

Public Safety Function Summary

Expenditures by Agency	2017 Actuals	2018 Actuals	2019 Enacted Budget	2019 Revised Budget	2020 Recommended
Office Of Public Defender	11,572,721	11,646,848	12,676,516	12,311,977	12,923,936
Total Expenditures	11,572,721	11,646,848	12,676,516	12,311,977	12,923,936
Expenditures by Object					
Salary and Benefits	10,377,323	10,371,084	11,272,586	10,923,107	11,565,442
Contract Professional Services	188,801	200,822	259,450	250,808	207,260
Operating Supplies and Expenses	930,295	999,839	1,052,980	1,046,562	1,055,234
Assistance And Grants	32,163	26,854	45,000	45,000	45,000
Subtotal: Operating	11,528,582	11,598,599	12,630,016	12,265,477	12,872,936
Capital Purchases And Equipment	44,139	48,249	46,500	46,500	51,000
Subtotal: Other	44,139	48,249	46,500	46,500	51,000
Total Expenditures	11,572,721	11,646,848	12,676,516	12,311,977	12,923,936
Expenditures by Source of Funds					
General Revenue	11,511,842	11,583,210	12,575,531	12,236,312	12,848,271
Federal Funds	60,879	63,638	100,985	75,665	75,665
Total Expenditures	11,572,721	11,646,848	12,676,516	12,311,977	12,923,936
FTE Authorization	93.0	93.0	95.0	95.0	96.0

Agency Summary

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.

Budget

OFFICE OF PUBLIC DEFENDER

	2017 Actuals	2018 Actuals	2019 Enacted Budget	2019 Revised Budget	2020 Recommended
Expenditures by Program					
Central Management	11,572,721	11,646,848	12,676,516	12,311,977	12,923,936
Total Expenditures	11,572,721	11,646,848	12,676,516	12,311,977	12,923,936
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Performance Measures

OFFICE OF PUBLIC DEFENDER

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. [Note: Missing values appear as zeros in the measure.]

<i>Frequency: Annual</i>	<i>Reporting Period: State Fiscal Year</i>				
	2016	2017	2018	2019	2020
Target	15.60%	16.00%	16.00%	16.00%	16.00%
Actual	15.60%	14.40%	15.41%	0.00%	

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. [Note: Missing values appear as zeros in the measure.]

<i>Frequency: Annual</i>	<i>Reporting Period: State Fiscal Year</i>				
	2016	2017	2018	2019	2020
Target	90.00%	80.00%	80.00%	80.00%	80.00%
Actual	90.00%	95.80%	92.86%	0.00%	

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. [Note: Missing values appear as zeros in the measure.]

<i>Frequency: Annual</i>	<i>Reporting Period: State Fiscal Year</i>				
	2016	2017	2018	2019	2020
Target	154.80	0.00	0.00	0.00	0.00
Actual	154.80	210.90	201.08	0.00	

Personnel

Agency: OFFICE OF PUBLIC DEFENDER

Central Management

		FY 2019		FY 2020	
		FTE	Cost	FTE	Cost
Unclassified					
ADMINISTRATIVE ASSISTANT	05420A	2.0	104,183	2.0	108,117
ADMINISTRATIVE SECRETARY	05417A	3.0	140,764	3.0	146,991
ADMINISTRATIVE SUPPORT SPECIALIST	00824A	1.0	59,157	1.0	61,391
ADMINISTRATIVE SUPPORT SPECIALIST	05424A	2.0	115,639	2.0	121,894
ASSISTANT PUBLIC DEFENDER I	00836A	5.0	498,114	5.0	521,138
ASSISTANT PUBLIC DEFENDER II	00834A	8.0	715,032	8.0	742,027
ASSISTANT PUBLIC DEFENDER III	00832A	12.0	995,128	12.0	1,033,971
ASSISTANT PUBLIC DEFENDER IV	00828A	11.0	718,286	11.0	768,787
CASE MANAGEMENT COORDINATOR	05019A	7.0	392,889	7.0	411,963
CASEWORK SUPERVISOR	00828A	1.0	62,055	1.0	66,699
CHIEF INVESTIGATOR (PUBLIC DEFENDER)	00828A	1.0	79,810	1.0	82,823
CHIEF/TRIAL DIVISION	00840A	1.0	109,257	1.0	118,727
DEPUTY CHIEF INVESTIGATOR	05426A	1.0	61,965	1.0	64,305
DEPUTY PUBLIC DEFENDER	00843A	1.0	138,807	1.0	144,047
DIRECTOR OF PUBLIC INFORMATION	00839A	1.0	106,486	1.0	110,506
EXECUTIVE ASSISTANT	00833A	1.0	92,476	1.0	95,967
FISCAL MANAGEMENT/ADMINISTRATIVE OFFICER	00829A	1.0	75,818	1.0	78,682
INVESTIGATOR I	05423A	4.0	237,439	4.0	247,948
INVESTIGATOR II	05421A	1.0	45,721	1.0	48,870
LEGAL SECRETARY I	05415A	7.0	282,000	7.0	297,648
LEGAL SECRETARY II	05413A	5.0	182,101	5.0	192,678
PUBLIC DEFENDER	00845A	1.0	156,432	1.0	162,339
SOCIAL SERVICES CASEWORKER	05021A	5.0	254,304	6.0	316,728
STAFF ATTORNEY II	00830A	9.0	655,817	9.0	689,384
STAFF ATTORNEY VII	00840A	2.0	233,956	2.0	242,792
SUPERVISING CLERK	00818A	1.0	42,809	1.0	45,551
TRAINER/ASSISTANT PUBLIC DEFENDER	00839A	1.0	127,783	1.0	132,607
Subtotal Unclassified		95.0	6,684,228	96.0	7,054,580
Subtotal		95.0	6,684,228	96.0	7,054,580
Seasonal/Special Salaries/Wages			60,976		63,280
Turnover			(125,000)		(100,000)
Total Salaries			6,620,204		7,017,860

Personnel

Agency: OFFICE OF PUBLIC DEFENDER

Central Management

	FY 2019		FY 2020	
	FTE	Cost	FTE	Cost
Benefits				
FICA		512,064		542,166
Health Benefits		1,196,192		1,239,016
Payroll Accrual		38,293		40,673
Retiree Health		390,214		460,046
Retirement		1,877,694		1,992,410
Subtotal		4,014,457		4,274,311
Total Salaries and Benefits	95.0	10,634,661	96.0	11,292,171
Cost Per FTE Position		111,944		117,627
Statewide Benefit Assessment		288,446		273,271
Payroll Costs	95.0	10,923,107	96.0	11,565,442
Purchased Services				
Buildings and Ground Maintenance		432		432
Clerical and Temporary Services		166,500		119,825
Legal Services		44,500		45,500
Other Contracts		39,376		41,503
Subtotal		250,808		207,260
Total Personnel	95.0	11,173,915	96.0	11,772,702
Distribution by Source of Funds				
General Revenue		11,143,320		11,742,107
Federal Funds		30,595		30,595
Total All Funds		11,173,915		11,772,702