

**VOLUME IV: PUBLIC SAFETY,
NATURAL RESOURCES, AND
TRANSPORTATION**

OFFICE OF THE PUBLIC DEFENDER

Agency Summary

Office of Public Defender

Agency Mission

To provide high quality representation to all indigent defendants 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 for all of its clients.

Agency Description

The Rhode Island 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 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 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, and clerical staff. 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 the first, statewide Public Defender agency in the nation. Title 12 Chapter 15 of the Rhode Island General Laws defines the organization and functions of the agency and mandates that it 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.

Budget

Office of Public Defender

	2022 Actuals	2023 Actuals	2024 Enacted Budget	2024 Revised Budget	2025 Recommended
Expenditures by Program					
Central Management	13,579,225	13,773,985	15,794,785	15,345,229	15,920,594
Total Expenditures	13,579,225	13,773,985	15,794,785	15,345,229	15,920,594
Expenditures by Object					
Salary and Benefits	12,269,253	12,357,509	14,093,179	13,636,334	14,209,021
Contract Professional Services	78,773	116,396	259,440	260,440	260,690
Operating Supplies and Expenses	1,139,453	1,219,138	1,297,666	1,298,455	1,320,883
Assistance and Grants	32,566	23,443	70,000	105,000	85,000
Subtotal: Operating	13,520,044	13,716,486	15,720,285	15,300,229	15,875,594
Capital Purchases and Equipment	59,182	57,499	74,500	45,000	45,000
Subtotal: Other	59,182	57,499	74,500	45,000	45,000
Total Expenditures	13,579,225	13,773,985	15,794,785	15,345,229	15,920,594
Expenditures by Source of Funds					
General Revenue	13,546,645	13,750,533	15,694,120	15,240,194	15,835,559
Federal Funds	32,580	23,453	100,665	105,035	85,035
Total Expenditures	13,579,225	13,773,985	15,794,785	15,345,229	15,920,594
FTE Authorization	99.0	100.0	104.0	104.0	104.0

Personnel Agency Summary

Office of Public Defender

	FY 2024		FY 2025	
	FTE	Cost	FTE	Cost
Unclassified	104.0	8,434,391	104.0	8,563,730
Subtotal	104.0	8,434,391	104.0	8,563,730
Seasonal/Special Salaries/Wages		97,860		97,860
Turnover		(274,048)		(50,000)
Total Salaries		8,258,203		8,611,590
Benefits				
FICA		631,746		658,782
Health Benefits		1,560,114		1,703,066
Payroll Accrual		47,692		49,412
Retiree Health		368,846		335,444
Retirement		2,447,401		2,514,432
Subtotal		5,055,799		5,261,136
Total Salaries and Benefits	104.0	13,314,002	104.0	13,872,726
Cost Per FTE Position		128,019		133,392
Statewide Benefit Assessment		322,332		336,295
Payroll Costs	104.0	13,636,334	104.0	14,209,021
Purchased Services				
Buildings and Ground Maintenance		432		432
Clerical and Temporary Services		163,825		163,825
Legal Services		48,500		48,500
Other Contracts		47,683		47,933
Subtotal		260,440		260,690
Total Personnel	104.0	13,896,774	104.0	14,469,711
Distribution by Source of Funds				
General Revenue	104.0	13,896,774	104.0	14,469,711
Total All Funds	104.0	13,896,774	104.0	14,469,711

