

State of Rhode Island and Providence Plantations

# Budget



## Fiscal Year 2015

Volume IV – Public Safety, Natural Resources  
and Transportation

Lincoln D. Chafee, Governor

**Dedication**

*This year's budget documents are dedicated to the  
Memory of William V. Golas, Jr.  
Sr. Budget Analyst 1987 - 2013*

*The image on the cover of this year's budget document is a Winter Scene of the State House from Artist John Pitocco of Providence and is reproduced by permission of the artist in collaboration with the Rhode Island State Council on the Arts.*

# Agency

---

## Office Of Public Defender

---

### Agency Mission

To provide high quality representation to all indigents in criminal, juvenile and parental rights litigation, fulfilling the governmental obligation to provide effective assistance of counsel and to secure fundamental fairness and due process to the indigent citizens of Rhode Island.

### Agency Description

The Office of the Public Defender is statutorily mandated to represent indigent adults and juveniles who are charged with criminal offenses or who are in jeopardy of losing custody of their children to the State. Referrals come from the Supreme, Superior, District, and Family Courts. All who are financially eligible are assigned to a staff attorney for representation in the appropriate court.

The office carries out a single program: representation of indigents. Within this program are activities associated with adult and juvenile criminal matters, and with termination of parental rights and dependency and neglect petitions filed by the DCYF. The office offers appellate representation in the Rhode Island Supreme Court in those areas in which it offers trial level representation. Assisting the attorneys who deliver the primary service of the office is a support staff of social workers, investigators, interpreters, information technology staff, intake staff and clericals.

The Public Defender is appointed by the Governor with the advice and consent of the Senate for a six-year term.

### Statutory History

The Office of the Public Defender was created in 1941 by Chapter 1007 of the Rhode Island Public Laws. It was one of the earliest, and perhaps even the first, statewide Public Defender agencies in the Nation. Title 12, Chapter 15 of the Rhode Island General Laws defines the organization and functions of the agency, and mandates it to represent those who are without financial resources to retain private counsel. Title 14, Chapter 1 describes the referral process by the Family Court, and Title 40, Chapter 11 authorizes referral of dependency, neglect and termination of parental rights cases to the office by the Family Court.

# The Budget

---

## Office Of Public Defender Central Management

---

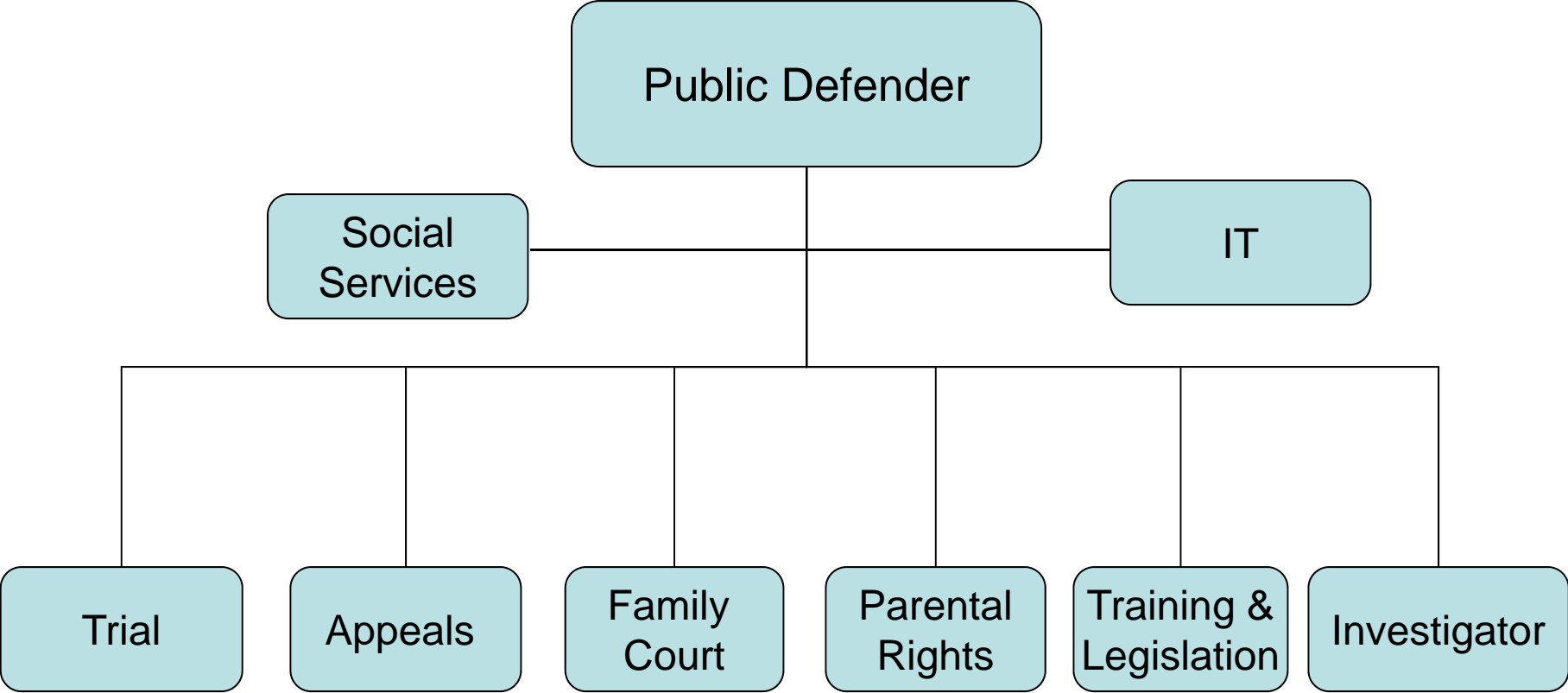
	2012 Audited	2013 Audited	2014 Enacted	2014 Revised	2015 Recommend
<b>Expenditures By Subprogram</b>					
Operations	10,560,860	10,651,421	11,326,682	11,142,497	11,379,680
<b>Total Expenditures</b>	<b>\$10,560,860</b>	<b>\$10,651,421</b>	<b>\$11,326,682</b>	<b>\$11,142,497</b>	<b>\$11,379,680</b>
<b>Expenditures By Object</b>					
Personnel	9,567,553	9,606,345	10,218,257	10,070,828	10,316,805
Operating Supplies and Expenses	832,970	933,922	984,258	962,502	959,125
Assistance and Grants	115,535	57,311	75,000	60,000	60,000
<b>Subtotal: Operating Expenditures</b>	<b>10,516,058</b>	<b>10,597,578</b>	<b>11,277,515</b>	<b>11,093,330</b>	<b>11,335,930</b>
Capital Purchases and Equipment	44,802	53,843	49,167	49,167	43,750
<b>Total Expenditures</b>	<b>\$10,560,860</b>	<b>\$10,651,421</b>	<b>\$11,326,682</b>	<b>\$11,142,497</b>	<b>\$11,379,680</b>
<b>Expenditures By Funds</b>					
General Revenue	10,166,398	10,472,687	11,034,686	10,885,411	11,130,816
Federal Funds	394,462	178,734	291,996	257,086	248,864
<b>Total Expenditures</b>	<b>\$10,560,860</b>	<b>\$10,651,421</b>	<b>\$11,326,682</b>	<b>\$11,142,497</b>	<b>\$11,379,680</b>

# The Agency

---

Rhode Island Public Defender

---



# Personnel

## Office Of Public Defender Central Management

	Grade	FY 2014		FY 2015	
		FTE	Cost	FTE	Cost
<b>Unclassified</b>					
PUBLIC DEFENDER	00845A	1.0	134,793	1.0	139,957
CHIEF/TRIAL DIVISION	00840A	1.0	121,983	1.0	121,983
STAFF ATTORNEY VII	00840A	1.0	120,532	1.0	121,983
TRAINER/ASSISTANT PUBLIC DEFENDER	00839A	2.0	233,187	2.0	233,187
DEPUTY PUBLIC DEFENDER	00843A	1.0	116,190	1.0	121,132
ASSISTANT PUBLIC DEFENDER	00837A	1.0	103,608	1.0	103,608
ASSISTANT PUBLIC DEFENDER I	00836A	6.0	596,668	6.0	596,668
DIRECTOR OF PUBLIC INFORMATION	00839A	1.0	93,187	1.0	97,162
ASSISTANT PUBLIC DEFENDER II	00834A	7.0	612,639	7.0	612,639
EXECUTIVE ASSISTANT	00833A	1.0	84,379	1.0	84,379
ASSISTANT PUBLIC DEFENDER III	00832A	5.0	388,321	5.0	388,321
CHIEF INVESTIGATOR (PUBLIC DEFENDER)	00828A	1.0	72,822	1.0	72,822
FISCAL MANAGEMENT/ADMINISTRATIVE OFFICER	00829A	1.0	69,180	1.0	69,180
STAFF ATTORNEY II	00830A	14.0	961,112	14.0	969,435
CASEWORK SUPERVISOR	00826A	1.0	65,365	1.0	67,999
ASSISTANT PUBLIC DEFENDER IV	00828A	10.0	596,546	10.0	615,880
ADMINISTRATIVE SUPPORT SPECIALIST	05424A	1.0	58,312	1.0	58,312
INVESTIGATOR I	05423A	2.0	114,972	2.0	114,972
CASE MANAGEMENT COORDINATOR	05019A	5.0	277,634	5.0	277,634
DEPUTY CHIEF INVESTIGATOR	05426A	1.0	52,367	1.0	54,301
SOCIAL SERVICES CASEWORKER	05021A	5.0	247,256	5.0	251,703
INVESTIGATOR II	05421A	3.0	145,021	3.0	146,221
ADMINISTRATIVE ASSISTANT	05420A	2.0	96,541	2.0	96,541
SUPERVISING CLERK	05418A	1.0	45,958	1.0	45,958
ADMINISTRATIVE SECRETARY	05417A	4.0	173,957	4.0	173,957
SUPERVISING CLERK	00818A	1.0	42,056	1.0	43,109
CONFIDENTIAL SECRETARY	00817A	1.0	41,784	1.0	41,784
LEGAL SECRETARY I	05415A	4.0	165,196	4.0	165,196
CLERICAL	05413A	4.0	147,632	4.0	148,142
LEGAL SECRETARY II	05413A	4.0	143,030	4.0	144,526
DATA ENTRY AIDE	05410A	1.0	32,027	1.0	34,258
<b>Subtotal</b>		<b>93.0</b>	<b>\$6,154,255</b>	<b>93.0</b>	<b>\$6,212,949</b>

