

Analysis of Indigent Defense and Prosecution Budgets for California Counties

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Plumas County



BUDGET CODE 20190

UNIT TITLE - COUNTY FAIR

PLUMAS COUNTY
STATE OF CALIFORNIA
KEY ORGN EXPENDITURE DETAIL
SCHEDULE 9 2005-06

FUNCTION - 1 - GENERAL
ACTIVITY - 15 - PROMOTION
FUND - 0005 - COUNTY FAIR

ACCOUNT	TITLE	ACTUAL 2003- 4	ACTUAL 2004-05	REQUESTED 2005-06	RECOMMENDED 2005-06	ADOPTED 2005-06
51000	REGULAR WAGES	162,169	152,861	179,329	179,329	179,329
51020	OTHER WAGES	40,285	45,816	55,485	55,485	55,485
51060	OVERTIME PAY	4,949	4,295	5,000	5,000	5,000
TOTAL	SALARIES	207,403	202,972	239,814	239,814	239,814
51070	UNEMPLOYMENT INSURANCE	1,039	1,016	1,199	1,199	1,199
51080	RETIREMENT	14,907	21,509	32,670	32,670	32,670
51090	GROUP INSURANCE	36,442	30,270	54,685	54,685	54,685
51100	OASDI	14,947	14,578	18,346	18,346	18,346
51110	COMPENSATION INSURANCE	22,755	8,406	0	12,000	12,000
51111	COMPENSATED ABSENCE EXP	-280	0	0	0	0
TOTAL	BENEFITS	89,809	75,779	106,900	118,900	118,900
TOTAL	SALARIES & BENEFITS	297,212	278,751	346,714	358,714	358,714
52020	COMMUNICATIONS	3,129	2,758	4,870	4,870	4,870
52040	HOUSEHOLD EXPENSE	6,241	14,982	14,000	14,000	14,000
52050	INSURANCE	4,171	4,826	5,000	5,000	5,000
52090	MAINTENANCE-EQUIPMENT	4,211	5,267	5,200	5,200	5,200
52094	SAFETY EQUIPMENT	300	300	600	600	600
52130	MAINT.-BLDG. & GROUNDS	35,554	37,641	33,000	33,000	33,000
52160	MEMBERSHIPS	210	255	3,000	3,000	3,000
52180	OFFICE EXPENSE	4,560	5,682	5,000	5,000	5,000
52190	PROFESSIONAL SERVICES	98,819	108,941	108,000	108,000	108,000
52440	SPECIAL DEPT. EXPENSE	68,068	41,613	38,000	38,000	38,000
52740	TRAVEL-ROUTINE	107	556	1,000	1,000	1,000
52750	TRAVEL-SPECIAL	22	242	500	500	500
52780	UTILITIES	39,536	50,651	67,000	67,000	67,000
52840	CONTINGENCIES	0	0	10,000	32,110	32,879
52900	FUEL	4,643	4,119	5,500	5,500	5,500
52935	INTEREST ON LOAN	140	735	700	700	700
52940	PRINCIPAL	643	3,963	4,000	4,000	4,000
TOTAL	SERVICES & SUPPLIES	270,354	282,530	305,370	327,480	328,249
54260	MISC. EQUIPMENT	6,000	0	0	0	0
TOTAL	FIXED ASSETS	6,000	0	0	0	0
58000	INTERFUND TRF IN	3,140	4,145	5,154	5,154	5,154
TOTAL	INTERFUND TRANSFERS	3,140	4,145	5,154	5,154	5,154
TOTAL	COUNTY FAIR	576,705	565,426	657,238	691,348	692,117

