



COUNTY OF HUMBOLDT

For the meeting of: 5/25/2021

File #: 21-528

To: Board of Supervisors

From: Public Defender

Agenda Section: Consent

SUBJECT:

Resolution Authorizing Execution of State of California Standard Agreement with the Board of State and Community Corrections for Indigent Defense Grant Funds

RECOMMENDATION(S):

That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached agreement with the California Board of State and Community Corrections (Attachment 1);
2. Approve and authorize the Chair to sign the Resolution Accepting Indigent Defense Program Funding in the Amount of \$323,400 (Attachment 2) which authorizes the Public Defender, or a designee thereof, to execute the attached agreement with the California Board of State and Community Corrections regarding Indigent Defense Program funding (Attachment 1);
3. Authorize the Public Defender, or a designee thereof, to execute any and all subsequent amendments to the attached agreement with the California Board of State and Community Corrections; and
4. Direct the Clerk of the Board to provide the Public Defender with one certified copy of the Board Order regarding the attached agreement with the California Board of State and Community Corrections.

SOURCE OF FUNDING:

California Board of State and Community Corrections, Indigent Defense Fund, Public Defender 1100-219.

DISCUSSION:

The California Budget Act of 2020 established the Indigent Defense Grant Program and appropriated \$10 million to support California counties in providing indigent criminal defense services.

Allocations were based on data regarding relative population size and staffing ratios between respective Public Defender and District Attorney Offices. Funds awarded under the Indigent Defense Grant Program must be utilized to address the staffing, training, case management needs, or other

direct attorney support. Eligible Public Defender offices were required to submit grant proposals to the Board of State and Community Corrections (BSCC) with proposed project descriptions and project work plans identifying specific goals and objectives. The Humboldt County Public Defender (HCPD) submitted a grant proposal on Feb. 5, 2021 and was notified in late March 2021, that the BSCC had reviewed and approved the HCPD's grant proposal. The grant funds are restricted and may only be used to augment, not supplant, essential services to criminal defendants and the funding cannot be considered part of a county's general fund or used for a general county purpose.

HCPD practices a holistic model of indigent defense. This model is client-centered and seeks to address the circumstances that cause many clients to remain in the criminal justice system. BSCC grant funds will support additional services intended to reduce the number of clients cycling through the criminal justice system. In working towards reducing socioeconomic recidivism, BSCC grant funds will be used in three primary areas:

1. Funding a full-time social worker to assist HCPD clients in accessing critical services and benefits such as Social Security, Medi-Cal, mental health services, and drug and alcohol treatment programs;
2. Enhanced training for attorneys and investigators;
3. Supplemental costs associated with improving HCPD's case management software.

The waiver from the provisions of the Nuclear Free Ordinance is requested because the State of California will not modify its "standard agreements" to accommodate local ordinances.

FINANCIAL IMPACT:

Upon approval of the attached BSCC agreement, the Public Defender's Office (budget unit 1100-219) will receive a maximum of \$323,400. While these grant funds are available during the current fiscal year (2020-21) the Public Defender's Office will not be expending grant funds prior to July 1, 2021 and will utilize the maximum award over 2 fiscal years beginning July 1, 2021 and ending June 30, 2023. This funding has been included in the Fiscal Year 2021-22 budget planning process.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents and protecting vulnerable populations.

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to accept these funds. This alternative is not recommended because there is a substantial need in the county for indigent defense services.

ATTACHMENTS:

File #: 21-528

1. Attachment 1: BSCC Grant Agreement
2. Resolution

PREVIOUS ACTION/REFERRAL:

Board Order No.: n/a

Meeting of: n/a

File No.: n/a