



**Gina M. Raimondo,
Governor**

**State of Rhode Island and
Providence Plantations
Fiscal Year 2018
Budget**

**Volume IV – Public Safety, Natural
Resources and Transportation**

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.

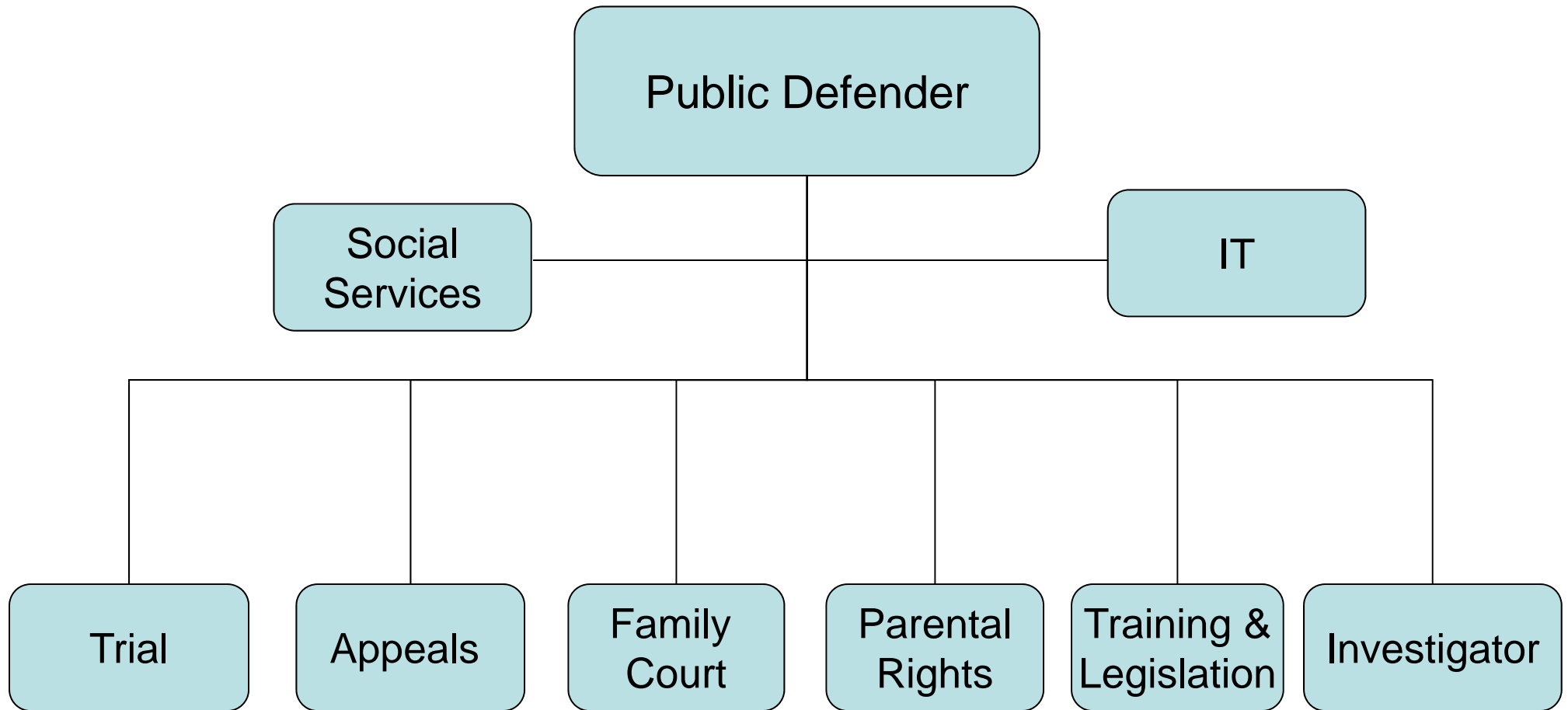
Budget

Office Of Public Defender

	FY 2015 Audited	FY 2016 Audited	FY 2017 Enacted	FY 2017 Revised	FY 2018 Recommend
Expenditures By Program					
Central Management	10,902,222	11,380,521	11,897,202	11,866,028	12,438,055
Total Expenditures	\$10,902,222	\$11,380,521	\$11,897,202	\$11,866,028	\$12,438,055
Expenditures By Object					
Personnel	9,869,259	10,368,739	10,771,263	10,755,089	11,315,393
Operating Supplies and Expenses	950,465	933,020	1,018,439	1,018,439	1,031,162
Assistance and Grants	40,464	31,136	60,000	45,000	45,000
Subtotal: Operating Expenditures	10,860,188	11,332,895	11,849,702	11,818,528	12,391,555
Capital Purchases and Equipment	42,034	47,626	47,500	47,500	46,500
Total Expenditures	\$10,902,222	\$11,380,521	\$11,897,202	\$11,866,028	\$12,438,055
Expenditures By Funds					
General Revenue	10,829,860	11,306,039	11,784,382	11,768,208	12,340,235
Federal Funds	72,362	74,482	112,820	97,820	97,820
Total Expenditures	\$10,902,222	\$11,380,521	\$11,897,202	\$11,866,028	\$12,438,055
FTE Authorization	93.0	93.0	93.0	93.0	94.0

