

# **OFFICE OF THE STATE PUBLIC DEFENDER**

## **FISCAL YEAR 2024-25 BUDGET REQUEST**



**Megan A. Ring,**  
**COLORADO STATE PUBLIC DEFENDER**  
November 1, 2023



## OFFICE OF THE STATE PUBLIC DEFENDER

MEGAN A. RING  
STATE PUBLIC DEFENDER

November 01, 2023

To the Members of the Joint Budget Committee of the Colorado General Assembly:

Thank you for considering the Office of the State Public Defender (OSPD) budget request for FY 2024-2025. We recognize that each budget year presents difficult and significant challenges for the state. The OSPD continues to work diligently to ensure that this request contains the necessary and achievable budgetary needs of our agency to meet our constitutional and statutory mandates.

In 1963, the United States Supreme Court ruled that states are required to provide counsel for the indigent accused in criminal cases. The court stated that:

[f]rom the very beginning, our state and national constitutions and laws have laid a great emphasis on the procedural and substantive safeguards designed to assure fair trials before impartial tribunals in which every defendant stands equal before the law. This noble ideal cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him.

*Gideon v. Wainwright*, 372 US 335, 344 (1963).

In 1970, the Colorado General Assembly created a statewide system of providing counsel for the indigent accused. The OSPD's enabling statute requires our agency to serve clients

independently of any political considerations or private interests, provide legal services to indigent persons accused of crime that are commensurate with those available to non-indigents, and conduct the office in accordance with the Colorado Rules of Professional Conduct and with the American Bar Association standards relating to the administration of criminal justice, the defense function.

*Section 21-1-102 (1), C.R.S.*

To fulfill this statutory mandate, the OSPD staffs 21 regional trial offices, serving clients in each of Colorado's 22 judicial districts and all of Colorado's 64 counties. A central Appellate Division represents clients on appeal to the Colorado Court of Appeals and the Colorado Supreme Court. The OSPD Central Administrative Office provides administrative support (including IT, finance, budget, human resources, and training) to these 22 offices. The central office also provides leadership and guidance for all offices to ensure that each remains mission-driven and upholds the necessary standards of legal representation. Because we are a direct service agency, 85% of our budget is spent on personal services, with the remaining 15% supporting mandated and operational costs.

I remain extremely proud of the work of all Defenders – their work ethic, dedication to the OSPD mission, and willingness to handle the daily challenges of serving our client population. Justice has always been an

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illusory concept for the poor and disenfranchised. Recent events highlighting the racism and classism in the criminal legal system challenge even further confidence in law enforcement and court systems. Public defenders serve as an important counterbalance to these powerful influences. More fundamentally, because of these barriers, the public defender must do extra work to create trust with their clients, demand humane treatment for them, and ensure they receive due process. A well-functioning and properly staffed public defender system is essential to a more just Colorado.

The focus of our FY 2023-24 budget submission was salary increases for our staff. An independent salary survey demonstrated that the OSPD salaries were below market in every category and significantly below market in some positions. The increase in funding awarded for salaries had a positive impact on our agency, helping to retain experienced public defenders, and providing them a transparent, predictable, and market-based compensation plan.

This year, in preparation for this budget request, the Central Administrative Office studied the biggest challenges our defenders face. Dynamic factors that are expanding and challenging the criminal legal system are also increasing public defender workload. As we have detailed before, statutorily mandated body worn camera and the changing landscape of discovery in criminal cases continues to create more work for our individual defenders, as well as the central office. The increase in prosecutions of people with mental and behavioral challenges, who are overwhelmingly represented by public defenders, is bloating our criminal legal system. Many of our most vulnerable clients remain logjammed in a collapsed competency-to-proceed process causing some to be incarcerated for unconstitutional time periods. Public defenders must provide specialized and time-consuming representation for these clients who have been failed by Colorado's behavioral health system. Increased staffing will be necessary to address these and other persistent and growing challenges.

OSPD appreciates your consideration of our budget request and your willingness to understand the unique challenges that defenders face every day. We look forward to discussing our agency and answering your questions during the budget process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan A. Ring', with a stylized flourish at the end.

Megan A. Ring  
Colorado State Public Defender

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# **BUDGET SUMMARY**

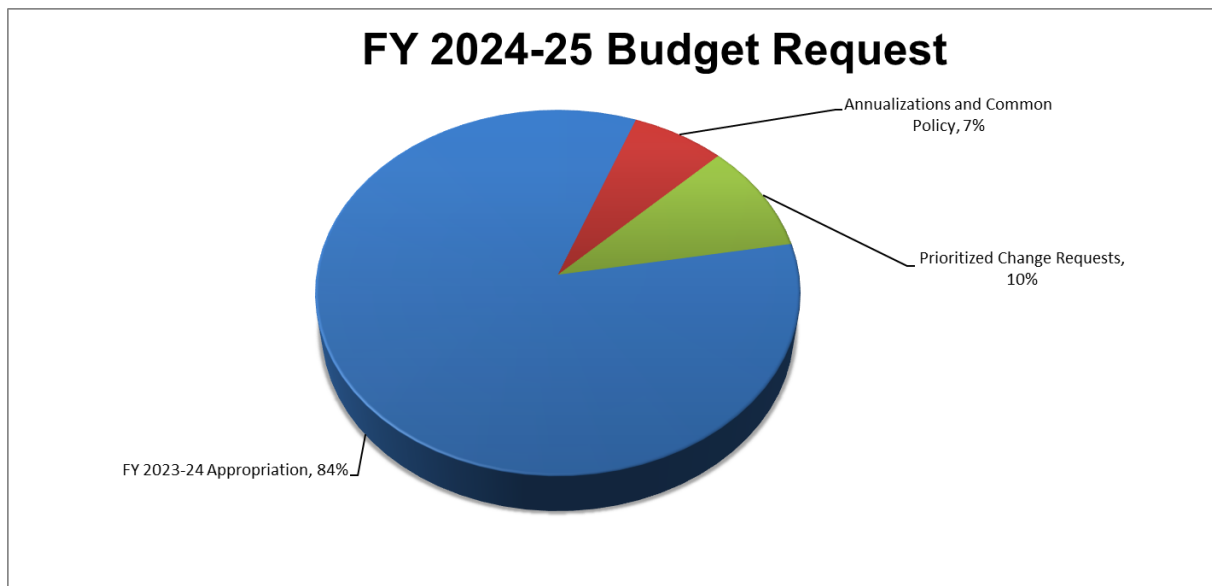
## Office of the State Public Defender FY 2024-25 Budget Summary

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The total FY 2024-25 budget request for the Office of the State Public Defender (OSPD) is \$ 186,370,774 and 1,259.1 FTE. We are asking for three prioritized Change Requests in our FY 2024-25 Budget Request.

- **FY 2023-24 Appropriation of \$ 155,673,494**  
PLUS Annualizations of \$ 1,483,895  
PLUS Common Policy of \$ 11,284,712
- **FY 2024-25 Base Request of \$ 168,442,101**  
PLUS Change Request #1 for \$14,688,343  
PLUS Change Request #2 for \$2,945,761  
PLUS Change Request #3 for \$294,569

**FY 2024-25 Budget Request of \$ 186,370,774**



**Office of the State Public Defender**  
**FY 2024-25 Budget Change Summary - by Fund Source**

	FTE	Total	GF	CF	FF
<b>Long Bill</b>					
S.B. 23-214 Office of the State Public Defender	1,098.7	\$ 155,572,694	\$ 155,417,694	\$ 155,000	\$ -
			1097.6 FTE	1.1 FTE	
<b>Special Bills</b>					
Special Bill, S.B. 23-1012	-	\$ 100,800	\$ 100,800	\$ -	\$ -
<b>Total FY2023-24 Appropriation</b>	<b>1,098.7</b>	<b>\$ 155,673,494</b>	<b>\$ 155,518,494</b>	<b>\$ 155,000</b>	<b>\$ -</b>
<b>Prior Year Budget Change Annualizations</b>					
Annualization Prior Year Capital Outlay		\$ (281,350)	\$ (281,350)	\$ -	\$ -
Annualization FY23 #R-1, Public Defense in the Digital Age	0.2	\$ 14,111	\$ 14,111	\$ -	\$ -
Annualization FY23 #R-2, Paralegal Staff Request	3.2	\$ 172,757	\$ 172,757	\$ -	\$ -
Annualization FY24 #R-3, Central Staff	0.4	\$ 41,338	\$ 41,338	\$ -	\$ -
<b>Total Prior Year Budget Change Annualizations</b>	<b>3.8</b>	<b>\$ (53,144)</b>	<b>\$ (53,144)</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Special Bill Annualizations</b>					
Special Bill, S.B. 23-1012	-	\$ 19,200	\$ 19,200	\$ -	\$ -
<b>Total Special Bill Annualizations</b>	<b>-</b>	<b>\$ 19,200</b>	<b>\$ 19,200</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Step/Grade Adjustment and Salary Survey</b>					
Annualization Step/Grade Adjustment, #R-1/#BA-1, Comp Plan Maintenance	-	\$ 1,453,463	\$ 1,453,463	\$ -	\$ -
Annualization Salary Survey, #R-1/#BA-1, Comp Plan Maintenance	-	\$ 64,376	\$ 64,376	\$ -	\$ -
FY 2024-25 Step/Grade Adjustment	-	\$ 3,773,303	\$ 3,773,303	\$ -	\$ -
FY 2024-25 Salary Survey Increase	-	\$ 3,434,832	\$ 3,434,832	\$ -	\$ -
<b>Total Salary Survey</b>	<b>-</b>	<b>\$ 8,725,974</b>	<b>\$ 8,725,974</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Common Policy Adjustments</b>					
Health Life Dental Increase	-	\$ 543,822	\$ 543,822	\$ -	\$ -
Short Term Disability Increase	-	\$ 3,110	\$ 3,110	\$ -	\$ -
AED Increase	-	\$ 432,431	\$ 432,431	\$ -	\$ -
SAED Increase	-	\$ 432,431	\$ 432,431	\$ -	\$ -
Family and Medical Leave Insurance Program	-	\$ 482,725	\$ 482,725	\$ -	\$ -
PERA Direct Distribution		\$ 1,596,769	\$ 1,596,769	\$ -	\$ -
NP-1 Common Policy Adjustment - Annual Fleet Vehicle Request	-	\$ 17,560	\$ 17,560	\$ -	\$ -
Lease Escalator	-	\$ 567,729	\$ 567,729	\$ -	\$ -
<b>Total Common Policy Adjustments</b>	<b>-</b>	<b>\$ 4,076,577</b>	<b>\$ 4,076,577</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total FY 2024-25 Base Request</b>	<b>1102.5</b>	<b>\$ 168,442,101</b>	<b>\$ 168,287,101</b>	<b>\$ 155,000</b>	<b>\$ -</b>
<b>Budget Change Requests</b>					
#R-1, Attorney FTE	128.0	\$ 14,688,343	\$ 14,688,343	\$ -	\$ -
#R-2, Social Workers and Client Advocates	27.6	\$ 2,945,761	\$ 2,945,761	\$ -	\$ -
#R-3, Digital Discovery	1.0	\$ 294,569	\$ 294,569	\$ -	\$ -
<b>Total Decision Items/Budget Amendments</b>	<b>156.6</b>	<b>\$ 17,928,673</b>	<b>\$ 17,928,673</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total FY 2024-25 Budget Request</b>	<b>1259.1</b>	<b>\$ 186,370,774</b>	<b>\$ 186,215,774</b>	<b>\$ 155,000</b>	<b>\$ -</b>
# / \$\$ change from FY 2023-24	160.4	\$ 30,697,280	\$ 30,697,280	\$ -	\$ -
% change from FY 2023-24	14.5%	18.2%	18.2%	0.0%	0.0%

Office of the State Public Defender							
FY 2024-25 Reconciliation of Department Request, by Long Bill Group							
	Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Personal Services							
	FY 2023-24 Long Bill, S.B. 23-214	\$96,197,556	1097.6	\$96,197,556	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$96,197,556</b>	<b>1097.6</b>	<b>\$96,197,556</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	FY 2023-24 Step/Grade Adjustment & Salary Survey allocated to Personal Services	\$16,158,336	0.0	\$16,158,336	\$0	\$0	\$0
	Annualization FY23 #R-1, Public Defense in the Digital Age	\$14,111	0.2	\$14,111	\$0	\$0	\$0
	Annualization FY23 #R-2, Paralegal Staff Request	\$172,757	3.2	\$172,757	\$0	\$0	\$0
	Annualization FY24 #R-3, Central Staff	\$40,788	0.4	\$40,788	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$112,583,548</b>	<b>1101.4</b>	<b>\$112,583,548</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$10,324,337	128.0	\$10,324,337	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$1,888,035	27.6	\$1,888,035	\$0	\$0	\$0
	#R-3, Digital Discovery	\$140,710	1.0	\$140,710	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$124,936,631</b>	<b>1258.0</b>	<b>\$124,936,631</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Health Life and Dental							
	FY 2023-24 Long Bill, S.B. 23-214	\$12,944,641	0.0	\$12,944,641	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$12,944,641</b>	<b>0.0</b>	<b>\$12,944,641</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Total Compensation Common Policy (incremental change)	\$543,822	0.0	\$543,822	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$13,488,463</b>	<b>0.0</b>	<b>\$13,488,463</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$1,520,000	0.0	\$1,520,000	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$327,749	0.0	\$327,749	\$0	\$0	\$0
	#R-3, Digital Discovery	\$11,500	0.0	\$11,500	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$15,347,712</b>	<b>0.0</b>	<b>\$15,347,712</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Short Term Disability							
	FY 2023-24 Long Bill, S.B. 23-214	\$157,798	0.0	\$157,798	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$157,798</b>	<b>0.0</b>	<b>\$157,798</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Total Compensation Common Policy (incremental change)	\$3,110	0.0	\$3,110	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$160,908</b>	<b>0.0</b>	<b>\$160,908</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$13,702	0.0	\$13,702	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$2,506	0.0	\$2,506	\$0	\$0	\$0
	#R-3, Digital Discovery	\$187	0.0	\$187	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$177,303</b>	<b>0.0</b>	<b>\$177,303</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
AED							
	FY 2023-24 Long Bill, S.B. 23-214	\$4,931,186	0.0	\$4,931,186	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$4,931,186</b>	<b>0.0</b>	<b>\$4,931,186</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Total Compensation Common Policy (incremental change)	\$432,431	0.0	\$432,431	\$0	\$0	\$0



<b>Office of the State Public Defender</b>							
FY 2024-25 Reconciliation of Department Request, by Long Bill Group							
	Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
	<b>FY 2024-25 Base Request</b>	<b>\$5,363,617</b>	<b>0.0</b>	<b>\$5,363,617</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$456,748	0.0	\$456,748	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$83,527	0.0	\$83,527	\$0	\$0	\$0
	#R-3, Digital Discovery	\$6,225	0.0	\$6,225	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$5,910,117</b>	<b>0.0</b>	<b>\$5,910,117</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>SAED</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$4,931,186	0.0	\$4,931,186	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$4,931,186</b>	<b>0.0</b>	<b>\$4,931,186</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Total Compensation Common Policy (incremental change)	\$432,431	0.0	\$432,431	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$5,363,617</b>	<b>0.0</b>	<b>\$5,363,617</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$456,748	0.0	\$456,748	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$83,527	0.0	\$83,527	\$0	\$0	\$0
	#R-3, Digital Discovery	\$6,225	0.0	\$6,225	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$5,910,117</b>	<b>0.0</b>	<b>\$5,910,117</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FAMLI</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$0	0.0	\$0	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Total Compensation Common Policy (incremental change)	\$482,725	0.0	\$482,725	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$482,725</b>	<b>0.0</b>	<b>\$482,725</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$41,107	0.0	\$41,107	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$7,517	0.0	\$7,517	\$0	\$0	\$0
	#R-3, Digital Discovery	\$560	0.0	\$560	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$531,910</b>	<b>0.0</b>	<b>\$531,910</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Step/Grade Adjustment &amp; Salary Survey</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$16,158,336	0.0	\$16,158,336	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$16,158,336</b>	<b>0.0</b>	<b>\$16,158,336</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	FY 2021-22 Salary Survey allocated to Personal Services	(\$16,158,336)	0.0	(\$16,158,336)	\$0	\$0	\$0
	Annualization Step/Grade Adjustment, #R-1/#BA-1, Comp Plan Maintenance	\$1,453,463	0.0	\$1,453,463	\$0	\$0	\$0
	Annualization Salary Survey, #R-1/#BA-1, Comp Plan Maintenance	\$64,376	0.0	\$64,376	\$0	\$0	\$0
	Total Compensation Common Policy, Step/Grade Adjustment	\$3,773,303	0.0	\$3,773,303	\$0	\$0	\$0
	Total Compensation Common Policy, Salary Survey	\$3,434,832	0.0	\$3,434,832	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$8,725,974</b>	<b>0.0</b>	<b>\$8,725,974</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 November 01 Request</b>	<b>\$8,725,974</b>	<b>0.0</b>	<b>\$8,725,974</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>PERA Direct Distribution</b>							

Office of the State Public Defender							
FY 2024-25 Reconciliation of Department Request, by Long Bill Group							
	Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
	FY 2023-24 Long Bill, S.B. 23-214	\$277,101	0.0	\$277,101	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$277,101</b>	<b>0.0</b>	<b>\$277,101</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Total Compensation Common Policy (incremental change)	\$1,596,769	0.0	\$1,596,769	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$1,873,870</b>	<b>0.0</b>	<b>\$1,873,870</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 November 01 Request</b>	<b>\$1,873,870</b>	<b>0.0</b>	<b>\$1,873,870</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Operating Expenses							
	FY 2023-24 Long Bill, S.B. 23-214	\$2,204,423	0.0	\$2,174,423	\$30,000	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$2,204,423</b>	<b>0.0</b>	<b>\$2,174,423</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
	Annualization FY24 #R-3, Central Staff	\$550	0.0	\$550	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$2,204,973</b>	<b>0.0</b>	<b>\$2,174,973</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$121,600	0.0	\$121,600	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$36,100	0.0	\$36,100	\$0	\$0	\$0
	#R-3, Digital Discovery	\$950	0.0	\$950	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$2,363,623</b>	<b>0.0</b>	<b>\$2,333,623</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
Vehicle Lease Payments							
	FY 2023-24 Long Bill, S.B. 23-214	\$99,192	0.0	\$99,192	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$99,192</b>	<b>0.0</b>	<b>\$99,192</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#NP-1, Common Policy - Annual Vehicle Lease Request	\$17,560	\$0	\$17,560	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$116,752</b>	<b>0.0</b>	<b>\$116,752</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 November 01 Request</b>	<b>\$116,752</b>	<b>0.0</b>	<b>\$116,752</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Capital Outlay							
	FY 2023-24 Long Bill, S.B. 23-214	\$281,350	0.0	\$281,350	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$281,350</b>	<b>0.0</b>	<b>\$281,350</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Annualization from Prior Year	(\$281,350)	0.0	(\$281,350)	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$853,760	0.0	\$853,760	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$253,460	0.0	\$253,460	\$0	\$0	\$0
	#R-3, Digital Discovery	\$6,670	0.0	\$6,670	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$1,113,890</b>	<b>0.0</b>	<b>\$1,113,890</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Leased Space / Utilities							
	FY 2023-24 Long Bill, S.B. 23-214	\$8,952,480	0.0	\$8,952,480	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$8,952,480</b>	<b>0.0</b>	<b>\$8,952,480</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Lease Escalator	\$567,729	0.0	\$567,729	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$9,520,209</b>	<b>0.0</b>	<b>\$9,520,209</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Office of the State Public Defender</b>							
FY 2024-25 Reconciliation of Department Request, by Long Bill Group							
	Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
	#R-1, Attorney FTE	\$844,800	0.0	\$844,800	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$250,800	0.0	\$250,800	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$10,615,809</b>	<b>0.0</b>	<b>\$10,615,809</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Automation Plan</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$3,452,419	0.0	\$3,452,419	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$3,452,419</b>	<b>0.0</b>	<b>\$3,452,419</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 Base Request</b>	<b>\$3,452,419</b>	<b>0.0</b>	<b>\$3,452,419</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$42,240	0.0	\$42,240	\$0	\$0	\$0
	#R-2, Social Workers and Client Advocates	\$12,540	0.0	\$12,540	\$0	\$0	\$0
	#R-3, Digital Discovery	\$121,542	0.0	\$121,542	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$3,628,741</b>	<b>0.0</b>	<b>\$3,628,741</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Attorney Registration</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$156,634	0.0	\$156,634	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 Base Request</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	#R-1, Attorney FTE	\$13,300	0.0	\$13,300	\$0	\$0	\$0
	<b>FY 2024-25 November 01 Request</b>	<b>\$169,934</b>	<b>0.0</b>	<b>\$169,934</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Contract Services</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$49,395	0.0	\$49,395	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 Base Request</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 November 01 Request</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Mandated Costs</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$4,303,997	0.0	\$4,303,997	\$0	\$0	\$0
	Special Bill, S.B. 23-1012	\$100,800	0.0	\$100,800	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$4,404,797</b>	<b>0.0</b>	<b>\$4,404,797</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	Annualization Special Bill, S.B. 23-1012	\$19,200	0.0	\$19,200	\$0	\$0	\$0
	<b>FY 2024-25 Base Request</b>	<b>\$4,423,997</b>	<b>0.0</b>	<b>\$4,423,997</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 November 01 Request</b>	<b>\$4,423,997</b>	<b>0.0</b>	<b>\$4,423,997</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Training- New Line</b>							
	FY 2023-24 Long Bill, S.B. 23-214	\$350,000	0.0	\$350,000	\$0	\$0	\$0
	<b>FY 2023-24 Appropriation</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25 Base Request</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Office of the State Public Defender							
FY 2024-25 Reconciliation of Department Request, by Long Bill Group							
	Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
	FY 2024-25 November 01 Request	\$350,000	0.0	\$350,000	\$0	\$0	\$0
	Grants						
	FY 2023-24 Long Bill, S.B. 23-214	\$125,000	1.1	\$0	\$125,000	\$0	\$0
	FY 2023-24 Appropriation	\$125,000	1.1	\$0	\$125,000	\$0	\$0
	FY 2024-25 Base Request	\$125,000	1.1	\$0	\$125,000	\$0	\$0
	FY 2024-25 November 01 Request	\$125,000	1.1	\$0	\$125,000	\$0	\$0
FY 2023-24 Total Appropriation (Long Bill plus Special Bills)		\$155,673,494	1098.7	\$155,518,494	\$155,000	\$0	\$0
FY 2024-25 Base Request		\$168,442,101	1102.5	\$168,287,101	\$155,000	\$0	\$0
FY 2024-25 November 01 Request		\$186,370,774	1259.1	\$186,215,774	\$155,000	\$0	\$0
	Change FY 2023-24 Appropriation to FY 2024-25 Base Request	\$12,768,607	3.8	\$12,768,607	\$0	\$0	\$0
	Change FY 2024-25 Base Request to FY 2024-25 Nov 01 Request	\$17,928,673	156.6	\$17,928,673	\$0	\$0	\$0
	Percent Changes	10.6%	0.1	10.7%	0.0%	0.0%	0.0%

## **AGENCY HIGHLIGHTS**

## **AGENCY STATEMENT**

### **Mission**

The mission of the Office of the State Public Defender is to defend and protect the rights, liberties, and dignity of those accused of crimes who cannot afford to retain counsel. We do so by providing constitutionally and statutorily mandated representation that is effective, zealous, inspired and compassionate.

### **Vision**

It is the vision of the Office of the State Public Defender that every OSPD client served receives excellent legal representation through the delivery of high-quality legal services and compassionate support from a team of dedicated Public Defenders.

