

File No. 240176

Committee Item No. _____

Board Item No. 41

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: March 5, 2024

Cmte Board

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- Introduction Form
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OTHER

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Prepared by: Jocelyn Wong

Date: March 1, 2024

Prepared by: _____

Date: _____

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

2

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.**

5

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 2024-2025 Budget now proposes eliminating
2 the third year of this program, which would mean thousands of people eligible for post-
3 conviction relief statewide will remain in prison without proper representation; and

4 WHEREAS, After this program was previously cut in the 2023-2024 Budget, the San
5 Francisco Board of Supervisors unanimously passed a resolution in support of restoring
6 funding; and

7 WHEREAS, The program’s funding was restored in the 2023-2024 budget; and

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

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

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

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

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

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

8 FURTHER RESOLVED, That copies of this resolution be transmitted to the Governor,
9 the Speaker of the Assembly, the President pro Tempore of the Senate, and to Budget Chair
10 Assembly Member Jesse Gabriel, Budget Chair Senator Nancy Skinner, Budget
11 Subcommittee No. 5 Chair Senator Maria Elena Durazo, and Budget Subcommittee No. 6
12 Chair Assembly Member James Ramos.

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RECEIVED during BOS
2/27/2024 @ 5:00 pm
ob

My name is Amanda Perez, and I work as a Social Worker in the Freedom Project of the San Francisco Public Defender's Office. The Freedom Project advocates to ensure people who are rehabilitated but still serving long prison sentences can get back to court for a second look, based on their current circumstances, and to ensure all services needed for successful reentry are available. We are extremely proud to boast a ZERO recidivism rate since being properly staffed, with a holistic team of attorneys, social workers, and paralegal staff.

The Governor's proposed budget cuts \$40 million to the Public Defender Pilot Program (PDPP) in 2023-24, which is the third and final year of the pilot program. We are grateful to this Board for considering the resolution being introduced today by Supervisor Chan, which urges the Governor and Legislature to eliminate this proposed cut, which negatively impact both the Public Defender's office and the SF Bar Association. -

Over the last five years, several state laws have recognized the need to reevaluate prison sentences after the passage of time and strenuous rehabilitation efforts. These laws allow judges to determine whether additional incarceration is now counterproductive given a person's demonstrated redemption and the significant contributions they could make to their families and communities if allowed to re-enter society.

The Freedom Project has done amazing work with these funds, and is ready to do more.

- The Freedom Project has helped reunite 84 individuals with their communities since we began in 2020—46 of whom were serving life sentences.
- Incarcerating elders and other people who are ready to return home is expensive. From July 2020 - July 2023, we've saved the state of California \$136.5 million.
- Not only do we help people come home, we connect them with vital health services, and housing. For example, 100% of our clients have stable housing when released.

This work is important in meeting the needs of San Franciscans. Though our city's Black population is just 5%, 55% of those in prison from San Francisco are Black. Elder and youth offenders suffer disproportionately. Despite very low recidivism rates for elders, 47% of the people in prison on San Francisco cases are over 50, 28% are over 60, and 8% are 70 or older. And despite research showing nearly all young people "age out" of offending, youth offenders account for 31% of imprisoned San Franciscans.

~~Without PDPP funds in San Francisco, approximately 500 cases eligible for resentencing will go unreviewed and the people behind those cases will continue to languish in prison, wasting precious monetary resources and weakening public safety.~~ Please support this resolution. Thank you.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor _____ inquires..."
- 5. City Attorney Request
- 6. Call File No. _____ from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. _____
- 9. Reactivate File No. _____
- 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Chan, Ronen, Preston

Subject:

Opposing State Funding Cuts to the Public Defense Pilot Program Statewide

Long Title or text listed:

Resolution urging Governor Gavin Newsom and the California State Legislature to retain the full state funding of the Public Defense Pilot Program for three years.

Signature of Sponsoring Supervisor:

