

San Francisco Public Defender Sketches of Justice



2016 Annual Report

2017 Calendar

San Francisco Public Defender

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Juvenile Division

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Bayview MAGIC

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Production Credits:

Editor: Jeff Adachi
Managing Editor/Writer: Tamara Barak Aparton
Designer: Larry Roberts
Data Editor: Seni Richmond
Group photo: Richard Bui
Artists: Vicki Behrenger and Gary Myrick

Artist Biographies:

Gary Myrick is a nationally recognized courtroom artist. Since 1976, his sketches of major trials have appeared on virtually all major television news outlets, nationally and worldwide. Feature articles about his career and work have appeared in The New York Times, Texas Monthly and many other publications. In 2014, his archive was obtained by the Library of Congress for its permanent collection.

Website: freewebs.com/courtroomart

Gary Myrick's art appears in this calendar in Feb., March, July, Sept., Oct., Nov., and Dec. All other art by Vicki Behrenger.

Clean Slate Program

Phone: 415-553-9337
Email: cleanslate@sfgov.org

Clean Slate Hours and Locations:

Arriba Juntos Office

1850 Mission Street
4th Monday of the month, 10:30 a.m.-12:30 p.m.
Se habla español

Main Office

555 7th Street
Every Tuesday, 9 a.m.-11 a.m.

Community Justice Center

555 Polk St., 2nd floor
2nd Wednesday of the month, 3 p.m.-5 p.m.

The Village Community Center

1099 Sunnydale Avenue
4th Wednesday of the month, 9 a.m.-11 a.m.

Ella Hill Hutch Community Center

1050 McAllister Street
(between Webster & Buchanan in the Fillmore)
1st Thursdays of the month, 9 a.m.-11 a.m.

Southeast Community Center

1800 Oakdale Avenue
3rd Thursday of the month, 9 a.m.-11 a.m.

Vicki Behrenger has been an internationally known courtroom artist for the last 26 years. Based out of Northern California, Vicki's most infamous trials were Michael Jackson, Scott Peterson, the Unabomber, Barry Bonds, and more recently, Apple v. Samsung. Her sketches from these trials and many more are available for sale, and are sought after by collectors. Vicki's career has been featured many times in the media, including Forbes Magazine, USA Today, and NPR. In addition to sketching for print and broadcast media worldwide, Vicki is often commissioned to sketch in courtrooms for professional & personal use. Website: Courtroomartist.com

2016: A Watershed Year in our Fight for Fairness

For 95 years, the work of San Francisco's public defenders has been motivated by a simple belief—that justice should not depend on the color of your skin or the size of your wallet.

We kicked off 2016 by taking on the predatory money bail system. Partnering with Equal Justice Under Law, two of our clients launched a federal civil rights lawsuit to abolish money bail in favor of pretrial supervision.

We are now on the verge of a better way—one based on community safety and due process rather than the income of the accused. On Nov. 1, the San Francisco City Attorney announced he would not defend the unconstitutional money bail system. Until it is abolished, our Bail Team fights to release low-risk clients awaiting trial and reduce racial disparities in jail.

Fighting bigotry continued to be our focus in 2016. Because we believe sunlight is the best disinfectant, we exposed police misconduct, including racist and homophobic text messages sent between officers and a case of officer perjury that threatened to send an innocent man to jail. Our Racial Justice Committee helped draft policy surrounding the use of police body cameras. Professor, author and television personality Melissa Harris-Perry delivered the keynote address at our annual Justice Summit, focusing on implicit bias and solutions to racial profiling.

Today, we are leading the charge to provide legal representation to every San Franciscan facing deportation. We believe the most effective way to keep immigrants safe is to arm them with lawyers. Studies show detainees with attorneys are six times more likely to win their immigration cases than those without legal representation.



The trial of Michael Smith, one of the first cases involving police body cameras, was held in 2016.

Our accomplishments are detailed in the 2016 Annual Report and 2017 calendar, which features the vanishing art of courtroom sketching. Talented artists Gary Myrick and Vicki Behringer captured the emotion of our trials, jail visits, field investigations and community celebrations.

The report, which was not printed at public expense, is a transparent look at our year-end numbers. How do they add up? It is clear that in 2016, going to trial paid

off. Approximately 84 percent of our felony clients who chose to go to trial received a better outcome than if they had accepted the prosecution's plea offer.

