

Office of the State Public Defender Indigent Defense Improvement Division

IDID Bulletin May 2024

Indigent Defense Updates

Criminal Legal System Staffing Data Dashboard

OSPD Publishes [Dashboards](#) on Criminal Legal System Staffing (2003-2022)

OSPD has compiled data from the California Department of Justice on the number of attorneys, investigators, clerical staff, and other criminal justice personnel employed by district attorneys and public defenders in counties with a Public Defender. The dashboards are filterable by county, region, and/or year. You can also search for raw counts by county, region, and/or year. OSPD will update the dashboards as new data becomes available. These [dashboards](#) are accessible through the [IDID Training SharePoint Home Page](#). If you do not yet have access, defenders can [register to join the IDID Training SharePoint](#).

Proposition 47 Grant (Cohort 4) is Now Available!

The Board of State and Community Corrections (BSCC) is announcing [the release of the Proposition 47 Request for Proposals \(RFP\)](#). This RFP makes approximately \$152 million available for a grant period that covers October 1, 2024, through June 30, 2028. Eligible applicants are public agencies located in the State of California.

- ❖ Application Deadline: 6/10/2024, 5:00 pm
- ❖ Detailed application instructions can be found [here](#)
- ❖ Virtual Grant Information Session on 4/30/2024, 10:00am
Zoom Link: <https://us02web.zoom.us/j/87362215592>
Meeting ID: 873 6221 5592
Call In: 646-931-3860

Welcome Maryanne Mendenhall

The Indigent Defense Improvement Division is excited to welcome Maryanne Mendenhall, Director of Family Defense Initiatives, in a partnership between OSPD and [Partners for Justice](#). Maryanne will work to support Partners for Justice client advocates and public defenders across the state in identifying pathways to meaningfully assist California parents who face family related legal consequences based on their arrest, charges, or conviction. She plans to support criminal-family law collaborations, provide consultations, and to develop training and materials to enable increased advocacy on these important issues.

Maryanne conducted hundreds of hearings and trials in her years as a supervising attorney in The Bronx Defenders Family Defense Practice. Her direct representation was story-driven and strategic, with impact reaching countless families. Her work for two clients in particular laid the groundwork for large-scale systemic change in New York related to the rights of parents with intellectual disabilities. In addition to her work for clients, she trained trial lawyers at The Bronx Defenders and its immersive trial training program, Defenders' Academy and drove family defense initiatives on the Impact Litigation Team.

Research Publications and Opportunities

New Bench Book Published on Pretrial Release

UCLA School of Law Criminal Justice Program has published a bench book for California Superior Court Judges on California Pretrial Release Conditions. It is available online at this [link](#).

ACLU Publication on People with Disabilities on Supervision

ACLU published a new research “[Reducing Barriers: A Guide to Obtaining Reasonable Accommodations for People with Disabilities on Supervision](#)”. The study recognized the prevalence of disability among people under correctional control, discussed structural obstacles and discrimination they faced, and provided guidelines and resources to help attorneys obtain reasonable accommodation for them.

Defense Attorney Survey on the Fourth Amendment and Tech

Professor Maneka Sinha at the University of Maryland Carey School of Law is conducting a study surveying how defense attorneys litigate certain issues relating to the Fourth Amendment and technology. One goal of the study is to determine how better to assist attorneys litigate such issues. **The survey can be found [here](#). Participation is anonymous.** Please consider participating and distributing the survey widely. Professor Sinha can be reached at msinha@law.umaryland.edu with any questions.

Tracking Post-Dobbs Arrests

Pregnancy Justice, a nonprofit addressing pregnancy criminalization, is [tracking Post-Dobbs](#) instances where an individual's pregnancy was a but-for factor in their arrest or justification for a criminal penalty (i.e., pregnancy-related arrests or penalties occurring on or after June 24, 2022). This research is inclusive of people facing charges related to all pregnancy outcomes (live births, stillbirths, miscarriages, abortions) or for any behavior that authorities believe puts a pregnancy at risk. If you are interested in sharing any instances with them, please reach out to Fikayo at fikayo.w@pregnancyjusticeus.org and Dana at dana.s@pregnancyjusticeus.org.

If you would like to learn more about the issue of pregnancy criminalization in California and beyond, a three-part webinar series was conducted in collaboration with Pregnancy Justice in 2023, and recordings of those presentations are saved on the [IDID Training SharePoint](#).