BUDGET CODE 20320

UNIT TITLE - PUBLIC DEFENDER

PLUMAS COUNTY
STATE OF CALIFORNIA
KEY ORGN EXPENDITURE DETAIL
SCHEDULE 9 2005-06

FUNCTION - 2 - PUBLIC PROTECTION
ACTIVITY - 17 - JUDICIAL
FUND - 0001 - GENERAL

ACCOUNT	TITLE	ACTUAL 2003- 4	ACTUAL 2004-05	REQUESTED 2005-06	RECOMMENDED 2005-06	ADOPTED 2005-06
52100	WITNESS	47	0	1,000	1,000	1,000
52190	PROFESSIONAL SERVICES	2,341	2,500	3,000	3,000	3,000
52440	SPECIAL DEPT. EXPENSE	160	0	450	450	450
52445	SPEC.DEPT.EXCESS HOURS	12,340	7,901	10,000	10,000	10,000
52446	SPEC.DEPT.F.S. COUNSEL	19,337	14,930	13,450	13,450	13,450
52570	SPEC.DEPT.CONFLICT COUNS.	46,455	13,460	44,500	44,500	44,500
52580	SPEC.DEPT.JUVENILE COUNS.	3,733	1,524	10,400	10,400	10,400
52590	SPEC.DEPT.CONSERV.COUNSEL	9,000	9,000	9,900	9,900	9,900
52610	SPEC.DEPT.INVESTIGATION	16,493	9,220	10,100	10,100	10,100
52650	SPEC.DEPT.EVULATIONS	13,644	17,144	17,500	17,500	17,500
52690	SPEC.DEPT.-CONTRACTS	269,232	269,232	282,400	282,400	300,000
TOTAL	SERVICES & SUPPLIES	392,783	344,910	402,700	402,700	420,300
TOTAL	PUBLIC DEFENDER	392,783	344,910	402,700	402,700	420,300

Protecting Liberty

Plumas County
Fair

\$692,117

vs.

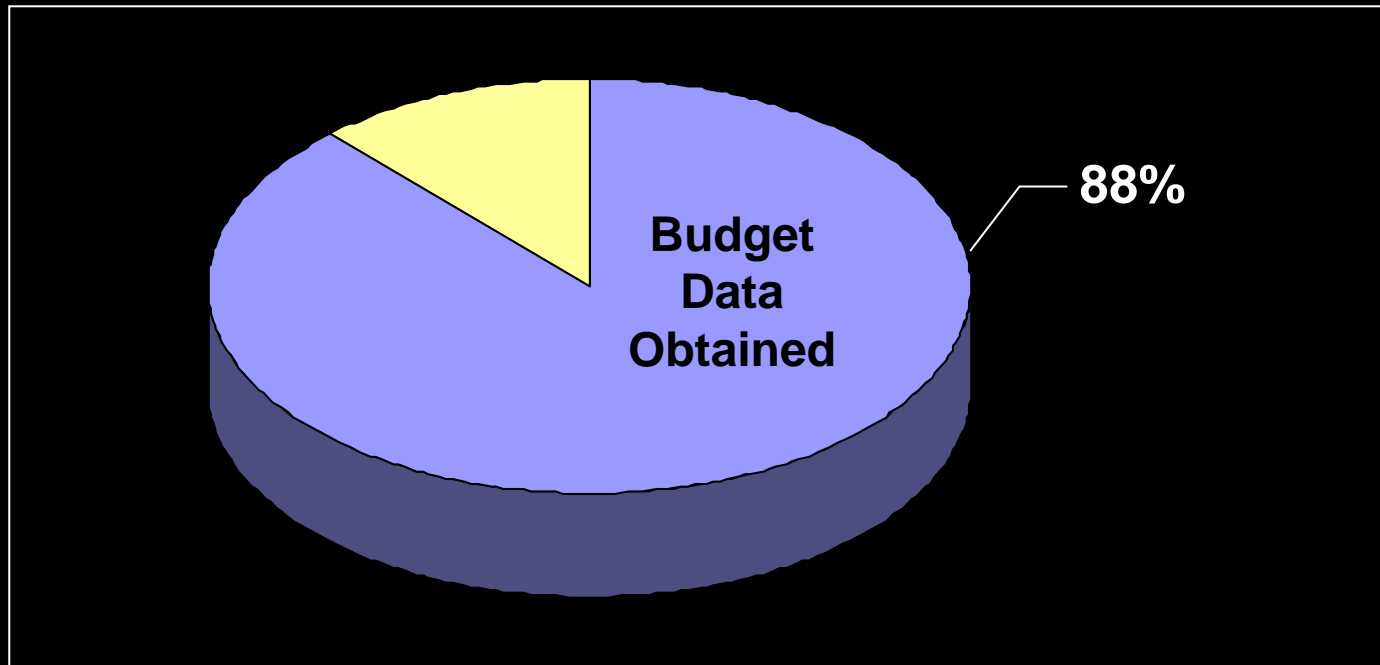
Plumas County
Indigent Defense

\$420,300

Indigent Defense and Prosecution Budgets compared

A grim picture of inequality

County Budget Data



Prosecution and Defense Budgets

- Indigent Defense total: \$726,773,196
- Prosecution total: \$1,218,481,004
- Includes the entire indigent defense system

