benefits	454,526
Total Uses	\$1,500,000

Source: Proposed ordinance

FISCAL IMPACT

Proposed Increase in Salaries and Benefits

The proposed ordinance would increase PDR’s total FY 2025-26 General Fund salaries and benefits budgets by three and four percent respectively. The proposed new budgets are six percent greater than actual spending in the prior year. The proposed appropriation would fund existing filled positions for the remainder of the year and does not provide funding to fill additional vacant positions. Not approving the proposed ordinance would result in layoffs at the Public Defender’s Office.

Exhibit 2: FY 2025-26 Salaries and Benefits Increase, General Fund

	Salaries	Fringe Benefits	Total
FY 2025-26 Budget	\$39,935,475	\$12,972,823	\$52,908,298
Proposed Increase	\$1,045,474	\$454,526	\$1,500,000
New Budget	\$40,980,949	\$13,427,349	\$54,408,298
Percent Increase	3%	4%	3%
FY 2024-25 Actual Expenditures	38,482,636	12,640,332	51,122,968
New Budget, Percent of FY 2024-25 Actual Expenditures	106%	106%	106%

Source: Proposed ordinance, City budget system

As shown in Exhibit 3 below, PDR projects that FY 2025-26 General Fund permanent salaries and fringe benefit costs will total approximately \$54.9 million compared to the budgeted amount of \$52.9 million, resulting in a projected deficit of approximately \$2.0 million. Based on labor projections as of April 7, 2026, PDR anticipates exceeding its personnel budget in the pay period ending June 19, 2026.

Exhibit 3: Projected PDR FY 2025-26 General Fund Salaries and Benefits Costs, As of April 2026

	FY 2025-26 Budget	Projected FY 2025-26 Expenditures	Projected Variance
Salaries	\$39,935,475	\$41,297,496	(\$1,362,021)
Fringe Benefits	12,972,823	13,568,237	(\$595,414)
Total	\$52,908,298	\$54,865,733	(\$1,957,435)

Source: PDR Six-Month Budget Status Report

According to PDR, the projected increases in salary and fringe benefit costs in FY 2025–26 are primarily driven by the need to fund existing positions, including 11 positions filled during the fiscal year, given increases in the department’s caseload. Out of 102 authorized attorney positions, one is vacant as of April 2026. According to PDR staff, public defense is individualized and cannot be scaled to attain efficiency gains, which limits the ability to absorb increases in caseloads without additional funding.

General Reserve

The General Reserve balance for the current fiscal year is approximately \$156.4 million. The proposed \$1,500,000 appropriation from the General Reserve would reduce that balance accordingly, and any amounts used from the General Reserve in the current fiscal year must be replenished in the following fiscal year pursuant to the City’s reserve policies

POLICY CONSIDERATION

As noted above, the Public Defender’s Office declared unavailability for a limited number of cases in May 2025, indicating that existing staffing and resource levels were insufficient to meet caseload demands. Although PDR cited insufficient staffing and resource levels in May 2025, the FY 2025-26 approved budget reduced the department’s number of funded full-time equivalent positions by six percent from 228.37 FTE in FY 2024-25 to 214.85 FY 2025-26. This means the department’s salary and benefits budget supported fewer positions in FY 2025-26 relative to the prior year.

The FY 2025-26 budget did not provide sufficient funding to maintain the Public Defender’s existing staffing levels, and the Public Defender did not reduce hiring within the year to remain in budget. PDR states that, unlike other departments, it cannot hold positions vacant to achieve savings, as maintaining full staffing levels is necessary to meet its constitutional obligation to provide legal representation to criminal defendants. If the Mayor and the Board of Supervisors do not increase the department’s budget during the FY 2026-27 budget process and the department does limit hiring to remain within budget, the department may similarly require a supplemental appropriation next year.

Because the proposed ordinance will fund salaries and benefits for filled positions, we recommend approval. Failure to approve the ordinance would require that the department layoff existing staff.

