



SUMMARY REPORT

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**Agenda Date:** 11/28/2023

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**To:** Sonoma County Board of Supervisors  
**Department or Agency Name(s):** Public Defender's Office  
**Staff Name and Phone Number:** Jeremy Scannell, 565-3869  
**Vote Requirement:** Majority  
**Supervisorial District(s):** Countywide

**Title:**  
Indigent Defense Grant Extension

**Recommended Action:**

Adopt a resolution accepting the terms and conditions of a grant agreement for a zero-cost term extension of the Indigent Defense Grant from the Board of State and Community Corrections originally approved by the Board on April 6, 2021, and delegating authority to the Public Defender to execute the grant agreement for the term of July 1, 2023 through February 28, 2025.

**Executive Summary:**

In April 2021, the Public Defender's Office was awarded the Indigent Defense Grant (IDG) by the Board of State and Community Corrections (BSCC) in the amount of \$882,320 with a grant period of February 15, 2021, through June 30, 2023.

In early 2023, the BSCC notified the Public Defender's Office about the possibility of a zero-cost term extension to the IDG to allow grantees additional time to expend remaining grant funds. While the Public Defender's office was informed of the potential extension to the IDG grant term, official approval of the state's budget did not happen until FY 23-24 had begun. Once the budget had been approved, the Public Defender's Office did not receive the grant extension agreement until early October 2023. As of June 30, 2023, \$73,242 of the grant funds have not been expended and will be used during this extension period.

**Discussion:**

The Public Defender's Office utilized the Indigent Defense Grant (IDG) to provide increased service to clients by adding 1.0 FTE time-limited Deputy Public Defender, 1.0 FTE time-limited Social Services Worker, an Extra-Help Law Clerk, and two Extra-Help Deputy Public Defenders.

The time-limited Deputy Public Defender position was hired to focus on post-conviction relief needs that have increased due to many changing laws that have significantly raised the number of clients seeking relief. The Social Services Worker position was hired to work with clients and attorneys to coordinate services that benefit the client, provide an alternative to incarceration, and assist in providing services that address the underlying causes that can lead to increased presence in the criminal justice system. The Extra-Help Law Clerk was hired to support the work of the post-conviction relief attorney funded through this grant by researching and recording backgrounds and factual statements and assisting interpreting and applying laws.

The two Extra-Help Deputy Public Defenders were hired to provide temporary support to misdemeanor trial

departments due to planned and unplanned leaves.

This new agreement for a time only extension will allow the Public Defender’s Office to continue to utilize the remaining funds from the Indigent Defense Grant. The Public Defender’s Office was able to secure an allocation of 2011 Realignment funding through the Community Corrections Partnership to continue funding the post-conviction relief attorney and the social services worker effective May 31, 2023. As a result, the remaining funds from the IDG will be used to continue to fund Extra-Help attorneys to support misdemeanor trial departments. The Extra-Help law clerk will not be funded through this extension, and the duties that were assigned to this position will be re-assigned to existing extra-help law clerks.

**Strategic Plan:**

N/A

**Racial Equity:**

**Was this item identified as an opportunity to apply the Racial Equity Toolkit?**

No

**Prior Board Actions:**

October 25, 2022 - Approved conversion of 1.0 FTE Attorney and 1.0 FTE Social Worker from time-limited to permanent allocations and changed their funding source from the IDG to 2011 Realignment effective May 31, 2023.

April 6, 2021 - Approve Indigent Defense Grant, adopt position and budget resolutions.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY23-24 Adopted</b>	<b>FY24-25 Projected</b>	<b>FY25-26 Projected</b>
Budgeted Expenses	\$73,242		
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$73,242</b>		
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance	\$73,242		
General Fund Contingencies			
<b>Total Sources</b>	<b>\$73,242</b>		

**Narrative Explanation of Fiscal Impacts:**

The Public Defender’s FY 2023-24 Adopted Budget assumed extension of the Indigent Defense Grant and included expenditure appropriations for the Extra-Help attorneys to be fully reimbursed by accumulated grant funds. While the grant term is being extended through February 28, 2025, the department anticipates

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expending all remaining grant funds in FY 2023-24.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>
N/A	-	-	-

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Resolution

Indigent Defense Grant Agreement BSCC 177-23

**Related Items "On File" with the Clerk of the Board:**

N/A