



COUNTY OF HUMBOLDT

For the meeting of: 11/7/2023

File #: 23-1416

To: Board of Supervisors

From: Public Defender

Agenda Section: Consent

SUBJECT:

State of California Standard Agreement with the Board of State and Community Corrections for Extension of the Indigent Defense Grant Program

RECOMMENDATION(S):

That the Board of Supervisors:

1. Authorize the Public Defender, or a designee thereof, to execute the attached State of California Standard Agreement with the California Board of State and Community Corrections extending the Indigent Defense Program from July 1, 2023, through Feb. 28, 2025;
2. Authorize the Public Defender, or a designee thereof, to execute any and all subsequent amendments to the attached State of California Standard Agreement with the California Board of State and Community Corrections, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. 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.

SOURCE OF FUNDING:

1100219-100 Public Defender BSCC Grant Funds

DISCUSSION:

The Indigent Defense Grant (IDG) program was established in the 2020 California Budget Act. \$10 million was appropriated to support California counties in providing indigent defense services. The funds are restricted and intended to augment, not supplant, essential services to criminal defendants. Specifically, funding may be used to help address the staffing, training, case management needs, or other attorney support of California Public Defender Offices.

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 HCPD’s grant proposal. The initial term of the grant program was Feb. 15, 2021, through June 30, 2023. As described in the grant proposal, HCPD implemented the IDG program that included hiring one full-time social worker effective July 1, 2021.

The IDG program has proven to be very successful in assisting HCPD clients to obtain critical services and benefits and diverting clients into treatment and programs. A dedicated public defender social worker works closely with clients to access each client’s needs with an overall goal of reducing socio/economical barriers that often contribute to involvement in the criminal justice system. As a member of the defense team, the public defender social worker is bound by the attorney-client privilege; thus, the public defender social worker is able to gain the trust of clients who are often reluctant to work with correctional and other agency social workers. Diverting clients into treatment/programs reduces the high costs of incarceration and criminal justice processing. Treatment, counseling, access to medical care, and obtaining basic income is far less expensive than prosecution and incarceration and significantly reduces the likelihood of reoffending.

As a result of COVID-19, there were difficulties implementing the program to the full extent intended. Many indigent defense grantees, including the HCPD, experienced significant implementation delays including procurement delays, staffing difficulties, and limited in-person contact with clients. Recognizing the impact of COVID-19 on Public Defender Offices, the BSCC Board of Directors approved a proposal for a 12-month liquidation extension for the Indigent Defense Grant Program. The 12-month extension allowing grantees to spend remaining grant funds was approved in the California 2023 Budget Act.

The attached agreement does not change the original agreement’s scope of work or grant requirements approved by the Board in May 2021; however, a new agreement is required to extend the term of the grant for 12 months, through June 30, 2024, with an additional 6 months (Feb. 28, 2025) to complete final reporting and close-out of the IDG program.

Accordingly, HCPD recommends that the Board of Supervisors approve, and authorize the Public Defender, or a designee thereof, to execute, the attached State of California Standard Agreement with the California Board of State and Community Corrections extending the Indigent Defense Program through Feb. 28, 2025.

FINANCIAL IMPACT:

Expenditures (Fund, Budget Unit)	FY23-24	FY24-25 Projected	FY25-26 Projected
Budgeted Expenses	117,939	121,477	125,121
Additional Appropriation Requested			
Total Expenditures	117,939	121,477	125,121
Funding Sources (Fund, Budget Unit)	FY23-24 Adopted	FY24-25 Projected*	FY25-26 Projected*
State/Federal Funds	117,939		
Total Funding Sources	117,939	121,477	125,121

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

Narrative Explanation of Financial Impact:

The attached State of California Standard Agreement with the California Board of State and Community Corrections extending the Indigent Defense Program from July 1, 2023, through Feb. 28, 2025, does not provide additional funds; however, expenditure appropriations related to the attached agreement in the amount of \$107,939 have been included in the approved fiscal year 2023-24 adopted budget in 1100219-100. As a result, approval of the agreement will not impact the General Fund in the current fiscal year.

STAFFING IMPACT:

Position Title	Position Control Number	Monthly Salary Range (1A-E Step)	Additions (Number)	Deletions (Number)
Social Worker, III	219-0777C-01	Step E	0	0

Narrative Explanation of Staffing Impact:

Extension of this agreement neither increases nor decreases staff funded through the Indigent Defense Program.

STRATEGIC FRAMEWORK:

This action supports the following areas of your Board’s Strategic Framework.

Core Roles: Protect vulnerable populations; enforce laws and regulations to protect residents.

New Initiatives: Manage our resources to ensure sustainability of services; provide community-appropriate levels of service.

Strategic Plan: 1.4 - Reduce and/or eliminate substance abuse and opioid addiction in our community

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to approve the agreement or allow the Public Defender, or a designee thereof, to sign such agreements, however this alternative is not recommended as it will reduce indigent defense services and require that \$107,939 be returned to the California Board of State and Community Corrections.

ATTACHMENTS:

1. State of California Standard Agreement

PREVIOUS ACTION/REFERRAL:

Board Order No.: Resolution 21-55

Meeting of: May 25, 2021

File #: 23-1416

File No.: 21-625