Resolution authorizing the Office of the District Attorney to accept and expend an in-kind gift estimated at $250,000 from the University of San Francisco School of Law's Racial Justice Clinic to hire two staff attorneys to support the District Attorney's efforts to evaluate and remedy cases involving a claim or excessive sentence or wrongful conviction.

WHEREAS, The San Francisco District Attorney will partner with University of San Francisco School of Law's Racial Justice Clinic to (1) reexamine cases involving excessive sentences under Penal Code, Section 1170(d); and (2) evaluate claims of wrongful conviction; and

WHEREAS, Under Penal Code, Section 1170(d), the District Attorney is empowered to vacate excessive sentences upon a showing of good cause; and

WHEREAS, Section 1170(d) 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 all-volunteer Innocence Commission requires additional support to effectively evaluate of claims of wrongful conviction; and

WHEREAS, In order to provide relief to any significant number of eligible incarcerated people, the District Attorney will need additional personnel and resources; and

WHEREAS, University of San Francisco School of Law’s Racial Justice Clinic received gifts totaling $250,000 intended by the donors to fund the hiring of two staff
attorneys by the Racial Justice Clinic to support the District Attorney’s reexamination of
cases to identify cases involving excessive sentences and wrongful convictions; and

WHEREAS, One attorney funded through this gift will work with the District Attorney
to identify cases in which an excessive sentence has been imposed, and for which relief is
therefore available under Penal Code, Section 1170(d); this attorney will: (1) screen,
review, and evaluate cases eligible for relief under PC 1170(d)(1); (2) position qualifying
cases for rapid review by the District Attorney’s Post-Conviction Unit; and (3) train and
supervise clinic students to screen and review an even greater volume of eligible cases;
and

WHEREAS, A second attorney funded through this gift will support the work of the
Innocence Commission to evaluate cases in which an incarcerated person claims to have
been wrongfully convicted; this staff attorney will allow the Racial Justice clinic to do three
things: (1) train the students to help the Innocence Commission members in evaluating
wrongful conviction claims—including any necessary follow up investigation; (2) ensure that
the Commission members can efficiently and fairly evaluate as many claims as possible;
and (3) serve as the primary drafter of the Findings of Fact Memorandum as well as any
other documents authored by the Commission; now, therefore, be it

WHEREAS, No indirect costs are included by the Department to maximize the value
of the service; now, therefore, be it

RESOLVED, That the Board of Supervisors approves the in-kind gift estimated at
$250,000 and authorizes the Office of the District Attorney to accept the support for the
Racial Justice Clinic work from the University of San Francisco.
1 Recommended: Approved: /s/____________________
2
3
4 /s/____________________
5 Eugene Clendinen Approved: /s/____________________
6 Chief, Administration & Finance Ben Rosenfield
7 for District Attorney Controller
8 Chesa Boudin
Resolution authorizing the Office of the District Attorney to accept and expend an in-kind gift estimated at $250,000 from the University of San Francisco School of Law's Racial Justice Clinic to hire two staff attorneys to support the District Attorney's efforts to evaluate and remedy cases involving a claim or excessive sentence or wrongful conviction.

November 04, 2020 Budget and Finance Committee - RECOMMENDED

November 10, 2020 Board of Supervisors - ADOPTED
   Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201195

I hereby certify that the foregoing Resolution was ADOPTED on 11/10/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved: 11/20/20