But our fight for justice didn't end in the courtroom. Our community MAGIC programs handed out more than 4,000 backpacks stuffed with school supplies to youth in the Bayview and Western Addition, provided literacy programs for kids, and nurtured leadership potential in high school students. Our Juvenile Unit kept our young clients in school and out of custody. And our social workers, investigators, paralegals and clerical staff provided holistic representation to thousands.

We are honored to advocate for you. In 2017, we will continue to fight for due process and equal justice for all San Franciscans.

Sincerely,

Jeff Adachi
San Francisco Public Defender



Defending Against Deportation

San Francisco has long been a welcoming city for immigrants. However, the 2016 presidential election outcome left many city residents fearful of deportation. Public defenders believe all people deserve due process, and that's why we are fighting for legal representation for San Franciscans in deportation detention. Evidence backs up our plan: immigrants with lawyers are six times more likely to win the right to stay in the country than immigrants representing themselves.

January 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--|--------|---------|-----------|----------|--------|----------|
| 1 New Year's Day | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 Martin Luther King Jr. Holiday | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 Fred Korematsu Day | 30 | 31 | | | | |



Meeting your Advocate at Arraignment

Standing before the court to hear the charges against you can be terrifying. Often, your career, housing, and custody of your children are at stake. Sometimes the accusations are inflated—or just plain wrong. Enter the public defender (like Tenette Smith, pictured): an advocate who will stand up for you even at your lowest point.

February 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
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| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| | President's Day | | | | | |
| 26 | 27 | 28 | | | | |

