

26. Approve the Proposed 2025-26 Budget for Public Defender, including any supplemental materials, and take related actions, as outlined in the referenced budget documents, and as recommended by the County Executive Officer ()



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: Public Defenders Office

Subject: Proposed 2025-26 Budget for Public Defender

Meeting Date: June 4, 2025

Formal Title: Approve the Proposed 2025-26 Budget for Public Defender, including any supplemental materials, and take related actions, as outlined in the referenced budget documents, and as recommended by the County Executive Officer

Recommended Action

Approve the Proposed 2025-26 Budget for the Public Defender, including any supplemental materials, as outlined in the referenced budget documents:

- [Proposed Budget](#)
- [Supplemental Budget](#)
- [Fixed Assets](#)
- [Continuing Agreements List](#)
- Presentation

Executive Summary

The Proposed 2025-26 Budget for Public Defender funds constitutionally and statutorily mandated public defense services. This includes supporting 64.0 funded full-time equivalent (FTE) positions at the Office of the Public Defender (PDO) and funding conflict indigent defense through the law firm of Page and Dudley and a Criminal Defense Conflicts Program (CDCP) managed by County Counsel.

Discussion

The Public Defender's Office (PDO) provides constitutionally and statutorily mandated services for clients that cannot afford representation. PDO's mission is to courageously defend the accused, demand equal justice for all, and empower our clients with inspired advocacy in the courtroom and community. We are on a mission to elevate public defense, one client at a time. Our operational objectives are shown in the Proposed 2025-26 Budget document and the 2025-27 Operational Plan. Both are available online at: www.SCCVision.us

PDO is nearing the conclusion of its third year of operations. Initial staffing and budget were based on predictions, and the actual experience of opening and operating a County department has continued to provide us with information about what is needed to provide public defense services to the community. The budget includes negotiated salary and benefit increases, as well as a change in facility charges to properly reflect the cost of facility services and utilities. The budget maintains a status quo operation.

The budget also provides for conflict indigent defense. Primary conflict defense is provided through a contract with the law firm of Page and Dudley with expenses in the amount of \$2,538,785, and expenses for secondary conflict defense provided through the CDCP in the amount of \$958,216. The CDCP provides representation for clients that the main office and conflicts firm cannot represent. Increases in these program areas – in the amounts of \$96,431 and \$97,767 respectively – accommodate negotiating and amendment to extend the contract with Page and Dudley and support retaining attorneys, paralegals, investigators and other professionals participating in the

CDCP.

PDO anticipates a reduction in external funding as the Board of State and Community Corrections (BSCC) has concluded the Public Defense Pilot Program, which has provided \$ 1,016,673. The funding amounts were allocated per fiscal year as follows: In Fiscal Year (FY) 2022-23, we received \$354,416, in FY 2023-24 we received \$345,617, and in FY 2024-25 we received \$316,640. The BSCC, however, has published a Request for Proposal for Cohort 5 of the Proposition 47 funds. PDO is partnering with Probation to respond to the Request for Proposal for Cohort 5 and currently receives funding through Probation's CAFES Program, which was awarded to Probation in a prior cohort.

Staffing of 64.0 FTE positions is status quo for FY 2025-26.

Budgeted funding will continue to support constitutionally and statutorily mandated defense services for individuals that cannot afford representation, including defense of adults and children accused of crimes or facing involuntary commitments, post-conviction relief advocacy for people incarcerated based on outdated laws or violations of the Racial Justice Act, and representation in collaborative courts such as Veteran Court, Behavioral Health Court, and Community Assistance, Recovery and Empowerment (CARE) Court.

PDO uses a community-based whole person defense model that looks beyond the four corners of a case to the client at the center and recognizes that criminal legal system involvement is often a symptom of enmeshed legal and social challenges. Multidisciplinary defense teams include attorneys, investigators, social workers, advocates, and administrative professionals who work with clients to provide seamless access to support services that address the root causes of system involvement. Teams also include bilingual defenders and defenders with lived expertise in the criminal legal system who help our teams provide culturally responsive service.

