

State of Rhode Island and Providence Plantations

Fiscal Year 2019 Budget



Volume IV – Public Safety, Natural Resources
and Transportation

Gina M. Raimondo, Governor

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.

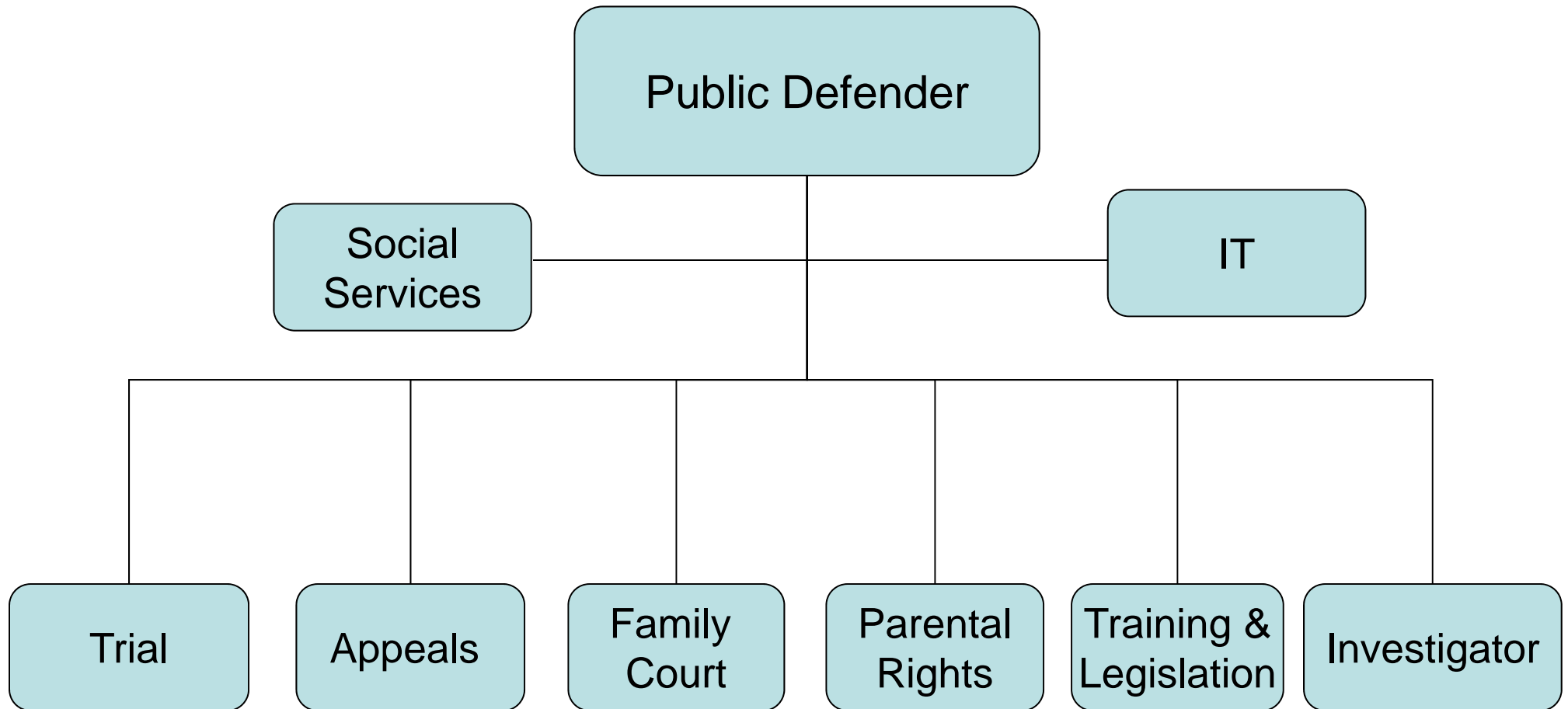
Budget

OFFICE OF PUBLIC DEFENDER

	2016 Actuals	2017 Actuals	2018 Enacted Budget	2018 Revised Budget	2019 Recommended
Expenditures by Program					
Central Management	11,380,521	11,572,721	12,140,826	11,926,561	12,401,872
Total Expenditures	11,380,521	11,572,721	12,140,826	11,926,561	12,401,872
Expenditures by Object					
Salary And Benefits	10,144,313	10,377,324	10,761,879	10,514,339	10,997,942
Contract Professional Services	224,426	188,796	256,285	254,767	259,450
Operating Supplies And Expenses	933,020	930,300	1,031,162	1,065,955	1,052,980
Assistance And Grants	31,136	32,162	45,000	45,000	45,000
Subtotal: Operating	11,332,895	11,528,582	12,094,326	11,880,061	12,355,372
Capital Purchases And Equipment	47,626	44,139	46,500	46,500	46,500
Subtotal: Other	47,626	44,139	46,500	46,500	46,500
Total Expenditures	11,380,521	11,572,721	12,140,826	11,926,561	12,401,872
Expenditures by Source of Funds					
General Revenue	11,306,039	11,511,842	12,043,006	11,825,576	12,300,887
Federal Funds	74,482	60,879	97,820	100,985	100,985
Total Expenditures	11,380,521	11,572,721	12,140,826	11,926,561	12,401,872
FTE Authorization	93.0	93.0	93.0	93.0	95.0