### **Primary Performance Objectives**

*Goal 1:* to provide effective attorney services and advocacy in both the trial and appellate courts throughout Colorado for indigent clients.

*Goal 2:* to hire and retain enough quality staff to effectively manage the ever-increasing workload in each office in the state.

*Goal 3:* to provide a high quality and quantity of staff development, training, technology support and other resources to adapt our response to the constantly changing criminal legal system so that our advocacy and legal services are commensurate with those for non-indigent people as required by the OSPD statutes.

## **PROGRAM DESCRIPTION**

### **Brief History of Defender Services in Colorado**

In 1963, the United States Supreme Court issued *Gideon v. Wainwright*, 372 US 335 (1963), ensuring the right of the indigent accused to representation of counsel in criminal cases. During this same year, the Colorado General Assembly passed the Colorado Defender Act in response to the Supreme Court's decision in *Gideon*. This act let Colorado counties either establish a public defender's office or remain under the previous ad hoc system of appointing counsel for indigent people accused of criminal offenses. Four county public defender offices were established under the act in Denver, Brighton, Pueblo, and Durango.

In 1969, the General Assembly passed the Administrative Reorganization Act. Pursuant to this act, the state assumed oversight of the court system which had responsibility for the

appointment and funding of counsel for indigent defendants. The Office of the State Public Defender was created by statute and became an independent agency in 1970.

### **Core Functions**

The Office of the State Public Defender (OSPD) is a single purpose program devoted to providing effective and zealous criminal defense representation to indigent people charged in criminal cases. Our clients live in poverty and are disproportionately people living with mental illness or behavioral health disorders or identify as Black, Indigenous, or other people of color. They are people who face the possibility of incarceration, unable to afford private counsel and who without appointed counsel would otherwise be denied their constitutional right to representation throughout the criminal proceedings. Attorneys, investigators, social workers, paralegals, administrative assistants, and other legal support staff are necessary to provide effective representation as mandated by the federal and state constitutions, Colorado Revised Statutes, American Bar Association standards, and the Colorado Rules of Professional Conduct.

### ***Regional Trial Offices***

The OSPD operates twenty-one regional trial offices which align with the state's twenty-two judicial districts and sixty-four counties. Each regional trial office is headed by a leadership team of the office head, the office manager, and the chief or lead investigator. The lawyers in these offices appear on behalf of clients from the start of the case, at first appearance/advisement, through sentencing and any post-conviction litigation. The OSPD model is vertical representation, one lawyer-one client throughout the case and all efforts are made to keep the assigned lawyer on the case through final disposition. Defenders in the trial offices handle a multitude of criminal legal hearings, including arraignments, dispositional hearings, pre-trial conferences, trials to the court, jury trials, sentencing hearings, probation revocations, community corrections revocations or placement hearings, motions hearings, post-conviction hearings, and appeals from misdemeanor convictions.

Under the American Bar Association Standards for the Defense Function, Fourth Edition (2017), trial counsel must operate zealously and ethically in providing legal representation which includes:

- a duty of confidentiality regarding information related to the client's representation;
- a duty of loyalty to the client;
- a duty to communicate and keep the client informed and advised of significant development and potential options and outcomes;
- a duty to be well-informed regarding legal options and developments that can affect the client's interests during criminal representation;
- a duty of candor towards the court tempered by the duties of confidentiality and loyalty;

- a duty to continually evaluate the impact that each decision or action may have at later stages, including trial sentencing and post-conviction review;
- a duty to be open to possible negotiated dispositions of the matter including the possible benefits and disadvantages of cooperating with the prosecution;
- a duty to consider collateral consequences of decisions and actions including, but not limited to, the collateral consequences of conviction;
- a duty to make a clear and complete record for potential review;
- a duty to be proactive to detect, investigate and eliminate improper biases with particular attention to historically persistent biases like race in all of counsel's work;
- a duty to abide by all of the ethical rules regarding conflicts of interest that apply in the jurisdiction and to be sensitive to facts that may raise conflict issues;
- a duty to establish and maintain an effective client relationship which includes but is not limited to communication with the client with special attention when the client is a minor, elderly or suffering from a mental impairment or other disability; and
- a duty to investigate in all cases and to determine whether there is sufficient factual basis for criminal charges and whether there are constitutional challenges to the action of law enforcement.

Courts appoint regional office attorneys to all cases where the accused qualifies as indigent under the Supreme Court's guidelines. Counsel is only appointed when the person faces the possibility of incarceration. Regional trial offices accept all cases when appointed, unless there is a conflict, and caseloads are managed over time through FTE allocation. The number of cases an individual attorney will handle varies depending on complex and dynamic factors like the overall number of cases in an office, the complexity and stage of the cases, the experience level and practice style of the individual attorney, the necessity of travel and coverage of multiple courthouses, the docketing practices of each judicial district and individual judges, and the negotiation practices of prosecutors. Office heads and supervisors are responsible for ensuring workload parity as much as possible given the caseload and experience level of staff in each office. Each Defender works to support the others in the office and helps with caseload responsibilities when needed, especially when team members are in trial or on leave.

### ***Appellate Division***

The OSPD maintains a centralized appellate division that represents indigent clients in felony and juvenile appeals from every judicial district in the state, no matter who may have represented them in earlier court proceedings (OSPD, Alternate Defense Counsel, privately retained attorneys, or pro se). As with trial level cases, the court determines the person is indigent and then appoints the OSPD as appellate counsel. Appellate attorneys must also follow all required duties as outlined in the ABA standards.

Appellate attorneys review the trial record and file briefs on behalf of clients in both the Colorado Court of Appeals and the Colorado Supreme Court. The briefs address errors in the



trial court proceedings, often raising significant constitutional issues requiring in-depth and sophisticated legal analysis. Each person convicted at trial has the right to one appeal as a matter of right. This appeal is usually to the Colorado Court of Appeals. Discretionary review by the Colorado Supreme Court, sought via a petition for writ of certiorari, is rare but can occur. Supreme Court cases often take precedence over the briefs due in the Colorado Court of Appeals and as a result appellate attorneys will prioritize filings with the Supreme Court.

In addition to handling felony appeals statewide, the division also helps with the appellate process for county court appeals handled by the regional trial offices by providing training to new lawyers. Further, through an appellate-trial office liaison system, appellate staff consult with trial lawyers on urgent legal questions and complex or novel issues related to trial litigation.

### ***Central Administrative Office***

The central administrative office houses the leadership team for the OSPD system. The OSPD's mission and performance expectations are guided and tracked by this leadership team. The office coordinates all support functions to help our regional trial offices and the Appellate Division in providing competent and zealous legal services to our clients. The administrative functions delivered by the administrative office include:

- Program direction, analysis, and planning, including statistical compilation and development.
- Human resources functions including workforce development and training, compensation and benefits policy, employee relations, and practice development.
- Payroll and benefits coordination and administration.
- IT services including user support, development, security, distribution and maintenance of the agency's computer information systems, and telecommunications.
- Legislative affairs and statutory analysis.
- Intergovernmental and intragovernmental affairs.
- Budget analysis, development, resource allocation and management.
- Financial management analysis tracking, transaction processing, procurement, and accounting.
- Facilities, planning development and lease negotiation.
- Contracts and grants management.

Given the number of OSPD employees coupled with the need to ensure that all regional offices are mission-driven, the central administrative office leads the recruitment and hiring process for trial attorneys. Given the national reputation of the OSPD for excellence, it receives applications for attorney positions from across the country. The OSPD heavily screens

applicants and selects only those with a commitment to serve our client population with skill and dedication. Non-attorney positions are hired by the local office.

## **Key Support Programs**

### ***Defender Training***

In 2021, the Colorado Office of the State Public Defender received the *Champion of Justice Award* from the National Association of Criminal Defense Lawyers, in recognition of its longstanding excellence in training. The OSPD has developed a thorough and intensive training program for all attorneys. For attorneys who intern with the OSPD during law school, the training starts during the OSPD's popular summer intern trial program. The classroom part of the intern program lasts for one week where specific areas of courtroom skills are demonstrated for these future attorneys and then practiced by them in a mock setting. The interns then spend the summer learning through experience and under direct attorney supervision in regional offices across the state.

After trial attorneys are hired, they participate in Basic Lawyer Training, which consists of two three-day intensive sessions followed up by topic-specific individual training. Basic Lawyer Training concentrates on core skills and practice pointers for new lawyers in the system. This initial training also includes sessions on attorney ethics, specifically in the criminal defense context. After approximately one year in a trial office, lawyers participate in Boot Camp, which is a five-day trial-based training program where simulated trials occur, and experienced faculty evaluate each lawyer and give feedback.

New OSPD appellate attorneys receive more individualized training and mentorship specific to criminal appeals. This specialized, intensive training is necessary and critical because an appellate Defender's caseload consists almost entirely of felony-level casework.

In addition, the OSPD has an annual training conference lasting three days attended by all OSPD staff. The conference addresses issues related to trial and appellate practice, often concentrating on advanced issues lawyers will face in litigation and best practices in investigation, mitigation, administrative, and paralegal work. This year's conference included sessions on forensic science, juvenile law, restorative justice, ethics, social work approaches, DEI, effective teamwork strategies, wellness, and more. The OSPD works with the Office of Attorney Regulation to receive continuing legal education accreditation for most of its conference courses and for other training provided during the year.

Directors for non-attorney workgroups – Social Work Program Director, Regional Office Administrator, Paralegal Program Director, and Director of Criminal Investigations – develop workgroup-specific training curricula that are presented at annual conference and throughout the year through various core skills programs for new Defenders and topic-specific trainings.

They also work together to train all Defenders in interdisciplinary practice, ethically working under an attorney's professional conduct rules, and effective team dynamics.

Recognizing that training never ends, the training division and regional offices offer ongoing advanced programs on specific issues such as advanced homicide litigation and post-conviction litigation, along with updates on legislative changes that impact the work. Defenders representing youth receive Core Youth Defender Skills training. Lawyers also go to trainings offered by the Colorado Criminal Defense Bar and the Colorado Bar Association through scholarships, as well as trainings hosted by the National Association of Criminal Defense Lawyers and the National Association for Public Defense. The OSPD continues to work on developing new and better ways to offer continuing training for all staff.

### ***Internal Communication and Case Law Updates***

The OSPD has developed an internal communication system called the Advocate available to all employees on matters related to their job and practice. It includes not only office, staff, and HR policies but also provides subject matter information on important topics, often with sample pleadings and supporting briefs that can be used by attorneys in the representation of their clients.

The Advocate also houses case law updates provided twice each month by the Appellate Division, so all attorneys have access to information on Colorado Supreme Court and Court of Appeals opinions, along with an analytical summary of the issues in each case. The updates also include important decisions from the United States Supreme Court.

### ***Social Workers***

Criminal defense experts in Colorado and nationwide view the expertise of social workers on the defense team as critical to providing clients constitutionally effective representation. Social workers provide context for client conduct related to mental health systems, substance abuse disorders, intellectual and physical disabilities, and past trauma. Social workers are experts in developing non-carceral plans for a client's safe existence in the community including identifying behavioral health treatment options, finding housing, and other support services. The work of social workers can result in cost savings to the state by reducing incarceration while furthering public safety by effectively addressing the circumstances contributing to criminal conduct. The OSPD has twenty-three social worker positions working on behalf of OSPD clients throughout Colorado in both juvenile and adult cases. The social work program director works out of the central administrative office to develop statewide policies and procedures, comprehensive training, and to provide direct support to the OSPD social workers in the regional trial offices.

## ***Employee Evaluations***

To maintain the quality of representation and performance, a designated supervisor evaluates employees annually. For trial and appellate attorneys, the annual evaluation involves an assessment of the attorney's courtroom work, work habits, and relationships with clients. The assessment can include a review of client files, observations in court, observations of client interactions, review of pleadings and communication with others involved in the criminal legal system including other office staff members. Workgroup specific measures are used for other Defender groups. Each performance evaluation for staff provides goals for development and improvement and more support is offered the employee if there are weaknesses identified in the annual evaluation. Although rare, an employee can be terminated for deficient performance and when performance improvement measures are unsuccessful.

## ***IT and Technical Support***

IT and technical support services primarily operate out of the central administrative office, but most of the help desk and technical support positions are located in various offices throughout the state to provide better and timelier in-person support. The IT department manages all technical operations for the OSPD including user support, networking, telecommunications, security, application development, servers, and storage.

In fall 2021, the OSPD introduced Legal Server, a new case management system. This case management system automates case files and allows for better communication between all staff regarding client information, case status and case-related activities. The system also captures data points that will allow for the collection of more specific data on trends and practices in the criminal legal system. Because Legal Server is a web-based system, consistent Wi-Fi connectivity in all courthouses and jails continues to be an important goal for the OSPD.

Due to the increased workload in many cases and the explosion of e-discovery in almost every case, the central administrative office and IT staff have worked hard to address some of these issues through management efficiencies. For example, the OSPD, in conjunction with the Colorado District Attorneys' Council, developed a system for directly transferring e-discovery through the central administrative office (rather than to the regional offices individually) to be distributed electronically during the nighttime hours to the regional offices and is working on a similar process for the Evidence.com site from Axon. Although this does not address many problems related to the increased amount of e-discovery, it eliminates some of the download time taking place during and after normal business hours that overwhelmed OSPD regional office computer systems and kept administrative staff in the regional offices from performing their core functions. The OSPD is also moving to a new storage solution from Panzura that is highly scalable, dependable, and accessible to staff wherever and however they need to work.

### ***Committee, Task Force and Commission Representation***

Members of OSPD staff serve on many commissions, task forces, committees, and working groups throughout the state. Often serving as the only voice for the criminally accused and their affected families and communities, the OSPD's role extends past the courtroom and into policy, both state-wide and regional in scope.

Staff from the state and regional offices serve on various committees with the Governor's Office, the Office of Civil and Forensic Mental Health, Department of Public Safety, the Justice Assistance Grant (JAG) Board, Sex Offender Management Board (SOMB), Domestic Violence Management Board (DVOMB) and others too numerous to name. Our attorneys serve on Judicial Branch committees, including rule-making committees developing court and practice procedures. Lawyers and non-lawyers also serve on committees and boards for the Colorado Bar Association, judicial nominating and performance commissions, as well as many of Colorado's specialty and diversity bar associations. In regional offices, Public Defenders represent their clients and communities by serving on community corrections boards, crime control commissions, drug court and other problem-solving court committees. Office Heads and supervisors in each of our twenty-two offices interact with the district attorneys and attorneys general, sheriffs, and the chief judges in their jurisdiction to address issues related to court management and confront practices harmful to our clients.

The OSPD accepts its responsibility to impact the criminal legal system in addition to the core function of representation of indigent clients. Often through policy and systemic change the OSPD can better achieve outcomes and support for our clients marginalized in their communities.

### ***Diversity, Equity, Inclusion (DEI)***

In late 2018, the OSPD started an intentional approach to improve diversity, equity, and inclusion within the agency. OSPD leadership has partnered with an experienced DEI expert to develop a strategic, systemic, and sustainable approach to diversity, equity, and inclusion (DEI) in the OSPD. The expert conducted focus groups of Defenders from many offices and job types to listen and receive feedback about the system and then helped provide the OSPD trainings on a variety of DEI topics for managers and staff, start four employee affinity groups (one each focused on BIPOC Defenders, LGBTQ+ Defenders, Caretakers, and Allies), and is continuing to work on providing an inclusive leadership course for all managers and supervisors in the OSPD. In addition to these initiatives, the DEI expert has conducted office-specific DEI training with the goal of expanding this training to all offices. Staff attend outside DEI training to enable them to better represent clients from diverse backgrounds and to help build supportive working environments for our staff.

## ***Employee Wellness***

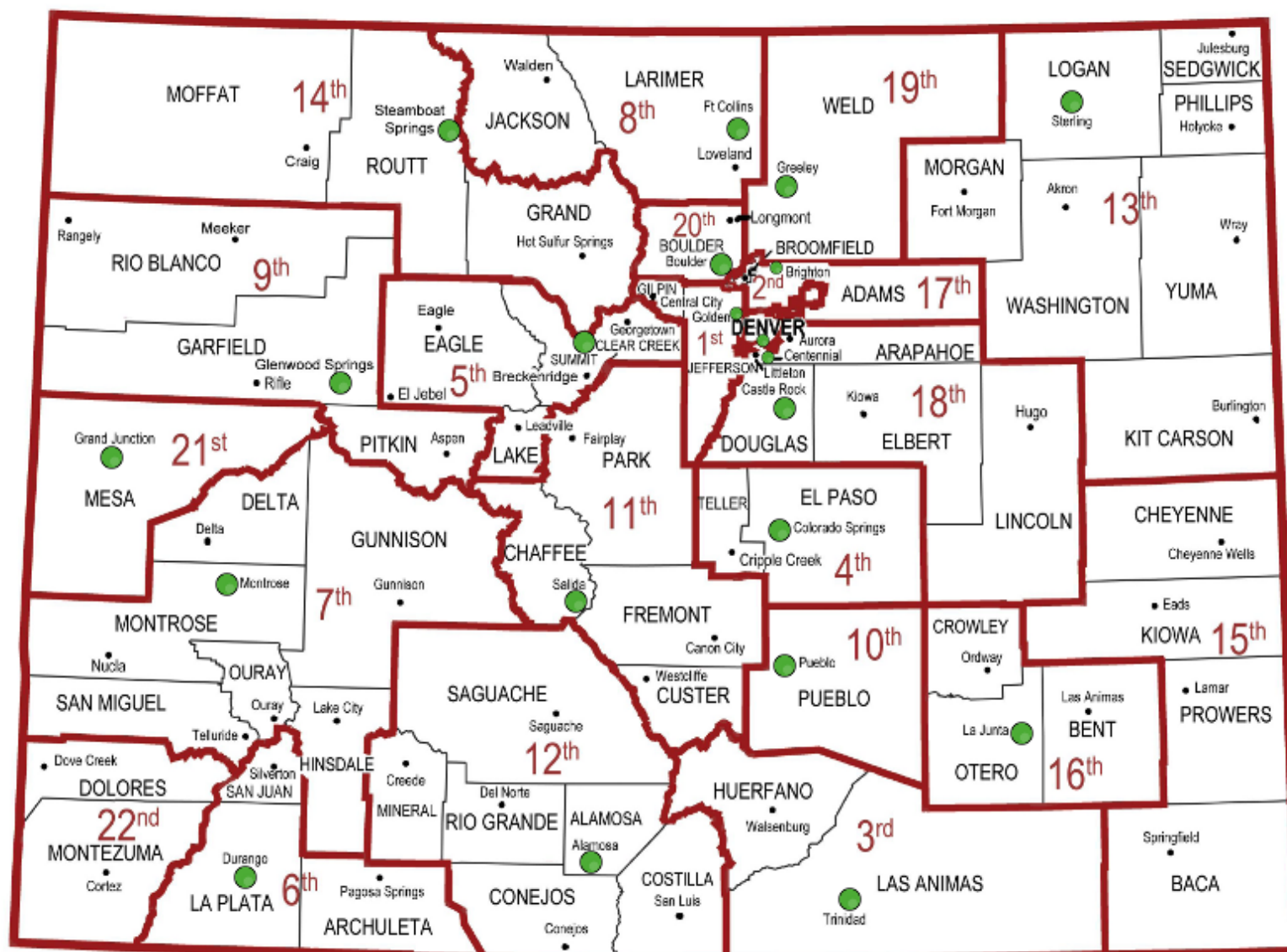
The Colorado Task Force on Lawyer Well-Being identified the ever-increasing legal pressures and the need for organizations to commit to evidence-based wellness strategies to increase satisfaction and well-being in the workplace. Our staff experience heightened stress due to the nature of criminal defense work, the many challenges our clients face, and significant caseloads. The injustices within our systems and institutions are difficult to ignore and can be painful to witness and experience. Many of our cases reflect the violence, illness, and trauma of our current society. Defenders often experience secondary trauma through their work. The OSPD has employed several approaches to support and improve employee wellness. The Wellness Committee, established by the central administrative office, took an intentional approach to a variety of wellness-related activities and training. An outgrowth of the Wellness Committee, was the OSPD Peer Support Team (PST), created in collaboration with the Colorado State Employee Assistance Program. The PST consists of trained Defenders available to employees who wish to speak to someone who understands the work of Public Defenders and can provide connections to external resources for employees. The PST has continued its outreach work to OSPD employees. In 2022, the legislature passed SB22-188, Behavioral Health Support for Criminal Justice Advocates, which allocated funding for dealing with the secondary trauma and mental health stress that can come from working in the criminal legal system. The OSPD has created a variety of programs with the funding given in SB22-188, including reimbursements for the costs of counseling services; direct service providers for Defenders; and training and education programs that address job-related trauma.

## **Budget Efficiencies**

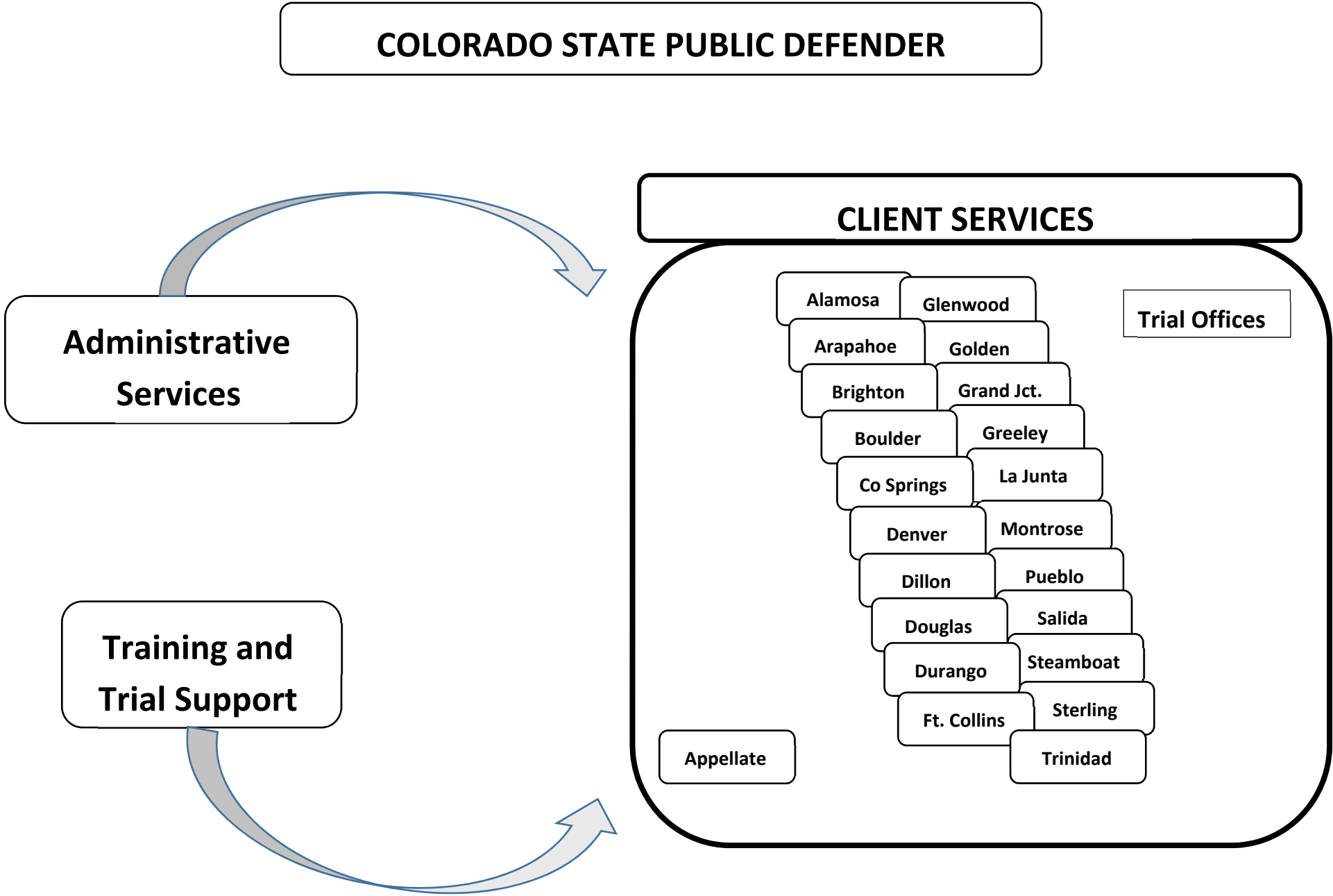
The OSPD remains the most efficient model for providing constitutionally and statutorily mandated legal representation to our clients. Public Defenders staff courtrooms in every Judicial District in the state. Over the past five years, the OSPD has averaged about 175,000 active cases per year, meaning that on any given day in courtrooms across Colorado, Defenders are representing clients in thousands of cases. Most requests for hiring expert witnesses, significant mandated costs, and other spending go to the central administrative office so the OSPD can closely monitor spending. Access to in-house resources in substantive practice areas such as forensics, immigration, and sexual offenses create more efficiencies. Centralizing core functions in the central administrative office including finance, training, IT, Human Resources, payroll, and trial lawyer recruiting and hiring creates efficiencies that let regional offices focus more heavily on representing clients.

