

**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

	2023 Actuals	2024 Actuals	2025 Enacted Budget	2025 Revised Budget	2026 Recommended
Expenditures by Program					
Central Management	13,773,985	14,758,303	16,670,594	17,261,971	18,263,714
Total Expenditures	13,773,985	14,758,303	16,670,594	17,261,971	18,263,714
Expenditures by Object					
Salary and Benefits	12,357,509	13,198,654	14,959,021	15,573,031	16,509,287
Contract Professional Services	116,396	166,144	260,690	247,507	247,507
Operating Supplies and Expenses	1,219,138	1,266,009	1,320,883	1,311,433	1,376,920
Assistance and Grants	23,443	88,146	85,000	85,000	85,000
Subtotal: Operating	13,716,486	14,718,953	16,625,594	17,216,971	18,218,714
Capital Purchases and Equipment	57,499	39,350	45,000	45,000	45,000
Subtotal: Other	57,499	39,350	45,000	45,000	45,000
Total Expenditures	13,773,985	14,758,303	16,670,594	17,261,971	18,263,714
Expenditures by Source of Funds					
General Revenue	13,750,533	14,670,121	16,585,559	17,176,936	18,178,679
Federal Funds	23,453	88,182	85,035	85,035	85,035
Total Expenditures	13,773,985	14,758,303	16,670,594	17,261,971	18,263,714
FTE Authorization	100.0	104.0	104.0	104.0	104.0

Personnel Agency Summary

Office of Public Defender

	FY 2025		FY 2026	
	FTE	Cost	FTE	Cost
Unclassified	104.0	9,425,189	104.0	10,023,925
Subtotal	104.0	9,425,189	104.0	10,023,925
Seasonal/Special Salaries/Wages		97,860		97,860
Turnover		(50,000)		(50,000)
Total Salaries		9,473,049		10,071,785
Benefits				
FICA		724,680		770,354
Health Benefits		1,704,116		1,814,506
Payroll Accrual		54,832		58,123
Retiree Health		369,384		324,159
Retirement		2,975,096		3,181,122
Subtotal		5,828,108		6,148,264
Total Salaries and Benefits	104.0	15,301,157	104.0	16,220,049
Cost Per FTE Position		147,127		155,962
Statewide Benefit Assessment		271,874		289,238
Payroll Costs	104.0	15,573,031	104.0	16,509,287
Purchased Services				
Buildings and Ground Maintenance		432		432
Clerical and Temporary Services		153,825		153,825
Legal Services		48,500		48,500
Other Contracts		44,750		44,750
Subtotal		247,507		247,507
Total Personnel	104.0	15,820,538	104.0	16,756,794
Distribution by Source of Funds				
General Revenue	104.0	15,820,538	104.0	16,756,794
Total All Funds	104.0	15,820,538	104.0	16,756,794

Personnel

Office of Public Defender

Central Management

		FY 2025		FY 2026	
		FTE	Cost	FTE	Cost
Unclassified					
ADMINISTRATIVE ASSISTANT	5420 A	2.0	125,552	2.0	130,575
ADMINISTRATIVE SECRETARY	5417 A	10.0	531,198	10.0	561,591
ADMINISTRATIVE SUPPORT SPECIALIST	0824 A	1.0	87,169	1.0	90,601
ADMINISTRATIVE SUPPORT SPECIALIST	5424 A	2.0	154,139	2.0	160,288
ASSISTANT PUBLIC DEFENDER	0837 A	8.0	874,770	8.0	940,587
ASSISTANT PUBLIC DEFENDER	0838 A	9.0	1,106,024	9.0	1,181,543
ASSISTANT PUBLIC DEFENDER I	0836 A	8.0	858,244	8.0	918,396
ASSISTANT PUBLIC DEFENDER II	0834 A	10.0	995,242	10.0	1,056,645
ASSISTANT PUBLIC DEFENDER II	0837 A	2.0	251,133	2.0	264,232
ASSISTANT PUBLIC DEFENDER III	0832 A	7.0	626,262	7.0	671,419
CASE MANAGEMENT COORDINATOR	5019 A	7.0	484,942	7.0	508,341
CHIEF INVESTIGATOR (PUBLIC DEFENDER)	0828 A	1.0	96,471	1.0	100,329
DEPUTY CHIEF INVESTIGATOR	5426 A	1.0	77,573	1.0	80,676
DEPUTY PUBLIC DEFENDER	0843 A	3.0	462,240	3.0	493,430
DIRECTOR OF PUBLIC INFORMATION	0839 A	1.0	128,714	1.0	133,863
EXECUTIVE ASSISTANT	0833 A	2.0	203,903	2.0	215,556
INVESTIGATOR I	5423 A	4.0	267,908	4.0	285,066
INVESTIGATOR II	5421 A	1.0	60,720	1.0	64,880
LEGAL SECRETARY I	5415 A	5.0	262,741	5.0	274,473
PROGRAM MANAGER	0828 A	1.0	78,686	1.0	85,736
PUBLIC DEFENDER	0845 A	1.0	164,035	1.0	177,091
SOCIAL SERVICES CASEWORKER	5021 A	6.0	389,119	6.0	416,742
STAFF ATTORNEY II	0830 A	9.0	734,409	9.0	791,712
STAFF ATTORNEY VII	0840 A	3.0	403,995	3.0	420,153
Subtotal Unclassified		104.0	9,425,189	104.0	10,023,925
Subtotal		104.0	9,425,189	104.0	10,023,925
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Performance Measures

Office of Public Defender

Central Management

Continuing Legal Education Attendance

The Office of 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.

	<i>Reporting Period: State Fiscal Year</i>				
<i>Frequency: Annual</i>	2022	2023	2024	2025	2026
Target	80%	80%	80%	80%	80%
Actual	83%	83%	77%	--	--

Misdemeanor Caseloads

Attorney caseload is a surrogate indicator of the quality of indigent legal representation provided. The American Bar Association (ABA) endorsed national caseload standards call for an attorney to handle no more than 400 misdemeanors per year, or 100 cases per quarter, which shall serve as the agency quarterly target. The figures below represent the average number of misdemeanor cases assigned annually to each attorney.

	<i>Reporting Period: State Fiscal Year</i>				
<i>Frequency: Annual</i>	2022	2023	2024	2025	2026
Target	400	400	400	400	400
Actual	947	890	705	--	--

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>				
<i>Frequency: Annual</i>	2022	2023	2024	2025	2026
Target	80%	80%	80%	80%	85%
Actual	87.88%	91.43%	91.30%	--	--