RECOMMENDATION

Approve the proposed ordinance.

**SF Board of Supervisors
Budget and Finance
Committee, April 29, 2026**



**SAN FRANCISCO
PUBLIC DEFENDER**

Greater than one.

*Presentation on Supplemental
Appropriation – Public Defender -
\$1,500,000 – FY 2025-2026.*

Mano Raju, SF Public Defender

Fiercely defend individuals, confront state sponsored violence, and advocate for community power.

**OUR
MISSION**

Love, Compassion,
Courage, Excellence.

**OUR
VALUES**

**OUR
THEORY OF CHANGE**

When we fiercely defend individuals, confront state sponsored violence, and advocate for community power, then our communities are better able to resist injustice and fight for self-determination and freedom.

**OUR
VISION**

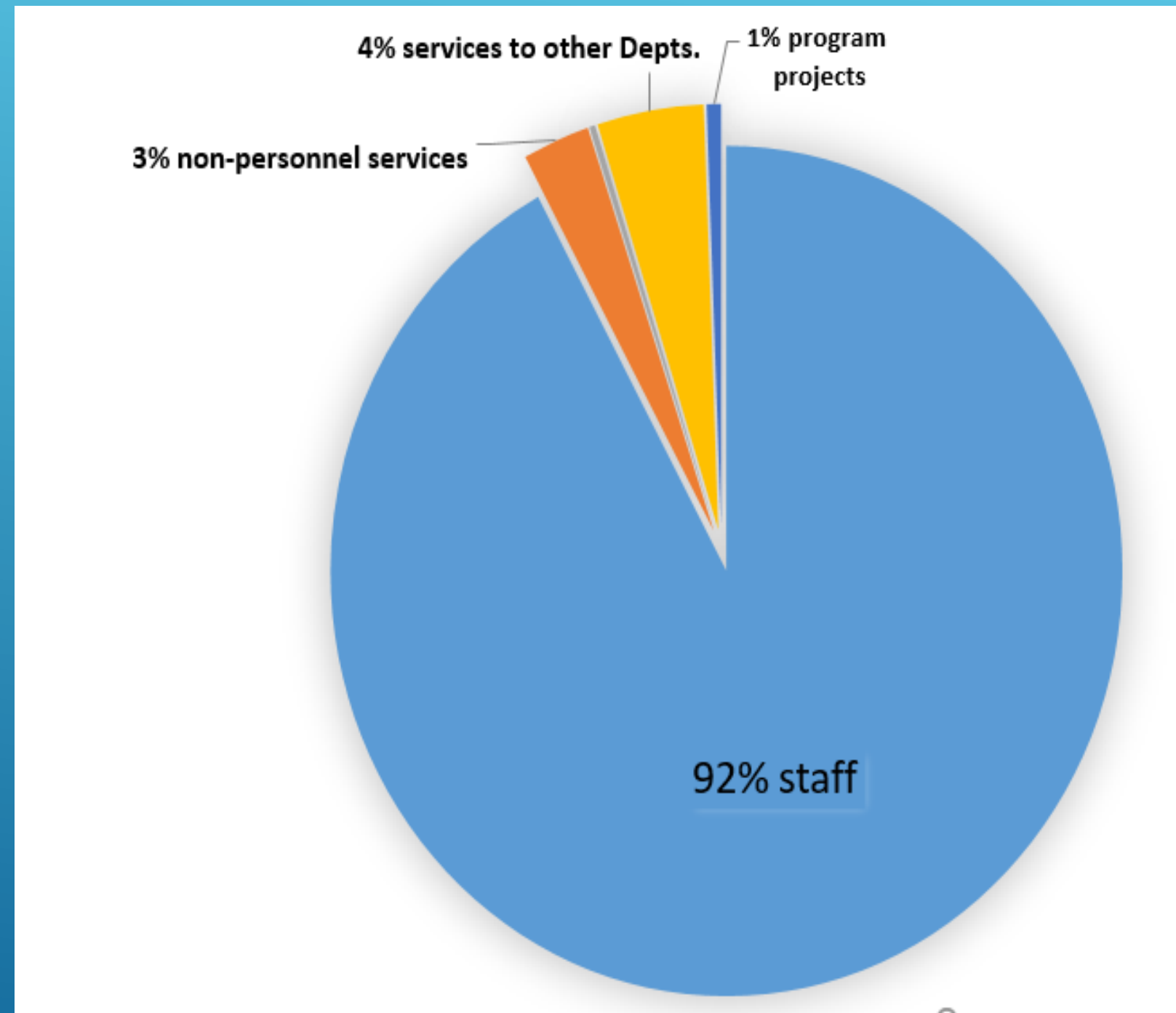
A world where collective humanity is cherished.