Job Opportunities

Alameda County Bar Association

The Alameda County Bar Association's (ACBA) Court Appointed Attorney Program (CAAP) is now accepting [applications](#) to join its panel of independent contractor attorneys in most practice areas, including attorneys qualified to handle juvenile delinquency cases.

Visit [ACBA website](#) to see a full list of panels they are currently accepting applications for.

For any question, please contact Andrea Zambrana, CAAP Director, at 510.302.2202 or andrea@acbanet.org.

Sixth District Appellate Project

Sixth District Appellate Project is hiring two staff attorneys to directly represent clients in appeals, assist panel attorneys, and train appellate and trial attorneys. Detailed job posting information can be found at www.sdap.org. If interested, please email your resume, cover letter, and writing sample with an opposition to Jonathan Grossman at jonathan@sdap.org.

May 2024 IDID Training Events

Unless otherwise noted, these trainings are intended for criminal defense team members only, including attorneys, investigators, social workers, paralegals, mitigation specialists, law office professionals, and other job roles on defense teams.

5/2

People v. Renteria: How to Get Your Lone Actor Client Retroactive Relief

GARY JOHNSTON, Deputy State Public Defender, Office of the State Public Defender

ALYSSA MELLOTT, Supervising Deputy State Public Defender, Office of the State Public Defender

12:15 PM - 01:15 PM [Zoom Registration Link](#)

People v. Renteria (2022) 13 Cal.5th 951 clarified and narrowed the requirements necessary to prove gang enhancements against lone actors. Last year OSPD attorneys filed a habeas petition arguing for retroactive application of Renteria to a final case and won relief for their client. In this webinar, those attorneys will discuss Renteria's application to lone actor cases and cases involving defendants with unknown or non-gang affiliated coparticipants, and the theory of retroactivity making Renteria applicable to final cases. They will also provide you with a model petition, walk through how to complete and file the petition for your own lone actor client, and discuss further proceedings in the trial court. OSPD is also looking for several cases to handle in-house and will share contact info to discuss potential cases prior to the Q & A.

1 hour of MCLE and Legal Specialization Credit is offered for this training

5/10

Introduction to the Racial Justice Act

ROSE ANGULO, Deputy Public Defender, Orange County Public Defender's Office

BELLE YAN, Asst. Prof. & Supervising Attorney, Racial Justice Clinic, USF School of Law

12:15 PM - 01:30 PM [Zoom Registration Link](#)

This webinar is for defense practitioners new to the Racial Justice Act (PC 745) or anyone looking for a refresher. The presenters will review the substantive claims--(a)(1) through (a)(4)--created by the RJA, procedures for litigating claims at both trial level and post-conviction, and cases interpreting the Act. They will also touch on ideas for developing RJA claims and resources available to help you litigate them.

1 hour of MCLE Credit is offered for this training

5/21

Understanding SVP Treatment Options *(Part of the Closer Look into SVP Webinar Series)*

MARJORIE KIRKWOOD, Senior Public Defender, County of Orange

TRICIA BUSBY, PhD, Clinical Psychologist, Department of State Hospitals

03:00 PM - 04:00 PM [Zoom Registration Link](#)

Part of OSPD's fundamentals of SVP webinar series, this session will focus on the treatment options available to your client once the SVP commitment process begins. This series is designed to provide a fundamental understanding of defending against SVP civil commitments. For many, the thought of getting assigned an SVP case is daunting. Inadvertent missteps can cause significant harm to clients. Understanding the available treatment options is critical to preventing lengthy and unwarranted commitment of your client. In this session, participants will learn what the available treatment options are, how those options might impact the defense of your client's commitment, and how to best advise your client how to proceed when it comes to treatment options.

1 hour of MCLE Credit is offered for this training

5/22



Washington State
Office of
Public
Defense

Virtual Train the Trainer Part 1

JENNY ANDREWS, Director of Training, Indigent Defense Improvement Division, OSPD

TATIANA KLINE, Training Attorney, Indigent Defense Improvement Division, OSPD

TRAVIS STEARNS, Trainer, Washington State Office of the Public Defender

1:30 PM - 5:00 PM [Zoom Registration Link](#)

This program will provide fundamental skills and techniques for designing and presenting training programs for public defense teams. All defenders engaged in training or coaching other defenders are welcome to attend. Part 1 on May 22 will include: Adult Learning Principles, by Travis Stearns; Group Facilitation, by Jenny Andrews; Learning Objectives, by Travis Stearns, and Feedback and Coaching, by Jenny Andrews.