**OFFICES:** The following is a map of Colorado's 22 Judicial Districts. The dots represent OSPD office locations.

## CO Public Defender Offices



The following chart illustrates the functional organizational structure of the OSPD.





# State Office Administration

**State Public Defender**  
Megan Ring

**First Assistant Public  
Defender**  
Karen Taylor

**Chief Deputy**  
Lucienne Ohanian

**Chief Deputy**  
Joyce Akhahenda

**Chief Deputy**  
Zak Brown

**Chief Financial  
Officer**  
Stephen Ettinger

**Chief Information  
Officer**  
Kyle Hughes

**Chief Human Resources  
Officer**  
Veronica Graves

**Director of Legislative  
Policy & Organizational  
Communication**  
James Karbach

**Chief Trial Deputy**  
Joe Archambault

**Director of Sexual  
Litigation**  
Laurie Kepros

**Training Director**  
Jennifer Ahnstedt

**Director of Criminal  
Investigations**  
Teresa Villalobos

**Social Work Program  
Director**  
Tim McArthur

**Paralegal Program  
Director**  
Sher Koslosky

**Regional Operations  
Administrator**  
Lorie Kerr

# Trial Offices

**State Public Defender**  
Megan Ring

**Alamosa  
Office Head**  
Jamie Keairns

**Office Manager**  
Angelica Hart

**Arapahoe  
Office Head**  
David Kaplan

**Office Manager**  
Carlotta Nelson

**Boulder  
Office Head**  
Nicole Collins

**Office Manager**  
Erin May

**Brighton  
Office Head**  
Sarah Quinn

**Office Manager**  
Candace Gonzales

**Colorado Springs  
Office Head**  
Rose Roy

**Office Manager**  
Rebekah Davis

**Appellate  
Office Head**  
Toni Amicarella

**Office Manager**  
Jenée Bowden

**Denver  
Office Head**  
Blake Renner

**Office Manager**  
Tadeh Der-Barseghian

**Dillon  
Office Head**  
Thea Reiff

**Office Manager**  
Natasha Jackson

**Douglas  
Office Head**  
Ara Ohanian

**Office Manager**  
Amy Mendigorin

**Durango  
Office Head**  
Justin Bogan

**Office Manager**  
Jennifer Cossey

**Fort Collins  
Office Head**  
Ashley Morriss

**Office Manager**  
Karlee Gettman

**Glenwood Springs  
Office Head**  
Alex Haynes

**Office Manager**  
Veronica Ulloa

**Golden  
Office Head**  
Mitch Ahnstedt

**Office Manager**  
Sara Bollig

**Grand Junction  
Office Head**  
Kara Smith

**Office Manager**  
Jeanne Ubersox

**Greeley  
Office Head**  
Michelle Newell

**Office Manager**  
Elena Sanchez

**La Junta  
Office Head**  
Ray Torres

**Office Manager**  
Lauren Vigil

**Montrose  
Office Head**  
Patrick Crane

**Office Manager**  
Val Barnica

**Pueblo  
Office Head**  
Albert Singleton

**Office Manager**  
Nicole Colt

**Salida  
Office Head**  
Dan Zettler

**Office Manager**  
Carol Mattson

**Steamboat Springs  
Office Head**  
Kate Bush

**Office Manager**  
Misty Gadbois

**Sterling  
Office Head**  
Brian Johnson

**Office Manager**  
Mandy Scoular

**Trinidad  
Office Head**  
Kate Mattern

**Office Manager**  
Juanita Gonzalez

## **CASE STATISTICS**

## OSPD Trial Office - New & Closed Cases

CASE TYPE	FY22 New Cases	FY23 New Cases	FY23 % New Cases	FY22 Closed Cases	FY23 Closed Cases	FY23 % Closed Cases
Felony 1	204	205	0.2%	203	197	0.2%
Felony 2	419	528	0.4%	413	511	0.4%
Sex Assault Felony 2, 3, 4, 5 or 6	1,251	1,369	1.1%	1,737	1,155	0.9%
Felony 3 or 4 (COV)	3,249	3,237	2.6%	4,278	2,785	2.1%
Felony 3 or 4 (non-COV)	9,066	8,358	6.7%	8,110	9,702	7.4%
Felony 5 or 6	16,593	14,434	11.5%	16,783	15,945	12.2%
DUI Felony 4	660	692	0.6%	704	699	0.5%
Drug Felony 1, 2, 3 or 4	4,162	4,800	3.8%	4,360	4,695	3.6%
<b>Felony Cases</b>	<b>35,604</b>	<b>33,623</b>	<b>26.8%</b>	<b>36,588</b>	<b>35,689</b>	<b>27.3%</b>
Misc. Proceedings	2,966	2,880	2.3%	3,149	2,951	2.3%
Revocations	15,103	15,366	12.3%	15,172	16,003	12.2%
Appeals	43	53	0.0%	54	46	0.0%
<b>Felony Other Proceedings</b>	<b>18,112</b>	<b>18,299</b>	<b>14.6%</b>	<b>18,375</b>	<b>19,000</b>	<b>14.5%</b>
<b>Total Felony</b>	<b>53,716</b>	<b>51,922</b>	<b>41.4%</b>	<b>54,963</b>	<b>54,689</b>	<b>41.8%</b>
Misdemeanor Sex Offense	539	704	0.6%	735	561	0.4%
Misdemeanor 1	19,249	18,776	15.0%	21,065	18,923	14.5%
Misdemeanor 2 or 3	16,716	17,539	14.0%	16,304	18,337	14.0%
Misdemeanor DUI	4,251	5,980	4.8%	5,751	4,662	3.6%
Misdemeanor Traffic/Other	14,648	11,123	8.9%	13,376	13,948	10.7%
<b>Misdemeanor Cases</b>	<b>55,403</b>	<b>54,122</b>	<b>43.2%</b>	<b>57,231</b>	<b>56,431</b>	<b>43.1%</b>
Misc. Proceedings	1,248	980	0.8%	1,340	996	0.8%
Revocations	12,317	13,245	10.6%	12,461	13,701	10.5%
Appeals	93	99	0.1%	106	90	0.1%
<b>Misdemeanor Other Proceedings</b>	<b>13,658</b>	<b>14,324</b>	<b>11.4%</b>	<b>13,907</b>	<b>14,787</b>	<b>11.3%</b>
<b>Total Misdemeanor</b>	<b>69,061</b>	<b>68,446</b>	<b>54.6%</b>	<b>71,138</b>	<b>71,218</b>	<b>54.4%</b>
Juvenile Sex Offense	236	194	0.2%	244	210	0.2%
Juvenile Felony	1,510	1,750	1.4%	1,374	1,742	1.3%
Juvenile Misdemeanor	1,773	1,920	1.5%	1,553	1,909	1.5%
<b>Juvenile Cases</b>	<b>3,519</b>	<b>3,864</b>	<b>3.1%</b>	<b>3,171</b>	<b>3,861</b>	<b>3.0%</b>
Misc. Proceedings	165	175	0.1%	174	157	0.1%
Revocations	921	921	0.7%	965	928	0.7%
Appeals	9	1	0.0%	10	3	0.0%
<b>Juvenile Other Proceedings</b>	<b>1,095</b>	<b>1,097</b>	<b>0.9%</b>	<b>1,149</b>	<b>1,088</b>	<b>0.8%</b>
<b>Total Juvenile</b>	<b>4,614</b>	<b>4,961</b>	<b>4.0%</b>	<b>4,320</b>	<b>4,949</b>	<b>3.8%</b>
<b>Summary</b>						
<b>Total Cases</b>	<b>94,526</b>	<b>91,609</b>	<b>73.1%</b>	<b>96,990</b>	<b>95,981</b>	<b>73.3%</b>
Total Misc. Proceedings	4,379	4,035	3.2%	4,663	4,104	3.1%
Total Revocations	28,341	29,532	23.6%	28,598	30,632	23.4%
Total Appeals	145	153	0.1%	170	139	0.1%
<b>Total Other Proceedings</b>	<b>32,865</b>	<b>33,720</b>	<b>26.9%</b>	<b>33,431</b>	<b>34,875</b>	<b>26.7%</b>
<b>Grand Total Cases</b>	<b>127,391</b>	<b>125,329</b>	<b>100.0%</b>	<b>130,421</b>	<b>130,856</b>	<b>100.0%</b>

## OSPD Trial Office - Active & Outstanding Cases

CASE TYPE	FY22 Active Cases	FY23 Active Cases	FY23 % Active Cases	FY22 O/S Cases	FY23 O/S Cases	FY23 % O/S Cases
Felony 1	435	437	0.3%	232	240	0.6%
Felony 2	718	833	0.5%	305	322	0.7%
Sex Assault Felony 2, 3, 4, 5 or 6	2,462	1,638	0.9%	725	939	2.2%
Felony 3 or 4 (COV)	5,421	4,380	2.5%	1,143	1,595	3.7%
Felony 3 or 4 (non-COV)	13,447	13,695	7.8%	5,337	3,993	9.2%
Felony 5 or 6	23,462	21,569	12.4%	6,679	5,168	11.8%
DUI Felony 4	1,120	1,108	0.6%	416	409	0.9%
Drug Felony 1, 2, 3 or 4	6,131	6,571	3.8%	1,771	1,876	4.3%
<b>Felony Cases</b>	<b>53,196</b>	<b>50,231</b>	<b>28.8%</b>	<b>16,608</b>	<b>14,542</b>	<b>33.3%</b>
Misc. Proceedings	4,135	3,866	2.2%	986	915	2.1%
Revocations	20,211	20,405	11.7%	5,039	4,402	10.1%
Appeals	77	76	0.0%	23	30	0.1%
<b>Felony Other Proceedings</b>	<b>24,423</b>	<b>24,347</b>	<b>14.0%</b>	<b>6,048</b>	<b>5,347</b>	<b>12.3%</b>
<b>Total Felony</b>	<b>77,619</b>	<b>74,578</b>	<b>42.7%</b>	<b>22,656</b>	<b>19,889</b>	<b>45.6%</b>
Misdemeanor Sex Offense	962	697	0.4%	227	370	0.8%
Misdemeanor 1	27,413	25,356	14.5%	6,348	6,201	14.2%
Misdemeanor 2 or 3	21,831	23,068	13.2%	5,527	4,729	10.8%
Misdemeanor DUI	7,615	7,844	4.5%	1,864	3,182	7.3%
Misdemeanor Traffic/Other	19,714	17,461	10.0%	6,338	3,513	8.1%
<b>Misdemeanor Cases</b>	<b>77,535</b>	<b>74,426</b>	<b>42.7%</b>	<b>20,304</b>	<b>17,995</b>	<b>41.2%</b>
Misc. Proceedings	1,572	1,212	0.7%	232	216	0.5%
Revocations	15,955	16,739	9.6%	3,494	3,038	7.0%
Appeals	193	186	0.1%	87	96	0.2%
<b>Misdemeanor Other Proceedings</b>	<b>17,720</b>	<b>18,137</b>	<b>10.4%</b>	<b>3,813</b>	<b>3,350</b>	<b>7.7%</b>
<b>Total Misdemeanor</b>	<b>95,255</b>	<b>92,563</b>	<b>53.0%</b>	<b>24,117</b>	<b>21,345</b>	<b>48.9%</b>
Juvenile Sex Offense	453	402	0.2%	209	193	0.4%
Juvenile Felony	2,228	2,605	1.5%	854	862	2.0%
Juvenile Misdemeanor	2,464	2,831	1.6%	911	922	2.1%
<b>Juvenile Cases</b>	<b>5,145</b>	<b>5,838</b>	<b>3.3%</b>	<b>1,974</b>	<b>1,977</b>	<b>4.5%</b>
Misc. Proceedings	230	231	0.1%	56	74	0.2%
Revocations	1,317	1,273	0.7%	352	345	0.8%
Appeals	15	6	0.0%	5	3	0.0%
<b>Juvenile Other Proceedings</b>	<b>1,562</b>	<b>1,510</b>	<b>0.9%</b>	<b>413</b>	<b>422</b>	<b>1.0%</b>
<b>Total Juvenile</b>	<b>6,707</b>	<b>7,348</b>	<b>4.2%</b>	<b>2,387</b>	<b>2,399</b>	<b>5.5%</b>
<b>Summary</b>						
<b>Total Cases</b>	<b>135,876</b>	<b>130,495</b>	<b>74.8%</b>	<b>38,886</b>	<b>34,514</b>	<b>79.1%</b>
Total Misc. Proceedings	5,937	5,309	3.0%	1,274	1,205	2.8%
Total Revocations	37,483	38,417	22.0%	8,885	7,785	17.8%
Total Appeals	285	268	0.2%	115	129	0.3%
<b>Total Other Proceedings</b>	<b>43,705</b>	<b>43,994</b>	<b>25.2%</b>	<b>10,274</b>	<b>9,119</b>	<b>20.9%</b>
<b>Grand Total Cases</b>	<b>179,581</b>	<b>174,489</b>	<b>100.0%</b>	<b>49,160</b>	<b>43,633</b>	<b>100.0%</b>

OSPD Trials (Jury & Court)		
	FY22 Trials	FY23 Trials
<b>Felony</b>		
F1	42	35
F2	28	23
F2-F6 Sex	31	42
F3-F4 COV	23	43
F3-F4 Non COV	89	88
F5-F6	90	67
DUI Felony 4	14	25
Drug Felony	14	18
<b>Felony Total</b>	<b>331</b>	<b>341</b>
<b>Misdemeanor</b>		
Misd Sex	11	22
M1	136	213
M2-M3	79	88
Misd DUI	142	234
Traffic/Other	79	75
<b>Misdemeanor Total</b>	<b>447</b>	<b>632</b>
<b>Juvenile</b>		
Juv Sex	6	7
Felony	4	10
Misdemeanor	10	11
<b>Juvenile Total</b>	<b>20</b>	<b>28</b>
<b>Grand Total</b>	<b>798</b>	<b>1001</b>

OSPD Trial Office Conflicts		
	FY22	FY23
<b>New Opened Cases</b>	<b>127,391</b>	<b>125,329</b>
<b>Conflicts</b>		
Co-Defendant	3,553	4,944
Witness	7,368	6,784
Other	3,193	1,412
<b>Total</b>	<b>14,114</b>	<b>13,140</b>
<i>% of New Cases</i>	<i>11.1%</i>	<i>10.5%</i>

## **APPELLATE DIVISION CASELOAD**

<b>APPELLATE DIVISION</b>									
<b>FISCAL YEAR</b>	<b>New Appeals</b>	<b>Briefs Filed by PD</b>	<b>Cases Resolved Other Ways</b>	<b>Appeals Closed in Phase 1</b>	<b>Cases awaiting filing of initial brief</b>	<b>Standard Caseload per NLADA</b>	<b>Cases in excess of NLADA standards</b>	<b>Cases Phase 2 (after OB filed)</b>	<b>Total Active Felony Cases</b>
FY 14	573	367	127	495	749	279	470	1000	2341
FY 15	533	422	122	544	738	363	375	985	2282
FY 16	511	486	141	627	622	359	263	1049	2234
FY 17	525	459	101	560	587	351	236	879	2196
FY 18	523	421	150	571	539	351	188	820	1989
FY 19	563	381	118	499	603	368	235	761	1922
FY 20	514	454	133	587	530	368	162	816	1878
FY 21	256	433	66	499	287	308	0	890	1602
FY 22	379	310	57	367	299	273	26	835	1556
FY 23	430	222	56	278	451	215	236	657	1564
FY 24 Est.	514	422	114	536	429	279	150	679	1622
FY 25 Est.	529	422	117	539	419	293	126	700	1637
FY 26 Est.	545	422	121	543	421	307	114	722	1664
FY 27 Est.	561	422	125	546	436	307	130	743	1704
FY 28 Est.	578	422	128	550	465	307	158	765	1758

## **JBC REQUEST FOR INFORMATION**



## **Judicial Branch, Office of the State Public Defender, FY 2023-24, RFI #1**

The State Public Defender is requested to provide by November 1, 2023, a report concerning the Appellate Division's progress in reducing its case backlog, including the following data for FY 2022-23: the number of new cases; the number of opening briefs filed by the Appellate Division; the number of cases resolved in other ways; the number of cases closed; and the number of cases awaiting an opening brief as of June 30, 2023.

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### **Appellate Division Overview**

The Office of the State Public Defender maintains a centralized Appellate Division (Division) that represents clients in felony appeals from every jurisdiction in the state regardless of who may have represented the clients in prior court proceedings (e.g., court-appointed counsel, Alternate Defense Counsel and private attorneys). The Division is expected to carry 965 cases this year (FY 2023-24), including 514 new cases and 451 backlog cases carried over from previous years. This 965 number represents those cases where an initial brief is expected to be filed and is the phase during which the most resources are required. After the brief is filed, the case remains active as it progresses through the remainder of the appellate process. The Division estimates there are currently 657 cases at various stages within this second phase of the process and the work involved extends well into subsequent years.

### **Legislative Action**

The legislature provided the OSPD with additional funding and staffing beginning in FY 2014-15 to help reduce the rapidly expanding appellate backlog, address the impact of additional staff received by the Attorney General and to streamline the appellate process for all appeals.

### **FY 2022-23 Statistics**

Following are the statistics requested for FY 2022-23, as of June 30, 2023:

1. Number of new cases – 430;
2. Number of initial briefs filed - 222;
3. Number of cases resolved in other ways - 56;
4. Number of cases closed - 278; and
5. Number of cases awaiting an opening brief - 451.

## **CHANGE REQUESTS**

**Office of the State Public Defender**  
**FY 2024-25 Change Requests**

**Schedule 10**

**SUMMARY**

For FY 2024-25 the Office is submitting four prioritized decision item requests and one non-prioritized common policy request.

Priority	Decision Item		FTE	Total	GF	CF
1	#R-1, Attorney FTE		128.0	\$ 14,688,343.00	\$ 14,688,343.00	\$ -
2	#R-2, Social Workers & Client Advocates		27.6	\$ 2,945,761.00	\$ 2,945,761.00	\$ -
3	#R-3, Digital Discovery		1.0	\$ 294,569.00	\$ 294,569.00	\$ -
<i>Non-prioritized</i>	#NP-1, Common Policy – Annual Vehicle Fleet Request		0.0	\$ 17,560.00	\$ 17,560.00	\$ -
	<b>Total Prioritized Change Requests</b>		<b>156.6</b>	<b>\$ 17,928,673.00</b>	<b>\$ 17,928,673.00</b>	<b>\$ -</b>
	<b>Total Non-prioritized Change Requests</b>		<b>0.0</b>	<b>\$ 17,560.00</b>	<b>\$ 17,560.00</b>	<b>\$ -</b>
	<b>Total ALL Change Requests</b>		<b>156.6</b>	<b>\$ 17,946,233.00</b>	<b>\$ 17,946,233.00</b>	<b>\$ -</b>

## **TAB 1**



# OFFICE OF THE STATE PUBLIC DEFENDER

Megan A. Ring  
State Public Defender

*FY 2024-25 Budget Request*

*November 1, 2023*

**Department Priority: 1**

**Request Title: R#1, Attorney FTE**

Summary of Incremental Funding Change for FY 2024-25	Total Funds	General Fund	FTE
<i>Personal Services</i>	\$10,324,337	\$ 10,324,337	128.0
<i>AED</i>	\$ 456,748	\$ 456,748	
<i>SAED</i>	\$ 456,748	\$ 456,748	
<i>HLD</i>	\$ 1,520,000	\$ 1,520,000	
<i>STD</i>	\$ 13,702	\$ 13,702	
<i>FAMLI</i>	\$ 41,107	\$ 41,107	
<i>Operating</i>	\$ 121,600	\$ 121,600	
<i>Automation</i>	\$ 42,240	\$ 42,240	
<i>Capital Outlay</i>	\$ 853,760	\$ 853,760	
<i>Leased Space</i>	\$ 844,800	\$ 844,800	
<i>Attorney Registration</i>	\$ 13,300	\$ 13,300	
<b>Total</b>	<b>\$14,688,343</b>	<b>\$ 14,688,343</b>	<b>128.0</b>

Summary of Incremental Funding Change for FY 2025-26	Total Funds	General Fund	FTE
<i>Personal Services</i>	\$10,324,337	\$ 10,324,337	128.0
<i>AED</i>	\$ 456,748	\$ 456,748	
<i>SAED</i>	\$ 456,748	\$ 456,748	
<i>HLD</i>	\$ 1,520,000	\$ 1,520,000	
<i>STD</i>	\$ 13,702	\$ 13,702	
<i>FAMLI</i>	\$ 41,107	\$ 41,107	
<i>Operating</i>	\$ 121,600	\$ 121,600	
<i>Automation</i>	\$ 42,240	\$ 42,240	
<i>Leased Space</i>	\$ 844,800	\$ 844,800	
<i>Attorney Registration</i>	\$ 13,300	\$ 13,300	
<b>Total</b>	<b>\$13,834,583</b>	<b>\$ 13,834,583</b>	<b>128.0</b>

## Request Summary:

The Office of the State Public Defender (OSPD) requests 128.0 FTE and \$14,688,343 General Fund spending authority of FY 2024-25 and \$13,834,583 for FY2025-26 and on-going to address staffing requirements necessary to comply the OSPD's enabling statute, federal and state constitutions, the Colorado Rule of Professional Conduct, and the American Bar Associations

Standards. Our request includes 70 Attorney I FTE, 23.3 Investigator I FTE, 11.7 Paralegal I FTE, 17.5 Administrative Assistant I FTE, and 5.5 Centralized Administrative Staff FTE.

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## Background

Almost 60 years ago, Colorado established the Office of the State Public Defender to provide representation in criminal cases for people who cannot afford an attorney. The state set an appropriately high standard for constitutionally required indigent defense by creating an independent, state-wide agency that serves clients in rural areas and cities and by providing necessary state funding for employee positions, fair compensation, and technological needs. Even as Colorado has built and maintained a strong public defense system, however, the OSPD, like other public defense agencies around the country, is straining to meet the increasing demands of the modern criminal legal system.

