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 a grant term of November 2021 through November 2022.

WHEREAS, The District Attorney has partnered with the University of San Francisco School of Law's Racial Justice Clinic to (1) reexamine cases involving excessive sentences under Penal Code, Section 1170.03; and (2) evaluate claims of wrongful conviction; and

WHEREAS, Under Penal Code, Section 1170.03, the District Attorney is empowered to petition the Court to vacate the sentences of incarcerated people if it is in the interests of justice to do so; and

WHEREAS, Section 1170.03 is a powerful tool for reversing some of the harm done by the criminal justice system, but to wield its power effectively will require more staff and resources than the District Attorney's Office currently has available or can provide in the immediate future; and

WHEREAS, Similarly, San Francisco's Innocence Commission requires additional support to effectively evaluate claims of wrongful conviction; and

WHEREAS, In order to provide relief to any significant number of eligible incarcerated people, the District Attorney needs additional personnel and resources; and
WHEREAS, University of San Francisco School of Law's Racial Justice Clinic received a donation from the Vital Projects Fund totaling $125,000, to fund one Racial Justice Clinic staff attorney and a donation from Elizabeth Zitrin totaling $125,000 to fund one Racial Justice Clinic staff attorney to provide pro bono legal services to support the District Attorney's reexamination of cases to identify cases involving excessive sentences and wrongful convictions; and

WHEREAS, One staff attorney has worked with the District Attorney to: (1) screen, review, and evaluate cases eligible for relief under Penal Code, Section 1170.03; (2) train and supervise clinic students to screen and review an even greater volume of eligible cases; and (3) appear in court as a deputized assistant district attorney to litigate Penal Code, Section 1170.03 cases; and

WHEREAS, A second staff attorney has supported the work of the Innocence Commission to evaluate cases in which an incarcerated person claims to have been wrongfully convicted by: (1) training clinic students to assist the Innocence Commission members in evaluating wrongful conviction claims, including any necessary follow up investigation; (2) ensuring that the Innocence Commission members can efficiently and fairly evaluate as many claims as possible; and (3) serving as the primary drafter of the Findings of Fact Memorandum as well as any other documents authored by the Innocence Commission; and

WHEREAS, The Office of the District Attorney received and began using these pro bono legal services in November 2021; and

WHEREAS, No indirect costs are included by the Office of the District Attorney in order to maximize the value of the pro bono legal services; now, therefore, be it

RESOLVED, That the Board of Supervisors retroactively approves the acceptance
and use of 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, and
funded by the Vital Projects Fund and Elizabeth Zitrin, to fund two staff attorney positions,
to support the Racial Justice Clinic's work assisting the Office of the District Attorney's
Sentencing Review Conviction Unit and Wrongful Conviction Unit Innocence Commission.
Recommended: Chesa Boudin
District Attorney

Approved: /s/ ____________________________
London N. Breed
Mayor

/is/
Chesa Boudin
District Attorney

Approved: /s/ ____________________________
Ben Rosenfield
Controller

Supervisors Preston; Mandelman
BOARD OF SUPERVISORS
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

9/14/22