

Nevada  
County Public  
Defender's  
Office:  
National  
Public Defense  
Day



# Gideon v Wainwright

On March 18, 1963, the United States Supreme Court unanimously ruled that the right of a poor person in a criminal trial to have the assistance of counsel is fundamental and essential to a fair trial, and trial and conviction without the assistance of counsel violated the Sixth and Fourteenth Amendments to the United States Constitution. This year Public Defenders across the nation will celebrate the 60<sup>th</sup> Anniversary of Public Defense.



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## Nevada County's History of Indigent Defense

- The Nevada County Public Defender's Office has been a county office for over five decades.
- The office represents "indigent" people who are accused of committing crimes as well as people who are facing different types of mental health commitments.
- Over time, the office has changed into one with a client centered focus and an emphasis on attempting to get clients out of the criminal legal system.



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# What does Indigent Mean?



Indigency refers to poverty.

To be indigent in Nevada County means that your income is less than \$2400 per month.

Across the nation, approximately 80% of criminal system involved people qualify for the services of Public Defenders.



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# The Public Defender's Office Today

Currently, the office has 9 full time attorneys, 1 part time attorney, 2 senior legal secretaries, 1 legal office assistant and 1 legal office supervisor. In addition, the Behavioral Health Department has embedded a Personal Services Coordinator in the office.

In 2022, The office was appointed on 1773 cases In addition, they regularly consult with people who have questions about prior cases and other criminal law related matters.

Each felony attorney represented clients in approximately 163 cases, carrying open caseloads of approximately 98 cases at one time. Each misdemeanor attorney represented clients in approximately 400 cases, carrying open caseloads of approximately 168 cases at one time



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## Does the Public Defender represent all Indigent people involved in the criminal system?

- The Public Defender's Office is not the only provider of indigent defense services. There are lawyers who have agreed to take on the cases that the Public Defender's office cannot handle. These lawyers are called "Conflict Counsel".
- Here in Nevada County, we have a lack of local lawyers willing to take on these cases. We are currently working on a solution to this very challenging issue.



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# What do Public Defenders Actually Do?

- We Represent indigent people accused of committing crimes
- We represent people in mental health civil proceedings
  - AOT
  - LPS
  - Probate
  - Involuntary Medication hearings
  - Involuntary commitment extensions
- We protect The Community against The Government by fighting governmental overreach.



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# Budget

- Statewide, for every dollar spent on district attorneys' offices, indigent defense receives 53 cents. Nationwide, it is less.
- In Nevada County, we are average when it comes to general fund allotments.
- In 2021, we applied for and received a State Grant, the Indigent Defense Grant, to improve indigent defense services in Nevada County.
- In 2022, we applied for a received another State Grant, the Public Defense Pilot Project year 1. It only applies to work done in relation to certain code sections and is significantly more limited than the Indigent Defense Grant
- In 2023, we applied for and expect to receive The Public Defense Pilot Project year 2 grant.
- 2024, Public Defense Pilot Project year 3 grant was cut from the Governor's budget



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I am eternally grateful for the Public Defenders of Nevada County, because without them I wouldn't be graduating Mental Health Diversion. With Susan's perseverance in court standing up for me, I graduated the MHDP. She stood by me the whole time cheering me on. She would give me hugs after court and told me to keep up the good work. She even held my baby in court.

Kristin DeSena



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Carmen has been the utmost help to me in so many ways. I would be where I am today without Carmen's help. She helped me with getting rides to get my ID, birth certificate, health benefits card, General Assistance and she made sure I got to my court dates on time. Overall Carmen is the kindest and most helpful worker and I couldn't ask for a better worker.

Cory G.