On September 12, 2023, the RAND Corporation issued its “National Public Defense Workload Study,” that created national workload standards for public defenders. This is the first update of national standards since 1973. The RAND report clarified that even nationally recognized public defense systems like the OSPD urgently need additional resources if they are to uphold and safeguard the right to counsel guaranteed by Sixth Amendment. The study relied on criminal defense experts participating in a Delphi process to identify the number of hours a reasonably effective criminal defense attorney should spend on a particular type of case. The study’s conclusion follows what the OSPD found in its own Delphi study in 2017 – the OSPD is drastically understaffed. According to an independent analysis of the RAND study public defender agencies across the country need to triple their attorney staff and Colorado needs to quadruple the number of public defenders to meet the new national workload standards.<sup>1</sup>

The RAND study highlighted the significant challenges faced by defenders that have exponentially increased workloads, noting that “[t]oday’s public defender must possess the skills and time to review police and public camera video, social media and cell phone data, forensic evidence from DNA to chemical drug analysis” and defenders must address “psychological and brain disorders and the impact on [their] clients.” Defenders must not only navigate the explosion of discovery in all case types but also help clients suffering from deficient and insufficient public policy addressing behavioral health conditions, criminalization of homelessness, and overuse of pretrial detention.

These are daily challenges in the life of a Colorado State Public Defender. While the OSPD’s FY 2023-24 budget request addressed a dire need to bring agency pay in line with Colorado’s public interest market and better pay is helping with attrition, defenders still leave because of the size and demands of their caseloads. Exit interviews confirm that public defenders often do not want to leave the work but find themselves unable to sustain workload demands. While RAND studied the situation from a national perspective, Colorado’s specific challenges are many. This budget addresses four categories of challenges: the exponential increase in the amount and complexity of discovery Colorado defenders must receive, organize, and review; the number of courtrooms

<sup>1</sup> Public defenders work 3 times too many cases, milestone study and new data show. Emily Hamer, Lee Enterprises’ Public Service Journalism Team. [https://www.stltoday.com/news/nation-world/crime-courts/public-defenders-attorneys-dangerously-overworked/article\\_5a63628b-63d0-56dc-bc91-ce908820ac75.html](https://www.stltoday.com/news/nation-world/crime-courts/public-defenders-attorneys-dangerously-overworked/article_5a63628b-63d0-56dc-bc91-ce908820ac75.html).

and “nontraditional” dockets where public defenders are expected and required to appear; the increase in clients experiencing significant mental illness; and the work involved in representing children charged as adults.

At the same time, public defenders interact with prosecutors whose offices are overwhelmingly better staffed, even after considering that the OSPD handles approximately 70% of criminal cases state-wide and not accounting for prosecutorial work done by law enforcement. For example, in the 1st Judicial District in Jefferson County, the OSPD has 58% of the attorney staffing of the district attorney’s office. In the 17<sup>th</sup> Judicial District in Adams, 54%, and in the 20<sup>th</sup> Judicial District in Boulder County, the OSPD has 53% of the prosecution’s attorney staff. Defenders in these jurisdictions confront specialized, highly trained, and funded prosecution units, are stretched thin between multiple courtrooms, and are understaffed compared to their counterparts on the other side despite having additional ethical duties and needing to devote additional time to establish productive relationships with individual clients. Many OSPD clients are incarcerated in understaffed detention facilities, making meaningful client communication even more difficult and time-consuming.

These factors add up to an OSPD workload that exceeds the capacity of its existing staff, despite defenders working long hours at great cost to their own health and well-being to provide excellent representation for their clients. The national workload standards suggest that OSPD needs more staffing than can realistically be funded and recruited in the near term. The study sounds the alarm that even the nation’s best public defender agencies are dangerously overburdened.

To address this situation, the OSPD compiled data and surveyed OSPD trial office leadership prior to this year’s budget request on some of the Colorado-specific factors creating an unsustainable work environment: the exponential explosion in the amount of discovery (Decision Items 1 and 3); the proliferation of court rooms handling criminal matters (Decision Item 1); the competency crisis in Colorado (Decision Items 1 and 2); and the prosecution of children as adults (Decision Items 1 and 2).

Together, these categories indicate that the OSPD will need 230 attorneys to meet the demands of the modern criminal legal system. This sizable gap between current staffing and the OSPD’s needs are reflected in the everyday experiences of public defenders who feel overwhelmed and drowning in discovery and demanding courtroom schedules, as reflected in Decision Item 1.

The realities of attorney recruitment and state fiscal limitations, however, lead OSPD to request a more conservative number of FTE in this budget cycle. While the OSPD has been successful in recruiting attorney talent from law schools across the country, recruitment for new attorney positions is tempered by a limited number of nationwide law school graduates interested in public defense. According to the most recent American Bar Association data, only 8.4 percent of the 36,078 people who graduated from accredited law schools in 2022 were employed in “public interest” positions across all types of public interest work, of which public defense is an even smaller subset.<sup>2</sup> In reviewing its hiring data from recent years and anticipating a continued drop in attrition related to the compensation decision item for the FY2023-24 budget cycle, the OSPD believes 70 attorney FTE is an achievable recruitment and hiring goal for the next fiscal year.

<sup>2</sup>[https://www.americanbar.org/content/dam/aba/administrative/legal\\_education\\_and\\_admissions\\_to\\_the\\_bar/statistics/2023/class-2022-online-table.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/statistics/2023/class-2022-online-table.pdf)

The OSPD seeks more staff and resources in this year's budget request while also laying the groundwork for additional staffing requests in later years if nothing is done to reduce the number of cases in Colorado's criminal courts. While hiring and retaining staff will be critical for the OSPD to meet the demands of its cases, other measures can be taken to address public defender workload and save the state money. If the General Assembly enacts common sense policy reforms reducing the number of people and cases being funneled into the criminal legal system, future OSPD budget requests could be smaller. If the system continues to function as is, however, the OSPD must have more resources, including staff, to meet its constitutional mandate to provide effective representation to clients and to uphold Gideon's Promise.

### **The Continued Exponential Explosion of Discovery is Driving OSPD Staffing Needs**

Since 2016, the amount of data the OSPD is receiving and storing in its cases has increased a staggering 4500%.<sup>3</sup> The scope, amount, and complexity of discovery across all case types is the biggest driver of OSPD's increased staffing needs. Discovery concerns have only intensified since OSPD's FY 2022-23 budget request and will remain a key factor behind increased staffing and resource requests into the foreseeable future.

The astronomical increase is driven by ongoing changes to law enforcement's investigation in criminal cases and the move to digital discovery processes. Law enforcement continues to expand its use of technology-based investigative techniques such as RADIX Corporation's LEONighthawk, Lexis-Nexis's ZETX, Google's Geo-fencing, SECURUS and voice recognition. Many police departments now use specialized software programs to analyze records like call detail, wiretap recordings, social media, pen register and trap/trace devices, and GPS. OSPD offices have seen an uptick in production of records requests that expand the amount of material OSPD staff must review. Most of these records not only include large .pdf documents but also thousands of media files. Prosecutors provide in discovery hundreds of hours of jail phone calls, terabytes of computer data, multiple police officer body-worn camera, and data from these high-tech investigative tools. Police agencies and prosecutors' offices have also expanded their reliance on well-funded specialized units that investigate complex crimes involving allegations of human trafficking, wire fraud, fentanyl distribution, and so-called "street gangs."<sup>4</sup> This all contributes to an exponential increase in OSPD workload.

In FY 2022-23, the General Assembly provided the OSPD with 104 paralegal FTE to address the increased workload resulting from the increase in the amount of discovery in criminal cases. OSPD's paralegal program has been a popular and successful program that has helped trial attorneys collect, organize, and manage discovery in their most serious cases. Basic problems like the lack of uniformity or consistency in naming conventions for the many thousands of files received in a single case consume paralegal time. For example, in just one Denver area jurisdiction, fifteen different arresting agencies provide discovery, with each agency having its own discovery practices and using different software programs for their media.

While OSPD paralegals have been critical in preparing discovery for review, and at times reviewing and summarizing it for the defense team, in many cases the attorneys will continue to

<sup>3</sup> From 50 terabytes to 2300 terabytes

<sup>4</sup> Examples include the FBI's Innocence Lost Task Force, ATF's RAVEN Task Force, and local prosecutor in-office units for "Special Victims," Economic Crimes, Domestic Violence, elder abuse, hate crimes, and narcotics. <https://sentinelcolorado.com/orecent-headlines/ganging-up-on-crime-new-types-of-gangs-bring-old-problems-back-to-aurora/>



have an ethical duty to do their own independent review of discovery. Colorado Rule of Professional Conduct 1.1 requires competent representation which includes “the legal knowledge, skill, thoroughness and preparation necessary.” Diligence, promptness, and reasonable consultation about the client’s goals are required by Rules of Professional Conduct 1.2 and 1.4. The burden of increased discovery cannot be fully ameliorated by the addition of paralegals, and the agency does not yet have enough paralegals regardless.<sup>5</sup> Rather, when there is help from a paralegal, the attorney can be more prepared and focused in their review of discovery, and spend more time communicating with clients and preparing for court.

In 2017, the OSPD published The Colorado Project, an attorney workload study that documented the time spent by attorneys on various work-related tasks.<sup>6</sup> The OSPD’s FY 2018-19 Budget relied on this study to request and hire more attorney and support staff FTE. In that study, there were two specific case-related tasks where discovery had the biggest impact: “Case Prep” and “Client Related Contact.” “Case prep” involves “reviewing all case-related materials/evidence, strategic planning, trial preparation and sentence preparation.” “Client related contact” is “all time spent communicating with client or family on the phone, in person, or in writing. Includes case consultation time.” The OSPD *conservatively* estimates that in 2016 50% of “Case Prep” time was spent on discovery review by the attorney and 25% of “Client Related Contact” was spent on showing discovery to the client and reviewing it with them.

Since the 2017 study, the OSPD has seen the most significant increase in the amount and complexity of discovery in its history. To assess the impact of the explosion of discovery, after controlling for duplication and quality of media<sup>7</sup> and considering the increased reliance since 2016 by police and prosecutors on digital discovery instead of paper, for just these two task types from the study, the number of hours attorneys would have to spend is almost ten times what it was in 2016.<sup>8</sup> This is the case even accounting for the positive impact of paralegals helping save time with both case preparation and discovery review with clients and controlling for parts of media discovery containing irrelevant material. **The OSPD projects it needs an additional 180 attorney FTE to address the attorney time needed to handle the increase in discovery for these two task types.**

### **The Proliferation of Criminal Courtrooms, Special Courts, and Magistrates is increasing Public Defender workload.**

Another significant area that has affected public defender workload is the increased number of courtrooms, special courts, and magistrates the Judicial Branch has assigned to handle criminal and juvenile cases. One of the key factors that creates expertise and efficiency in Colorado’s model of indigent defense is the placement of attorneys in designated courthouses and courtrooms throughout the state for appearances on their clients’ cases. OSPD attorneys appear on multiple cases in a single place, meaning they can work on other cases and clients while

<sup>5</sup> Notably the OSPD has one third the amount of support staff as compared to prosecutors’ offices averaged across the state.

<sup>6</sup>[https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_defendants/ls\\_sclaid\\_def\\_co\\_project.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_def_co_project.pdf). Task types included case-related in-court and out-of-court activities and non-case-related work, like professional development and committee/board work.

<sup>7</sup> In 2016 an iPhone’s average image size was 3MB, whereas in 2023 it is 25MB. The same image takes up more storage space but does not necessarily create more work.

<sup>8</sup> 92,821 hours in 2016 versus 874,138.

waiting for judges to call their cases and save travel and wait times. OSPD attorneys know the prosecutors who also routinely appear in these courtrooms and dockets and understand the judge's preferences for case flow and practices in sentencing, motions resolution, and trial. In a single "docket day," a public defender may routinely appear on twenty felony cases or forty misdemeanor cases.

In addition to these "traditional" dockets, however, OSPD staff also represent clients in the many other settings created by the Judicial Branch, including a variety of special courts and dockets. In judicial districts around the state, OSPD staff appear in competency dockets, diversion courts (adult, juvenile, competency), specialty courts such as Veterans, Wellness, DUI, Sobriety, Recovery, and Domestic Violence, and "setting" or "scheduling" divisions.<sup>9</sup> Many of these dockets help both the community and OSPD clients by seeking to problem-solve, reduce recidivism, and support positive, community-safe outcomes on cases.

First appearance "advisement" courtrooms also add to the places OSPD attorneys must appear. In the largest judicial districts, advisement courtrooms require two to four OSPD lawyers every day to appear with recently arrested people. For smaller offices that cover several counties, advisement dockets cause significant inefficiencies because of the coordination and time necessary to appear with a few clients. Jail scheduling demands, jail staffing issues, and the failure of rural courts to agree to consolidated advisement dockets negatively affect public defender workloads. The time necessary to cover first appearance advisements is increasing with HB21-1280 and the clarifications made in HB 23-1151 requiring that someone jailed on an out-of-county detainer receive a bail hearing in the county that generated that detainer within 48 hours of arrest. While these hearings can happen virtually, public defense attorneys face significant logistical challenges providing constitutional advisements to clients in jails around the state and there is currently no statewide plan. These inefficiencies result in more work for public defenders.

The Judicial Branch staffs these additional dockets by either additional funding for more judge positions, transitioning judges from civil to criminal work, or by assigning magistrates to criminal matters. Magistrates often oversee first appearance advisement dockets, competency, and specialty courts, and oversee a considerable number of the state's juvenile dockets. Since 2016, the number of magistrates has grown by 39%, with no increase in OSPD staff to cover the additional courtrooms over which these magistrates preside.<sup>10</sup>

<b>Judges &amp; Magistrates</b>				
	<b>FY16 Actuals</b>	<b>FY22 Actuals</b>	<b>Increase</b>	<b>variance</b>
<b>Judges</b>	<b>271</b>	<b>284.7</b>	<b>13.7</b>	<b>5%</b>
<b>Magistrates</b>	<b>60.1</b>	<b>83.3</b>	<b>23.2</b>	<b>39%</b>
<b>Total</b>	<b>331.1</b>	<b>368.02</b>	<b>36.92</b>	<b>11%</b>
<b>Senate Bill 19-043 15 judges added. OSPD received 12 attorneys</b>				

<sup>9</sup> For example, in the 10<sup>th</sup> Judicial District, every case, regardless of the level of charges, must be first heard in a virtual "setting" docket where no progress can be made on the case in terms of plea resolution, trial setting, or legal argument, yet attorneys must appear and wait simply to receive the next court date. While there are reasons this practice may work for the courts, it is unproductive for the attorneys and clients. The 4<sup>th</sup> Judicial District has a similar docket.

<sup>10</sup> Historically, the OSPD requests additional staffing through the fiscal note or budget process to cover additional criminal courtrooms assigned to new judges but has not previously requested staffing to cover magistrate divisions.

In response to the most recent bill in 2019 increasing the number of judges in the state, the OSPD requested fifteen attorney FTE but was allocated only twelve.

The proliferation of criminal dockets has a direct, negative impact on public defender workload. Because a lawyer cannot be in two places at once, these dockets require more staff to cover them. Despite the office potentially having the same number of cases as before, the attorney court, travel, and wait time increase because of the inefficiency created by the need to appear in more places each week. The public defender still must appear in the original docket and wait for the judge to call their cases as they did before (even though there may be fewer cases that day) but the public defender cannot simultaneously appear on their other cases shifted to other courtrooms. As a practical matter, when there are multiple dockets happening at once, the office must send attorneys to all those dockets, and therefore must have enough attorneys to do so.

In specialty courts, the cases are typically post-adjudication, a time when the public defender's work would normally be over. Instead, judges ask our offices to either staff these courts as members of the treatment team or, in a few courts, continue the attorney-client relationship after the typical conclusion of a case.<sup>11</sup>

Public defenders also face extra work because of more appearances in competency and specialty courts where the model is to have a "docket" and a separate court appearance called a "staffing." A "staffing" in specialty and competency courts is typically an informal but regular meeting of professionals to discuss best approaches for the case before the court date. They may include, depending on the court, the attorneys, treatment providers, probation officers, and judicial officers.

Because they must appear in more courtrooms and, sometimes, for longer periods of time than ever before, OSPD staff must spend more time in court than they did before, travel and wait times are increased, taking away time from client communication, case prep, other professional responsibilities they have outside of court, and encroach upon time away from work for already overburdened, hardworking public defenders. While most of these courts should continue and expand because of their benefits to clients and communities, without more OSPD staffing they create logistical challenges and inefficiencies, which contributes to the overwhelm and burnout public defenders already face.

These two charts show the number of non-traditional courtrooms/dockets and magistrates by Judicial District:

<b>Judicial Districts</b>	<b>Non-traditional dockets</b>	<b>Judicial Districts</b>	<b>Non-traditional dockets</b>
<b>1<sup>st</sup></b>	Three specialty courts	<b>11<sup>th</sup></b>	Four specialty courts <sup>12</sup>
<b>2<sup>nd</sup></b>	Seven specialty courts <sup>13</sup> Three competency dockets <sup>14</sup>	<b>12<sup>th</sup></b>	Two specialty courts One competency docket <sup>15</sup>
<b>3<sup>rd</sup></b>	Four specialty courts <sup>16</sup>	<b>13<sup>th</sup></b>	

<sup>11</sup> The OSPD's 2017 workload time study and associated FY18-19 budget request for more attorney FTE did not account for the additional work associated with specialty courts.

<sup>12</sup> The OSPD staffs only one specialty court in the 11<sup>th</sup> Judicial District because of staffing challenges and concerns over court processes.

<sup>13</sup> In January 2024, Denver County is adding a seventh specialty court, Drug Court for misdemeanants.

<sup>14</sup> Denver County has funded a .5 OSPD FTE to cover a competency diversion docket.

<sup>15</sup> Conejos and Costilla counties have indicated their intention to start a competency court in 2024.

<sup>16</sup> The OSPD staffs only one specialty court, the Las Animas DUI court.

<b>4<sup>th</sup></b>	One setting docket Four specialty courts One competency docket	<b>14<sup>th</sup></b>	Two specialty courts
<b>5<sup>th</sup></b>	Two specialty courts <sup>17</sup>	<b>15<sup>th</sup> &amp; 16<sup>th</sup></b>	One specialty court One competency docket
<b>6<sup>th</sup> &amp; 22<sup>nd</sup></b>	Three specialty courts	<b>17<sup>th</sup></b>	Three specialty courts <sup>18</sup>
<b>7<sup>th</sup></b>	Five specialty courts <sup>19</sup>	<b>18<sup>th</sup></b>	Four specialty courts <sup>20</sup> One competency docket
<b>8<sup>th</sup></b>	Four specialty courts <sup>21</sup> Two competency dockets	<b>19<sup>th</sup></b>	Two specialty courts
<b>9<sup>th</sup></b>	Two specialty courts <sup>22</sup>	<b>20<sup>th</sup></b>	Two specialty courts <sup>23</sup>
<b>10<sup>th</sup></b>	Three specialty courts One competency docket	<b>21<sup>st</sup></b>	

<b>Dockets Overseen by Magistrates</b>			
<b>Judicial Districts</b>	<b>Criminal Magistrates</b>	<b>Judicial Districts</b>	<b>Criminal Magistrates</b>
<b>1<sup>st</sup></b>	One specialty court Five juvenile courts One advisement court	<b>11<sup>th</sup></b>	One preliminary hearing One juvenile court
<b>2<sup>nd</sup></b>	One specialty court Two juvenile courts Three advisement courts <sup>24</sup>	<b>12<sup>th</sup></b>	One advisement court
<b>3<sup>rd</sup></b>		<b>13<sup>th</sup></b>	One advisement court
<b>4<sup>th</sup></b>	One specialty court Two advisement courts Three juvenile courts One competency docket	<b>14<sup>th</sup></b>	
<b>5<sup>th</sup></b>		<b>15<sup>th</sup> &amp; 16<sup>th</sup></b>	One advisement court One competency docket
<b>6<sup>th</sup> &amp; 22<sup>nd</sup></b>	One Domestic Violence docket	<b>17<sup>th</sup></b>	Three advisement courts

<sup>17</sup> The OSPD does not staff these courts because of staffing challenges and concerns over court processes.

<sup>18</sup> The OSPD does not staff one of the Adams County specialty courts because of disagreement with the court over process.

<sup>19</sup> The OSPD staffs all but one of the specialty courts in the 7<sup>th</sup> Judicial District.

<sup>20</sup> The state will split the 18<sup>th</sup> Judicial District to create the new 23<sup>rd</sup> Judicial District covering Douglas, Elbert, and Lincoln counties. Criminal justice coordinators indicate that the 23<sup>rd</sup> will have its own four specialty courts and a competency docket starting in summer 2024 and has communicated its expectation that OSPD will staff them.

<sup>21</sup> Larimer County is reportedly considering adding a Veteran's Court.

<sup>22</sup> The OSPD does not staff these two courts because of staffing challenges.

<sup>23</sup> The 20<sup>th</sup> Judicial District has a Drug Court covered by one judge that regularly holds six different dockets, one in Longmont and the others in Boulder District Court.

<sup>24</sup> In January 2024, Denver County will add a third advisement docket assigned to a magistrate to oversee out-of-county advisements.

7 <sup>th</sup>		18 <sup>th</sup>	Two juvenile courts Three advisement courts One traffic court
8 <sup>th</sup>	One advisement court One juvenile court	19 <sup>th</sup>	One juvenile court One advisement court
9 <sup>th</sup>	One advisement & juvenile court	20 <sup>th</sup>	
10 <sup>th</sup>	One specialty court & juvenile court One advisement court	21 <sup>st</sup>	One juvenile court

**OSPD requires twenty attorney FTE to address the increased staffing required by the Judicial Department's expansion of courtrooms, dockets, and specialty courts.**

### **Colorado's Competency Crisis**

Colorado's competency system is in crisis. Pursuant to constitutional requirements, a person accused of a crime cannot be prosecuted, resolve their case with a plea bargain, or go to trial if they are not mentally competent. The Office of Civil and Forensic Mental Health is responsible for evaluating a person's competency to move forward in criminal courts and providing education and treatment to help them in gaining competency so the case can move forward. Because of the cyclical causal relationship between mental illness and poverty, court-appointed counsel represents most people deemed incompetent to proceed.

The OSPD has not previously sought funding to address the increased workload created by these delays because between statutory change over the last six years and the existence of a federal court's oversight of the competency system in Colorado, it appeared a solution would be forthcoming. Instead, the problem has gotten worse. People accused of crimes who are in jail and incompetent to proceed are waiting on average 104.6 days to receive treatment and inpatient restoration services, with some people waiting as many as 575 days just to begin restoration. These wait times – simply to begin the process of restoration to competency – are inconsistent with the precise, short timelines ordered by a federal court and codified in Colorado statute that mandate admission to a hospital within either seven or twenty-eight days, depending on the acuity of the person's situation.<sup>25</sup>

The federal court established these timelines when the Colorado Department of Human Services faced a federal lawsuit in 2011 in currently titled *Center for Legal Advocacy v. Michelle Barnes* for its handling of competency cases. The original complaint alleged constitutional violations for "delays for treatment that last as long as six months." In the ensuing years, DHS continued to assert in federal court that it faced "increases in court referrals" and "unprecedented staff shortages" (August 2015), and an "unanticipated spike in court referrals," (June 2017), and in April 2019 it agreed to operate under a mediated consent decree. Despite the decree, DHS faces ongoing staffing shortages while repeatedly pointing to increased referrals as the crisis worsens. In July 2023, the Special Masters assigned to oversee compliance with the federal consent decree reported:

<sup>25</sup> Section 16-8.5-111(2)(f)(I), Colorado Revised Statutes.

Just like each quarter for the past year, this quarter revealed markers of the competency crisis growing even more dire. The wait list has increased, as have wait times for people on the list. Again, the wait list has reached historic highs, now exceeding 450 individuals waiting. Wait times far exceed maximum time frames, translating into months spent waiting in local jails, even for the Tier 1 detainees who should be admitted within one week.

