



# COUNTY OF HUMBOLDT

For the meeting of: 4/9/2024

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File #: 24-711

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**To:** Board of Supervisors

**From:** County Administrative Office

**Agenda Section:** Consent

**Vote Requirement:** 4/5th

**SUBJECT:**

Supplemental Budget in the Amount of \$600,000 from the General Fund to Courts-County Contribution (1100-250) for Indigent Defense Services (4/5 Vote Required)

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve a supplemental budget (Attachment 1) in the amount of \$600,000 from the General Fund to the Court-County Contribution budget unit (1100-250) for provision of indigent defense services (4/5 vote required).

**STRATEGIC PLAN:**

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Safe & Healthy Communities

Strategic Plan Category: 1001 -Support and sustain partnerships between public safety and partner agencies to enhance public safety in our communities

**DISCUSSION:**

The County of Humboldt is required by the state to pay for indigent defense services from the county General Fund. When cases conflict out of the Public Defender's Office and Conflict Counsel, staff from the County Administrative Office-Management & Budget Team (MBT) assign the cases to attorneys enlisted in the Humboldt County Court-Appointed Attorney Program (HCAAP). Due to protections in state law, once a case is assigned to an attorney staff have very little control over the amount that private attorneys can charge to defend a case.

Indigent defense costs continue to rise due to an increased number of cases assigned to private attorneys after the closure of the Alternate Conflict Counsel's Office in 2016. In addition, expenditures are increasing due rising costs related to serious and high-profile cases, and low participation by local attorneys to serve as panel attorneys in the HCAAP, which has required the county to contract with attorneys who live out of the area and pay for certain travel expenses during the course of their work.

The Fiscal Year (FY) 2022-23 budget saw actual costs for private defense attorneys decrease by more than \$250,000, and the FY 2024-25 budget anticipated continued reductions. However, expenditures in February and March of 2024 were over \$100,000 each, and if that trend continues the overage could easily be \$500,000 or more. The attached supplemental budget would provide appropriations to cover indigent defense costs if current trends continue.

**SOURCE OF FUNDING:**

General Fund (1100)

**FINANCIAL IMPACT:**

<b>Expenditures (1100, 250-2118)</b>	<b>FY23-24</b>	<b>FY24-25 Projected*</b>	<b>FY25-26 Projected*</b>
<b>Budgeted Expenses</b>	\$800,000	\$1,400,000	\$1,600,000
<b>Additional Appropriation Requested</b>	\$600,000		
<b>Total Expenditures</b>	\$1,400,000	\$1,400,000	\$1,600,000

\*Projected amounts are estimates and are subject to change.

<b>Funding Sources (1100, 250-2118)</b>	<b>FY23-24</b>	<b>FY24-25 Projected*</b>	<b>FY25-26 Projected*</b>
<b>General Fund</b>	\$800,000	\$1,400,000	\$1,600,000
<b>Use of Fund Balance</b>	\$600,000		
<b>Total Funding Sources</b>	\$1,400,000	\$1,400,000	\$1,600,000

\*Projected amounts are estimates and are subject to change.

**Narrative Explanation of Financial Impact:**

The criminal defense attorney and related services charges resides in the Courts-County Contribution budget unit, professional services line (1100-250-2118). These services are mandated to be paid by the county’s General Fund. Expenses have exceeded appropriations with roughly 25% of the fiscal year remaining. Therefore, staff are requesting approval of the attached supplemental budget in the amount of \$600,000 from the General Fund.

**STAFFING IMPACT:**

**Narrative Explanation of Staffing Impact:**

Approval of the attached supplemental budget will allow staff from the County Administrative Office-Management & Budget Team to pay invoices for private indigent defense attorneys, investigators, expert witnesses, special evaluations and other services required by attorneys and/or the courts.

**OTHER AGENCY INVOLVEMENT:**

Humboldt County Superior Court, Public Defender, District Attorney, Sheriff’s Office, Probation, local law enforcement agencies.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

Your Board could choose not to approve the attached supplemental budget, or could choose to approve the attached supplemental budget with a direction to staff to return with alternatives to decrease indigent defense expenditures.

**ATTACHMENTS:**

- 1. Supplemental budget

**PREVIOUS ACTION/REFERRAL:**

Meeting of: N/A

File No.: N/A