The Agency

Rhode Island Public Defender



Personnel

Office Of Public Defender Central Management

	Grade	FY 2017		FY 2018		
		FTE	Cost	FTE	Cost	
Unclassified						
PUBLIC DEFENDER	00845A	1.0	151,472	1.0	151,472	
DEPUTY PUBLIC DEFENDER	00843A	1.0	134,405	1.0	134,505	
STAFF ATTORNEY VII	00840A	3.0	360,852	3.0	368,894	
TRAINER/ASSISTANT PUBLIC DEFENDER	00839A	2.0	231,995	2.0	231,995	
ASSISTANT PUBLIC DEFENDER	00837A	1.0	109,951	1.0	109,951	
DIRECTOR OF PUBLIC INFORMATION	00839A	1.0	103,109	1.0	103,109	
ASSISTANT PUBLIC DEFENDER I	00836A	4.0	402,144	4.0	402,529	
EXECUTIVE ASSISTANT	00833A	1.0	89,543	1.0	89,543	
ASSISTANT PUBLIC DEFENDER II	00834A	8.0	686,614	8.0	692,351	
ASSISTANT PUBLIC DEFENDER III	00832A	12.0	971,525	12.0	973,411	
CHIEF INVESTIGATOR (PUBLIC DEFENDER)	00828A	1.0	77,279	1.0	77,279	
CASEWORK SUPERVISOR	00826A	1.0	73,708	1.0	73,708	
FISCAL MANAGEMENT/ADMINISTRATIVE OFFICER	00829A	1.0	73,415	1.0	73,415	
STAFF ATTORNEY II	00830A	6.0	433,195	6.0	435,894	
ASSISTANT PUBLIC DEFENDER IV	00828A	11.0	704,708	12.0	791,386	
INVESTIGATOR I	05423A	4.0	243,740	4.0	243,740	
DEPUTY CHIEF INVESTIGATOR	05426A	1.0	60,339	1.0	60,339	
CASE MANAGEMENT COORDINATOR	05019A	5.0	285,976	5.0	285,976	
ADMINISTRATIVE SUPPORT SPECIALIST	05424A	2.0	113,091	2.0	115,287	
ADMINISTRATIVE SUPPORT SPECIALIST	00824A	1.0	54,584	1.0	57,281	
SOCIAL SERVICES CASEWORKER	05021A	5.0	255,967	5.0	262,416	
ADMINISTRATIVE ASSISTANT	05420A	2.0	101,609	2.0	101,609	
INVESTIGATOR II	05421A	1.0	44,363	1.0	45,655	
ADMINISTRATIVE SECRETARY	05417A	4.0	176,834	4.0	176,117	
SUPERVISING CLERK	00818A	1.0	42,422	1.0	43,443	
LEGAL SECRETARY I	05415A	8.0	329,378	8.0	330,912	
LEGAL SECRETARY II	05413A	5.0	180,833	5.0	184,604	
Subtotal		93.0	\$6,493,051	94.0	\$6,616,821	
Temporary and Seasonal		-	57,328	-	57,328	
Turnover		-	(165,259)	-	(145,180)	
Subtotal		-	(\$107,931)	-	(\$87,852)	
Total Salaries		93.0	\$6,385,120	94.0	\$6,528,969	
Benefits						
Payroll Accrual			37,158		37,667	
FICA			484,920		504,174	
Retiree Health			376,437		390,590	
Health Benefits			1,212,153		1,377,505	
Retirement			1,720,152		1,758,874	
Subtotal			\$3,830,820		\$4,068,810	

Personnel

Office Of Public Defender Central Management

	Grade	FY 2017		FY 2018	
		FTE	Cost	FTE	Cost
Total Salaries and Benefits		93.0	\$10,215,940	94.0	\$10,597,779
Cost Per FTE Position (Excluding Temporary and Seasonal)			\$109,232		\$112,132
Statewide Benefit Assessment			\$283,336		\$276,329
Payroll Costs		93.0	\$10,499,276	94.0	\$10,874,108
Purchased Services					
Clerical and Temporary Services			172,500		366,500
Legal Services			54,000		40,500
Other Contracts			28,881		33,853
Buildings and Ground Maintenance			432		432
Subtotal			\$255,813		\$441,285
Total Personnel		93.0	\$10,755,089	94.0	\$11,315,393
Distribution By Source Of Funds					
General Revenue		93.0	\$10,702,339	94.0	\$11,262,643
Federal Funds		-	\$52,750	-	\$52,750
Total All Funds		93.0	\$10,755,089	94.0	\$11,315,393

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.

	2014	2015	2016	2017	2018
Target	13%	14%	15%	16%	16%
Actual	12%	16.9%	15.6%	--	--

Performance for this measure is reported by state fiscal year.

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.

	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Actual	163.5%	162.1%	154.8%	--	--

Performance for this measure is reported by state fiscal year.

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.

	2014	2015	2016	2017	2018
Target	80%	80%	80%	80%	80%
Actual	74%	93.8%	90%	--	--

Performance for this measure is reported by state fiscal year.