Twelve years since the federal lawsuit intended to solve the situation, with millions of dollars in fines assessed against the Department of Human Services, and despite the legislature implementing multiple statutory changes, the situation remains a constitutional and human rights disaster.<sup>26</sup> Because this crisis is longstanding and is “growing even more dire,” the OSPD cannot continue to simply absorb the extra workload these cases require without additional staffing.

Colorado’s competency crisis increases public defender workload for a variety of reasons. Most obviously, these cases require more court appearances as cases for incompetent clients languish on criminal dockets, sometimes for years. Much of the work public defenders do on behalf of incompetent clients occurs outside of the courtroom. Representing people living with mental illness requires extra care, knowledge, and attention. Colorado Rule of Professional Conduct 1.14(a) requires that when representing clients with a diminished capacity, the lawyer must, “as far as reasonably possible, maintain a normal client-lawyer relationships with the client.” This means that the lawyer must seek to communicate with the client regularly, share relevant discovery, discuss plea and trial options, and advise the client, even if the client cannot yet move their case forward. Meetings with incompetent clients can be long, frequent, and repetitive because of the client’s mental capacity, memory deficits, and the physical and mental suffering they experience while incarcerated and mentally ill.

The ABA *Criminal Justice Standards on Mental Health* Standard 7-1.4<sup>27</sup> requires attorneys who represent people with mental illness to “work particularly closely with their clients,” explore all mental state questions that the attorney might raise and seek relevant information from family members and collateral sources. These cases often require investigation into collateral records, which can be extensive if the person has lifelong mental health conditions; interviews of family, friends, and behavioral health professionals; and consultation with experts. Defense teams must seek competency re-evaluations, find community resources if the court releases the client into the community, and mental health treatment. Judges routinely condition release on the client having stable housing, supportive mental health resources, and medication management. With a lack of support services for people criminally accused and living with mental health conditions, public defenders must scrape together options that courts will accept. For clients who remain warehoused in jails, held for extended periods of time awaiting restoration treatment, defense counsel must advocate for safe, sanitary, and humane treatment, which requires more motions and hearings to protect these vulnerable clients. Competency litigation is particularly time-intensive considering the complexity of Colorado’s competency statute and the multitude of constitutional rights violated by delays in treatment.<sup>28</sup>

<sup>26</sup> Perez, Chris, “How Problems at the State Mental Health Hospital Are Destroying Colorado’s Justice System,” Westword, Oct. 3, 2023. Available at: <https://www.westword.com/news/colorado-mental-health-hospital-problems-hurting-justice-system-17919448>.

<sup>27</sup> American Bar Association, *Criminal Justice Standards on Mental Health*, [https://www.americanbar.org/content/dam/aba/publications/criminal\\_justice\\_standards/mental\\_health\\_standards\\_2016.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/mental_health_standards_2016.authcheckdam.pdf).

<sup>28</sup> The state violates the Due Process and Equal Protection provisions of the Colorado and the United States Constitutions when it holds a person in jail without restoration treatment. The state runs afoul of the prohibition on cruel and unusual punishment when it incarcerates a

In fiscal year 2023, the OSPD closed 3797 cases in which competency was raised. Approximately a third of those cases had inpatient restoration orders. The OSPD recorded 9335 hearings involving competency across all jurisdictions. In August 2023 alone, the OSPD had 672 clients waiting to be transported to inpatient restoration. While competency cases demand additional work whether the client is in custody or in the community, in drafting this budget request, the OSPD focused on the number of cases and workload associated with the inpatient waitlist for restoration.

**The OSPD requires twenty FTE attorneys to address the continued representation of hundreds of incompetent clients who languish in the criminal legal system. While the OSPD's Decision Item #2 will help with part of the workload associated with these cases because additional social workers and client advocates can help support clients and find resources in their communities, they cannot step in for the attorneys to conduct court work or legal analysis on these complex cases.**

### **The Impact of Juvenile Direct File and Transfer Cases**

Cases where the prosecution seeks to punish youth as adults require specialized advocacy and extensive pretrial litigation and mitigation work different from a typical adult criminal case. Colorado law requires that when the prosecution files a juvenile case directly in adult court, the court must hold a hearing that considers many factors, including an analysis of “the age . . . and maturity of the juvenile, as determined by considerations of the juvenile’s home, environment, emotional attitude, and pattern of living,” “[t]he juvenile’s current and past mental health status, as evidenced by relevant mental health or psychological assessments or screenings that are made available to both the district attorney and defense counsel,” and “[t]he likelihood of the juvenile’s rehabilitation by use of the sentencing options available in the juvenile . . . and district courts.”<sup>29</sup> When the prosecution wants to transfer a youth’s case from juvenile to adult court, the court must hold a hearing considering factors including “[t]he juvenile’s maturity, as determined by considerations of the juvenile’s home, environment, emotional attitude, and pattern of living” and “[t]he likelihood of the juvenile’s rehabilitation by use of facilities available to the juvenile court.”<sup>30</sup> These hearings, known as transfer and reverse transfer hearings, typically include several days of testimony and argument.

The work to prepare for these hearings is specialized and labor-intensive. Defenders in jurisdictions where direct file and transfer cases are routinely sought report these cases require at the outset an amount of work typically associated with taking a murder or complex felony to trial just to determine whether the case will next proceed in adult or juvenile court. The youth defense team must seek, vet, and prepare expert witnesses;<sup>31</sup> interview family members; and collect records from schools, treatment providers, and systems and institutions that have interacted with the child. The team must also defend against the prosecution’s substantive charges because in both transfer and reverse transfer proceedings the court must consider “the seriousness of the

person without adequate medical treatment. *Estelle v. Gamble*, 429 U.S. 97, 102 (1976) (citing *Jackson v. Bishop*, 404 F.2d 571, 579 (8th Cir. 1968)). U.S. Const. amends. VIII; Colo. Const. art. II, § 20.

<sup>29</sup> Section 19-2.5-801, Colorado Revised Statutes

<sup>30</sup> Section 19-2.5-802, Colorado Revised Statutes

<sup>31</sup> American Bar Association, *Juvenile Justice Standards - Standards Relating to Transfer Between Courts*, Standard 2.2 (1980). Available at <https://www.ncjrs.gov/pdffiles1/ojdp/82487.pdf>.

offense” and whether the alleged offense was committed in an “aggressive, violent, premeditated, or willful manner” against property or person. This work must be done in addition to the usual pretrial and trial tasks involved in standard adult criminal cases. Once the court decides where the case will move forward, the lawyers must then defend the case on the merits.

Recently, the Colorado Court of Appeals issued an unpublished decision discussing the level of representation required to effectively prepare sentencing arguments on behalf of youth facing adult penalties. *People v. Greggs*<sup>32</sup> referenced defense guideline standards that defense counsel “present to the court any ground which will assist in reaching a proper disposition favorable to the accused.” In addition to discussing the ABA Criminal Justice Standards for the Defense Function § 4-8.3(e) (4th ed. 2017), for sentencing proceedings generally, the court of appeals also cited youth-specific practice guidelines from The Campaign for the Fair Sentencing of Youth.<sup>33</sup> These guidelines require that defenders apply a team approach on a case, using “a minimum of four qualified defense team members: two attorneys, one investigator, and one mitigation specialist.” The guidelines set forth the roles and responsibilities of the defense team representing youth and list child-specific considerations relevant throughout that representation that highlight the complexity of this work. For example, at least one attorney must have relevant substantive experience representing child clients and at least one attorney must have homicide experience, including the investigation and presentation of sentencing mitigation. Because of the scope of work and seriousness of the consequences for these young clients, OSPD routinely staffs these cases with two attorneys, an investigator, a social worker, and, sometimes, a paralegal.

The OSPD has not previously requested staffing for the increased workload in defending these hearings for youth clients. Each year since 2016, there have been between 70 and 100 juvenile cases directly filed or successfully transferred to adult courts in Colorado.<sup>34</sup> For the significant subset of which were OSPD cases, after considering the double workload required for investigation, preparation and presentation at the substantive transfer and reverse transfer hearings, the **OSPD requires ten attorneys to address the workload.**

### **Summary of Request and Projections:**

	<b># of lawyers needed</b>	<b>FY 24-25</b>	<b>Projected Future Request</b>	<b>Request deferred or addressed through other solutions</b>
<b>Explosion of Discovery</b>	180	40	50	Ninety FTE deferred because of recruitment constraints and state fiscal limitations. Additional paralegal allocation may be a mechanism to address a portion of this need in future budget requests.

<sup>32</sup> *People v. Greggs*, Case No. 21CA1255 (Colo. App. August 3, 2023) (discussing counsel’s ineffectiveness for failing to call mitigation witnesses to humanize Mr. Greggs, offering a mitigation report without testimony from the forensic social worker, not preparing a mitigation video, failing to contact treatment providers or obtain records and instead relying on a presentence investigation report to establish information related to Mr. Gregg’s mental health, and failing to research the normal pattern of sentences for the offense involved).

<sup>33</sup> The guidelines are intended to establish a standard of representation for children facing life sentences, drawing from the ABA Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases in the capital context and the NJDC National Juvenile Defense Standards in the juvenile court context.

<sup>34</sup> The Judicial Department prepared upon OSPD’s request a list of every case filed with a CR case number where at the time of the offense the accused was under the age of eighteen. Because the prosecution is not always successful at the transfer hearing, this methodology does not capture every case where a transfer hearing was conducted.



<b>Proliferation of Courtrooms</b>	20	10	10	
<b>Competency Crisis</b>	20	15	0	Five FTE deferred because of recruitment constraints and state fiscal limitations. Improvement to the competency system may also obviate this need.
<b>Children Charged as Adults</b>	10	5	5	
<b>Total</b>	230	70	65	95

The OSPD requests 70 attorney FTE, 23.3 Investigator I (1:3 investigator to attorney ratio), 11.7 Paralegal I (1:6 ratio), 17.5 Administrative Assistant I (1:4 ratio), and 5.5 Centralized Administrative Staff (4.5% indirect costs). Despite needing more, as noted, attorney recruitment realities and state fiscal limitations drive a lesser request and a multi-year staggered approach. The OSPD predicts that increased staffing will continue to be necessary in upcoming budget cycles to address the described need.

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### **Anticipated Outcomes:**

This request will allow the OSPD to help meet its obligation to provide representation to clients as directed by the federal and state constitutions, rules, and Colorado statutes. This staffing will allow OSPD to meet client needs in the areas of discovery, competency, covering additional courtrooms and dockets, and the defense of youth. The OSPD also anticipates that increased staffing to address workload conditions will help slow attrition among developing and experienced staff.

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### **Assumptions for Calculations:**

- Assume July 01, 2024, start date.
- Assume salaries are at the minimum of step/grade grid.
- Staffing ratio of 1 investigator to 3 attorneys, 1 paralegal to 6 attorneys, 1 administrative assistant to 4 attorneys.
- Central FTE is 4.5% of trial office FTE.
- Central staff average salary is \$7,500.
- Standard payroll, operating costs and capital outlay are based on FY24 Legislative Council common policy.

year 1	FY25 TOTAL	
Personnel	FTE	Annual Pay
Position Title		
Attorney I	70.0	\$5,736,360
Investigator I	23.3	\$1,506,120
Paralegal I	11.7	\$644,980
Administrative Assistant I	17.5	\$751,380
State Office	5.5	\$496,125
<b>Subtotal FTE and Pay</b>	<b>128.0</b>	<b>\$9,134,965</b>
PERA Base	11.57%	\$1,056,915
Medicare	1.45%	\$132,457
AED	5.00%	\$456,748
SAED	5.00%	\$456,748
HLD	\$ 11,875	\$1,520,000
STD	0.15%	\$13,702
FMLIA	0.45%	\$41,107
<b>Total Salary</b>		<b>\$12,812,644</b>
<b>Operating Costs</b>		
Item	Unit Cost	Cost
Operating, regular employee	\$950	\$121,600
Operating / Automation	\$330	\$42,240
Attorney Registraton Fees	\$190	\$13,300
Capital Outlay	\$6,670	\$853,760
Leased Space	\$6,600	\$844,800
		<b>\$1,875,700</b>
<b>Total Estimated Expenditures</b>		<b>\$14,688,344</b>

year 2	FY25 TOTAL	
Personnel	FTE	Annual Pay
Position Title		
Attorney I	70.0	\$5,736,360
Investigator I	23.3	\$1,506,120
Paralegal I	11.7	\$644,980
Administrative Assistant I	17.5	\$751,380
State Office	5.5	\$496,125
<b>Subtotal FTE and Pay</b>	<b>128.0</b>	<b>\$9,134,965</b>
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<b>Total Salary</b>		<b>\$12,812,644</b>
<b>Operating Costs</b>		
Item	Unit Cost	Cost
Operating, regular employee	\$950	\$121,600
Operating / Automation	\$330	\$42,240
Attorney Registraton Fees	\$190	\$13,300
Leased Space	\$6,600	\$844,800
		<b>\$1,021,940</b>
<b>Total Estimated Expenditures</b>		<b>\$13,834,584</b>

### **Consequences if Not Funded:**

First, failure to fund the request means the OSPD's ability to provide representation to clients as directed by the federal and state constitutions and Colorado statutes, in accordance with the Colorado Rules of Professional Conduct and the American Bar Associations Standards, will be significantly damaged. Second, service to the public will inevitably be harmed as there will continue to be insufficient staff available to work on behalf of OSPD clients. Third, failure to fund this request will exponentially and negatively affect employee morale and lead to potentially more attrition throughout the agency as workloads continue to rise.

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### **Impact to Other State Government Agencies:**

Not funding this request will result in worse outcomes for OSPD clients which increases pretrial and post-conviction incarceration at a significant cost to the state and local government. Understaffed public defender offices may cause delays in court proceedings due to the inability to cover the required number of cases in the required number of courtrooms as attrition continues. Any delays could affect scheduling and workloads in the Colorado Judicial Department and District Attorney Offices. Not funding this request may cause delays in the central administrative office's regular interactions with other state entities as lack of sufficient central staff could negatively impact the OSPD's ability to respond in a timely manner to other state agencies.

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### **Current Statutory Authority or Needed Statutory Change:**

Funding for the Office of the State Public Defender is authorized under C.R.S. Title 21. Specifically, the OSPD enabling legislation, § 21-1-101(1), C.R.S., states "The general assembly hereby declares that the State Public Defender at all times shall serve his clients independently of any political considerations or private interest, provide legal services to indigent persons accused of crime that are commensurate with those available to nonindigents, and conduct the office in accordance with the Colorado rules of professional conduct and with the American Bar Association Standards relating to the administration of criminal justice, the defense function."

**Current Statutory Authority or Needed Statutory Change:**

Funding for the Office of the State Public Defender is authorized under C.R.S. Title 21. Specifically, the OSPD enabling legislation, § 21-1-101(1), C.R.S., states “The general assembly hereby declares that the State Public Defender at all times shall serve his clients independently of any political considerations or private interest, provide legal services to indigent persons accused of crime that are commensurate with those available to nonindigents, and conduct the office in accordance with the Colorado rules of professional conduct and with the American Bar Association Standards relating to the administration of criminal justice, the defense function.”

<b>Schedule 13</b> <b>Funding Request for the 2024-25 Budget Cycle</b>						
<b>Department:</b>		Office of the State Public Defender				
<b>Request Title:</b>		#R-1, Attorney FTE				
<b>Priority Number:</b>		1				
<b>Dept. Approval by:</b>		Megan A. Ring 10/31/23		<input checked="" type="checkbox"/> <b>Decision Item FY 2024-25</b> <input type="checkbox"/> <b>Base Reduction Item FY 2024-25</b> <input type="checkbox"/> <b>Supplemental FY 2023-24</b> <input type="checkbox"/> <b>Budget Amendment FY 2024-25</b>		
<b>OSPb Approval by:</b>		N/A				

Line Item Information		FY 2023-24		FY 2024-25		FY 2025-26
	Fund	1	2	3	4	5
		Appropriation FY 2023-24	Supplemental Request FY 2023-24	Base Request FY 2024-25	Funding Change Request FY 2024-25	Continuation Amount FY 2025-26
<b>Total of All Line Items</b>	<b>Total</b>	134,179,673	-	134,179,673	14,688,343	148,868,016
	<b>FTE</b>	1,097.6	-	1,097.6	128.0	1,225.6
	<b>GF</b>	134,179,673	-	134,179,673	14,688,343	148,868,016
Judicial Department, Office of the State Public Defender, Personal Services	<b>Total</b>	96,197,556	-	96,197,556	10,324,337	106,521,893
	<b>FTE</b>	1,097.6	-	1,097.6	128.0	1,225.6
	<b>GF</b>	96,197,556	-	96,197,556	10,324,337	106,521,893
Judicial Department, Office of the State Public Defender, Health Life and Dental	<b>Total</b>	12,944,641	-	12,944,641	1,520,000	14,464,641
	<b>GF</b>	12,944,641	-	12,944,641	1,520,000	14,464,641
Judicial Department, Office of the State Public Defender, Short- term Disability	<b>Total</b>	157,798	-	157,798	13,702	171,500
	<b>GF</b>	157,798	-	157,798	13,702	171,500
Judicial Department, Office of the State Public Defender, AED	<b>Total</b>	4,931,186	-	4,931,186	456,748	5,387,934
	<b>GF</b>	4,931,186	-	4,931,186	456,748	5,387,934
Judicial Department, Office of the State Public Defender, SAED	<b>Total</b>	4,931,186	-	4,931,186	456,748	5,387,934
	<b>GF</b>	4,931,186	-	4,931,186	456,748	5,387,934
Judicial Department, Office of the State Public Defender, FAMLI	<b>Total</b>	-	-	-	41,107	41,107
	<b>GF</b>	-	-	-	41,107	41,107
Judicial Department, Office of the State Public Defender, Operating Expenses	<b>Total</b>	2,174,423	-	2,174,423	121,600	2,296,023
	<b>GF</b>	2,174,423	-	2,174,423	121,600	2,296,023
Judicial Department, Office of the State Public Defender, Capital Outlay	<b>Total</b>	281,350	-	281,350	853,760	1,135,110
	<b>GF</b>	281,350	-	281,350	853,760	1,135,110
Judicial Department, Office of the State Public Defender, Leased Space and Utilities	<b>Total</b>	8,952,480	-	8,952,480	844,800	9,797,280
	<b>GF</b>	8,952,480	-	8,952,480	844,800	9,797,280
Judicial Department, Office of the State Public Defender, Automation Plan	<b>Total</b>	3,452,419	-	3,452,419	42,240	3,494,659
	<b>GF</b>	3,452,419	-	3,452,419	42,240	3,494,659
Judicial Department, Office of the State Public Defender, Attorney Registration	<b>Total</b>	156,634	-	156,634	13,300	169,934
	<b>GF</b>	156,634	-	156,634	13,300	169,934

Letternote Text Revision Required?	Yes:	No:	If yes, describe the Letternote Text Revision:
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Cash or Federal Fund Name and COFRS Fund Number:			
Reappropriated Funds Source, by Department and Line Item Name:			
Approval by OIT?	Yes:	No:	Not Required:
Schedule 13s from			
Other Information:			

## **TAB 2**



# OFFICE OF THE STATE PUBLIC DEFENDER

Megan A. Ring  
State Public Defender

*FY 2024-25 Budget Request  
November 1, 2023*

**Department Priority: 2**  
**Request Title: R#2, Social Workers & Client Advocates**

Summary of Incremental Funding Change for FY 2024-25	Total Funds	General Fund	FTE
<i>Personal Services</i>	\$ 1,888,035	\$ 1,888,035	27.6
<i>AED</i>	\$ 83,527	\$ 83,527	
<i>SAED</i>	\$ 83,527	\$ 83,527	
<i>HLD</i>	\$ 327,749	\$ 327,749	
<i>STD</i>	\$ 2,506	\$ 2,506	
<i>FAMLI</i>	\$ 7,517	\$ 7,517	
<i>Operating</i>	\$ 36,100	\$ 36,100	
<i>Automation</i>	\$ 12,540	\$ 12,540	
<i>Capital Outlay</i>	\$ 253,460	\$ 253,460	
<i>Leased Space</i>	\$ 250,800	\$ 250,800	
<b>Total</b>	<b>\$ 2,945,761</b>	<b>\$ 2,945,761</b>	<b>27.6</b>

Summary of Incremental Funding Change for FY 2025-26	Total Funds	General Fund	FTE
<i>Personal Services</i>	\$ 2,335,323	\$ 2,335,323	37.6
<i>AED</i>	\$ 103,315	\$ 103,315	
<i>SAED</i>	\$ 103,315	\$ 103,315	
<i>HLD</i>	\$ 446,736	\$ 446,736	
<i>STD</i>	\$ 3,099	\$ 3,099	
<i>FAMLI</i>	\$ 9,298	\$ 9,298	
<i>Operating</i>	\$ 36,100	\$ 36,100	
<i>Automation</i>	\$ 12,540	\$ 12,540	
<i>Leased Space</i>	\$ 250,800	\$ 250,800	
<b>Total</b>	<b>\$ 3,300,526</b>	<b>\$ 3,300,526</b>	<b>37.6</b>

## Request Summary:

The Office of the State Public Defender (OSPD) is requesting 27.6 FTE and \$2,945,761 General Fund for FY 2024-25 and 36.7 FTE and \$3,300,526 for FY2025-26 and on-going. Our request would fund 11.0 Licensed Social Workers, 5.0 Client Advocates, and 1.6 centralized staff for full 12 months of FY 2024-25 and 20.0 Client Advocates beginning January 01, 2025 to provide clients with mitigation and community support services.

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**Background:**

*The statutory function of the Office of the State Public Defender is to “provide legal services to indigent persons accused of crime that are commensurate with those available to non-indigents, and conduct the office in accordance with the Colorado Rules of Professional Conduct and with the American Bar Association standards relating to the administration of criminal justice, the defense function.”*

The criminal legal system is filled with people living with mental illness and substance abuse disorders and people who have committed poverty-related crimes. These individuals are primarily represented by public defenders, who not only argue their legal positions in court but also seek to address the factors that contribute to the person’s entanglement in the criminal legal system. While attorneys often do the work to mitigate the circumstances of the accusation and to provide community-based resources, other members of the public defense team, including licensed social workers and client advocates, can do that work. The OSPD requests 11.0 Licensed Social Worker FTE and 5.0 Client Advocate FTE positions to start July 1, 2024, and 20.0 additional Client Advocate FTE to begin January 1, 2025.

Currently, OSPD’s twenty-three social worker FTE and two temporary positions must focus almost entirely on the most serious cases, engaging in forensic mitigation investigation and advocacy, leaving little time to provide community-based resource planning for clients accused of lower-level offenses. New positions, split between licensed social workers and client advocates, will address both existing gaps in the OSPD’s ability to provide forensic mitigation work on serious cases and allow for assessment of underlying concerns and identification of appropriate supports for clients accused in less serious cases, thus improving the outcomes for these clients. Overall, resource identification and planning will contribute to safer outcomes for the clients and the community.