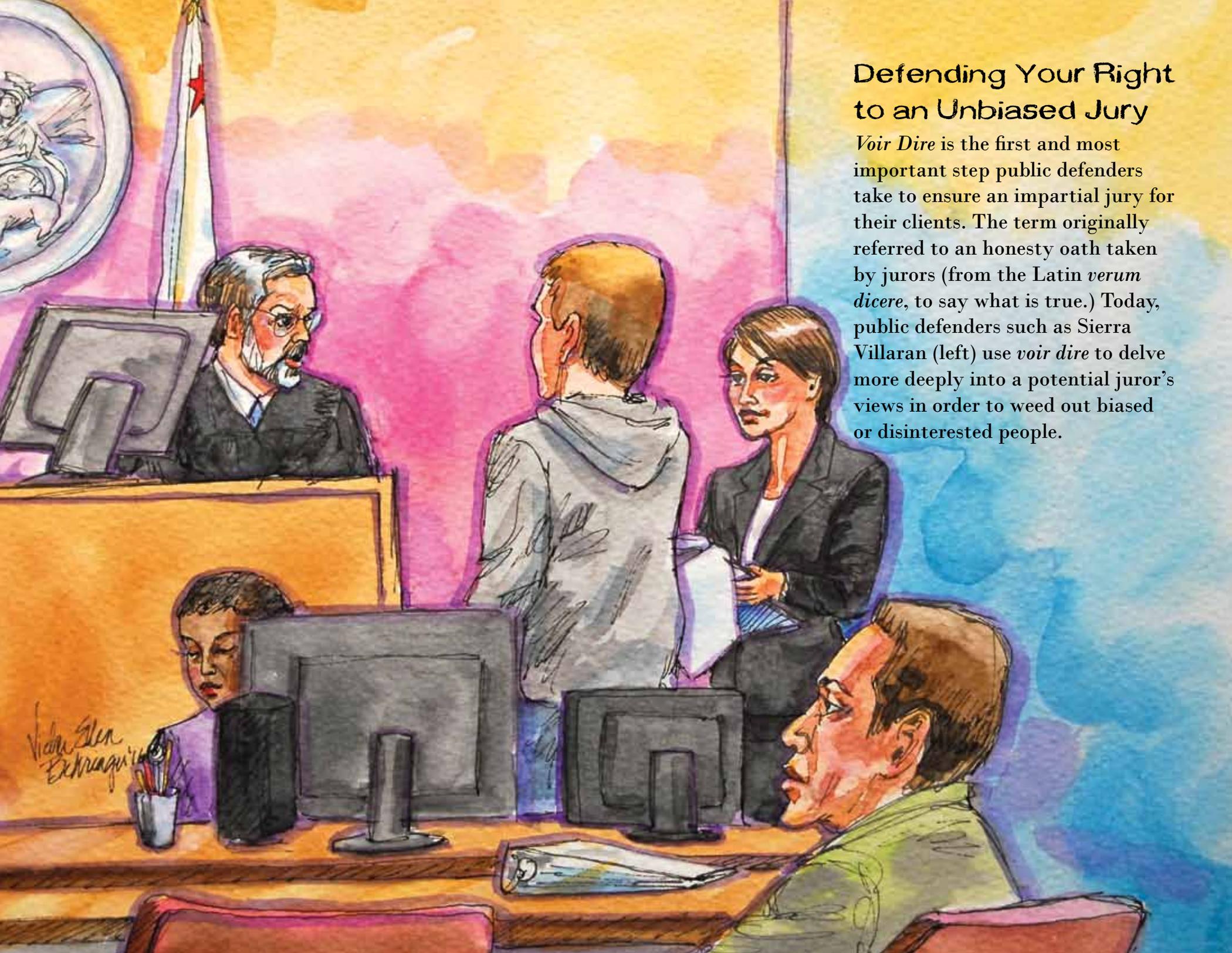


Investigation: Catching Clues Overlooked By Cops

When our office receives a case, it is assigned to both a public defender and a public defense investigator (like Tim Kingston, left.) These sleuths test the veracity of the “official” version of events put forth by police officers, which means scouring surveillance footage, tracking down witnesses, and poring over digital databases.

March 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
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| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |
| | | | | | César Chávez Day | |



Defending Your Right to an Unbiased Jury

Voir Dire is the first and most important step public defenders take to ensure an impartial jury for their clients. The term originally referred to an honesty oath taken by jurors (from the Latin *verum dicere*, to say what is true.) Today, public defenders such as Sierra Villaran (left) use *voir dire* to delve more deeply into a potential juror's views in order to weed out biased or disinterested people.

Sierra Villaran
Extrajudicial

April 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
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| 30 | | | | | | |



Rehabilitation Over Incarceration for Youth

The San Francisco Public Defender's Juvenile Unit stands as a national model of rehabilitation and innovation. Juvenile public defenders like Sujung Kim (pictured) have changed the lives of countless youth in San Francisco through zealous advocacy. The unit pioneered the use of social workers to mend families and educational attorneys to advocate for young clients in the classroom. As a result, youth in San Francisco are less likely to be sent to state lock-up than their peers in any other part of the state.

May 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|-----------------------|---------|-----------|----------|--------|----------|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 Harvey Milk Day | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 Memorial Day | 30 | 31 | | | |



Holistic Defense Beyond Courtroom Walls

San Francisco public defenders (like Sliman Nawabi, above) don't just fight for their clients in the courtroom; they also address their clients' underlying needs that fueled their involvement in the criminal justice system. Attorneys honor their clients' input and goals when planning their defense. Social workers connect clients with resources around mental health, addiction, housing, employment and education.

June 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
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| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | |

2016 Awards and Public Forums

Jeff Adachi, San Francisco Public Defender:

Athenian Award from the Hellenic Law Society of Northern California, for dedicated public service and commitment to democratic values benefitting the entire community.

Public Official Award from the Society of Professional Journalists' Northern California Chapter, for exposing law enforcement misconduct to the public and advancing freedom of information.

Alfredo Bojórquez, social worker/ youth advocate: Cesar E. Chavez Legacy Award for Community Service from the San Francisco Cesar E. Chavez Holiday and Parade Committee, for fighting for the rights and inclusion of immigrant youth.

Semuteh Freeman, Legal Educational Advocacy Program (LEAP) attorney: Foster Youth Service Award from the San Francisco Unified School District, for supporting foster youth and providing access to higher education.

Patricia Lee, manager, Juvenile Unit: Robert E. Shepherd Jr. Leadership Award from the National Juvenile Defender Center, for excellence in juvenile defense.

Paul Myslin, deputy public defender: Outstanding Volunteer in Public Service Award, from the Bar Association of San Francisco's Justice and Diversity Center, for his work with Project Homeless Connect, providing free legal advice and Clean Slate services.

2015 Annual Report Team (Tamara Barak Aparton, Larry Roberts, Jeff Adachi, Seni Richmond): Award of Excellence from the National Association of Government Communicators, for the 2015 Annual Report/2016 Calendar.



