



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Defender
Department No.: 023
For Agenda Of: June 5, 2018
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Tracy Macuga, Public Defender, x3494
Contact Info Deepak Budwani, Business Manager, x3589
SUBJECT: **AUTHORIZE THE PUBLIC DEFENDER TO EXECUTE AN MOU WITH NATIONAL LEGAL AID & DEFENDER ASSOCIATION (NLADA) TO PARTNER AS AN AMERICORPS VISTA PROJECT HOST SITE FOR THE PERIOD OF MAY 1, 2018 THROUGH AUGUST 26, 2019.**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management, Yes.

Recommended Actions:

That the Board of Supervisors:

- a) Authorize the Public Defender to execute a Memorandum of Understanding (MOU) with the National Legal Aid & Defender Association (NLADA) to partner with NLADA as an AmeriCorps VISTA Host Site for the period of May 1, 2018 through August 26, 2019; and
- b) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Summary Text:

The Santa Barbara County Public Defender's Office applied to be and was selected as a Project Host Site for the assignment of two (2) AmeriCorps VISTA (Volunteers in Service to America) members to perform services in the areas of Community Partnership and Data Systems. The National Legal Aid & Defender Association (NLADA) has partnered with the Corporation for National Community Service (CNCS) to create an innovative pilot project that will train AmeriCorps VISTA members in the best practices in Community-Oriented Defense and place them in public defense agencies in order to put these principles into practice and establish systems for ongoing sustainability. Only twelve (12) Project Host Sites around the country were selected for this pilot program.

As a Project Host Site, the Public Defender's Office must submit a cost share payment of \$2,000 per member awarded and pay NLADA membership dues of \$4,375 plus other miscellaneous training expenses. For a total cost of roughly \$12,000, the Public Defender's Office would receive a value of approximately \$87,368.00.

Background:

The mission of the Santa Barbara County Public Defender's Office (SBPD) is to responsibly use community resources to provide the finest legal representation in the cases entrusted to us through compassionate and innovative advocacy with care and respect for our clients. It is the Santa Barbara County Public Defender's goal to assemble, train, and implement a team of the most competent attorneys in the indigent defense community to fulfill our duties to our clients while leading the way in public defense standards.

The National Legal Aid & Defender Association (NLADA) partnership with the Corporation for National Community Service (CNCS) has created an innovative pilot project to train AmeriCorps VISTA members in the best practices in Community-Oriented Defense and place them in public defense agencies in order to put these principles into practice and establish systems for ongoing sustainability. The Santa Barbara County Public Defender's Office applied to become a member of the Defending Communities in Service (DCS) network as a host site for one (1) Community Partnership VISTA member and one (1) Data System VISA member. All DCS-VISTA members act as short-term capacity and system builders at their sites and do not engage in direct service to clients or community members as a part of their role. A total of twelve (12) Project Host Sites and nineteen (19) VISTA members were selected for this pilot-program, including New Orleans, New York, Alameda, and Baltimore to name a few.

The selection of Santa Barbara County Public Defender as a Project Host Site provides two (2) AmeriCorps VISTA members to perform services to increase our capacity in the areas of community partnerships and data systems. The need for community-oriented and holistic defense seeks to utilize a diverse team of attorneys, social workers, investigators, and support staff. The holistic model considers the social, psychological, and socioeconomic factors that often underlay such cases, not just the criminal facts. By acting as a Project Host Site and hosting the two VISTA members our Office would greatly increase our ability to create sustainable relationships with community organizations, increase attorney knowledge of social work practices and resources, and allow us to better track and measure client referrals and life outcomes.

Currently, the entire program represents an \$830,000 investment in criminal defense reform across nineteen (19) VISTA members. This breaks down to each VISTA member representing an investment of roughly \$43,684, not including the value of training, network development and professional development that the site will access through the VISTA program.

By accepting the partnership to be a Project Host Site, the Santa Barbara County Public Defender's Office would be required to:

1. Submit a Host Site cost share payment in the total amount of \$4,000.00 (\$2,000 per VISTA member) to NLADA within 30 days of receiving Host Site cost share invoice from NLADA. This cost is used to help in covering the administrative burden that NLADA incurs as the program sponsor. In this role and in addition to general oversight and administration, NLADA covers travel and accommodation costs for VISTA members on two (2) training trips and the cost of travel and

accommodations for the NLADA staff program director to conduct at least one (1) site visit during the program year.

2. Submit NLADA Program Membership Application and associated dues to NLADA within 30 days of receiving executed Host Site MOU from NLADA. All membership dues are calculated on a sliding scale based on program budget. At the current annual budget bracket, the Santa Barbara Public Defender's Office dues will be \$4,375/year.
3. Allow the VISTA members to participate in scheduled professional development and training opportunities, site visits, and conference calls. Approximate costs for this total \$750.00 in professional development and training funds.
4. Ensure that the VISTA members are reimbursed for all local travel associated with the project. Reimbursement for such travel expenses will be in-line with Santa Barbara County policy.
5. Arrange for a Santa Barbara County Public Defender Site Supervisor to travel to the Annual NLADA conference in October 2018.

Fiscal and Facilities Impacts:

Budgeted: Yes.

Fiscal Analysis:

The approximate value of the program for the Santa Barbara County Public Defender will be \$87,368.00 and will cost approximately \$12,000.00 to the Department. The Public Defender's FY18-19 budget has sufficient funds to cover those costs.

Key Contract Risks:

There is minimal risk to the County.

Staffing Impacts:

This project does not have any staffing impacts.

Special Instructions:

Please return one (1) Minute Order to Deepak Budwani, PD Business Manager.

Attachments:

Attachment A: Memorandum of Understanding Between NLADA & Santa Barbara County Public Defender's Office

Authored by:

Deepak Budwani, Business Manager, x3589