The current allocation of Licensed Social Workers is not enough to address the complex presentations and high need of our clients. OSPD social workers face a greater demand for their services than they can meet. Many cover a large geographic area:

Office	Social Workers	Concentration	Judicial Districts Covered
Arapahoe	3	Adults	18th
Arapahoe	1	Youth	18 <sup>th</sup>
Boulder	1	Adults	20 <sup>th</sup> , 14 <sup>th</sup>
Brighton	1	Adults	2 <sup>nd</sup> , 13 <sup>th</sup> , 17 <sup>th</sup>
Brighton	1	Youth	17 <sup>th</sup> , 20 <sup>th</sup>
Colorado Springs	3	Adults	4 <sup>th</sup>



Colorado Springs	1	Youth	4 <sup>th</sup>
Denver	3	Adults	2 <sup>nd</sup>
Denver	1	Youth	2 <sup>nd</sup>
Dillon	1	Adults	1 <sup>st</sup> , 5 <sup>th</sup> , 14 <sup>th</sup>
Durango	1	Adults	6 <sup>th</sup> , 12 <sup>th</sup> , 2 <sup>nd</sup>
Fort Collins	1	Adults	8 <sup>th</sup> , 19 <sup>th</sup>
Golden	1	Adults	1 <sup>st</sup>
Golden	1	Youth	1 <sup>st</sup> , 5 <sup>th</sup>
Grand Junction	1	Adults	7 <sup>th</sup> , 9 <sup>th</sup> , 21 <sup>st</sup>
Grand Junction	1	Youth	21 <sup>st</sup> , 14 <sup>th</sup> , 9 <sup>th</sup> , 7 <sup>th</sup> , 6 <sup>th</sup> , 22 <sup>nd</sup>
Greeley	1	Youth	8 <sup>th</sup> , 13 <sup>th</sup> , 19 <sup>th</sup>
Pueblo	1	Adults	3 <sup>rd</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , 15 <sup>th</sup> , 16 <sup>th</sup>
Pueblo	1	Youth	3 <sup>rd</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup> , 15 <sup>th</sup> , 16 <sup>th</sup>

With approximately 175,000 cases worked last year by the OSPD, twenty-three social workers can only address a fraction of the need. Social workers in rural areas covering wide geographic areas find it unrealistic to provide parity of service to non-Denver-metro communities. In bigger offices, social workers cannot meet the demand for their services, which places the burden on busy attorneys and costly outside experts. Additional social worker positions will help meet the current client need with a high level of expertise but at a lower cost than attorney positions. More clients will receive accurate assessment and connection with appropriate treatment and services, and our rural offices will receive more equitable access to social work services.

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### **Forensic Social Work FTE:**

Social workers are uniquely situated to provide critical perspective and expertise on the intersecting influences of neurology and environment on behavior and do so through a lens of cultural sensitivity and context. Duties of the criminal defense-based forensic social worker include client and family advocacy, service connection and navigation, assessment/evaluation, mitigation investigation and presentation, therapeutic and emotional support, release planning, expert identification, and social science research.<sup>1</sup> Forensic social workers conduct mental and behavioral health need assessments, with sensitivity to the person in their environment, identifying the most appropriate intervention. They help the defense team and, where appropriate, the court, prosecutors, and probation officers, in identifying how behavioral health affected the client's culpability, understanding the client's life, and finding appropriate sentencing options. By understanding the underlying influences on behavior, courts can make more informed, evidence-based decisions and can tailor outcomes to meet the needs of

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<sup>1</sup> Ratliff, A & Willins, M (2019). *Criminal Defense-Based Forensic Social Work*. New York, NY: Routledge

both the individual and the community, thus reducing the degree of costly over-incarceration.

Longstanding standards for defense advocacy require inclusion of mitigation for all clients.<sup>2</sup> Colorado law also requires the defense to explore and include mitigation to meet these minimum standards of representation. Mitigation is shown to decrease the amount and severity of punishment.<sup>3</sup>

In addition to social work for adult clients, the OSPD must provide mitigation for youth clients. When representing youth who may face adult penalties, according to the Colorado Children's Code, counsel must investigate and present evidence to the court on several factors including "the...maturity of the juvenile as determined by considerations of the juvenile's home, environment, emotional attitude, and pattern of living" and "the current and past mental health status of the juvenile". Because social worker staffing is limited, much of this work is handled by overburdened attorneys. In other circumstances, the case may be delayed until a social worker is available. Additional social work FTE will expand the number of clients the OSPD can serve, the timeliness with which clients can receive those services, and will better equip OSPD attorneys in adhering to legal requirements.

Considering approximately 70% of people in Colorado's criminal legal system are represented by the OSPD, Public Defenders have a key role in reducing the system's reliance on expensive and counterproductive sentencing options like prison and jail. Decreased incarceration and expanded reliance on treatment and sentencing alternatives save Colorado money. Efforts that address the client's underlying needs decrease recidivism.<sup>4</sup> With additional FTE the OSPD can increase attention to and decrease sentencing of people from disproportionately impacted communities.<sup>5</sup>

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## **Client Advocate FTE:**

The twenty-five OSPD social workers are all master's level professionals who, because of their advanced education and licensing credentials, are expected to engage in high-level mitigation work. The demand for this work on serious cases leaves them unable to address broader client needs, including critical tasks like finding housing and treatment options, helping with benefits applications, identifying transportation options, and providing client support.

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2 Vartkessian, Elizabeth S.; Posel, Thea; Ginez, Anthony; and Hubbard, Lela (2023) "When Justice Depends on It: The Need for Professional Standards for Mitigation Development in All Criminal Cases," University of Baltimore Law Review: Vol. 52: Iss. 3, Article 4.

3 Chammah, M (2017, October 2). What's Behind the Decline in the Death Penalty? The Marshall Project. <https://www.themarshallproject.org/2017/10/02/what-s-behind-the-decline-in-the-death-penalty>; Vartkessian, Elizabeth S.; Posel, Thea; Ginez, Anthony; and Hubbard, Lela (2023) "When Justice Depends on It: The Need for Professional Standards for Mitigation Development in All Criminal Cases," University of Baltimore Law Review: Vol. 52: Iss. 3, Article 4.

4 Yukhnenko D, Blackwood N, Fazel S. Risk factors for recidivism in individuals receiving community sentences: a systematic review and meta-analysis. *CNS Spectr.* (2):252-263. doi: 10.1017/S1092852919001056

5 Widra, E. & Donner, C. (2022, July). Where people in prison come from: The geography of mass incarceration in Colorado. Prison Policy Initiative. <https://www.prisonpolicy.org/origin/co/2020/report.html>

The OSPD can close this gap with staff who do not have a master's degree in social work or specific licensure. Emerging professionals from bachelor's programs and people with lived experience in the criminal legal system who have meaningful context and connection for OSPD clients can provide these services. Using client advocate positions to provide this support broadens the workforce from which OSPD can recruit beyond the pool of master's degree level professionals, are a cost-effective alternative to attorneys and forensic social workers, and can help address the needs of OSPD clients.

Considering the competency crisis described in OSPD's Decision Item #R-1, the OSPD has a vital role in assessing and addressing mental health symptomology and providing treatment options. Social workers and client advocates provide crucial support to attorneys and clients in this work. While identifying a client's symptomology may require a forensic social worker, client advocates can identify community-based treatment, housing, medical care, and transportation options so that forensic social workers can focus on legally required mitigation and mental health assessment.

The OSPD has engaged *Partners for Justice (PFJ)* to provide initial program direction for 5.0 FTE positions if this decision item is funded. PFJ provides a cost-effective and community safe model for public defense, reporting a 43% reduction in criminal justice system involvement, saving about 4,000 years of incarceration through their work with other public defender organizations. Through their collaborative defense intervention approach, they provide clients with connection to treatment and support, as well as foster partnerships with community providers. Client advocate positions specialize in helping with and coordinating access to community services, directly reducing incarceration and recidivism; including providing help obtaining state and federal benefits, access to community resources, jobs, housing, and mental health services. Client advocates also engage in bail advocacy, eviction prevention, averting employment termination due to arrest, obtaining identification or driver's license reinstatement, helping clients to follow court requirements, connecting with employment or education resources, and identifying counsel for civil, family, and immigration law matters. A study of this model showed an estimated \$165 million in cost savings with no increased risk to public safety.<sup>6</sup> PFJ has helped twenty-six other public defender systems set up client advocate programs by providing recruitment, training, service delivery, capacity building, and data gathering systems.

OSPD client advocate positions can directly address and reduce systematic barriers to treatment and support increasing the OSPD's ability to intervene at earlier stages of a client's system involvement, thus decreasing the longitudinal risk level of our clientele. OSPD client advocates will be able to intervene directly in contributors to recidivism

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<sup>6</sup> Anderson, J M., Buenaventura, M., & Heaton, P. (2019). Holistic representation: An innovative approach to defending poor clients can reduce incarceration and save taxpayer dollars—without harm to public safety. RAND Corporation. [https://www.rand.org/pubs/research\\_briefs/RB10050.html](https://www.rand.org/pubs/research_briefs/RB10050.html).

such as housing,<sup>7</sup> vocational opportunities,<sup>8</sup> mental health and substance abuse issues<sup>9</sup> and help contribute to reducing reliance on jail and prison.<sup>10</sup> The average annual cost of incarcerating an inmate within the Department of Corrections is approximately \$57,000,<sup>11</sup> a significantly higher cost than community-based sentencing such as probation and Community Corrections.<sup>12</sup> Utilizing community treatment options will reduce the already unsustainable demands on the Department of Corrections<sup>13</sup> and decrease the cycle of institutionalization which further depletes strained institutional resources.

Together, these social worker and client advocate positions will improve the OSPD's ability to identify behavioral health disorders and developmental disabilities, as well as confront systemic barriers preventing these clients from accessing needed supports. These positions will further improve community safety by assessing specific causes of risk and securing corresponding accommodations to mitigate harm to the client and to society. They will directly reduce attorney workload in current cases and decrease the likelihood for the need for future representation of clients. These positions will also address the need for increased equity in rural areas.

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### **Anticipated Outcomes:**

Social worker and client advocate positions will provide more clients with services and supports, helping to address an existing gap in support services for individuals charged with lower-level felonies and misdemeanors. The additional FTE will also let OSPD provide more equity and outreach to individuals and communities in rural areas of the state. Client assessments and case management will provide Defenders with the information to create individualized case plans for clients. In some cases, courts will receive more comprehensive information regarding an individual that can help in imposing an appropriate sentence that better serves both the individual's needs and community safety. Earlier and more supportive interventions are ultimately a cost saving measure for the state.

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7 Nam-Sonenstein, B (2023, September 11). Seeking shelter from mass incarceration: Fighting criminalization with Housing First. Prison Policy Initiative.

<https://www.prisonpolicy.org/blog/2023/09/11/housing-first/>

8 Duran L, Plotkin M, Potter P, & Rosen H. (2013). Integrated Reentry and Employment Strategies: Reducing Recidivism and Promoting Job Readiness. The Council of State Governments Justice Center

9 Zgoba K, Reeves R, Tamburello A, & DeBilio L (2020). Criminal Recidivism in Inmates with Mental Illness and Substance Use Disorders. *Journal of the American Academy of Psychiatry and the Law Online*. 48: (2), DOI: <https://doi.org/10.29158/JAAPL.003913-20>

10 Frank, J (2019). Colorado's prison budget nears \$1 billion as inmate population grows. Frustrated leaders wanted action yesterday. *The Colorado Sun*.

<https://coloradosun.com/2019/02/15/colorados-prison-budget-nears-1-billion-as-inmate-population-grows-frustrated-leaders-want-action-yesterday/>

11 <https://spl.cde.state.co.us/artemis/crserials/cr132internet/cr13220202122internet.pdf>

12 <https://dcj.colorado.gov/dcj-offices/community-corrections/community-corrections#>

13 Colorado Criminal Justice Reform Coalition (2023, March 23). Colorado Corrections in Crisis. <https://www.journal-advocate.com/wp-content/uploads/2023/03/CCJRC-Report.pdf>

## Assumptions for Calculations:

- Assume July 01, 2024, start date for 11 Social Workers and 5 Client Advocates.
- Assume January 01, 2025 start date for 20 Client Advocates.
- Assume salaries are at the minimum of step/grade grid.
- Central FTE is 4.5% of regional office FTE.
- Central staff average salary is \$7,500.
- Standard payroll, operating costs and capital outlay are based on FY24 Legislative Council common policy.

### FY 2024-25 Breakdown

year 1				year 1			
State Expenditures				State Expenditures			
Office of the State Public Defender				Office of the State Public Defender			
	12	# of months used for FTE calculation			6	# of months used for FTE calculation	
<b>Personnel</b>				<b>Personnel</b>			
Position Title	FTE (based on months used)	Monthly	Total Pay	Position Title	FTE (based on months used)	Monthly	Total Pay
Social Worker I (LSW)	11.0	\$5,431	\$716,892				
Case Manager	5.0	\$4,498	\$269,880	Case Manager	20.0	\$4,498	\$539,760
State Office	1.6	\$7,500	\$144,000				
<b>Subtotal FTE and Pay</b>	<b>17.6</b>		<b>\$1,130,772</b>	<b>Subtotal FTE and Pay</b>	<b>20.0</b>		<b>\$539,760</b>
PERA Base	11.57%		\$130,830	PERA Base	11.57%		\$62,450
Medicare	1.45%		\$16,396	Medicare	1.45%		\$7,827
AED	5.00%		\$56,539	AED	5.00%		\$26,988
SAED	5.00%		\$56,539	SAED	5.00%		\$26,988
HLD	\$11,875		\$208,999	HLD	\$ 5,937		\$118,750
STD	0.15%		\$1,696	STD	0.15%		\$810
FMLAI	0.45%		\$5,088	FMLAI	0.45%		\$2,429
<b>Total Salary</b>			<b>\$1,606,860</b>	<b>Total Salary</b>			<b>\$786,001</b>
<b>Operating Costs</b>				<b>Operating Costs</b>			
Item	Unit Cost	Units	Cost	Item	Unit Cost	Units	Cost
Operating, regular employee	\$950	18.0	\$17,100	Operating, regular employee	\$950	20.0	\$19,000
Automation / Operating	\$330	18.0	\$5,940	Automation / Operating	\$330	20.0	\$6,600
Capital Outlay	\$6,670	18.0	\$120,060	Capital Outlay	\$6,670	20.0	\$133,400
Leased Space	\$6,600	18.0	\$118,800	Leased Space	\$6,600	20.0	\$132,000
<b>Total Operating</b>			<b>\$261,900</b>	<b>Total Operating</b>			<b>\$291,000</b>
<b>Total year 1 Expenditures</b>			<b>\$1,868,760</b>	<b>Total year 1 Expenditures</b>			<b>\$1,077,001</b>

FY 2024-25 Grand Total

<b>year 1 grand total</b>			
State Expenditures			
Office of the State Public Defender			
<b>Personnel</b>			
	<b>FTE (based on months used)</b>	<b>Monthly</b>	<b>Total Pay</b>
Position Title			
Social Worker I (LSW)	11.0	5,431	716,892
Case Manager	25.0	4,498	809,640
State Office	1.6	\$7,500	\$144,000
<b>Subtotal FTE and Pay</b>	<b>37.6</b>		<b>\$1,670,532</b>
PERA Base	11.57%		\$193,281
Medicare	1.45%		\$24,223
AED	5.00%		\$83,527
SAED	5.00%		\$83,527
HLD	\$11,875		\$327,749
STD	0.15%		\$2,506
FMLAI	0.45%		\$7,517
<b>Total Salary</b>			<b>\$2,392,861</b>
<b>Operating Costs</b>			
<b>Item</b>	<b>Unit Cost</b>	<b>Units</b>	<b>Cost</b>
Operating, regular employee	\$950	38.0	36,100
Automation / Operating	\$330	38.0	12,540
Capital Outlay	\$6,670	38.0	253,460
Leased Space	\$6,600	38.0	250,800
<b>Total Operating</b>			<b>\$552,900</b>
<b>Grand Total year 1 Expenditures</b>			<b>\$2,945,761</b>

<b>year 2</b>			
State Expenditures			
Office of the State Public Defender			
	12	# of months used for FTE calculation	
<b>Personnel</b>			
<b>Position Title</b>	<b>FTE (based on months used)</b>	<b>Monthly</b>	<b>Total Pay</b>
Social Worker I (LSW)	11.0	\$5,431	\$716,892
Case Manager	25.0	\$4,498	\$1,349,400
State Office	1.6	\$7,500	\$145,800
<b>Subtotal FTE and Pay</b>	<b>37.6</b>		<b>\$2,066,292</b>
PERA Base	11.57%		\$239,070
Medicare	1.45%		\$29,961
AED	5.00%		\$103,315
SAED	5.00%		\$103,315
HLD	\$ 11,875		\$446,736
STD	0.15%		\$3,099
FMLIA	0.45%		\$9,298
<b>Total Salary</b>			<b>\$3,001,086</b>
<b>Operating Costs</b>			
<b>Item</b>	<b>Unit Cost</b>	<b>Units</b>	<b>Cost</b>
Operating, regular employee	\$950	38.0	\$36,100
Automation / Operating	\$330	38.0	\$12,540
Capital Outlay	\$6,670	-	\$0
Leased Space	\$6,600	38.0	\$250,800
<b>Total Operating</b>			<b>\$299,440</b>
<b>Total year 2 Expenditures</b>			<b>\$3,300,526</b>

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### Consequences if Not Funded:

If this request is not funded, all agencies involved in the criminal legal system would continue operating at the same level. Many individuals who would benefit from addressing the underlying needs that contributed to the criminal accusation will continue to receive jail and prison sentences that do little to rehabilitate them and contribute to jail and prison overcrowding. The Department of Corrections will continue to house people whose rehabilitative needs would be better addressed in the community, at a significantly higher cost. Rural communities would continue to be underserved because of barriers to social capital and support.

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**Impact to Other State Government Agencies:**

Funding this request will result in cost savings to the Department of Corrections and County Jails by diverting prison sentences, or reducing sentence lengths, for individuals whose rehabilitative needs can be safely supervised in a community setting.

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**Current Statutory Authority or Needed Statutory Change:**

Funding for the Office of the State Public Defender is authorized under C.R.S. Title 21. Specifically, the OSPD enabling legislation, C.R.S. 21-1-101(1), states “The general assembly hereby declares that the state public defender at all times shall serve his clients independently of any political considerations or private interest, provide legal services to indigent persons accused of crime that are commensurate with those available to non-indigents, and conduct the office in accordance with the Colorado Rules of Professional Conduct and with the American Bar Association standards relating to the administration of criminal, justice, the defense function.”



**Schedule 13**  
**Funding Request for the 2024-25 Budget Cycle**

Department: Office of the State Public Defender  
Request Title: #R-2, Social Workers and Client Advocates  
Priority Number: 2

Dept. Approval by: Megan A. Ring 10/31/23

OSPB Approval by: N/A

- ☒ Decision Item FY 2024-25  
☐ Base Reduction Item FY 2024-25  
☐ Supplemental FY 2023-24  
☐ Budget Amendment FY 2024-25

Line Item Information		FY 2023-24		FY 2024-25		FY 2025-26
		1	2	3	4	5
	Fund	Appropriation FY 2023-24	Supplemental Request FY 2023-24	Base Request FY 2024-25	Funding Change Request FY 2024-25	Base Request FY 2025-26
<b>Total of All Line Items</b>	<b>Total</b>	134,023,039	-	134,023,039	2,945,761	136,433,990
	<b>FTE</b>	1,097.6	-	1,097.6	27.6	1,125.2
	<b>GF</b>	134,023,039	-	134,023,039	2,945,761	136,433,990
Judicial Department, Office of the State Public Defender, Personal Services	<b>Total</b>	96,197,556	-	96,197,556	1,888,035	98,085,591
	<b>FTE</b>	1,097.6	-	1,097.6	27.6	1,125.2
	<b>GF</b>	96,197,556	-	96,197,556	1,888,035	98,085,591
Judicial Department, Office of the State Public Defender, Health Life and Dental	<b>Total</b>	12,944,641	-	12,944,641	327,749	13,272,390
	<b>GF</b>	12,944,641	-	12,944,641	327,749	13,272,390
Judicial Department, Office of the State Public Defender, Short-term Disability	<b>Total</b>	157,798	-	157,798	2,506	160,304
	<b>GF</b>	157,798	-	157,798	2,506	160,304
Judicial Department, Office of the State Public Defender, AED	<b>Total</b>	4,931,186	-	4,931,186	83,527	5,014,713
	<b>GF</b>	4,931,186	-	4,931,186	83,527	5,014,713
Judicial Department, Office of the State Public Defender, SAED	<b>Total</b>	4,931,186	-	4,931,186	83,527	5,014,713
	<b>GF</b>	4,931,186	-	4,931,186	83,527	5,014,713
Judicial Department, Office of the State Public Defender, FAMLI	<b>Total</b>	-	-	-	7,517	7,517
	<b>GF</b>	-	-	-	7,517	7,517
Judicial Department, Office of the State Public Defender, Operating Expenses	<b>Total</b>	2,174,423	-	2,174,423	36,100	2,210,523
	<b>GF</b>	2,174,423	-	2,174,423	36,100	2,210,523
Judicial Department, Office of the State Public Defender, Capital Outlay	<b>Total</b>	281,350	-	281,350	253,460	-
	<b>GF</b>	281,350	-	281,350	253,460	-
Judicial Department, Office of the State Public Defender, Leased Space and Utilities	<b>Total</b>	8,952,480	-	8,952,480	250,800	9,203,280
	<b>GF</b>	8,952,480	-	8,952,480	250,800	9,203,280
Judicial Department, Office of the State Public Defender, Automation Plan	<b>Total</b>	3,452,419	-	3,452,419	12,540	3,464,959
	<b>GF</b>	3,452,419	-	3,452,419	12,540	3,464,959

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number: N/A  
Reappropriated Funds Source, by Department and Line Item Name:  
Approval by OIT? Yes: No: Not Required: X  
Schedule 13s from Affected Departments: N/A  
Other Information:

## **TAB 3**



# OFFICE OF THE STATE PUBLIC DEFENDER

Megan A. Ring  
State Public Defender

*FY 2024-25 Budget Request  
November 1, 2023*

**Department Priority: 3**  
**Request Title: R#3, Digital Discovery**

Summary of Incremental Funding Change for FY 2024-25	Total Funds	General Fund	FTE
<i>Personal Services</i>	\$ 140,710	\$ 140,710	1.0
<i>AED</i>	\$ 6,225	\$ 6,225	
<i>SAED</i>	\$ 6,225	\$ 6,225	
<i>HLD</i>	\$ 11,500	\$ 11,500	
<i>STD</i>	\$ 187	\$ 187	
<i>FAMLI</i>	\$ 560	\$ 560	
<i>Operating</i>	\$ 950	\$ 950	
<i>Automation</i>	\$ 121,542	\$ 121,542	
<i>Capital Outlay</i>	\$ 6,670	\$ 6,670	
<b>Total</b>	<b>\$ 294,569</b>	<b>\$ 294,569</b>	<b>1.0</b>

Summary of Incremental Funding Change for FY 2025-26	Total Funds	General Fund	FTE
<i>Personal Services</i>	\$ 140,710	\$ 140,710	1.0
<i>AED</i>	\$ 6,225	\$ 6,225	
<i>SAED</i>	\$ 6,225	\$ 6,225	
<i>HLD</i>	\$ 11,500	\$ 11,500	
<i>STD</i>	\$ 187	\$ 187	
<i>FAMLI</i>	\$ 560	\$ 560	
<i>Operating</i>	\$ 950	\$ 950	
<i>Automation</i>	\$ 121,542	\$ 121,542	
<b>Total</b>	<b>\$ 287,899</b>	<b>\$ 287,899</b>	<b>1.0</b>

## Request Summary:

The Office of the State Public Defender (OSPD) is requesting 1.0 FTE and \$294,569 General Fund for FY 2024-25 and \$287,899 for FY2025-26 and on-going, to address funding requirements necessary to support information technology (IT) needs for the Office and needed staff for project development.