Average Budgets

- Indigent Defense: \$14,250,455
- Prosecution: \$23,891,784
 - Prosecution budgets 40% larger

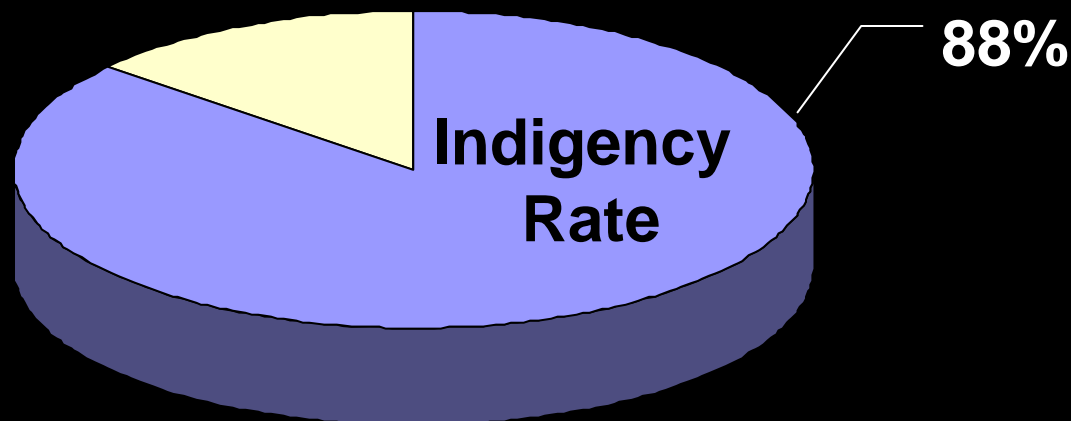


Example of Disparity

Yolo County	Total Budget	# of attorneys	Resources per attorney
Public Defender	\$5,847,368	24	\$243,640
District Attorney	\$11,444,209	33	\$346,794

Adjusted Prosecution Budgets

- Prosecution Budgets adjusted downward to account for indigency rate



Understates the disparity

- Does not account for:
 - Extra grants to prosecution office
 - Misdemeanors handled by City Attorney in larger cities
 - Multiple defendants
 - PD functions outside of criminal justice, i.e conservatorships, involuntary commitments

Disparity even when adjusted

Yolo County	Total Budget	# of attorneys	Resources per attorney
Public Defender	\$5,847,368	24	\$243,640
District Attorney (weighted)	\$10,070,904	33	\$305,179