# Personnel

## Office Of Public Defender Central Management

	Grade	FY 2014		FY 2015	
		FTE	Cost	FTE	Cost
Temporary and Seasonal		-	35,658	-	60,222
Turnover		-	(124,090)	-	(124,540)
<b>Subtotal</b>		-	<b>(\$88,432)</b>	-	<b>(\$64,318)</b>
<b>Total Salaries</b>		<b>93.0</b>	<b>\$6,065,823</b>	<b>93.0</b>	<b>\$6,148,631</b>
<b>Benefits</b>					
Payroll Accrual			34,496		34,236
FICA			464,036		470,371
Retiree Health			428,854		415,033
Health Benefits			1,006,439		1,116,891
Retirement			1,508,366		1,551,138
<b>Subtotal</b>			<b>\$3,442,191</b>		<b>\$3,587,669</b>
<b>Total Salaries and Benefits</b>		<b>93.0</b>	<b>\$9,508,014</b>	<b>93.0</b>	<b>\$9,736,300</b>
<b>Cost Per FTE Position (Excluding Temporary and Seasonal)</b>			<b>\$101,853</b>		<b>\$104,044</b>
<b>Statewide Benefit Assessment</b>			<b>\$257,798</b>		<b>\$261,317</b>
<b>Payroll Costs</b>		<b>93.0</b>	<b>\$9,765,812</b>	<b>93.0</b>	<b>\$9,997,617</b>
<b>Purchased Services</b>					
Information Technology			16,920		16,920
Clerical and Temporary Services			231,443		243,064
Legal Services			30,000		30,000
Other Contracts			26,221		28,772
Buildings and Ground Maintenance			432		432
<b>Subtotal</b>			<b>\$305,016</b>		<b>\$319,188</b>
<b>Total Personnel</b>		<b>93.0</b>	<b>\$10,070,828</b>	<b>93.0</b>	<b>\$10,316,805</b>
<b>Distribution By Source Of Funds</b>					
General Revenue		92.6	\$9,884,969	92.6	\$10,139,168
Federal Funds		0.4	\$185,859	0.4	\$177,637
<b>Total All Funds</b>		<b>93.0</b>	<b>\$10,070,828</b>	<b>93.0</b>	<b>\$10,316,805</b>

# Performance Measures

---

## Office Of Public Defender Central Management

---

### *Investigations -- Felony Cases*

Rhode Island Public Defender investigators perform investigations in numerous types of cases. The National Legal Aid and Defender Association sets standards that include a requirement that, "Counsel has a duty to conduct an independent investigation regardless of the accused's admissions or statements to the lawyer of facts constituting guilt. The investigation should be conducted as promptly as possible." For that reason, the agency has determined that percentage of cases including an independent investigation is a reasonable proxy measure of quality. The figures below represent the investigation percentage in felony cases.

	2011	2012	2013	2014	2015
<b>Target</b>	--	--	12%	13%	14%
<b>Actual</b>	--	12%	12.7%	11.6%	--

Performance for this measure is reported by state fiscal year and is current as of 9/30/2013.

---

### *Misdemeanor Caseloads*

Attorney caseload is a surrogate indicator of the quality of indigent legal representation provided. National caseload standards call for an attorney to handle no more than 150 felonies per attorney per year and no more than 400 misdemeanors per year. The figures below represent the percentage by which the average attorney caseload exceeds the national standards for misdemeanors.

	2011	2012	2013	2014	2015
<b>Target</b>	0%	0%	0%	0%	0%
<b>Actual</b>	--	163%	169%	189%	--

Performance for this measure is reported by state fiscal year and is current as of 9/30/2013.

---

### *Continuing Legal Education Attendance*

The Public Defender sponsors a continuing legal education (CLE) program for its legal staff. CLE attendance is a proxy indicator of quality delivery of legal services. Although continuing education is offered through the Rhode Island Bar Association and other organizations, the coursework is not specifically related to the criminal defense function. For that reason, the agency provides CLE courses tailored to the needs of its staff. The figures below represent the average percentage of the ten-hour CLE requirement fulfilled with Public Defender-sponsored courses.

	2011	2012	2013	2014	2015
<b>Target</b>	--	78.7%	80%	80%	80%
<b>Actual</b>	55%	78.7%	76.6%	--	--

Performance for this measure is reported by state fiscal year and is current as of 6/30/2013.

---