Personnel

Office of Public Defender

Central Management

		FY 2024		FY 2025	
		FTE	Cost	FTE	Cost
Unclassified					
ADMINISTRATIVE ASSISTANT	5420 A	1.0	58,329	1.0	58,329
ADMINISTRATIVE ASSISTANT	J320 A	1.0	61,245	1.0	61,245
ADMINISTRATIVE SECRETARY	5417 A	6.0	308,469	6.0	313,080
ADMINISTRATIVE SUPPORT SPECIALIST	0824 A	1.0	81,453	1.0	83,083
ADMINISTRATIVE SUPPORT SPECIALIST	5424 A	2.0	146,818	2.0	146,818
ASSISTANT PUBLIC DEFENDER I	0836 A	5.0	591,486	5.0	591,486
ASSISTANT PUBLIC DEFENDER II	0834 A	10.0	1,033,934	10.0	1,033,934
ASSISTANT PUBLIC DEFENDER III	0832 A	17.0	1,552,608	17.0	1,569,910
ASSISTANT PUBLIC DEFENDER IV	0828 A	17.0	1,237,957	17.0	1,286,392
CASE MANAGEMENT COORDINATOR	5019 A	7.0	457,823	7.0	461,996
CHIEF INVESTIGATOR (PUBLIC DEFENDER)	0828 A	1.0	91,877	1.0	91,877
CHIEF/TRIAL DIVISION	0840 A	1.0	128,252	1.0	128,252
DEPUTY CHIEF INVESTIGATOR	4426 A	1.0	73,879	1.0	73,879
DEPUTY PUBLIC DEFENDER	0843 A	1.0	159,793	1.0	159,793
DIRECTOR OF PUBLIC INFORMATION	0839 A	1.0	122,585	1.0	122,585
EXECUTIVE ASSISTANT	0833 A	1.0	106,457	1.0	106,457
FISCAL MANAGEMENT/ADMINISTRATIVE OFFICER	0829 A	1.0	78,136	1.0	82,108
INVESTIGATOR I	5423 A	3.0	206,510	3.0	207,762
INVESTIGATOR II	5421 A	2.0	114,200	2.0	118,907
LEGAL SECRETARY I	5415 A	5.0	247,765	5.0	250,141
LEGAL SECRETARY II	5413 A	4.0	180,792	4.0	183,324
PROGRAM MANAGER	0828 A	1.0	72,246	1.0	74,905
PUBLIC DEFENDER	0845 A	1.0	150,102	1.0	156,143
SOCIAL SERVICES CASEWORKER	5021 A	6.0	362,773	6.0	372,383
STAFF ATTORNEY II	0830 A	2.0	155,389	2.0	161,137
STAFF ATTORNEY II	8830 A	2.0	158,653	2.0	165,384
STAFF ATTORNEY VII	0840 A	1.0	134,665	1.0	134,665
TRAINER/ASSISTANT PUBLIC DEFENDER	0839 A	3.0	360,195	3.0	367,755
Subtotal Unclassified		104.0	8,434,391	104.0	8,563,730
Subtotal		104.0	8,434,391	104.0	8,563,730
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Performance Measures

Office of Public Defender

Central Management

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 percent of the ten-hour CLE requirement fulfilled with Public Defender-sponsored courses. [Note: For 2021 the RI Supreme Court suspended the annual CLE reporting requirements for attorneys. Therefore, no data was collected for that year.]

	<i>Reporting Period: State Fiscal Year</i>				
	2021	2022	2023	2024	2025
Target	80%	80%	80%	80%	80%
Actual	--	83%	83%	--	--

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 400 misdemeanors per year. The figures below represent the percent by which the average attorney caseload exceeds the national standards for misdemeanors.

	<i>Reporting Period: State Fiscal Year</i>				
	2021	2022	2023	2024	2025
Target	0.00%	0.00%	0.00%	0.00%	0.00%
Actual	178.5%	136.7%	122.5%	--	--

Timeliness of Legal Visits of Incarcerated Youth

Regular communication is essential to the attorney-client relationship. Not only do youth need to understand the nature of their case and the processes of the juvenile justice system, but they must be in a position to ask questions of counsel in a proper calm setting. Counsel must anticipate that a juvenile client, due to his/her developmental immaturity, may require more frequent and face-to-face contact, especially when recently incarcerated. For those reasons the Public Defender has determined that all recently incarcerated juveniles should have a face-to-face meeting with legal counsel within 72 hours of detention. The figures below represent the percent of incarcerated juveniles that receive a face-to-face meeting with legal counsel within 72 hours of detention.

	<i>Reporting Period: State Fiscal Year</i>				
	2021	2022	2023	2024	2025
Target	80%	80%	80%	80%	80%
Actual	94.6%	87.9%	91.4%	--	--
