

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's**  
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  
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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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Recommended:

Approved: /s/

London N. Breed

Mayor

/s/

Chesa Boudin

Approved: /s/

District Attorney

Ben Rosenfield

Controller



# City and County of San Francisco

## Tails Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 220483

**Date Passed:** September 06, 2022

Resolution retroactively authorizing the Office of the District Attorney to accept and expend an in-kind gift of pro bono legal services, with a value estimated at \$250,000 provided by the University of San Francisco School of Law's Racial Justice Clinic (RJC), and funded by the Vital Projects Fund and Elizabeth Zitrin, to support the RJC's work assisting the Office of the District Attorney's Sentencing Review Unit and Wrongful Conviction Unit and Innocence Commission, for the grant term of November 2021 through November 2022.


July 07, 2022 Government Audit and Oversight Committee - RECOMMENDED

September 06, 2022 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220483

I hereby certify that the foregoing  
Resolution was ADOPTED on 9/6/2022 by  
the Board of Supervisors of the City and  
County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
London N. Breed  
Mayor

9/16/22  
Date Approved