

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2605 (Arambula) – As Amended April 8, 2026

Policy Committee:	Local Government	Vote:	10 - 0
	Public Safety		9 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill requires the board of supervisors for any county that has established the office of the public defender to collect specified information on public defense services provided in the county and to submit that information to the Office of the State Public Defender every two years, beginning on January 1, 2029.

Specifically, this bill:

- 1) Requires the board of supervisors of each county to specify a contact person for the office of the public defender and collect the following information from the office every two years:
 - a) Type of primary and conflict public defense systems used.
 - b) Method and timing of case assignment.
 - c) Budget and expenditures on public defense.
 - d) Funded and filled public defense positions by type.
 - e) The number of cases assigned to the public defense system.
- 2) Requires each county to report the data collected to the Office of the State Public Defender every two years beginning on January 1, 2029.
- 3) Requires the Office of the State Public Defender to create and post on its website a summary report of the information reported to it pursuant to this bill.

FISCAL EFFECT:

- 1) Ongoing General Fund costs to the Office of the State Public Defender to provide and post on its webpage a summary report every two years are likely minor and absorbable.
- 2) Ongoing costs to counties, potentially significant and in excess of \$150,000 statewide to collect and provide the required information to the State Public Defender. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

COMMENTS:

1) **Purpose.** According to the author:

California's longstanding issues providing public defense to individuals accused of crimes has a real cost to some of the state's poorest and most under-resourced counties. Though the Sixth Amendment enshrines the right to counsel for defendants in criminal prosecution, the state does not currently collect data on how this public defense is provided at a county level. [This bill] requires that the Office of the State Public Defender work with counties to collect data on the type of primary and conflict public defense system used, number of cases assigned to the public defense system, method and timing of case assignment, funded and filled public defense positions by type, and budget/expenditure information.

2) **Background. *Public Defenders.*** Existing law allows the board of supervisors of any county to establish the office of public defender for the county. Any county may join with one or more counties to establish and maintain the office of public defender to serve such counties. The public defender provides criminal defense services to people who are not able to financially employ counsel. In some counties the public defender is a county employee; in other counties the Board of Supervisors contracts with a private firm to provide public defender services.

AB 625 (Arambula) Chapter 583, Statutes of 2021, required the State Public Defender, in consultation with the California Public Defenders Association, to undertake a study to assess appropriate workloads for public defenders and indigent defense attorneys and submit a report no later than January 1, 2024. The report made a number of recommendations including limiting attorney workloads; requiring appropriate staffing; and providing attorney recruitment and retention support, particularly in rural counties. The report also suggested:

To assess public defense workloads and staffing sufficiency, the state must regularly collect reliable data on public defense. At present, the state collects some staffing data from counties with public defender offices, but no staffing data from counties relying on contract or assigned counsel public defense systems. And the state collects no data at all on public defense caseloads. To better understand and assess California's public defense systems, the state should regularly collect data on public defense services from all counties.

This bill implements this recommendation.

Office of the State Public Defender. Existing law requires the Governor to appoint a State Public Defender, subject to confirmation by the Senate and sets forth the eligibility requirements and duties of the State Public Defender. The purpose of the office is to handle direct appeals of death penalty cases. Any defendant convicted and sentenced to death in California is granted an automatic appeal to the California Supreme Court. A deputy state

public defender is appointed as representation free of cost. The office has authority to contract with other indigent defense counsel, county public defender offices and non-profit organizations in performance of their duties.

- 3) **Support and Opposition.** The California Attorneys for Criminal Justice (CACJ), in support, asserts:

Unlike many other states, that allocate primary funding to public defense, California's current public defense system is primarily funded by the responsibility of local counties. This in turn leaves a lot of low-income areas without access proper public defense services. Increasing transparency is critical to ensuring our public defense systems have adequate resources and run effectively.

The Rural County Representatives of California, the California State Association of Counties, and the Urban Counties of California, oppose this bill and collectively assert:

While data is critical in evaluating the efficacy of any program or system, these new requirements would divert limited local resources away from essential county services, including the provision of constitutionally mandated legal representation. Local government budgets are increasingly constrained by a combination of effectively static or decreasing local revenues and ever-rising local costs and unfunded state mandates. Most notably, counties are also facing a looming fiscal crisis associated with the implementation of H.R. 1, which is expected to increase demands on county safety net programs and indigent health services to the tune of up to \$9.5 billion annually for counties alone.

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