**SAN FRANCISCO
PUBLIC DEFENDER**

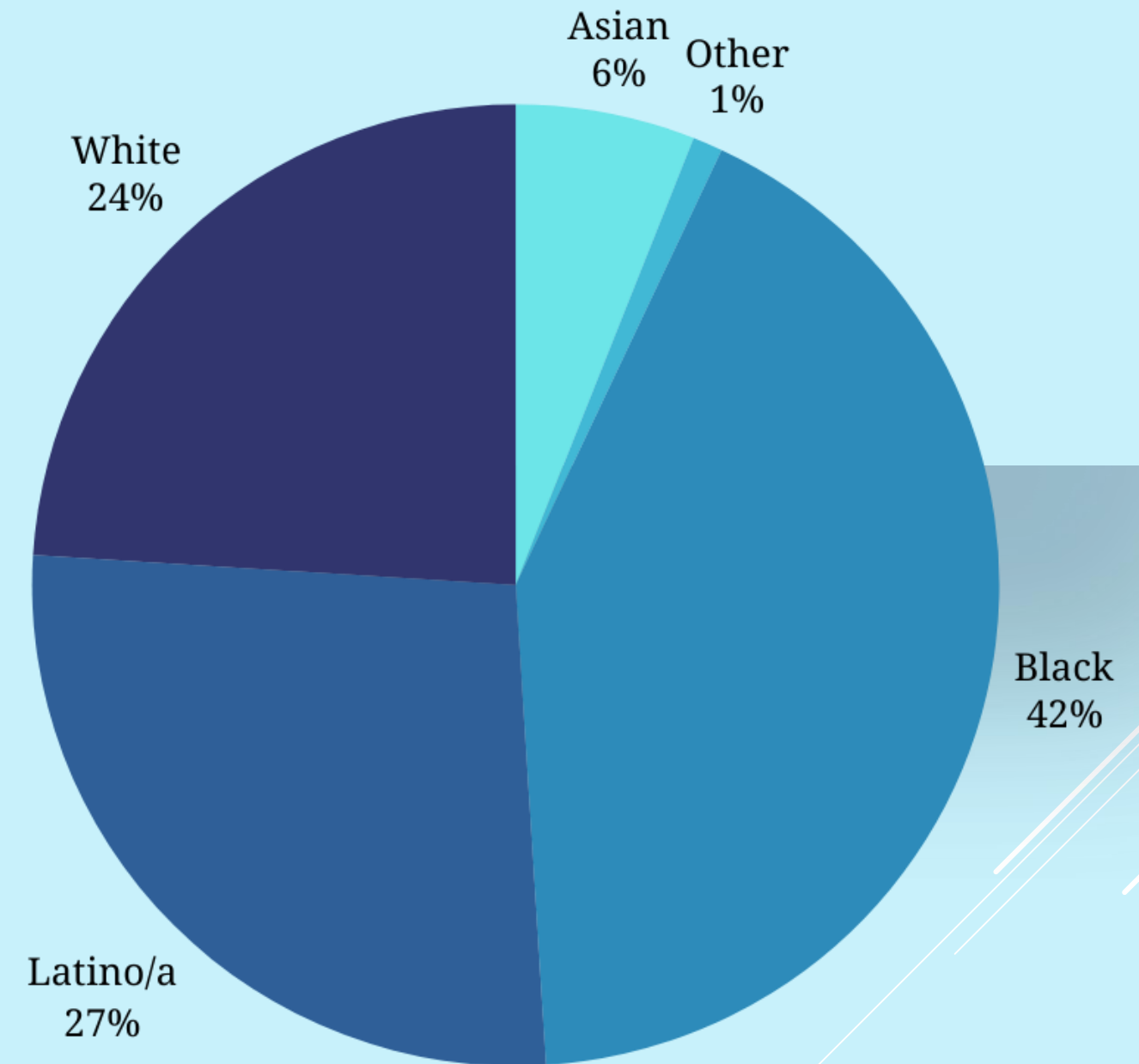
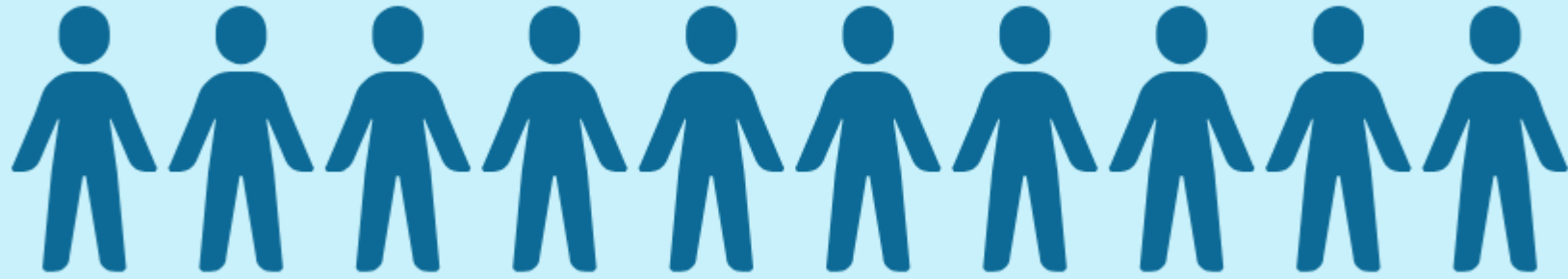
A Budget for Justice FY 25-26