The Agency

Rhode Island Public Defender



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>Reporting Period: State Fiscal Year</i>				
<i>Frequency: Quarterly</i>	2015	2016	2017	2018	2019
Target	16.90%	15.00%	16.00%	16.00%	16.00%
Actual	16.90%	15.60%	14.40%	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>Reporting Period: State Fiscal Year</i>				
<i>Frequency: Quarterly</i>	2015	2016	2017	2018	2019
Target	93.80%	80.00%	80.00%	80.00%	80.00%
Actual	93.80%	90.00%	95.80%	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>Reporting Period: State Fiscal Year</i>				
<i>Frequency: Annual</i>	2015	2016	2017	2018	2019
Target	162.10	0.00	0.00	0.00	0.00
Actual	162.10	154.80	210.90	0.00	

Personnel

Agency: OFFICE OF PUBLIC DEFENDER

Central Management

	FY 2018		FY 2019	
	FTE	Cost	FTE	Cost
Unclassified				
ADMINISTRATIVE ASSISTANT	2.0	101,609	3.0	101,609
ADMINISTRATIVE SECRETARY	3.0	142,506	3.0	142,506
ADMINISTRATIVE SUPPORT SPECIALIST	3.0	174,186	4.0	174,186
ASSISTANT PUBLIC DEFENDER	1.0	109,951	1.0	109,951
ASSISTANT PUBLIC DEFENDER I	4.0	415,815	4.0	415,815
ASSISTANT PUBLIC DEFENDER II	7.0	607,918	7.0	607,918
ASSISTANT PUBLIC DEFENDER III	12.0	967,477	12.0	973,411
ASSISTANT PUBLIC DEFENDER IV	12.0	775,281	12.0	777,089
CASE INTAKE COORDINATOR	1.0	31,869	1.0	31,869
CASE MANAGEMENT COORDINATOR	5.0	285,975	5.0	285,975
CASEWORK SUPERVISOR	1.0	73,708	1.0	73,708
CHIEF INVESTIGATOR (PUBLIC DEFENDER)	1.0	77,279	1.0	77,279
CHIEF/TRIAL DIVISION	1.0	126,753	1.0	126,753
CLERICAL	0.0	60,224	0.0	0
DEPUTY CHIEF INVESTIGATOR	1.0	60,339	1.0	60,339
DEPUTY PUBLIC DEFENDER	1.0	134,405	1.0	134,405
DIRECTOR OF PUBLIC INFORMATION	1.0	103,109	1.0	103,109
EXECUTIVE ASSISTANT	1.0	89,543	1.0	89,543
FISCAL MANAGEMENT/ADMINISTRATIVE OFFICER	1.0	73,415	1.0	73,415
INVESTIGATOR I	3.0	182,780	3.0	182,780
INVESTIGATOR II	2.0	91,879	2.0	91,879
LEGAL SECRETARY I	8.0	316,244	8.0	316,244
LEGAL SECRETARY II	5.0	177,006	5.0	177,006
PUBLIC DEFENDER	1.0	151,472	1.0	151,472
SOCIAL SERVICES CASEWORKER	5.0	261,125	5.0	261,125
STAFF ATTORNEY II	6.0	435,894	6.0	435,894
STAFF ATTORNEY IV	1.0	84,433	1.0	84,433
STAFF ATTORNEY VII	1.0	129,450	1.0	129,450
SUPERVISING CLERK	1.0	44,763	1.0	44,763
TRAINER/ASSISTANT PUBLIC DEFENDER	2.0	237,000	2.0	237,000
Subtotal Unclassified	93.0	6,523,407	95.0	6,470,925
Subtotal	93.0	6,523,407	95.0	6,470,925
Salaries Adjustment		0		514,399
Seasonal/Special Salaries/Wages		0		(275,395)
Turnover		(104,170)		(99,540)
Total Salaries		6,419,237		6,610,392

Personnel

Agency: OFFICE OF PUBLIC DEFENDER

Central Management

	FY 2018		FY 2019	
	FTE	Cost	FTE	Cost
Benefits				
FICA		487,825		507,611
Health Benefits		1,212,773		1,364,437
Payroll Accrual		38,838		32,679
Retiree Health		377,922		395,938
Retirement		1,712,314		1,826,958
Subtotal		3,829,672		4,127,623
Total Salaries and Benefits	93.0	10,248,909	95.0	10,738,015
Cost Per FTE Position (Excluding Temp. and Seasonal)		110,203		113,031.74
Statewide Benefit Assessment		265,430		259,927
Payroll Costs	93.0	10,514,339	95.0	10,997,942
Purchased Services				
Buildings and Ground Maintenance		432		432
Clerical and Temporary Services		172,200		184,500
Legal Services		45,500		40,500
Other Contracts		36,635		34,018
Subtotal		254,767		259,450
Total Personnel	93.0	10,769,106	95.0	11,257,392
Distribution by Source of Funds				
General Revenue		10,713,191		11,201,477
Federal Funds		55,915		55,915
Total All Funds		10,769,106		11,257,392

