

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

**OFFICE OF THE PUBLIC DEFENDER**

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## **Agency Summary**

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### **Office of Public Defender**

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#### **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

	2024 Actuals	2025 Actuals	2026 Enacted Budget	2026 Revised Budget	2027 Recommended
<b>Expenditures by Program</b>					
Central Management	14,758,303	16,688,668	18,263,714	18,274,809	18,850,924
<b>Total Expenditures</b>	<b>14,758,303</b>	<b>16,688,668</b>	<b>18,263,714</b>	<b>18,274,809</b>	<b>18,850,924</b>
<b>Expenditures by Object</b>					
Salary and Benefits	13,198,654	15,125,819	16,509,287	16,519,797	17,052,616
Contract Professional Services	168,777	238,715	253,507	251,507	241,007
Operating Supplies and Expenses	1,263,376	1,211,593	1,370,920	1,373,505	1,425,301
Assistance and Grants	88,146	90,108	85,000	85,000	85,000
<b>Subtotal: Operating</b>	<b>14,718,953</b>	<b>16,666,234</b>	<b>18,218,714</b>	<b>18,229,809</b>	<b>18,803,924</b>
Capital Purchases and Equipment	39,350	22,433	45,000	45,000	47,000
<b>Subtotal: Other</b>	<b>39,350</b>	<b>22,433</b>	<b>45,000</b>	<b>45,000</b>	<b>47,000</b>
<b>Total Expenditures</b>	<b>14,758,303</b>	<b>16,688,668</b>	<b>18,263,714</b>	<b>18,274,809</b>	<b>18,850,924</b>
<b>Expenditures by Source of Funds</b>					
General Revenue	14,670,121	16,598,499	18,178,679	18,189,774	18,765,889
Federal Funds	88,182	90,168	85,035	85,035	85,035
<b>Total Expenditures</b>	<b>14,758,303</b>	<b>16,688,668</b>	<b>18,263,714</b>	<b>18,274,809</b>	<b>18,850,924</b>
<b>FTE Authorization</b>	<b>104.0</b>	<b>104.0</b>	<b>104.0</b>	<b>104.0</b>	<b>105.0</b>

## Personnel Agency Summary

### Office of Public Defender

	FY 2026		FY 2027	
	FTE	Cost	FTE	Cost
Unclassified	104.0	9,961,487	105.0	10,575,317
<b>Subtotal</b>	<b>104.0</b>	<b>9,961,487</b>	<b>105.0</b>	<b>10,575,317</b>
Seasonal/Special Salaries/Wages		97,860		97,860
Turnover		(13,550)		(270,653)
<b>Total Salaries</b>		<b>10,045,797</b>		<b>10,402,524</b>
<b>Benefits</b>				
FICA		768,437		801,925
Health Benefits		1,861,522		1,994,818
Payroll Accrual		57,979		59,887
Retiree Health		323,311		319,852
Retirement		3,174,267		3,162,059
<b>Subtotal</b>		<b>6,185,516</b>		<b>6,338,541</b>
<b>Total Salaries and Benefits</b>	<b>104.0</b>	<b>16,231,313</b>	<b>105.0</b>	<b>16,741,065</b>
<b>Cost Per FTE Position</b>		<b>156,070</b>		<b>159,439</b>
Statewide Benefit Assessment		288,484		311,551
<b>Payroll Costs</b>	<b>104.0</b>	<b>16,519,797</b>	<b>105.0</b>	<b>17,052,616</b>
<b>Purchased Services</b>				
Buildings and Ground Maintenance		432		432
Clerical and Temporary Services		60,000		60,000
Legal Services		48,500		35,500
Management & Consultant Services		91,825		91,825
Other Contracts		44,750		47,250
Training and Educational Services		6,000		6,000
<b>Subtotal</b>		<b>251,507</b>		<b>241,007</b>
<b>Total Personnel</b>	<b>104.0</b>	<b>16,771,304</b>	<b>105.0</b>	<b>17,293,623</b>
<b>Distribution by Source of Funds</b>				
General Revenue	104.0	16,771,304	105.0	17,293,623
<b>Total All Funds</b>	<b>104.0</b>	<b>16,771,304</b>	<b>105.0</b>	<b>17,293,623</b>

