

1 [Accept and Expend Grant - Retroactive - California Board of State and Community
2 Corrections - Public Defense Pilot Program - \$1,194,950]

3 **Resolution retroactively authorizing the Public Defender’s Office to accept and**
4 **expend a grant in the amount of \$1,194,950 from the California Board of State and**
5 **Community Corrections, to comply with Penal Code, Sections 170(d)/1170.03/1172.1,**
6 **1170.95/1172.6, 1473.7 and 3501’s mandate to use these funds to support the**
7 **resentencing of individuals, for the period March 1, 2022, through March 1, 2025.**

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9 WHEREAS, The Administrative Code requires City departments to obtain Board of
10 Supervisors’ approval to accept or expend any grant funds (Section 10.170 et seq.); and

11 WHEREAS, The Board of Supervisors provided in Section 11.1 of the administrative
12 provisions of the FY2022-2023 Annual Appropriation Ordinance that approval of recurring
13 grant funds contained in departmental budget submissions and approved in the FY2022-
14 2023 budget are deemed to meet the requirements of the Administrative Code regarding
15 grant approvals; and

16 WHEREAS, The Board of State and Community Corrections (BSCC) that provides
17 grant funds to the San Francisco Public Defender’s Office requires documentation of the
18 Board’s approval of their specific grant funds; and

19 WHEREAS, The San Francisco Public Defender’s Office desired to participate in the
20 Public Defense Pilot Program funded through the State Budget Act of 2021 (Senate Bill
21 129) and administered by the BSCC, and was awarded \$1,194,950; and

22 WHEREAS, This Public Defense Pilot Program is concurrent with the Resentencing
23 Pilot Program from the BSCC to ensure that the San Francisco Public Defender’s Office will
24 be able to implement a robust post-conviction program and provide an array of critical legal
25 services to the wide variety of clients who may be eligible; and

1 WHEREAS, The grant does not require an amendment to the Annual Salary
2 Ordinance (ASO) Amendment; and

3 WHEREAS, The grant includes indirect costs of \$37,488; and

4 WHEREAS, Any interest earned on the grant funds must go to the funded activities,
5 to be approved by the BSCC; now, therefore, be it

6 RESOLVED, The Board of Supervisors hereby authorizes the San Francisco Public
7 Defender’s Office to retroactively accept and expend \$1,194,950 in grant funds from the
8 BSCC, to comply with Penal Code, Sections 1170(d)/1170.03/1172.1, 1170.95/1172.6, 1473.7
9 and 3501’s mandate to use these funds to support the resentencing of individuals; and, be it

10 FURTHER RESOLVED, That the San Francisco Public Defender’s Office be
11 authorized on behalf of the Board of Supervisors to submit the grant proposal for this
12 funding and sign the Grant Agreement with the BSCC, including any extensions or
13 amendments thereof; and, be it

14 FURTHER RESOLVED, That the grant funds received hereunder shall not be used
15 to supplant expenditures controlled by this body; and, be it

16 FURTHER RESOLVED, That the San Francisco Public Defender’s Office agrees to
17 abide by the terms and conditions of the Grant Agreement as set forth by the BSCC; and, be it

18 FURTHER RESOLVED, That within thirty (30) days of the agreement being fully
19 executed by all parties, the San Francisco Public Defender’s Office shall provide the final
20 agreement to the Clerk of the Board for inclusion into the official file.

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1 Recommended:

Approved: /s/_____

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London N. Breed

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Mayor

4 /s/_____

5 Manohar Raju

Approved: /s/_____

6 Public Defender

Ben Rosenfield

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Controller

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