



CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES

(Advisory Committee will make recommendations to the Humboldt County Board of Supervisors as to expenditure of funds derived from Measure Z.)

PRIMARY APPLICATION FOR FUNDING

RECEIVED
FEB 17 2016
CAO

Agency Name: HUMBOLDT COUNTY PUBLIC DEFENDER

Mailing Address: 1001 4TH STREET, EUREKA, CA 95501

Contact Person: KEVIN ROBINSON Title: PUBLIC DEFENDER

Telephone: (707) 445-7634 E-mail address: krobinson@co.humboldt.calus

1. AMOUNT OF MEASURE Z FUNDING REQUESTED FOR FY 2016-17: \$ 629,722

2. ENTITY TYPE -- Please check appropriate box.

- a. Humboldt County Department
- b. Contract Service Provider to Humboldt County
- c. Local Government Entity
- d. Private Service Provider
- e. Non-Profit Service Provider
- f. Other

3. Please provide brief description of proposal for which you are seeking funding.

As a result of the increase staffing from measure Z funds during FY 2015/2016 to the Sheriff's Office of Humboldt County, the District Attorney's Office of Humboldt County, the Probation Department of Humboldt County, as well as the restructuring of the Humboldt County Superior Court, the Public Defender is unable to provide competent representation to indigent persons facing involuntary deprivation of liberty or other fundamental rights as currently structured and staffed. Therefore, the PD of Humboldt County is requesting \$ 629,722 from Measure Z funding for FY2016-2017. This allocation will be used as follows: At the Public Defender Alternate Counsel's Office: increase the .5FTE supervising attorney, .8FTE investigator and extra help legal office assistant to full time positions. At the Public Defender Conflict Office, add 1FTE deputy Public Defender I/II/III/IV, 1FTE investigator, 1FTE LOA. At the Public Defender Main Office, add 1FTE DPD I/II/III/IV, 1FTE legal Secretary and 1 FTE investigator. Also, the funding will be used to increase the necessary supplies and services the new staff will require.

4. Measure Z funding is scheduled to "sunset" in 2020. How are you developing a plan for sustainability, including diversification of funding sources, in order for your proposal to carry on without reliance on future Measure Z funds?

Additional general fund allocation will be sought if warranted.

5. If this request is for the continuation, or expansion, of an existing program/service, what is the current source of funding for that program/service?

The entire source of funding for the Public Defender offices at the current time is general fund. The increased responsibility from additional Measure Z resources allocated to justice partners (SO, DA, Probation) among other factors, will require the PD to reject cases and responsibilities. The County of Humboldt will be required to provide personnel and funding from other departments or funding sources.

6. If you are awarded *Measure Z* funds, how will you use them to leverage additional grants, contributions, or community support?

The Public Defender Offices are entirely general fund. The PD offices look to facilitate other State, County and Federal grants and agencies in the effective administration of justice to the citizens of Humboldt County.

7. Will this proposal require new or expanded activity on the part of another entity to be fully functional and effective? If so, please describe.

The District Attorney made a request for \$1,507,934 from Measure Z funding for FY 2015/16 to hire (3) three Deputy District Attorney 1/11/111/IV positions; (2) two District Attorney Investigator positions; (1) one Senior Legal Office Assistant; (3) three Legal Office Assistant 1/11 positions; (1) one Office Assistant 1/11, (1) Victim Witness Program Coordinator, and funding for expert witnesses and essential travel by witnesses. This proposal was granted.

The Sheriff of Humboldt County made a request for \$3,500,000 from Measure Z funding for FY 2015/2016 to hire 30 positions, including frontline Deputy Sheriff's, Correctional Deputies support staff and Community Services Officers (CSO). This proposal was granted.

Finally, the Chief Probation Officer of Humboldt County also made a request for Measure Z funding for FY 2015/2016 that included funding for more deputy probation officers. This proposal was also received favorable action.

These actions have impacted the Public Defender directly and rendered current allocations of general fund resources insufficient to meet current needs.

ATTACHMENTS—Please include the following with your application

Proposal Narrative: Brief description of your request for *Measure Z* funds – Please explain how it is an essential service or for public safety. (*one page maximum*)

Program Budget

I declare under penalty of perjury under the laws of the State of California that the above statements and all attachments are true and correct

DATE: Feb 17, 2016

SIGNATURE:



SUBMIT THIS APPLICATION TO:

Humboldt County Citizens' Advisory Committee on *Measure Z* Expenditures
c/o County Administrative Office
825 Fifth Street, Suite 111
Eureka, CA 95501-1153.

Measure Z was enacted to maintain/improve public safety services including crime investigation/prosecution; drug/illegal marijuana grow house enforcement and prevention; and services for abused children/mentally ill with annual audits and public review. The Humboldt County Public Defender's Office mission is to protect and defend the constitutional and statutory rights of indigent persons accused of criminal conduct in a fair and efficient criminal justice system. The County Public Defender' Office has three divisions, the main office (PD), the conflict office (CC) and the alternate office (AC). Both the PD and CC offices are appointed in new felony cases and the AC office is appointed in felony cases when both the PD and CC offices are unavailable. The PD offices (PD, CC and AC) continue to be appointed in 90% of all new felony cases, in over 75% of the new misdemeanor cases filed in 2015, in nearly all of the new delinquency cases filed. Finally, the AC office is appointed in conservatorship matters.

Measure Z funds have increased the resources available for the investigation and prosecution of persons who may be involved in criminal conduct. These increased resources were implemented without reflecting on the impact on the public defense pillar of our criminal justice system. The case load increased significantly to the point where the Alternate Counsel Office has begun declining the appointment of cases causing the increased need for the appointment of private attorneys to handle the overload. This alternate scheme would result in the elimination of a supervising attorney be appointed to cases in which the PD main and conflict offices are unable to accept. With the transfer of existing staff, increased investigation resources, the PD office will be able to meet current responsibilities. However, should the trend of allocation of resources to the prosecution and judicial aspects of the criminal justice system continue, the PD offices will also need to decline the appointment of cases and responsibility. The unavailability of county PD staff to handle cases that require representation will force the county to pay for private counsel and investigators appointed to represent the indigent persons in those cases.