The program is eligible for up to 2.75 hours MCLE Credit

5/23



Washington State
Office of
Public
Defense

Virtual Train the Trainer Part 2

JENNY ANDREWS, Director of Training, Indigent Defense Improvement Division, OSPD

TATIANA KLINE, Training Attorney, Indigent Defense Improvement Division, OSPD

RAY IBARRA, Training Attorney, Indigent Defense Improvement Division, OSPD

RENATE LUNN, Director of Training, New York County Defender Services

TRAVIS STEARNS, Trainer, Washington State Office of the Public Defender

RONDA SWENSON, Criminal Defense Mitigation Specialist

1:30 PM - 5:00 PM [Zoom Registration Link](#)

This program will provide fundamental skills and techniques for designing and presenting training programs for public defense teams. All defenders engaged in training or coaching other defenders are welcome to attend. Part 2 on May 23 will include: Authenticity and Humanity in Training, with Tatiana Kline and Ronda Swenson; Visuals, with Travis Stearns; and Creativity and Games in Training, with Ray Ibarra.

The program is eligible for up to 2.75 hours MCLE Credit

June 2024 IDID Training Events

Unless otherwise noted, these trainings are intended for criminal defense team members only, including attorneys, investigators, social workers, paralegals, mitigation specialists, law office professionals, and other job roles on defense teams.

6/18

Mitigating Future SVP Commitments *(Part of the Closer Look into SVP Webinar Series)*

JEFFREY LOWRY, Deputy Public Defender, San Bernardino County Public Defender

CHARLENE POWELL, Deputy Public Defender, San Bernardino County Public Defender

03:00 PM - 04:00 PM [Zoom Registration Link](#)

Your client is convicted of a crime that could result in a future SVP commitment, now what? What can you do to help prevent future SVP commitments? There are steps trial teams can take to mitigate SVP commitments of their clients. In this webinar, SVP attorney Jeffrey Lowry will discuss what those steps are. Participants will leave with an understanding of how their investigations, trial presentations, and documents submitted at the sentencing could aid in the SVP defense.

1 hour of MCLE Credit is offered for this training

Other Training Opportunities

Provided for information only and are not affiliated with OSPD



Ending the Trauma-to-Prison Pipeline: Securing Better Outcomes for Youth who Have Experienced Trauma

Hosted by Pacific Juvenile Defender Center (PJDC)

Co-sponsored by Human Rights for Kids



5/15/2024; 3:30-5:00pm [Register for this event](#)

Senate Bill 545 (2023) creates new requirements for child victims of trauma and trafficking at juvenile transfer hearings and offers a new framework for securing better outcomes for all clients who have experienced trauma as youth. Learn more about what this new law requires, why it is so important, and which children are impacted by its provisions (spoiler alert: almost all of your clients!) You will also learn how to speak with clients who experienced childhood and youth trauma, including trafficking; what to do with the information you learn; and how you can use a trauma-informed framework to secure better results in court and support your client's healing.

Attorneys who attend this event can earn up to 1.5 (hours) MCLE credits.

**MCLE INFORMATION: PJDC certifies that this activity conforms to the standards of approved education activities prescribed by the rules and regulations of the State Bar of California governing Minimum Continuing Legal Education.*



Monthly Virtual Conversation Between Defenders Practicing in Juvenile Court

Hosted by Pacific Juvenile Defender Center (PJDC)

Second Thursday of (almost) every month from 4:00 – 5:00 pm [Register for this event](#)

Coming up:

- May 9th, Credits and Issues for Secure Youth Treatment Facilities;
- June 13th, LGBTQ + Youth Representation;
- August 8th, Utilizing Social Workers;

If you have questions, feel free to contact Eileen Manning-Villar manningvillar.law@gmail.com.

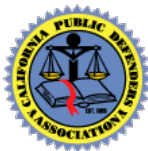


Felony Defense Sex Laws Update

Live Training AND Webinar presented by California Public Defenders Association

5/18/2024 at The Citizen Hotel, Sacramento, CA

[More information for this event](#)



DUI Defense Institute

Live Training AND Webinar presented by California Public Defenders Association

5/31/2024 to 6/1/2024 at Hyatt Regency Mission Bay, San Diego

[More information for this event](#)

The Office of the State Public Defender is a state agency founded in 1976 to represent indigent criminal defendants on appeal. Today, the agency has two divisions. The Appellate Division provides high quality appellate representation for those convicted of capital offenses. The Indigent Defense Improvement Division supports trial level indigent defense systems across California by providing defense attorney training and assistance to counties with public defense systems. See Gov. Code Section 15420(b).