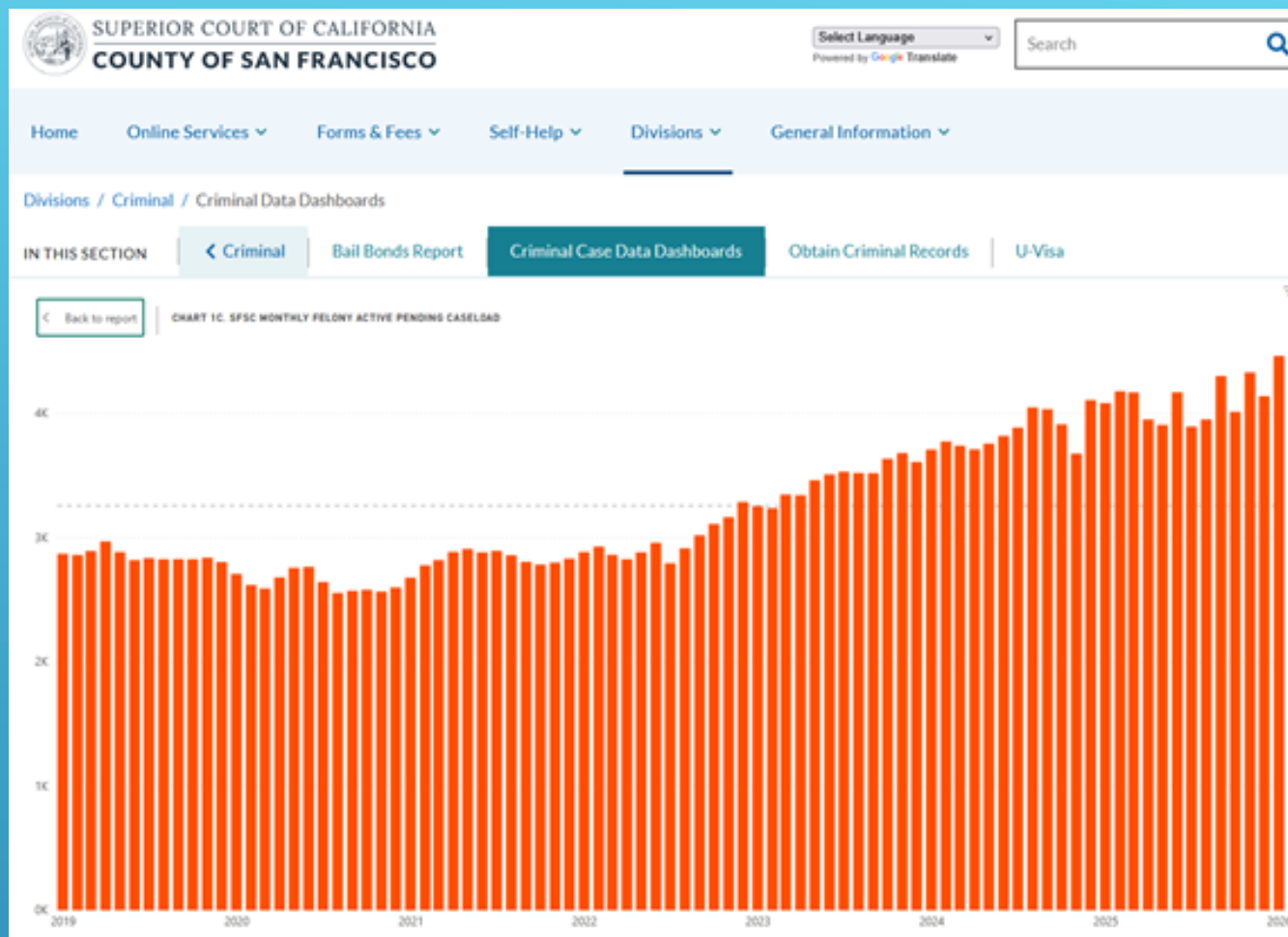
Total Budget: \$57million



Our Clients

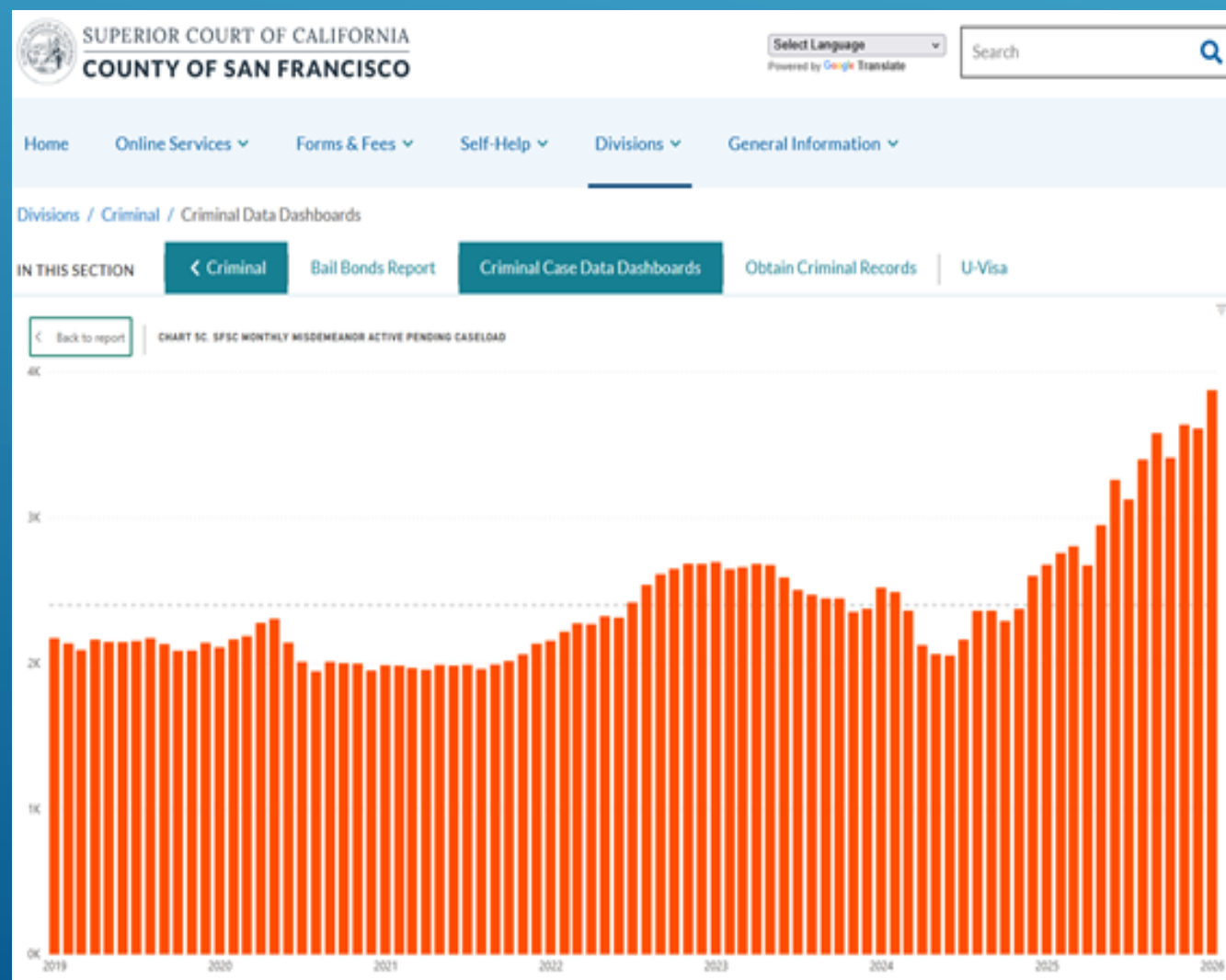
100% Low-Income






Workload Crisis

Active felony cases  **56%** from 2019 to 2026.



Active misdemeanor cases  **78%** from 2019 to 2026.

FY25-26 Attorney Backfill Hires

Attorney Classification	Hiring Approval Date	Position Start Date
8177	10/8/2025	11/24/2025
8177	10/20/2025	1/20/2026
8177	10/20/2025	1/5/2026
8177	10/20/2025	1/5/2026
8177	12/5/2025	1/20/2026

Appropriation – General Reserve – Public Defender – \$1,500,000 – FY2025-2026.

- The workload crisis for public defenders means our dept cannot leave positions unfilled – this would risk further compounding the court crisis and the inability to meet our constitutional mandate.
- Due to this urgency, PDR works to quickly fill positions. This has led to a \$1,500,000 structural shortfall this current year.
- We are thankful to the Mayor for bringing forward this Appropriation to address this shortfall.



**SAN FRANCISCO
PUBLIC DEFENDER**

Greater than one.

Thank you!

Q&A



OFFICE OF THE MAYOR
SAN FRANCISCO



DANIEL LURIE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Dexter Darmali, Legislative & Ethics Secretary
RE: Appropriation - General Reserve - Public Defender - Salaries and Benefits - \$1,500,000 - FY2025-2026
DATE: March 24, 2026

Ordinance appropriating \$1,500,000 from the General Reserve to the Public Defender to support the projected increases in salaries and fringe benefit costs in Fiscal Year (FY) 2025-2026; this Ordinance requires a two-thirds approval vote of all members of the Board of Supervisors, pursuant to Charter, Section 9.113(c).

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org