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## **Background:**

As part of the FY23 budget, the Joint Budget Committee and Joint Technology Committee approved an OSPD IT decision item titled “Public Defense in the Digital Age” that was focused on several initiatives to address the massive increase in video, audio, cell phone, and other types of evidence. As the amount of discovery and the complexity of investigative techniques continues to grow, not only does this present a challenge in storing and accessing the data but creates problems in reviewing, analyzing, interpreting, and cataloguing the information and determining what is relevant to the case. The OSPD has continued to invest in various tools to address these needs, such as, transcription, case management, discovery download, jury selection, and video analysis; but acquiring, implementing, and maintaining all these systems, requires significant time and effort. The OSPD also anticipates the need to develop or purchase new systems for payroll, personnel, and training. The process of investigating technology options, negotiating contracts, overseeing development projects, and managing the use of the expanding number of new IT systems requires additional FTE. The OSPD requires one new IT manager FTE to manage all these systems and applications, oversee the agency’s developers, explore new solutions to address staff problems, and review new and ongoing SAAS contracts.

One of the most challenging systems the OSPD is managing is Evidence.com, an evidence management and distribution service run by Axon Enterprise and the primary system prosecutors and law enforcement agencies use to bypass the statewide discovery system provided for by the Legislature under Senate Bill 14-190 (the eDiscovery portal managed by the Colorado District Attorneys’ Council). The Legislature previously provided \$50,000 in one time funding to develop an automated download process with Evidence.com via the website’s application programming interface (API). When the OSPD submitted the original request, it did not include ongoing licensing costs because Axon first stated that OSPD would need only one license per site to use the API. Unfortunately, Axon’s licensing model changed during negotiations, and it now requires licenses for all staff in an agency, whether they use the system or not, which significantly increases the money needed. This also resulted in a need for 21 different Axon sites to manage and access. Note: Axon changed their licensing model a second time during negotiation with OSPD, so the API is only accessible with a more expensive license but reluctantly agreed to include it on the basic licensing since there was an outstanding quote to our agency.

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## **Current Staffing and Resource Requirements:**

OSPD requests \$121,212 General Fund for Automation Plan for FY 2024-25 and FY 2025-26 and expects to submit a supplemental budget request for \$123,636 to cover this cost in FY 2023-24. When the current Axon contract ends in FY 2026-27, OSPD will need significantly more funding to pay for the professional license because Axon has removed the API function from the current, basic license level. OSPD estimates it

will need \$500,000 to \$1,000,000 per year to cover this licensure based on the \$500,000 quote Axon provided in September 2021.

For the new IT Manager position, OSPD requests 1.0 FTE and \$173,357 ongoing.

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## Anticipated Outcomes:

This additional licensing will let OSPD complete the project originally funded in FY23 and transition the agency to an automated process for receiving discovery through Evidence.com. The FTE position will provide better oversight, responsiveness, project management, and development of the applications (in-house and vendor-provided) needed for Public Defender staff to do their job and support our clients.

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## Assumptions for Calculations:

The costs requested are only for the existing contract and will likely increase significantly in FY27, as noted.

- Assume July 01, 2024, start date.
- Assume \$121,212 in Automation Plan.
- Assume 1 FTE, based on current step/grade structure.
- Standard payroll, operating costs and capital outlay are based on FY24 Legislative Council common policy.

<b>year 1</b>			
State Expenditures			
Office of the State Public Defender			
	12	# of months used for FTE calculation	
<b>Personnel</b>			
	FTE (based on months used)	Monthly	Total Pay
Position Title			
State Office	1.0	\$10,375	\$124,500
<b>Subtotal FTE and Pay</b>	<b>1.0</b>		<b>\$124,500</b>
PERA Base	11.57%		\$14,405
Medicare	1.45%		\$1,805
AED	5.00%		\$6,225
SAED	5.00%		\$6,225
HLD	\$11,500		\$11,500
STD	0.15%		\$187
FAMLI	0.45%		\$560
<b>Total Salary</b>			<b>\$165,407</b>
<b>Operating Costs</b>			
Item	Unit Cost	Units	Cost
Operating, regular employee	\$950	1.0	\$950
Automation / Operating	\$330	1.0	\$330
Capital Outlay	\$6,670	1.0	\$6,670
<b>Total Operating</b>			<b>\$7,950</b>
<b>Total year 1 Expenditures</b>			<b>\$173,357</b>

<b>year 2</b>			
State Expenditures			
Office of the State Public Defender			
	12	# of months used for FTE calculation	
<b>Personnel</b>			
	<b>FTE (based on months used)</b>	<b>Monthly</b>	<b>Total Pay</b>
State Office	1.0	\$10,375	\$124,500
<b>Subtotal FTE and Pay</b>	<b>1.0</b>		<b>\$124,500</b>
PERA Base	11.57%		\$14,405
Medicare	1.45%		\$1,805
AED	5.00%		\$6,225
SAED	5.00%		\$6,225
HLD	\$11,500		\$11,500
STD	0.15%		\$187
FAMLI	0.45%		\$560
<b>Total Salary</b>			<b>\$165,407</b>
<b>Operating Costs</b>			
<b>Item</b>	<b>Unit Cost</b>	<b>Units</b>	<b>Cost</b>
Operating, regular employee	\$950	1.0	\$950
Automation / Operating	\$330	1.0	\$330
<b>Total Operating</b>			<b>\$1,280</b>
<b>Total year 1 Expenditures</b>			<b>\$166,687</b>

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### Consequences if Not Funded:

The automated download solution is to help manage the ever-increasing amount of discovery provided through Evidence.com. Without ongoing funding, OSPD estimates it will need to hire ten and a half additional discovery clerk staff to manually download and process discovery from Evidence.com. Without the additional IT position, the support and development of applications will continue to be slower than needed and result in longer projects and less responsiveness to staff needs. There will continue to be more reliance on manual tracking, which consumes more staff time and has an increased chance of error.

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### Impact to Other State Government Agencies:

As stated in OSPD's last quarterly report to the JTC, the receiving and processing of discovery, especially media including body camera footage, is a significant future concern. Because law enforcement agencies contract with vendors, of which Axon (Evidence.com) is the biggest, district attorneys and Public Defenders become backend users who must then negotiate and pay for access to items once the vendor has the contract. It is also likely that Axon will seek to dramatically increase costs for district attorneys and OSPD as contracts end, but district attorneys and OSPD have little power to negotiate costs because law enforcement in the state has committed to this vendor.

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**Current Statutory Authority or Needed Statutory Change:**

Funding for the Office of the State Public Defender is authorized under C.R.S. Title 21. Specifically, the OSPD enabling legislation, C.R.S. 21-1-101(1), states “The general assembly hereby declares that the state public defender at all times shall serve his clients independently of any political considerations or private interest, provide legal services to indigent persons accused of crime that are commensurate with those available to non-indigents, and conduct the office in accordance with the Colorado Rules of Professional Conduct and with the American Bar Association standards relating to the administration of criminal, justice, the defense function.”

<b>Schedule 13</b> <b><u>Funding Request for the 2024-25 Budget Cycle</u></b>						
<b>Department:</b>		Office of the State Public Defender				
<b>Request Title:</b>		#R-3, Digital Discovery				
<b>Priority Number:</b>						
<b>Dept. Approval by:</b>		Megan A. Ring 10/31/23		<input checked="" type="checkbox"/> <b>Decision Item FY 2024-25</b> <input type="checkbox"/> <b>Base Reduction Item FY 2024-25</b> <input type="checkbox"/> <b>Supplemental FY 2023-24</b> <input type="checkbox"/> <b>Budget Amendment FY 2024-25</b>		
<b>OSPB Approval by:</b>		N/A				

Line Item Information		FY 2023-24		FY 2024-25		FY 2025-26
		1	2	3	4	5
	Fund	Appropriation FY 2023-24	Supplemental Request FY 2023-24	Base Request FY 2024-25	Funding Change Request FY 2024-25	Base Request FY 2025-26
<b>Total of All Line Items</b>	<b>Total</b>	246,305,591	-	246,305,591	294,569	246,600,160
	FTE	1,097.6	-	1,097.6	1.0	1,098.6
	GF	246,305,591	-	246,305,591	294,569	246,600,160
Judicial Department, Office of the State Public Defender, Personal Services	<b>Total</b>	134,179,673	-	134,179,673	140,710	134,320,383
	FTE	1,097.6	-	1,097.6	1.0	1,098.6
	GF	134,179,673	-	134,179,673	140,710	134,320,383
Judicial Department, Office of the State Public Defender, Health Life and Dental	<b>Total</b>	96,197,556	-	96,197,556	11,500	96,209,056
	GF	96,197,556	-	96,197,556	11,500	96,209,056
Judicial Department, Office of the State Public Defender, Short- term Disability	<b>Total</b>	157,798	-	157,798	187	157,985
	GF	157,798	-	157,798	187	157,985
Judicial Department, Office of the State Public Defender, AED	<b>Total</b>	4,931,186	-	4,931,186	6,225	4,937,411
	GF	4,931,186	-	4,931,186	6,225	4,937,411
Judicial Department, Office of the State Public Defender, SAED	<b>Total</b>	4,931,186	-	4,931,186	6,225	4,937,411
	GF	4,931,186	-	4,931,186	6,225	4,937,411
Judicial Department, Office of the State Public Defender, FAMLI	<b>Total</b>	-	-	-	560	560
	GF	-	-	-	560	560
Judicial Department, Office of the State Public Defender, Operating Expenses	<b>Total</b>	2,174,423	-	2,174,423	950	2,175,373
	GF	2,174,423	-	2,174,423	950	2,175,373
Judicial Department, Office of the State Public Defender, Capital Outlay	<b>Total</b>	281,350	-	281,350	6,670	288,020
	GF	281,350	-	281,350	6,670	288,020
Judicial Department, Office of the State Public Defender, Automation Plan	<b>Total</b>	3,452,419	-	3,452,419	121,542	3,573,961
	GF	3,452,419	-	3,452,419	121,542	3,573,961

Letternote Text Revision Required?    Yes:                      No: X                      If yes, describe the Letternote Text Revision:	
Cash or Federal Fund Name and COFRS Fund Number:    N/A	
Reappropriated Funds Source, by Department and Line Item Name:	
Approval by OIT?                      Yes:                      No:                      Not Required:                      X	
Schedule 13s from Affected Departments:    N/A	
Other Information:	



## **TAB 4**

<div>Schedule 13</div> <div>Funding Request for the 2024-25 Budget Cycle</div>							
Department:		Office of the State Public Defender					
Request Title:		Annual Fleet Vehicle Request					
Priority Number:		NP-1					
Dept. Approval by:		Megan A. Ring 10/31/23	<div><input checked="" type="checkbox"/> Decision Item FY 2024-25</div> <div><input type="checkbox"/> Base Reduction Item FY 2024-25</div> <div><input type="checkbox"/> Supplemental FY 2023-24</div> <div><input type="checkbox"/> Budget Amendment FY 2024-25</div>				
OSPB Approval by:		N/A					
Line Item Information			FY 2023-24		FY 2024-25		FY 2025-26
			1	2	3	4	5
	Fund		Appropriation FY 2023-24	Supplemental Request FY 2023-24	Base Request FY 2024-25	Funding Change Request FY 2024-25	Continuation Amount FY 2025-26
Total of All Line Items	Total		99,192	-	99,192	17,560	116,752
	FTE		-	-	-	-	-
	GF		99,192	-	99,192	17,560	116,752
	GFE		-	-	-	-	-
	CF		-	-	-	-	-
	RF		-	-	-	-	-
	FF		-	-	-	-	-
Judicial Department, Office of the State Public Defender, Vehicle Lease Payments	Total		99,192	-	99,192	17,560	116,752
	GF		99,192	-	99,192	17,560	116,752
	GFE		-	-	-	-	-
	CF		-	-	-	-	-
	RF		-	-	-	-	-
	FF		-	-	-	-	-
Letternote Text Revision Required?    Yes:                      No: X                      If yes, describe the Letternote Text Revision:							
Cash or Federal Fund Name and COFRS Fund Number:							
Reappropriated Funds Source, by Department and Line Item Name:							
Approval by OIT?            Yes:                      No:                      Not Required: X							
Schedule 13s from Affected Departments:							
Other Information:							

## **SUMMARY SCHEDULES AND TABLES**

**SUMMARY SCHEDULES AND TABLES**

Summary by Long Bill Group, Schedule 2 ..... tab 5

Line Item by Year, Schedule 3 ..... tab 6

Line Item to Statute, Schedule 5 ..... tab 7

Special Bills Summary, Schedule 6 ..... tab 8

Supplemental Bills, Schedule 7 ..... tab 9

POTS Tables ..... tab 10

Position and Object Code Detail, Schedule 14 ..... tab 11

## **TAB 5**

Office of the State Public Defender FY 2024-25					Schedule 2	
	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2021-22 Actuals	\$117,102,569	907.0	\$117,055,619	\$46,950	\$0	\$0
FY 2022-23 Actuals	\$128,851,549	986.7	\$128,709,124	\$142,425	\$0	\$0
FY 2023-24 Appropriation	\$155,673,494	1,098.7	\$155,518,494	\$155,000	\$0	\$0
FY 2024-25 Request	\$186,370,774	1,259.1	\$186,215,774	\$155,000	\$0	\$0

## **TAB 6**

Office of the State Public Defender FY 2024-25				Schedule 3		
Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Personal Services</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$82,372,702	963.5	\$82,372,702	\$0	\$0	\$0
Special Bill, S.B. 21-146	\$142,470	1.8	\$142,470	\$0	\$0	\$0
Special Bill, H.B. 21-1280	\$27,836	0.0	\$27,836	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$82,543,008</b>	<b>965.3</b>	<b>\$82,543,008</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	\$19,575,322	0.0	\$19,575,322	\$0	\$0	\$0
Year End Transfers	(\$1,000,000)	0.0	(\$1,000,000)	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$101,118,330</b>	<b>965.3</b>	<b>\$101,118,330</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$101,009,694	907.0	\$101,009,694	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$108,636</b>	<b>58.3</b>	<b>\$108,636</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$90,786,187	1049.2	\$90,786,187	\$0	\$0	\$0
Supplemental Bill, S.B. 23-120	\$29,891	0.2	\$29,891	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$90,816,078</b>	<b>1049.4</b>	<b>\$90,816,078</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	\$21,531,581	0.0	\$21,531,581	\$0	\$0	\$0
Year End Transfers	(\$2,200,000)	0.0	(\$2,200,000)	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$110,147,659</b>	<b>1049.4</b>	<b>\$110,147,659</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$109,692,268	985.7	\$109,692,268	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$455,391</b>	<b>63.7</b>	<b>\$455,391</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$96,197,556	1097.6	\$96,197,556	\$0	\$0	\$0
FY 2023-24 Step/Grade Adjustment & Salary Survey allocated to Personal Services	\$16,158,336	0.0	\$16,158,336	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$112,355,892</b>	<b>1097.6</b>	<b>\$112,355,892</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$112,355,892</b>	<b>1097.6</b>	<b>\$112,355,892</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$112,355,892	1097.6	\$112,355,892	\$0	\$0	\$0
Annualization FY23 #R-1, Public Defense in the Digital Age	\$14,111	0.2	\$14,111	\$0	\$0	\$0
Annualization FY23 #R-2, Paralegal Staff Request	\$172,757	3.2	\$172,757	\$0	\$0	\$0
Annualization FY24 #R-3, Central Staff	\$40,788	0.4	\$40,788	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$112,583,548</b>	<b>1101.4</b>	<b>\$112,583,548</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$10,324,337	128.0	\$10,324,337	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$1,888,035	27.6	\$1,888,035	\$0	\$0	\$0
#R-3, Digital Discovery	\$140,710	1.0	\$140,710	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$124,936,631</b>	<b>1258.0</b>	<b>\$124,936,631</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$112,355,892</b>	<b>1097.6</b>	<b>\$112,355,892</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$112,583,548</b>	<b>1101.4</b>	<b>\$112,583,548</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$124,936,631</b>	<b>1258.0</b>	<b>\$124,936,631</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>11.2%</b>	<b>14.6%</b>	<b>11.2%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>



## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Health, Life, and Dental</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$10,047,591	0.0	\$10,047,591	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$10,047,591</b>	<b>0.0</b>	<b>\$10,047,591</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	(\$10,047,591)	0.0	(\$10,047,591)	\$0	\$0	\$0
Year End Transfers	\$286,266	0.0	\$286,266	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$286,266</b>	<b>0.0</b>	<b>\$286,266</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$286,266</b>	<b>0.0</b>	<b>\$286,266</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$11,157,201	0.0	\$11,157,201	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$11,157,201</b>	<b>0.0</b>	<b>\$11,157,201</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	(\$11,157,201)	0.0	(\$11,157,201)	\$0	\$0	\$0
Year End Transfers	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$12,944,641	0.0	\$12,944,641	\$0	\$0	\$0
FY 2023-24 HLD allocated to Personal Services	(\$12,944,641)	0.0	(\$12,944,641)	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
Total Compensation Common Policy, HLD	\$13,488,463	0.0	\$13,488,463	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$13,488,463</b>	<b>0.0</b>	<b>\$13,488,463</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$1,520,000	0.0	\$1,520,000	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$327,749	0.0	\$327,749	\$0	\$0	\$0
#R-3, Digital Discovery	\$11,500	0.0	\$11,500	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$15,347,712</b>	<b>0.0</b>	<b>\$15,347,712</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$12,944,641</b>	<b>0.0</b>	<b>\$12,944,641</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$13,488,463</b>	<b>0.0</b>	<b>\$13,488,463</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$15,347,712</b>	<b>0.0</b>	<b>\$15,347,712</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>18.6%</b>	<b>0.0%</b>	<b>18.6%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Short Term Disability</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$117,636	0.0	\$117,636	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$117,636</b>	<b>0.0</b>	<b>\$117,636</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	(\$117,636)	0.0	(\$117,636)	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$131,956	0.0	\$131,956	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$131,956</b>	<b>0.0</b>	<b>\$131,956</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	(\$131,956)	0.0	(\$131,956)	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$157,798	0.0	\$157,798	\$0	\$0	\$0
FY 2023-24 STD allocated to Personal Services	(\$157,798)	0.0	(\$157,798)	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
Total Compensation Common Policy, STD	\$160,908	0.0	\$160,908	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$160,908</b>	<b>0.0</b>	<b>\$160,908</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$13,702	0.0	\$13,702	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$2,506	0.0	\$2,506	\$0	\$0	\$0
#R-3, Digital Discovery	\$187	0.0	\$187	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$177,303</b>	<b>0.0</b>	<b>\$177,303</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$157,798</b>	<b>0.0</b>	<b>\$157,798</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$160,908</b>	<b>0.0</b>	<b>\$160,908</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$177,303</b>	<b>0.0</b>	<b>\$177,303</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>12.4%</b>	<b>0.0%</b>	<b>12.4%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>S.B. 04-257, AED</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$3,671,416	0.0	\$3,671,416	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$3,671,416</b>	<b>0.0</b>	<b>\$3,671,416</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	(\$3,671,416)	0.0	(\$3,671,416)	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$3,889,657	0.0	\$3,889,657	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$3,889,657</b>	<b>0.0</b>	<b>\$3,889,657</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	(\$3,889,657)	0.0	(\$3,889,657)	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$4,931,186	0.0	\$4,931,186	\$0	\$0	\$0
FY 2023-24 AED allocated to Personal Services	(\$4,931,186)	0.0	(\$4,931,186)	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
Total Compensation Common Policy, AED	\$5,363,617	0.0	\$5,363,617	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$5,363,617</b>	<b>0.0</b>	<b>\$5,363,617</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$456,748	0.0	\$456,748	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$83,527	0.0	\$83,527	\$0	\$0	\$0
#R-3, Digital Discovery	\$6,225	0.0	\$6,225	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$5,910,117</b>	<b>0.0</b>	<b>\$5,910,117</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$4,931,186</b>	<b>0.0</b>	<b>\$4,931,186</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$5,363,617</b>	<b>0.0</b>	<b>\$5,363,617</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$5,910,117</b>	<b>0.0</b>	<b>\$5,910,117</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>19.9%</b>	<b>0.0%</b>	<b>19.9%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>S.B. 06-235, SAED</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$3,671,416	0.0	\$3,671,416	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$3,671,416</b>	<b>0.0</b>	<b>\$3,671,416</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	(\$3,671,416)	0.0	(\$3,671,416)	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$3,889,657	0.0	\$3,889,657	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$3,889,657</b>	<b>0.0</b>	<b>\$3,889,657</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	(\$3,889,657)	0.0	(\$3,889,657)	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$4,931,186	0.0	\$4,931,186	\$0	\$0	\$0
FY 2023-24 SAED allocated to Personal Services	(\$4,931,186)	0.0	(\$4,931,186)	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
Total Compensation Common Policy, SAED	\$5,363,617	0.0	\$5,363,617	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$5,363,617</b>	<b>0.0</b>	<b>\$5,363,617</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$456,748	0.0	\$456,748	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$83,527	0.0	\$83,527	\$0	\$0	\$0
#R-3, Digital Discovery	\$6,225	0.0	\$6,225	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$5,910,117</b>	<b>0.0</b>	<b>\$5,910,117</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$4,931,186</b>	<b>0.0</b>	<b>\$4,931,186</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$5,363,617</b>	<b>0.0</b>	<b>\$5,363,617</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$5,910,117</b>	<b>0.0</b>	<b>\$5,910,117</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>19.9%</b>	<b>0.0%</b>	<b>19.9%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

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Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Initiative #283, Family and Medical Leave Insurance Program</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$0	0.0	\$0	\$0	\$0	\$0
FY 2023-24 FAMLI allocated to Personal Services	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
Total Compensation Common Policy, FAMLI	\$482,725	0.0	\$482,725	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$482,725</b>	<b>0.0</b>	<b>\$482,725</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$41,107	0.0	\$41,107	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$7,517	0.0	\$7,517	\$0	\$0	\$0
#R-3, Digital Discovery	\$560	0.0	\$560	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$531,910</b>	<b>0.0</b>	<b>\$531,910</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$482,725</b>	<b>0.0</b>	<b>\$482,725</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$531,910</b>	<b>0.0</b>	<b>\$531,910</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>100.0%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

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Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Step/Grade Adjustment &amp; Salary Survey</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$2,353,529	0.0	\$2,353,529	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$2,353,529</b>	<b>0.0</b>	<b>\$2,353,529</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	(\$2,353,529)	0.0	(\$2,353,529)	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$2,353,529	0.0	\$2,463,110	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$2,353,529</b>	<b>0.0</b>	<b>\$2,463,110</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	(\$2,353,529)	0.0	(\$2,463,110)	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$16,158,336	0.0	\$16,158,336	\$0	\$0	\$0
FY 2023-24 Step/Grade Adjustment allocated to Personal Services	(\$11,945,435)	0.0	(\$11,945,435)	\$0	\$0	\$0
FY 2023-24 Salary Survey allocated to Personal Services	(\$4,212,901)	0.0	(\$4,212,901)	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
Annualization Step/Grade Adjustment, #R-1/#BA-1, Comp Plan	\$1,453,463	0.0	\$1,453,463	\$0	\$0	\$0
Annualization Salary Survey, #R-1/#BA-1, Comp Plan Maintenance	\$64,376	0.0	\$64,376	\$0	\$0	\$0
Total Compensation Common Policy, Step/Grade Adjustment	\$3,773,303	0.0	\$3,773,303	\$0	\$0	\$0
Total Compensation Common Policy, Salary Survey	\$3,434,832	0.0	\$3,434,832	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$8,725,974</b>	<b>0.0</b>	<b>\$8,725,974</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$8,725,974</b>	<b>0.0</b>	<b>\$8,725,974</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$16,158,336</b>	<b>0.0</b>	<b>\$16,158,336</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$8,725,974</b>	<b>0.0</b>	<b>\$8,725,974</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$8,725,974</b>	<b>0.0</b>	<b>\$8,725,974</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>-46.0%</b>	<b>0.0%</b>	<b>-46.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

