1	[Accept and Expend In-Kind Gift - Retroactive - University of San Francisco School of Law -		
2	Racial Justice Clinic Work - Estimated at \$250,000]		
3	Resolution retroactively authorizing the Office of the District Attorney to accept and		
4	expend an in-kind gift of pro bono legal services, with a value estimated at \$250,000		
5	provided by the University of San Francisco School of Law's Racial Justice Clinic		
6	(RJC), and funded by the Vital Projects Fund and Elizabeth Zitrin, to support the RJC'		
7	work assisting the Office of the District Attorney's Sentencing Review Unit and		
8	Wrongful Conviction Unit and Innocence Commission, for a grant term of November		
9	2021 through November 2022.		
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11	WHEREAS, The District Attorney has partnered with the University of San		
12	Francisco School of Law's Racial Justice Clinic to (1) reexamine cases involving		
13	excessive sentences under Penal Code, Section 1170.03; and (2) evaluate claims of		
14	wrongful conviction; and		
15	WHEREAS, Under Penal Code, Section 1170.03, the District Attorney is		
16	empowered to petition the Court to vacate the sentences of incarcerated people if it is in		
17	the interests of justice to do so; and		
18	WHEREAS, Section 1170.03 is a powerful tool for reversing some of the harm done		
19	by the criminal justice system, but to wield its power effectively will require more staff and		
20	resources than the District Attorney's Office currently has available or can provide in the		
21	immediate future; and		
22	WHEREAS, Similarly, San Francisco's Innocence Commission requires additional		
23	support to effectively evaluate claims of wrongful conviction; and		
24	WHEREAS, In order to provide relief to any significant number of eligible		
25	incarcerated people, the District Attorney needs additional personnel and resources; and		

1	WHEREAS, University of San Francisco School of Law's Racial Justice Clinic		
2	received a donation from the Vital Projects Fund totaling \$125,000, to fund one Racial		
3	Justice Clinic staff attorney and a donation from Elizabeth Zitrin totaling \$125,000 to fund		
4	one Racial Justice Clinic staff attorney to provide pro bono legal services to support the		
5	District Attorney's reexamination of cases to identify cases involving excessive sentences		
6	and wrongful convictions; and		
7	WHEREAS, One staff attorney has worked with the District Attorney to: (1) screen,		
8	review, and evaluate cases eligible for relief under Penal Code, Section 1170.03; (2) train		
9	and supervise clinic students to screen and review an even greater volume of eligible		
10	cases; and (3) appear in court as a deputized assistant district attorney to litigate Penal		
11	Code, Section 1170.03 cases; and		
12	WHEREAS, A second staff attorney has supported the work of the Innocence		
13	Commission to evaluate cases in which an incarcerated person claims to have been		
14	wrongfully convicted by: (1) training clinic students to assist the Innocence Commission		
15	members in evaluating wrongful conviction claims, including any necessary follow up		
16	investigation; (2) ensuring that the Innocence Commission members can efficiently and		
17	fairly evaluate as many claims as possible; and (3) serving as the primary drafter of the		
18	Findings of Fact Memorandum as well as any other documents authored by the Innocence		
19	Commission; and		
20	WHEREAS, The Office of the District Attorney received and began using these pro		
21	bono legal services in November 2021; and		
22	WHEREAS, No indirect costs are included by the Office of the District Attorney in		
23	order to maximize the value of the pro bono legal services; now, therefore, be it		
24	RESOLVED, That the Board of Supervisors retroactively approves the acceptance		
25			

1	and use of in-kind gift of pro bono legal services, with a value estimated at \$250,000		
2	provided by the University of San Francisco School of Law's Racial Justice Clinic, and		
3	funded by the Vital Projects Fund and Elizabeth Zitrin, to fund two staff attorney positions,		
4	to support the Racial Justice Clinic's work assisting the Office of the District Attorney's		
5	Sentencing Review Conviction Unit and Wrongful Conviction Unit Innocence Commission.		
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1	Recommended:	Approved: <u>/s/</u>
2		London N. Breed
3		Mayor
4	<u>/s/</u>	
5	Chesa Boudin	Approved: <u>/s/</u>
6	District Attorney	Ben Rosenfield
7		Controller
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