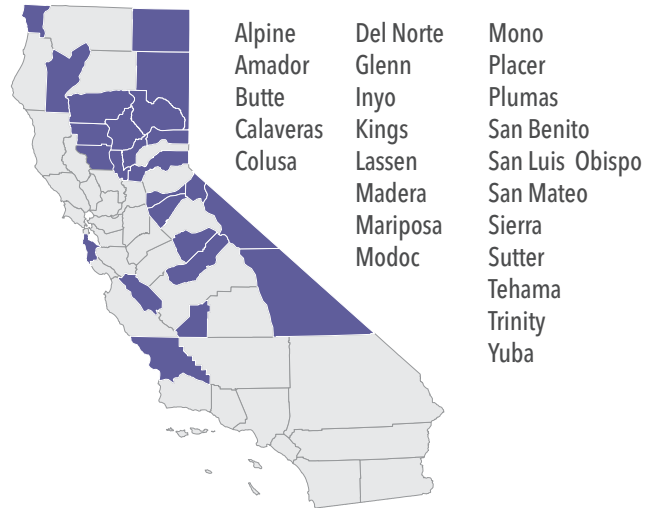


# California Public Defense: A Statewide Snapshot

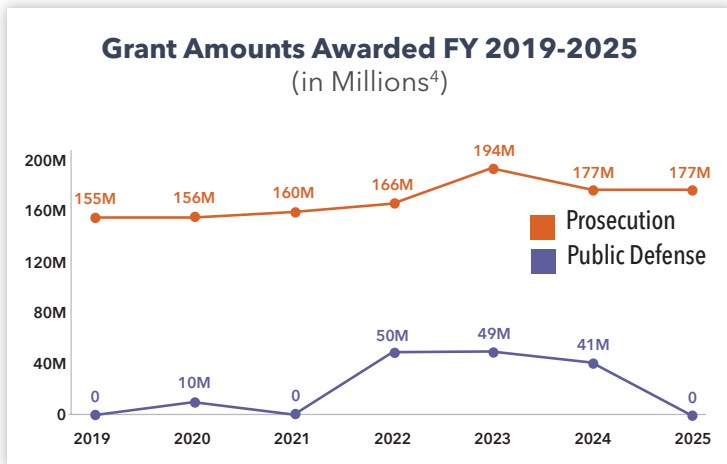
## Counties Without Public Defender Offices



## 58 Counties = 58 Different Systems

- In California, there are no statewide standards for delivering public defense.
- Each county determines its own structure, funding, and oversight.<sup>1</sup>
- Systems vary widely. While some counties provide robust resources and staffing, others do not have investigators, social workers, or support staff.<sup>2</sup>
- 24 counties have no public defender office and instead rely on contract attorneys. Contract systems correlate with longer sentences and worse outcomes than public defender offices.<sup>3</sup>

## Investment Disparity Between Prosecution & Public Defense



California counties spend nearly \$1 billion more on prosecution than defense each year.<sup>5</sup>

Inequities also exist at the state level. California provides stable, ongoing funding for prosecution that is not available for public defense. From 2019-2025, 12 state-administered grants were directed exclusively to prosecution offices, providing more than \$1 billion to DA's offices, with limited comparable funding for public defense.<sup>6</sup>

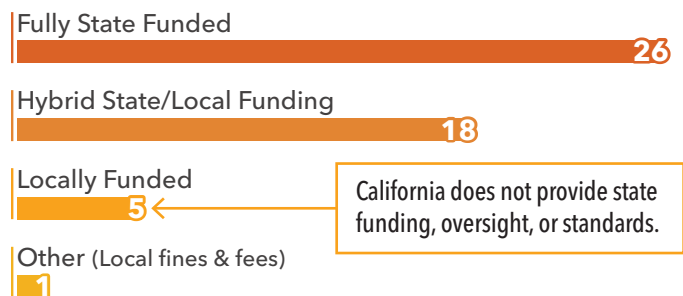
Prosecutor's offices also have access to \$115 million in ongoing state supported funding streams largely unavailable to defense (e.g. COPS, CalWrap), creating a persistent imbalance across the criminal legal system.<sup>7</sup>

## California is an Outlier on Funding & Standards

To ensure the 6th Amendment Right to Counsel is protected, most states provide standards and state funding for trial level public defense:<sup>8</sup>

- 47 states require state oversight of public defense systems.<sup>9</sup>
- 33 states have an independent oversight commission that sets public defense policy.<sup>10</sup>
- 44 states provide total or partial state funding for trial-level public defense.<sup>11</sup>

## Trial-level Public Defense Funding by State



1. Government Code § 27700 et. seq.  
 2. Gabriel Petek. 2022. Assessing the Provisions of Criminal Indigent Defense. Legislative Analyst's Office.  
 3. Eve Primus. 2023. The Problematic Structure of Indigent Defense Delivery. 122 Mich. L. Rev. 205.  
 4. Chart does not reflect \$14 million grant funding for Expanded Public Defense Services (Holistic Defense) appropriated in the 2025-2026 Budget Act that was not disbursed until 2026.  
 5. Office of the State Public Defender. 2025. Unequal Scales: California's Investment Disparity Between Prosecution and Public Defense.  
 6. The Legislature provided grant funding in the amount of \$2 million and \$14 million for Racial Justice Act and Holistic Defense support. Senate Bill 102 (23-24 Budget Act) and Senate Bill 102 (25-26 Budget Act).  
 7. Office of the State Public Defender. 2025. Unequal Scales: California's Investment Disparity Between Prosecution and Public Defense.  
 8. See generally American Bar Association. 2023. Ten Principles of a Public Defense Delivery System.  
 9. Sixth Amendment Center. Jan. 2026. Frequently Asked Questions, The Sixth Amendment Right to Counsel.  
 10. National Institute of Justice. 2023. Gideon at 60: A Snapshot of State Public Defense Systems and Paths to System Reform.  
 11. Sixth Amendment Center. Jan. 2026. Frequently Asked Questions, The Sixth Amendment Right to Counsel. [Noting Arizona, California, Illinois, South Dakota, and Washington as locally funded. However, Illinois and South Dakota recently passed state funding legislation, leaving just three states without state funding.]