Justice Summit: Use of Force

With the city poised at a critical moment in criminal justice reform, the San Francisco Public Defender's 2016 Justice Summit focused on the use of force.

The annual event, held at the San Francisco Main Library's Koret Auditorium, featured author, professor and political commentator Melissa Harris-Perry as keynote speaker. Described by Ta-Nehisi Coates as "America's foremost public intellectual," Harris-Perry is a social scientist and former MSNBC host known for her scholarly research and provocative conversations around politics, race and gender.

The forum drew an audience of 300 attorneys, community members and city leaders. Ken E. Williams, a former Boston-area homicide inspector and use of force expert, analyzed the city's officer-involved shootings, including the deaths of Mario Woods, Alex Nieto, and Luis Gongora. A spirited afternoon discussion explored the pros and cons of arming San Francisco police officers with Tasers.



You can watch the San Francisco Public Defender's 2016 Justice Summit on our YouTube channel at youtube.com/sfpublicdefender.

Above: Melissa Harris-Perry speaking at the 2016 Justice Summit.
Left: Semuteh Freeman, Patricia Lee, and Sujung Kim of the Public Defender's Office Juvenile Unit

2016 Statistics

Felony

79: Jury trials
 61%: Not guilty, hung, mistrial, dismissal
 26%: Split
 13%: Guilty

Final Outcome vs. Pretrial Offer

84%: Better than offer
 4%: Same as offer
 12%: Worse than offer

1697: Motions filed
 728: Preliminary hearings
 718: Cases resolved by misdemeanor resolution
 541: Cases resolved by felony plea agreement
 41: Average cases per attorney at any given time
 855: Motions to reduce bail
 372: Dismissals

Misdemeanor

174: Jury trials
 30%: Not guilty, hung, mistrial, dismissal
 41%: Split
 28%: Guilty

