

NEVADA COUNTY PUBLIC DEFENDER

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NEVADA COUNTY BOARD OF SUPERVISORS

Board Agenda Memo

MEETING DATE: November 7, 2023

TO: Board of Supervisors

FROM: Keri Klein, Public Defender

SUBJECT: Resolution approving a no-cost Grant term extension for the Indigent Defense Grant Program to February 28, 2025.

RECOMMENDATION: Approve the attached Resolution.

FUNDING: Additional funding is not requested at this time, this is a no-cost grant term extension and does not use general fund dollars.

BACKGROUND: If a defendant is unable to afford an attorney, the government is responsible for providing one to ensure that the defendant has the opportunity for a fair trial. Indigent defense services were mandated in California beginning in 1921. However, that mandate was not accompanied by state funding nor direction from the state in how to implement these services. That has led to different models of providing indigent defense services as well as the historical underfunding of indigent defense around the state. The purpose of the Indigent Defense Grant (IDG) is to institute improvements to the Indigent Defense Program as set forth in the grant application. It is funded through State Budget Act of 2020 (Senate Bill 74) and administered by the Board of State and Community Corrections (hereinafter referred to as the BSCC) and does not include general funds. Resolution 21-097 unanimously approved Nevada County's participation in the Indigent Defense Grant Program for receipt of \$323,400 on April 13, 2021. The Nevada County Public Defender's Office has used the funding to establish a paid Law Clerk program, expand staff training and expertise on indigent defense needs within our community, improve technology access to increase efficiencies, and provide supportive services to indigent clients who struggle to maintain basic needs. Using these funds, the Nevada County Public Defender's Office has enhanced the quality of indigent defense services for our clients. The State of California is offering a no-cost extension to grantees modifying the original term period of February 15, 2021 through June 30, 2023 to a new term of July 1, 2023 through February 28, 2025. Staff recommends that the Board approve BSCC 171-23, a no-cost grant-term extension to modify the original term period of February 15, 2021 through June 30, 2023 to a new term of July 1, 2023 through February 28, 2025, allowing for additional time to implement programing as originally intended and to spend down funds in accordance with the grant agreement.

Item initiated by and Approved by: Keri Klein, Public Defender