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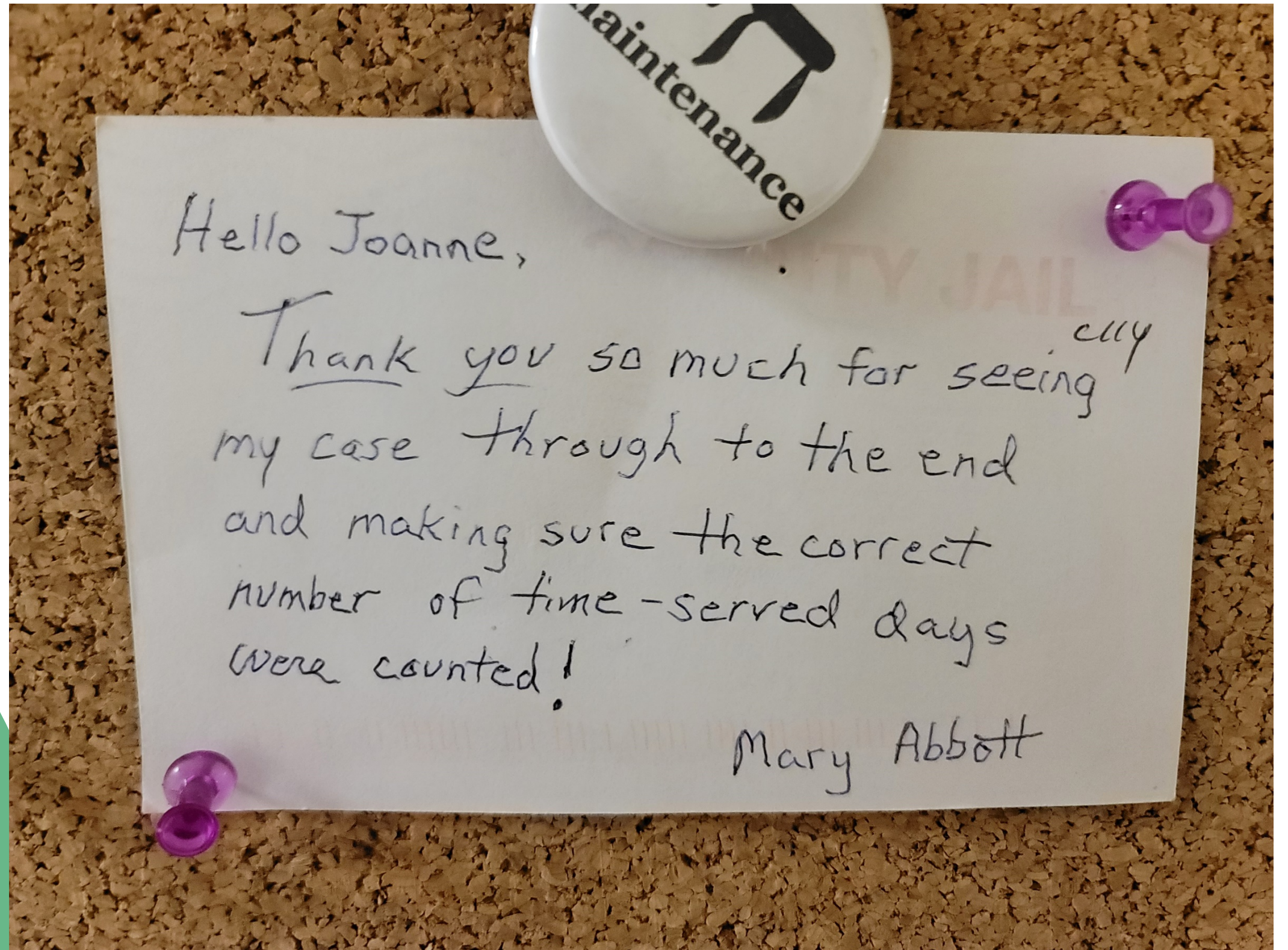
plus a special thank you to  
Katie Finch and Matt Killegra, who  
have been so kind and so helpful  
and so supportive.... Thank You!

Laura Witt



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# We don't do this alone

- Case manager embedded by Behavioral Health
- Narcan collaboration with Public Health and now with the Harm Reduction Coalition
- Social Services MOU for record clearing
- Treatment Team Meetings
- Justice and Mental Health Collaboration
- Pre-Trial release work group
- Incompetent to Stand Trial work group
- Truckee Community Project
- Granite Wellness and Common Goals
- Spirit Empowerment Center
- Project HEART
- HOME Team
- Hospitality House

Today 2:27 PM

**Mandy Bender, at Nevada county behavioral health worked with my public defender, Susan Leff, to get my case dismissed. They came together and worked with me to help me overcome an obstacle I put in my life. Without their help can honestly say that I wouldn't be where I am today.**



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So you want to be a Public Defender? Don't do it for the money; there isn't enough. Don't do it for the Prestige; you won't get any. Don't do it for the thrill of victory; victory rarely comes. Do it for love. Do it for Justice. Do it for self-respect. Do it for the satisfaction of knowing you are serving others, defending the Constitution, Living your ideals.

Carol A. Brook



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# Mission Statement



*Public defenders stand alone, armed only with their wits, training and dedication. Inspired by their clients' hope, faith and trust, they are the warriors and valkyries of those desperately in need of a champion. Public Defenders, by protecting the downtrodden and the poor, shield against infringement of our protections and, in reality, protect us all.*

- Hightower v. State, 592 So.2nd 689 (Fla. 3rd DCA 1991)



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