Whenever possible, PDO provides vertical defense, which gives clients the same defense team from start to finish, and early representation, which includes advocacy before a client's first court date aimed at creating release plans, exploring alternatives to traditional prosecution like restorative justice and diversion, and supporting. PDO staffs a 24-hour emergency hotline to provide emergency defense to adults seeking counsel for investigative line-ups and children detained for serious crimes and a Help & Assist line for community members who need help navigating the criminal legal system.

In addition to providing direct representation to eligible clients, PDO helps clients understand and mitigate the penalties of criminal legal system involvement to reach better outcomes. The Collateral Consequences and Reentry Unit provides record clearance helping to remove barriers to employment, housing, and education, and clear up immigration pathways; reentry assistance for people who need assistance transitioning from carceral settings to their communities; and advice regarding the impact of criminal convictions on immigration, professional licensing, and other issues that impact a client's ability to overcome system involvement.

Defenders are active in professional associations, committees, and commissions that intersect with our work, including the Community Corrections Partnership, Juvenile Justice Coordinating Council, Housing for Health Policy Board, Juvenile Justice and Delinquency Prevention Commission, Commission on Justice and Gender, and many

more.

Over the next fiscal year, PDO will continue its focus on early representation and holistic defense, attorney and staff training, advocacy for youth, and collaborating on reentry services for clients. Our primary focus will be to 1) expand record clearance services to our non-citizen clients; 2) select and transition to a new, comprehensive case management system to better track and support our clients and their outcomes; and 3) be able to provide clients with material resources to meet emergency needs through private funding.

Financial Impact

The PDO Proposed Budget includes \$19,193,122 in expenditures offset by \$1,463,299 in revenues, \$17,729,823 in General Fund contributions. This reflects a total expenditure increase of \$1,209,096 or 6.7% from the FY 2024-25 Adopted Budget.

Strategic Initiatives

Equity Framework - Plans, Policies & Budgets
Operational Plan - Comprehensive Health & Safety

Submitted By:

Heather Rogers, Public Defender

Recommended By:

Carlos J. Palacios, County Executive Officer

Artificial Intelligence Acknowledgment:

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.



Public Defender 2025-26

Proposed Budget

HEATHER ROGERS
Public Defender
June 4, 2025



MLK March for Freedom

Presentation Overview



Our Mission



How We Are Organized



Budget Overview



Fiscal & Staffing Details



Federal/State Risks & Emerging Issues



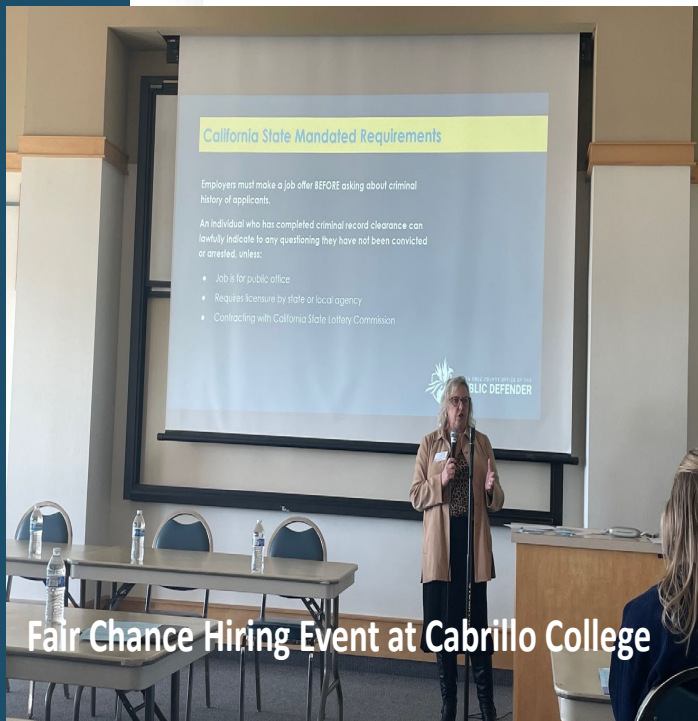
Request & Questions



Mission

To courageously defend the accused. To demand equal justice for all. To empower our clients with inspired advocacy in the courtroom and community. We are on a mission to elevate public defense, one client at a time.

