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June 15, 2000

Honorable Charles W. Campbell  
Presiding Judge of the Superior Court  
Ventura County Hall of Justice  
800 South Victoria Avenue  
Ventura, CA 93009

Dear Judge Campbell:

I am responding to the 1999-2000 Ventura County Grand Jury Report entitled *Ventura County Ordinance No. 4088*.

I agree with the findings of the Grand Jury; however they fail to address the effects of some of the uses of Proposition 172 monies upon my office. While Proposition 172 monies enabled Ventura County to prosecute more misdemeanors and to try more felony cases (less plea bargaining), this has also required the Public Defender to defend additional persons and required more public defenders to handle the added trials.

While Grand Jury findings pointed out a perception that the passage of Proposition 21 would increase the workload of the probation department, it should also be noted that increased filings in the juvenile court, more minors sent to the adult court for trial, and the addition of a new death penalty offense already have increased the burdens and strains on the Public Defender's office.

The Grand Jury references the criminal justice agencies' agreement regarding distribution of Proposition 172 moneys. While this agreement called for the Public Defender to receive six (6) percent of those moneys, it should be noted that the amount actually allocated to my office has been approximately four (4) percent.

As required, our responses to Recommendations 1, 3 and 4, are as follows:

**Recommendation 1** - The public safety budgets are reviewed annually as required under the California Budget Act; this recommendation has been implemented.

**Recommendation 3** - Whether or not Recommendation 3 will be implemented is not within the purview of the Public Defender. I do not agree that Ordinance No. 4088 should be rescinded.

In order to provide my office with the resources necessary to respond to the workloads caused by the passage of Proposition 21, the "three strikes and one strike" sentencing laws, the establishment of specialty courts such as juvenile drug court, adult drug court, domestic violence court, and the potential death penalty cases, the 6% allocation to the Public Defender agreed to by the justice agencies should be adhered to.

**Recommendation 4** - I believe this recommendation has been implemented. However, the sparse Public Defender budget does not allow for any financial contribution to the Juvenile Justice Complex.

Please contact me if you have questions or need any clarification of this response.

Sincerely,

A handwritten signature in black ink that reads "Kenneth I. Clayman". The signature is written in a cursive, flowing style.

Kenneth I. Clayman  
Public Defender