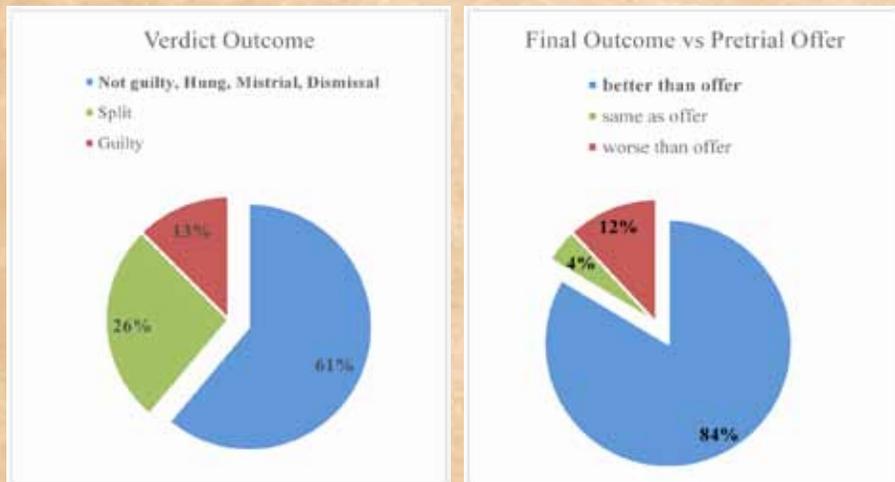
Final Outcome vs. Pretrial Offer

50%: Better than offer
 31%: Same as offer
 19%: Worse than offer

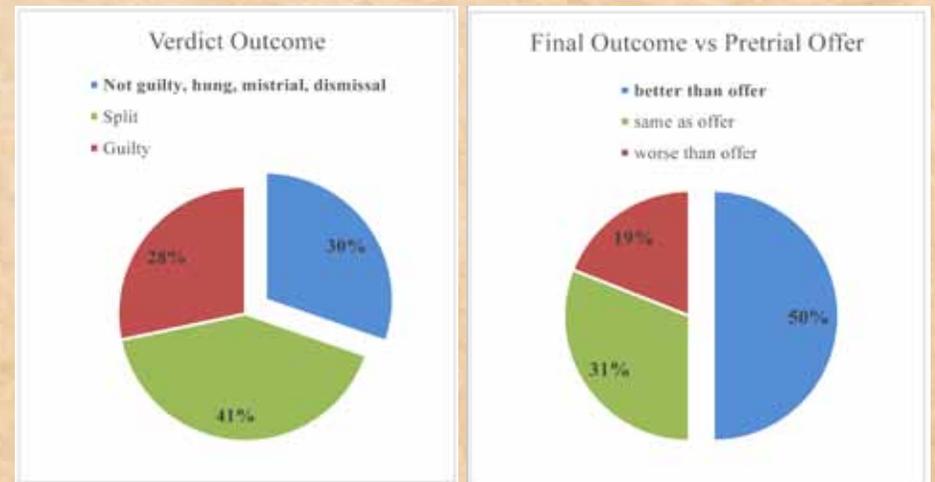
934: Motions filed
 624: Dismissals
 74: Average cases per attorney at any given time
 184: Motions to reduce bail
 11: Participants in the Volunteer Attorney Program
 38: Trials by volunteer attorneys
 172: Motions by volunteer attorneys

(Statistics include year-end projections.)

The Value of Going to Trial (Felony)



The Value of Going to Trial (Misdemeanor)



Mental Health

2,932: Client cases

11: Dismissals granted for conserved clients facing criminal charges

2: Jury trials

Trial results:

1: Not gravely disabled (favorable outcome)

1: Hung jury

Juvenile

32: Trials

37: Contested dispositions

1: Youth committed to California Department of Juvenile Justice

0: Youth transferred to adult court

Youth advocate/juvenile social work

190: Referrals

75%: Favorable outcomes

Legal Educational Advocacy Program (LEAP)

88: Referrals

70: IEP meetings attended

304: Court appearances

292: Meetings with client families

1: LEAP student referred for expulsion

558: School visits

Information Technology

151: Surveillance video retrievals with investigators

6: Laptops for in-custody clients to view electronic evidence

80: Police body camera videos downloaded (since 12/1)

Research

81: Trial motions

29: Memoranda

40: Writs and appeals

40: Seminars, trainings and presentations



Public defenders join a rally to support providing immigration legal assistance.



Families receive backpacks with school supplies at the BMAGIC Back-to-School event.

Immigration

18: Clients represented directly

240: Written consultations provided to attorneys

5: Seminars held

Bail

693: Motions filed by Bail Unit

Training

37: In-house workshops and lectures

152: New attorney training sessions

81: Case conferences

453: Case conference attendees

97: Case conference hours

67: Felony trial practice group meetings

56: Misdemeanor trial practice group meetings

Clerical

6,459: Police reports scanned and digitized

1,200: File requests answered

105,000: Phone calls answered

Human Resources

181: Total employees

95: Attorneys

86: Support staff

20: Bilingual or multi-lingual employees

6: Languages spoken

BMAGIC

2,000: Backpacks distributed to students

427: Youth participating in Literacy is Freedom Book Fair

100: Participants in BVHP Youth Summit

6,000: Resource Guides distributed

Mo MAGIC:

2,054: Backpacks distributed to students
5,699: Books given to youth
2,436: Youth participating in two citywide Summer Learning Days
14,906: Hours spent reading by youth
23: Summer events held with more than 1,000 youth

Paralegal

1,329: Days of support for felony attorneys in trial
4,526: Subpoenas prepared
294: Exhibits prepared for misdemeanor and felony attorneys in trial
311,320: Pages of medical reports handled

Intern

29: High school students in three sessions
185: College and law students (includes attorneys and post-bars)

Investigation

2,279: Requests received
2,632: Hours spent searching for surveillance video
329: Video surveillance retrievals
5: Average number of attorneys served by one investigator

Clean Slate

6,333: People served
1,586: Motions filed
82%: Motions granted
705: Convictions dismissed (“expunged”)
87: Arrests sealed and arrests converted to detention only
44: Felony convictions reduced to misdemeanors

Drug Court

155: New cases
33: Charges dismissed
100%: People are drug free, safely housed and with a legal source of income at graduation

Behavioral Health Court

226: Clients
100%: People who remain connected to community behavioral services at graduation

Veterans Justice Center

62: Current participants
100%: Receiving treatment
90%: In treatment and with stable housing

Young Adult Court

112: Participants
100%: Clients receiving extensive assessment
100%: Referred to services

Children of Incarcerated Parents

76: Families served
100%: Families referred to services
100%: Contact visits received by those eligible

Social Work

260: Clients assessed
90%: Reentry clients transferred to treatment, housing, vocational training, and other social services



Deputy Public Defender Lisa Katz congratulates a graduate of Drug Court.