State & Federal Funding Risks



Board of State and Community Corrections (BSCC)

- The BSCC has concluded its **Public Defense Pilot Program**, which supported **statutorily mandated post-conviction relief**.
- Over the past three years, the program provided a total of **\$1,016,673** in funding:
 - **FY 2022–23**: \$354,416
 - **FY 2023–24**: \$345,617
 - **FY 2024–25**: \$316,640

Services



DEDICATED
DEFENSE TEAMS



INTERDISCIPLINARY
WRAPAROUND
SUPPORT



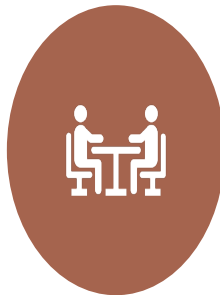
24/7 EMERGENCY
DEFENSE



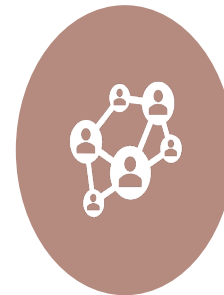
COLLATERAL
CONSEQUENCES
& REENTRY



EARLY
REPRESENTATION



VERTICAL
REPRESENTATION



HOLISTIC
DEFENSE



COMMUNITY
ENGAGEMENT

Public Defender Summary of Proposed Budget

	2024-25 Adopted	2025-26 Proposed	Amount of Change	Percent Change
Revenues	\$810,029	\$1,463,299	\$653,270	80.6%
Expenses	\$18,088,506	\$19,193,122	\$1,103,616	6.11%
General Fund Contribution	\$17,095,964	\$17,729,823	\$633,859	3.707%
Other Fund Contribution	\$405,000	\$407,582	\$2,582	0.638%
Funded Staffing	64.00	64.00	0.00	0%

Major Budget Changes from Adopted Revenues

	Amount	Title of change in revenue
↓	\$ 70,850	Medi-Cal Administrative Activities (MAA)
↓	\$ 316,640	Public Defense Pilot Program (program concluded)
↑	\$ 523,378	One-time Assembly Bill (AB) 1869 backfill
↑	\$ 402,651	AB 177 backfill (realigned from General County Revenues to PDO)

Major Budget Changes from Adopted Expenses

	Amount	Title of change in expenditure/expense
↑	\$ 886,780	Negotiated salary and benefits
↑	\$ 112,471	GSD services and charges
↑	\$ 50,874	Increase in operations for a new Human Resource and Payroll System, regular annual increases for software licenses and services, a copier and training
↑	\$96,431	Increase contract amount for conflict firm to accommodate contract negotiations
↑	\$97,767	Increase amount for panel program support retaining attorneys, paralegals, investigators, among others

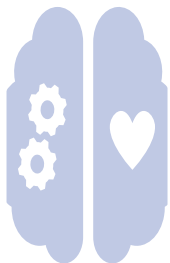
Emerging Issues



Parity between the prosecution and defense **corrects systemic inequities**



Prosecutors are aggressively prosecuting **new felonies** under Proposition 36



We are at the **forefront of policy issues and solutions** related to homelessness and mental health & substance use disorders



Aggressive immigration enforcement requires culturally-responsive services for noncitizens



Ineffective public defense leads to wrongful conviction, lawsuits, and unnecessary incarceration



Upstream solutions forged through Community-Based Whole Person Defense lead to **downstream savings** and **improved outcomes**

Public Defender

Approve the Proposed Budget for Public Defender and any Supplemental Materials, which includes:

- Revenues of \$1,463,299
- Expenses of \$19,193,122
- General Fund Contribution of \$17,729,823
- Other Funds Contribution of \$407,582
- Staffing of 64.0 funded FTEs
- Funding for conflict indigent defense



3rd Annual All-Defender Spring Training