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

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.

WHEREAS, The Board of State and Community Corrections' Public Defense Pilot Program was established by the Budget Act of 2021 by Senate Bill No. 129 (Skinner) and approved three years of funding for the Public Defense Pilot Program; and

WHEREAS, The Public Defense Pilot Program allows indigent defense providers including public defenders and alternate defenders statewide to implement numerous post-conviction and resentencing reforms enacted by the California State Legislature in recent years; and

WHEREAS, The Public Defense Pilot Program set aside approximately $50 million each year for three years to fund statewide resentencing units which employ lawyers, social workers and paralegals to review cases, petition local courts for resentencing, and connect clients to resources upon release; and

WHEREAS, The Public Defense Pilot Program has successfully provided essential legal services to low-income Californians, reducing court backlogs, and saving the state money by avoiding wrongful convictions and unnecessary incarceration; and

WHEREAS, In recent years, the California State Legislature has passed bills reforming the state's incarceration rules which has resulted in a reduction of over 10,000 years of incarceration across the state, and leading to hundreds of millions of dollars in state savings annually, and returning individuals to the care of their families and loved ones and to serve their communities; and
WHEREAS, Governor Gavin Newsom's 2023-2024 Budget now proposes cutting the third year of this program, which would mean thousands of people eligible for post-conviction relief statewide will remain in prison without proper representation; and

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

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

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

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

RESOLVED, That the Board of Supervisors of the City and County of San Francisco recognize the financial burden that the proposed cuts to the Public Defense Pilot Program will have on San Francisco; and, be it
FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges Governor Gavin Newsom and the California State Legislature to retain all three years of funding for the Public Defense Pilot Program to avoid additional costs to the city; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board to transmit copies of this resolution to the Governor, the Speaker of the Assembly, the President pro Tempore of the Senate, and to Budget Chair Assembly Member Phil Ting, Budget Chair Senator Nancy Skinner, Budget Subcommittee No. 5 Chair Senator Maria Elena Durazo, and Budget Subcommittee No. 5 Chair Assembly Member Mia Bonta.
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.

April 12, 2023 Board of Supervisors - ADOPTED
Ayes: 8 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai and Walton
Excused: 3 - Melgar, Ronen and Stefani

I hereby certify that the foregoing Resolution was ADOPTED on 4/12/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

04/21/2023