Community Justice Center

1,837: Cases handled
100%: Eligible participants referred to services or performed community service
80%: Successfully completed program/charges reduced and/or dismissed

Transcription

210: Recordings transcribed
1,479: Pages of transcripts completed



Major Cases Need Extraordinary Lawyers

The stakes are never higher than in a murder trial. The San Francisco Public Defender's Felony Unit took six murder cases to trial in 2016 and in each completed case secured an outcome more favorable than the prosecutor's pre-trial offer. Here, Deputy Public Defender Sangeeta Sinha cross examines a witness in a fatal shooting in the Bayview. Attorneys keep their skills sharp with in-house trainings and trial practice groups.

July 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--------|-----------------------|-----------|----------|--------|----------|
| | | | | | | 1 |
| 2 | 3 | 4 Independence Day | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 | | | | | |

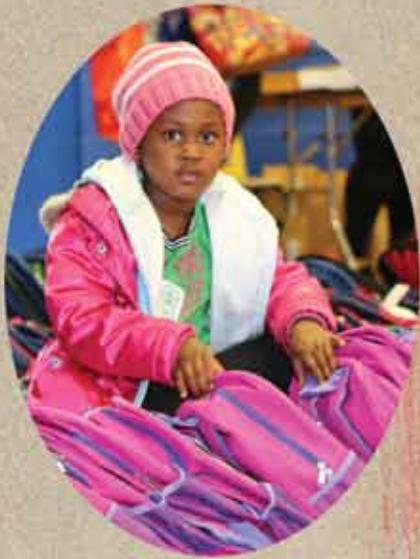


Eyewitness Identification: Powerful but Often Mistaken

Eyewitness misidentification is the greatest cause of wrongful conviction. The Innocence Project estimates that as many as 1 in 4 stranger eyewitness identifications are wrong. Trauma warps memories and the brain tends to reconstruct incidents by “filling in” things it missed. Police and prosecutors sometimes use suggestive lineup techniques that sway the results. That’s why public defenders like Azita Ghafourpour (pictured) ask witnesses to recall their exact location and circumstances at the time of the alleged crime. This case, a felony gun possession trial, ended in an acquittal.

August 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--------|---------|-----------|----------|--------|----------|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |



The Power of MAGIC

The San Francisco Public Defender's Office bid farewell in 2016 to longtime Mo' MAGIC Executive Director Sheryl Davis, who nurtured thousands of kids and families in the Western Addition. Mo' MAGIC and its sister organization BMAGIC (which serves the Bayview) were initiated by the San Francisco Public Defender's Office to address the root causes of juvenile crime. The programs convene more than 100 community organizations to provide health, educational, and recreational support to youth.

September 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|-----------------------|---------|-----------|----------|--------|----------|
| | | | | | 1 | 2 |
| 3 | 4 <i>Labor Day</i> | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |



Voice For The Unheard

Public defenders like Niki Solis (pictured) provide zealous representation for the most vulnerable citizens. Jail inmates are more than four times as likely as non-incarcerated people to report having a disability, according to the Bureau of Justice Statistics. Public defender clients struggle with poverty, and many battle addiction and homelessness.

October 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|---------------------------------|-----------------|-----------|----------|--------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 Indigenous People's Day | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 Halloween | | | | |



A Final Argument

The closing argument is a public defender's last chance to plead her client's case. Public defenders like Dana Drusinsky (pictured) must summarize the evidence in both a coherent and persuasive way before the jury deliberates.

November 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--------|-------------------|-----------|------------------------|--------|--------------------|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 Election Day | 8 | 9 | 10 | 11 Veterans Day |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 Thanksgiving Day | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | | |



Celebrating Success

San Francisco public defenders like Kim Lutes-Koths (pictured) are dedicated to the pioneering San Francisco Collaborative Courts, which focus on treatment rather than punishment. These restorative justice courts cater to veterans, people with mental health issues, young adults, and those struggling with addiction.

December 2017

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|-----------|---------|-----------|----------|--------|----------|
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
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| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| | Christmas | | | | | |
| 31 | | | | | | |



San Francisco Public Defender's Office

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