# Personnel

## Office of Public Defender

### Central Management

		FY 2026		FY 2027	
		FTE	Cost	FTE	Cost
<b>Unclassified</b>					
ADMINISTRATIVE ASSISTANT	5420 A	2.0	130,575	2.0	134,492
ADMINISTRATIVE SECRETARY	5417 A	10.0	549,506	10.0	577,863
ADMINISTRATIVE SUPPORT SPECIALIST	0824 A	1.0	90,601	1.0	93,279
ADMINISTRATIVE SUPPORT SPECIALIST	5424 A	2.0	160,288	2.0	165,085
ASSISTANT PUBLIC DEFENDER	0837 A	10.0	1,198,620	10.0	1,264,876
ASSISTANT PUBLIC DEFENDER	0838 A	9.0	1,181,543	9.0	1,232,831
ASSISTANT PUBLIC DEFENDER I	0836 A	13.0	1,450,530	14.0	1,654,258
ASSISTANT PUBLIC DEFENDER II	0834 A	7.0	721,605	7.0	762,732
ASSISTANT PUBLIC DEFENDER III	0832 A	2.0	192,986	2.0	202,211
CASE MANAGEMENT COORDINATOR	5019 A	7.0	502,620	7.0	519,412
CHIEF INVESTIGATOR (PUBLIC DEFENDER)	0828 A	1.0	100,329	1.0	103,339
DEPUTY CHIEF INVESTIGATOR	5426 A	1.0	80,676	1.0	83,096
DEPUTY PUBLIC DEFENDER	0843 A	3.0	493,430	3.0	514,675
DIRECTOR OF PUBLIC INFORMATION	0839 A	1.0	133,863	1.0	137,879
EXECUTIVE ASSISTANT	0833 A	2.0	215,570	2.0	227,109
INVESTIGATOR I	5423 A	4.0	284,647	4.0	295,504
INVESTIGATOR II	5421 A	1.0	59,347	1.0	62,844
LEGAL SECRETARY I	5415 A	5.0	268,118	5.0	278,272
PROGRAM MANAGER	0828 A	1.0	85,753	1.0	89,860
PUBLIC DEFENDER	0845 A	1.0	177,115	1.0	184,938
SOCIAL SERVICES CASEWORKER	5021 A	6.0	417,156	6.0	440,806
STAFF ATTORNEY II	0830 A	12.0	1,046,456	12.0	1,117,197
STAFF ATTORNEY VII	0840 A	3.0	420,153	3.0	432,759
<b>Subtotal Unclassified</b>		<b>104.0</b>	<b>9,961,487</b>	<b>105.0</b>	<b>10,575,317</b>
<b>Subtotal</b>		<b>104.0</b>	<b>9,961,487</b>	<b>105.0</b>	<b>10,575,317</b>
Longevity Pay			231,744		239,479
Regular Wages			9,729,743		10,335,838
Seasonal/Special Salaries/Wages			97,860		97,860
Turnover			(13,550)		(270,653)
<b>Total Salaries</b>			<b>10,045,797</b>		<b>10,402,524</b>

# Personnel

## Office of Public Defender

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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>	2023	2024	2025	2026	2027
<b>Target</b>	80%	80%	80%	80%	80%
<b>Actual</b>	83%	77%	83%	--	--

##### 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>	2023	2024	2025	2026	2027
<b>Target</b>	400	400	400	400	400
<b>Actual</b>	890	705	699	--	--

##### 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>	2023	2024	2025	2026	2027
<b>Target</b>	80%	80%	80%	85%	85%
<b>Actual</b>	91.43%	91.30%	86.21%	--	--