

**Sonoma County Community Corrections Partnership**  
Funding Request and Change Form

Date: August 25, 2022

Requesting Agency: Public Defender

Contact: Brian Morris

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Is Request One-time or On-going? Ongoing

Request Amount

Current FY: \$25,023 (for the month of June, 2023 only)

Annualized: \$300,273.79

Request Title: Public Defender Post-Conviction Relief Attorney

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**I. Description of Funding Request**

The Public Defender's Office (PD) currently has a post-conviction relief attorney position funded by the California Board of State Community Corrections (BSCC).<sup>1</sup> This funding ends on May 31, 2023. To allow these integral client services to continue, we are requesting that the Sonoma County Community Corrections Partnership (CCP) fund this position beginning on June 1, 2023.

California post-conviction relief legislation (see bullets below) has created significant workload for public defender offices. Our general Post-Conviction Relief (PCR) attorney is assigned this workload and provides clients the following necessary forms of post-conviction relief:<sup>2</sup>

- Expungements (Penal Code section 1203.4 *et seq.*)
- Record sealing (Penal Code section 851 *et seq.*)
- Termination and/or re-tiering of registration requirements (Penal Code section 290.5)
- Resentencing clients with specific sentence enhancements (SB 483)
- Writs of Habeas Corpus (with various requests for relief) filed by people incarcerated in state prison

Most of the PCR workload consists of record expungement requests. These expungements help clients move forward with their lives by removing barriers to housing and employment. To date,

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<sup>1</sup> We filled this position last year, and we were experiencing great success, but this position recently became vacant. Following a recruitment, we offered this position to an attorney on August 23, 2022. We expect that the position will be filled within three weeks.

<sup>2</sup> Our department received separate BSCC grant funds (the Public Defense Pilot Project) that are strictly limited to provide post-conviction relief regarding only four specific penal code sections that are not included in the list above.

we have filed approximately 380 expungement petitions and currently have a backlog of over 200 additional cases.

**II. Resource Requirements**

- (1) 1.0 FTE Deputy Public Defender IV position
  - a. FY 2022/23: \$25,023
  - b. Annualized: \$300,273

**III. Staffing Requested**

- (1) 1.0 FTE Deputy Public Defender IV position

**IV. This request most closely aligns with Tier:**

Tier 1: Specifically for realigned offenders.

Tier 2: Clearly assists with County's criminal justice system overall but may not directly or exclusively impact AB 109 offenders.

*The PCR attorney will improve clients' prospects regarding housing and employment by helping to expunge their records. Stable housing and employment are pillars for successful client outcomes, especially for our clients who are recovering from mental health or substance abuse issues.*

Tier 3: Provides ancillary benefits to criminal justice in Sonoma County.