Per Capita Budgets

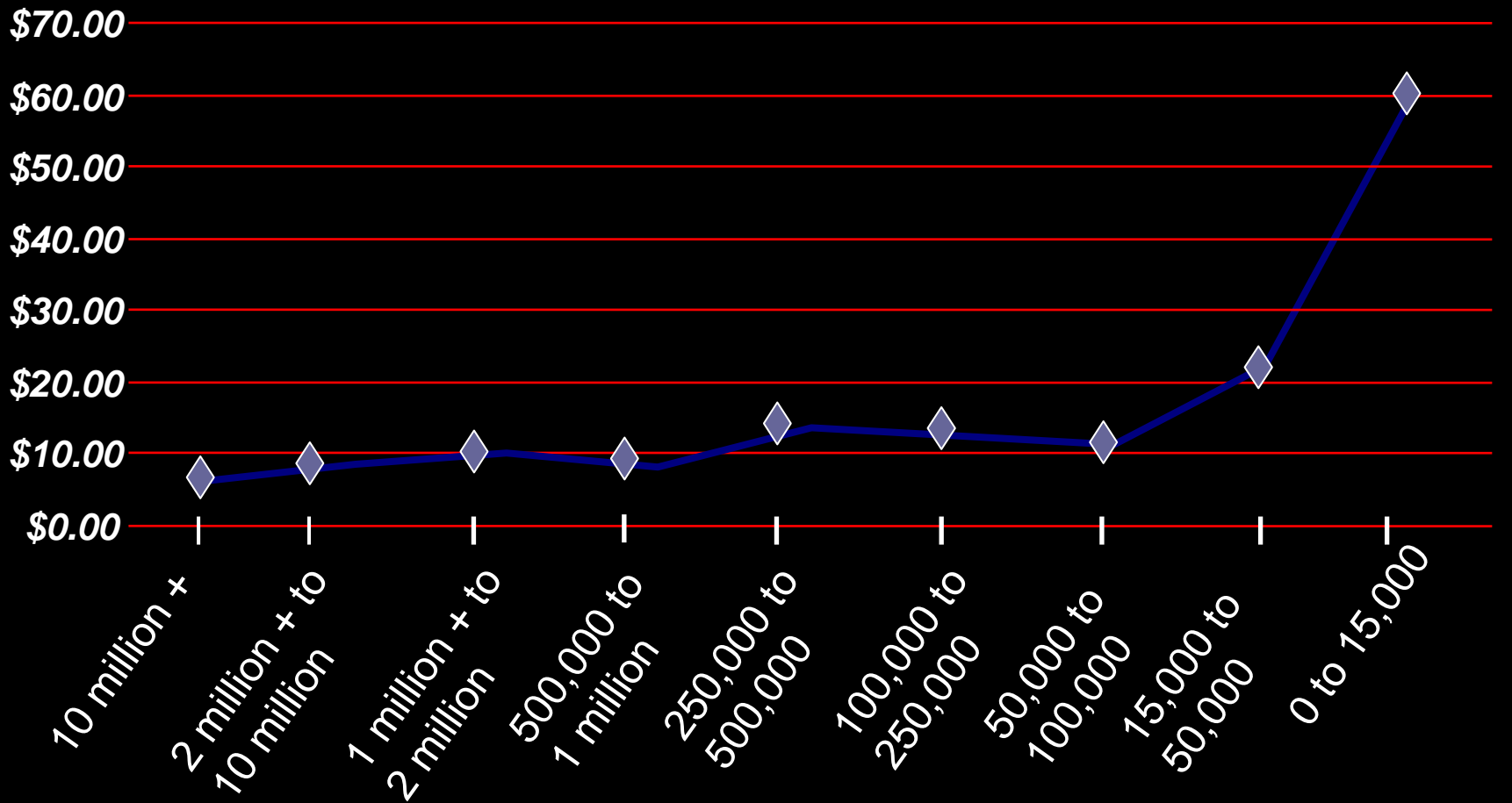
- Defense

- \$5.85 – Sutter County
- \$44.32 – Alpine County

- Prosecution

- \$7.61 – Kings County
- \$175.23 - Alpine

Average Per Capita Disparities by Population Class



Disparities in Comparable Counties

County	Population	Total Caseload	Felony Caseload	Defense Budget	Weighted Prosecution Budget	Per Capita Disparity
El Dorado	133,000	4,342	1,248	\$2,750,135	\$6,124,876	\$19.57
Humboldt	176,000	3,701	1,415	\$2,898,913	\$3,653,252	\$5.70

Statewide Disparity

	Average Per Capita Defense Budget	Average Per Capita Prosecution budget (actual)	Average Per Capita Prosecution Budget (weighted)	Average Disparity Between Prosecution and Defense Budgets
California Statewide Average	\$19.62	\$41.19	\$36.25	\$16.63

ABA's Ten Principles of a Public Defense Delivery System

- Non-compliance with Principle Eight
- Parity between resources
- “There should be parity of workload, salaries, and other resources (such as benefits, technology, facilities, legal research, support staff paralegals, investigators, and access to forensic services and experts between the prosecution and public defense.”

A Fair fight?

- Adversarial Justice System should demand a fair fight
- Gross inequalities do not meet the obligation of the right to effective counsel



Results of Disparity

- Innocence Projects show results of this disparity

Future Public Defender

- Disparities raise concerns
- Will I be ineffective?