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Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>PERA Direct Distribution</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Allocated POTS	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Allocated POTS	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$277,101	0.0	\$277,101	\$0	\$0	\$0
FY 2023-24 Direct Distribution allocated to Personal Services	(\$277,101)	0.0	(\$277,101)	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
Total Compensation Common Policy, PERA Direct Distribution	\$1,873,870	0.0	\$1,873,870	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$1,873,870</b>	<b>0.0</b>	<b>\$1,873,870</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$1,873,870</b>	<b>0.0</b>	<b>\$1,873,870</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$277,101</b>	<b>0.0</b>	<b>\$277,101</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$1,873,870</b>	<b>0.0</b>	<b>\$1,873,870</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$1,873,870</b>	<b>0.0</b>	<b>\$1,873,870</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>576.2%</b>	<b>0.0%</b>	<b>576.2%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Operating Expenses</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$1,926,088	0.0	\$1,896,088	\$30,000	\$0	\$0
Special Bill, S.B. 21-146	\$15,290	0.0	\$15,290	\$0	\$0	\$0
Special Bill, H.B. 21-1280	\$1,300	0.0	\$1,300	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$1,942,678</b>	<b>0.0</b>	<b>\$1,912,678</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	(\$353,500)	0.0	(\$353,500)	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$1,589,178</b>	<b>0.0</b>	<b>\$1,559,178</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$1,211,900	0.0	\$1,207,200	\$4,700	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$377,278</b>	<b>0.0</b>	<b>\$351,978</b>	<b>\$25,300</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$2,511,878	0.0	\$2,481,878	\$30,000	\$0	\$0
Supplemental Bill, S.B. 23-120	\$68	0.0	\$68	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$2,511,946</b>	<b>0.0</b>	<b>\$2,481,946</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$87,000	0.0	\$87,000	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$2,598,946</b>	<b>0.0</b>	<b>\$2,568,946</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$2,525,862	0.0	\$2,508,437	\$17,425	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$73,084</b>	<b>0.0</b>	<b>\$60,509</b>	<b>\$12,575</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$2,204,423	0.0	\$2,174,423	\$30,000	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$2,204,423</b>	<b>0.0</b>	<b>\$2,174,423</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$2,204,423</b>	<b>0.0</b>	<b>\$2,174,423</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$2,204,423	0.0	\$2,174,423	\$30,000	\$0	\$0
Annualization FY24 #R-3, Central Staff	\$550	0.0	\$550	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$2,204,973</b>	<b>0.0</b>	<b>\$2,174,973</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$121,600	0.0	\$121,600	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$36,100	0.0	\$36,100	\$0	\$0	\$0
#R-3, Digital Discovery	\$950	0.0	\$950	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$2,363,623</b>	<b>0.0</b>	<b>\$2,333,623</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$2,204,423</b>	<b>0.0</b>	<b>\$2,174,423</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$2,204,973</b>	<b>0.0</b>	<b>\$2,174,973</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$2,363,623</b>	<b>0.0</b>	<b>\$2,333,623</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>7.3%</b>	<b>0.0%</b>	<b>7.3%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>



## Office of the State Public Defender FY 2024-25

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Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Vehicle Lease Payments</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$139,454	0.0	\$139,454	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$139,454</b>	<b>0.0</b>	<b>\$139,454</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2021-22 Spending Authority</b>	<b>\$139,454</b>	<b>0.0</b>	<b>\$139,454</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$110,252	0.0	\$110,252	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$29,202</b>	<b>0.0</b>	<b>\$29,202</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$111,197	0.0	\$111,197	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$111,197</b>	<b>0.0</b>	<b>\$111,197</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$111,197</b>	<b>0.0</b>	<b>\$111,197</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$98,698	0.0	\$98,698	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$12,499</b>	<b>0.0</b>	<b>\$12,499</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$99,192	0.0	\$99,192	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$99,192</b>	<b>0.0</b>	<b>\$99,192</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$99,192</b>	<b>0.0</b>	<b>\$99,192</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$99,192	0.0	\$99,192	\$0	\$0	\$0
#NP-1, Common Policy- Annual Vehicle Lease Request	\$17,560	0.0	\$17,560	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$116,752</b>	<b>0.0</b>	<b>\$116,752</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$116,752</b>	<b>0.0</b>	<b>\$116,752</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$99,192</b>	<b>0.0</b>	<b>\$99,192</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$116,752</b>	<b>0.0</b>	<b>\$116,752</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$116,752</b>	<b>0.0</b>	<b>\$116,752</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>17.7%</b>	<b>0.0%</b>	<b>17.7%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Capital Outlay</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$248,000	0.0	\$248,000	\$0	\$0	\$0
Special Bill, H.B. 21-1280	\$38,000	0.0	\$38,000	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$286,000</b>	<b>0.0</b>	<b>\$286,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2021-22 Spending Authority</b>	<b>\$286,000</b>	<b>0.0</b>	<b>\$286,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$286,000	0.0	\$286,000	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$533,200	0.0	\$533,200	\$0	\$0	\$0
Supplemental Bill, S.B. 23-120	\$12,400	0.0	\$12,400	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$545,600</b>	<b>0.0</b>	<b>\$545,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$545,600</b>	<b>0.0</b>	<b>\$545,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$518,668	0.0	\$518,668	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$26,932</b>	<b>0.0</b>	<b>\$26,932</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$281,350	0.0	\$281,350	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$281,350</b>	<b>0.0</b>	<b>\$281,350</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$281,350</b>	<b>0.0</b>	<b>\$281,350</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$281,350	0.0	\$281,350	\$0	\$0	\$0
Annualization from Prior Year	(\$281,350)	0.0	(\$281,350)	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$853,760	0.0	\$853,760	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$253,460	0.0	\$253,460	\$0	\$0	\$0
#R-3, Digital Discovery	\$6,670	0.0	\$6,670	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$1,113,890</b>	<b>0.0</b>	<b>\$1,113,890</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$281,350</b>	<b>0.0</b>	<b>\$281,350</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$1,113,890</b>	<b>0.0</b>	<b>\$1,113,890</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>295.9%</b>	<b>0.0%</b>	<b>295.9%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Leased Space / Utilities</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$7,827,383	0.0	\$7,827,383	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$7,827,383</b>	<b>0.0</b>	<b>\$7,827,383</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$148,500	0.0	\$148,500	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$7,975,883</b>	<b>0.0</b>	<b>\$7,975,883</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$7,963,700	0.0	\$7,963,700	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$12,183</b>	<b>0.0</b>	<b>\$12,183</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$8,042,972	0.0	\$8,042,972	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$8,042,972</b>	<b>0.0</b>	<b>\$8,042,972</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$100,000	0.0	\$100,000	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$8,142,972</b>	<b>0.0</b>	<b>\$8,142,972</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$8,120,595	0.0	\$8,120,595	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$22,377</b>	<b>0.0</b>	<b>\$22,377</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$8,952,480	0.0	\$8,952,480	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$8,952,480</b>	<b>0.0</b>	<b>\$8,952,480</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$8,952,480</b>	<b>0.0</b>	<b>\$8,952,480</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$8,952,480	0.0	\$8,952,480	\$0	\$0	\$0
Lease Escalator	\$567,729		\$567,729	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$9,520,209</b>	<b>0.0</b>	<b>\$9,520,209</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$844,800	0.0	\$844,800	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$250,800	0.0	\$250,800	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$10,615,809</b>	<b>0.0</b>	<b>\$10,615,809</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$8,952,480</b>	<b>0.0</b>	<b>\$8,952,480</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$9,520,209</b>	<b>0.0</b>	<b>\$9,520,209</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$10,615,809</b>	<b>0.0</b>	<b>\$10,615,809</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>18.6%</b>	<b>0.0%</b>	<b>18.6%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

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Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Automation Plan</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$2,160,164	0.0	\$2,160,164	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$2,160,164</b>	<b>0.0</b>	<b>\$2,160,164</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$1,600,000	0.0	\$1,600,000	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$3,760,164</b>	<b>0.0</b>	<b>\$3,760,164</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$3,407,023	0.0	\$3,407,023	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$353,141</b>	<b>0.0</b>	<b>\$353,141</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$2,192,564	0.0	\$2,192,564	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$2,192,564</b>	<b>0.0</b>	<b>\$2,192,564</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$2,000,000	0.0	\$2,000,000	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$4,192,564</b>	<b>0.0</b>	<b>\$4,192,564</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$4,068,288	0.0	\$4,068,288	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$124,276</b>	<b>0.0</b>	<b>\$124,276</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$3,452,419	0.0	\$3,452,419	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$3,452,419</b>	<b>0.0</b>	<b>\$3,452,419</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$3,452,419</b>	<b>0.0</b>	<b>\$3,452,419</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$3,452,419	0.0	\$3,452,419	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$3,452,419</b>	<b>0.0</b>	<b>\$3,452,419</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$42,240	0.0	\$42,240	\$0	\$0	\$0
#R-2, Social Workers and Client Advocates	\$12,540	0.0	\$12,540	\$0	\$0	\$0
#R-3, Digital Discovery	\$121,542	0.0	\$121,542	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$3,628,741</b>	<b>0.0</b>	<b>\$3,628,741</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$3,452,419</b>	<b>0.0</b>	<b>\$3,452,419</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$3,452,419</b>	<b>0.0</b>	<b>\$3,452,419</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$3,628,741</b>	<b>0.0</b>	<b>\$3,628,741</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>5.1%</b>	<b>0.0%</b>	<b>5.1%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

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Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Attorney Registration</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$156,634	0.0	\$156,634	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$3,500	0.0	\$3,500	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$160,134</b>	<b>0.0</b>	<b>\$160,134</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$159,077	0.0	\$159,077	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$1,057</b>	<b>0.0</b>	<b>\$1,057</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$156,634	0.0	\$156,634	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$13,000	0.0	\$13,000	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$169,634</b>	<b>0.0</b>	<b>\$169,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$168,998	0.0	\$168,998	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$636</b>	<b>0.0</b>	<b>\$636</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$156,634	0.0	\$156,634	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$156,634	0.0	\$156,634	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
#R-1, Attorney FTE	\$13,300	0.0	\$13,300	\$0	\$0	\$0
<b>FY 2024-25 Total Request</b>	<b>\$169,934</b>	<b>0.0</b>	<b>\$169,934</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$156,634</b>	<b>0.0</b>	<b>\$156,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$169,934</b>	<b>0.0</b>	<b>\$169,934</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>8.5%</b>	<b>0.0%</b>	<b>8.5%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Contract Services</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$49,395	0.0	\$49,395	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2021-22 Spending Authority</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$23,296	0.0	\$23,296	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$26,099</b>	<b>0.0</b>	<b>\$26,099</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$49,395	0.0	\$49,395	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$3,169	0.0	\$3,169	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$46,226</b>	<b>0.0</b>	<b>\$46,226</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$49,395	0.0	\$49,395	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$49,395	0.0	\$49,395	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$49,395</b>	<b>0.0</b>	<b>\$49,395</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Mandated Costs</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$3,813,143	0.0	\$3,813,143	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$3,813,143</b>	<b>0.0</b>	<b>\$3,813,143</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	(\$398,500)	0.0	(\$398,500)	\$0	\$0	\$0
<b>FY 2021-22 Spending Authority</b>	<b>\$3,414,643</b>	<b>0.0</b>	<b>\$3,414,643</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$2,889,377	0.0	\$2,889,377	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$525,266</b>	<b>0.0</b>	<b>\$525,266</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$3,813,143	0.0	\$3,813,143	\$0	\$0	\$0
Supplemental Bill, S.B. 23-120	\$122,793	0.0	\$122,793	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$3,935,936</b>	<b>0.0</b>	<b>\$3,935,936</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Year End Transfers	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Spending Authority</b>	<b>\$3,935,936</b>	<b>0.0</b>	<b>\$3,935,936</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$3,530,004	0.0	\$3,530,004	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$405,932</b>	<b>0.0</b>	<b>\$405,932</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$4,303,997	0.0	\$4,303,997	\$0	\$0	\$0
Special Bill, S.B. 23-1012	\$100,800	0.0	\$100,800	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$4,404,797</b>	<b>0.0</b>	<b>\$4,404,797</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$4,404,797</b>	<b>0.0</b>	<b>\$4,404,797</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$4,404,797	0.0	\$4,404,797	\$0	\$0	\$0
Annualization Special Bill, S.B. 23-1012	\$19,200	0.0	\$19,200	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$4,423,997</b>	<b>0.0</b>	<b>\$4,423,997</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$4,423,997</b>	<b>0.0</b>	<b>\$4,423,997</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$4,404,797</b>	<b>0.0</b>	<b>\$4,404,797</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$4,423,997</b>	<b>0.0</b>	<b>\$4,423,997</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$4,423,997</b>	<b>0.0</b>	<b>\$4,423,997</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>0.4%</b>	<b>0.0%</b>	<b>0.4%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Training - New Line</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2021-22 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Spending Authority</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$0	0.0	\$0	\$0	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$350,000	0.0	\$350,000	\$0	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$350,000	0.0	\$350,000	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$350,000</b>	<b>0.0</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>



## Office of the State Public Defender FY 2024-25

## Schedule 3

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Grants</b>						
<b>FY 2021-22 Actual</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$125,000	1.1	\$0	\$125,000	\$0	\$0
<b>FY 2021-22 Appropriation</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2021-22 Spending Authority</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
FY 2021-22 Expenditures	\$42,250	0.4	\$0	\$42,250	\$0	\$0
<b>FY 2021-22 Reversion \ (Overexpenditure)</b>	<b>\$82,750</b>	<b>0.7</b>	<b>\$0</b>	<b>\$82,750</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Actual</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$125,000	1.1	\$0	\$125,000	\$0	\$0
<b>FY 2022-23 Appropriation</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2022-23 Spending Authority</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
FY 2022-23 Expenditures	\$125,000	1.0	\$0	\$125,000	\$0	\$0
<b>FY 2022-23 Reversion \ (Overexpenditure)</b>	<b>\$0</b>	<b>0.1</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$125,000	1.1	\$0	\$125,000	\$0	\$0
<b>FY 2023-24 Base Request</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Request</b>						
Final FY 2023-24 Appropriation	\$125,000	1.1	\$0	\$125,000	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 Total Request</b>	<b>\$125,000</b>	<b>1.1</b>	<b>\$0</b>	<b>\$125,000</b>	<b>\$0</b>	<b>\$0</b>
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>

## **TAB 7**

## Office of the State Public Defender FY 2024-25

## Schedule 5

*This section of the Long Bill provides the essential and necessary funding to support the operating needs of the Office of the State Public Defender, sufficient to meet minimal U.S. and Colorado Constitutional and Colorado Statutory needs of indigent clients facing criminal charges in the States' judicial system. In general, funding is determined in the first instance by defense attorney caseload standards, which allows attorneys to provide their clients with a vigorous defense in criminal trials and related procedural hearings. In the next instance, funding supports necessary investigative, administrative and agency level support staffing. Finally, the funding supports the mandated costs of facilitating the legal process; ancillary business costs such as leased space, utilities and general operating expenses; costs of employee benefits; and, finally, any other costs funded by the Legislature to support the needs of the State Public Defender and the interests of the State at large.*

	Line Item Description	Programs Supported by the Line Item	Statutory Cite
Personal Services	Funds all agency public defender, investigative, administrative and support staff in 21 regional offices in the State's judicial districts, an appellate office and central state administrative office	All Public Defender Programs	21-1-10 (3) C.R.S.
Health, Life, and Dental	Funding for State portion of H/L/D	All eligible PD staff	21-1-102(3) C.R.S.; and, Title 24 Article 50 C.R.S.
Short-term Disability	State-funded Short-term Disability Benefits	All eligible PD staff	21-1-102(3) C.R.S.; and, Title 24 Article 50 C.R.S.
S.B. 04-257 AED	Funding PERA Trust Fund unfunded liability	All eligible PD staff	21-1-102(3) C.R.S.; and, Title 24 Article 51 C.R.S.
S.B. 06-235 Suppl. AED	Funding PERA Trust Fund unfunded liability	All eligible PD staff	21-1-102(3) C.R.S.; and, Title 24 Article 51 C.R.S.
Salary Survey	Funding for salary increases based on State Personnel compensation plan and for employees receiving statutory compensation	All eligible PD staff	21-1-102(3) C.R.S.; and, 24-50-104 C.R.S. et al
PERA Direct Distribution	Funding PERA Trust Fund unfunded liability	All eligible PD staff	21-1-102(3) C.R.S.; and, Title 24 Article 51 C.R.S.
Merit Increases	Funding for merit increases, as funded by the General Assembly, for merit-based annual compensation	All eligible PD staff	21-1-102(3) C.R.S.; 24-50-104 C.R.S. et al; and, 24-38-103 (1.5) C.R.S.
Operating Expenses	General Operating Costs of the Public Defender system	All Public Defender Programs	21-1-101 C.R.S. et al
Vehicle Lease Payments	Funding is appropriated to the State Public Defender to lease vehicles acquired by the state fleet management program in the Department of Personnel and Administration	Eligible Public Defender Programs	Title 24 Article 30 C.R.S.
Capital Outlay	Funding appropriated for the initial purchase of equipment and furnishings as established by Joint Budget Committee Common Policies	Eligible Public Defender Programs	21-1-101 C.R.S. et al
Leased Space and Utilities	Funding appropriated to the State Public Defender to cover the leasing, utilities and build-out/coversion/other costs of Public Defender offices following both Joint Budget Committee and Executive Branch Common Policy protocols	All Public Defender Programs	21-1-101 C.R.S. et al
Automation Plan	Funding appropriated to the State Public Defender to cover the costs associated with technology related operating needs	All Public Defender Programs	21-1-101 C.R.S. et al
Attorney Registration Fees	Reimburses Attorneys for their required annual Attorney Registration Fees	Attorney Staff	21-1-101 C.R.S. et al
Contract Services	Funding appropriated to the State Public Defender to hire attorneys to represent public defender employees in grievance/contempt proceedings; subpoenas in capital and other exceptional cases; and other proceedings as authorized by the State Public Defender	Public Defender Staff	21-1-101 C.R.S. et al
Mandated Costs	Funding appropriated to the State Public Defender to provide for operating costs needed to facilitate the legal process including travel costs, transcripts, interpreters, expert witnesses and other such costs as prescribed by legal practice, standards, U.S. Constitution, etc.	All Public Defender Programs	21-1-101 C.R.S. et al
Training	General Training costs of the Public Defender system.	Eligible Public Defender Programs	N/A
Grants	Grants applied for and awarded the Public Defender's Office, shown in the Long Bill as approved by the legislature	Eligible Public Defender Programs	N/A
Paid Family & Medical Leave Insurance Program	The measure creates a statewide paid family and medical leave insurance program. The purpose of the Family and Medical Leave Insurance (FAMLI) program is to provide partial wage-replacement benefits for up to 12 weeks per year to eligible employees, and employment protections for employees that take that leave. Premium payments for the program are split between employers and employees.	All eligible PD staff	2019-2020 Initiative # 283

## **TAB 8**

**Office of the State Public Defender**  
**FY 2024-25 Budget Request**  
Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2024-25								
HB 23-1012	Juvenile Competency to Proceed	Mandated Costs	0.0	\$19,200	\$19,200	\$0	\$0	\$0
		HB 23-1012	0.0	\$19,200	\$19,200	\$0	\$0	\$0
FY 2024-25 Department Total			0.0	\$19,200	\$19,200	\$0	\$0	\$0
FY 2023-24								
HB 23-1012	Juvenile Competency to Proceed	Mandated Costs	0.0	\$100,800	\$100,800	\$0	\$0	\$0
		HB 23-1012	0.0	\$100,800	\$100,800	\$0	\$0	\$0
FY 2023-24 Department Total			0.0	\$100,800	\$100,800	\$0	\$0	\$0
FY 2022-23								
SB 21-146	Improve Prison Outcomes	Personal Services	2.0	\$155,422	\$155,422	\$0	\$0	\$0
		Operating	0.0	\$2,890	\$2,890	\$0	\$0	\$0
		SB 21-146	2.0	\$158,312	\$158,312	\$0	\$0	\$0
SB 21-1280	48 hour bond hearings	Personal Services	0.0	\$155,069	\$155,069	\$0	\$0	\$0
		Operating	0.0	\$5,200	\$5,200	\$0	\$0	\$0
		SB 21-1280	0.0	\$160,269	\$160,269	\$0	\$0	\$0
FY 2022-23 Department Total			2.0	\$318,581	\$318,581	\$0	\$0	\$0
FY 2021-22								
SB 21-146	Improve Prison Outcomes	Personal Services	1.8	\$142,470	\$142,470	\$0	\$0	\$0
		Operating	0.0	\$2,890	\$2,890	\$0	\$0	\$0
		Capital Outlay	0.0	\$12,400	\$12,400	\$0	\$0	\$0
		SB 21-146	1.8	\$157,760	\$157,760	\$0	\$0	\$0
HB 21-1280	48 Hour Bond Hearings	Personal Services	0.0	\$27,836	\$27,836	\$0	\$0	\$0
		Operating	0.0	\$1,300	\$1,300	\$0	\$0	\$0
		Capital Outlay	0.0	\$38,000	\$38,000	\$0	\$0	\$0
		HB 21-1280	0.0	\$67,136	\$67,136	\$0	\$0	\$0
FY 2021-22 Department Total			1.8	\$224,896	\$224,896	\$0	\$0	\$0

## **TAB 9**

# Office of the State Public Defender

## FY 2024-25 Budget Request

### Schedule 7: Supplemental Bills Summary

Bill Number	Line Items	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2024-25							
n/a		0.0	\$0	\$0	\$0	\$0	\$0
FY 2024-25 Department Total		0.0	\$0	\$0	\$0	\$0	\$0
FY 2023-24							
n/a		0.0	\$0	\$0	\$0	\$0	\$0
FY 2024-25 Department Total		0.0	\$0	\$0	\$0	\$0	\$0
FY 2022-23							
SB23-120	Personal Services	0.2	\$29,891	\$29,891			
	Operating Expenses	0.0	\$68	\$68			
	Capitol Outlay	0.0	\$12,400	\$12,400			
	Mandated Costs	0.0	\$122,793	\$122,793	\$0	\$0	\$0
FY 2023-24 Department Total		0.2	\$165,152	\$165,152	\$0	\$0	\$0
FY 2021-22							
n/a		0.0	\$0	\$0	\$0	\$0	\$0
FY 2021-22 Department Total		0.0	\$0	\$0	\$0	\$0	\$0

## **TAB 10**



Salary Pots Request Template, Fiscal Year 2024-25					
OSPD	TOTAL FUNDS/FTE FY 2024-25	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<b>I. Continuation Salary Base</b>					
Total Appropriated FTE for FY 2023-24	1,097.6				
Sum of Filled FTE as of July 1, 2023	1,082.2	100.0000%	0.0000%	0.0000%	0.0000%
Salary X 12	100,894,581	100,894,581	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at FY 2024-25 PERA Rates	11,673,503	\$11,673,503	-	-	-
Medicare @ 1.45%	1,462,971	\$1,462,971	-	-	-
Subtotal Continuation Salary Base =	114,031,055	\$114,031,055	-	-	-
<b>II. Step/Grade Adjustments</b>					
Step/Grade Adjustment	\$3,338,615	\$3,338,615	-	-	-
<b>Subtotal - Salary Survey Adjustments</b>	<b>\$3,338,615</b>	<b>\$3,338,615</b>	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at FY 2024-25 PERA Rates	\$386,278	\$386,278	-	-	-
Medicare @ 1.45%	\$48,410	\$48,410	-	-	-
Request Subtotal =	\$3,773,303	\$3,773,303	-	-	-
<b>II. Salary Survey Adjustments</b>					
Across the Board Adjustment	\$3,039,136	\$3,039,136	-	-	-
<b>Subtotal - Salary Survey Adjustments</b>	<b>\$3,039,136</b>	<b>\$3,039,136</b>	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at FY 2024-25 PERA Rates	\$351,628	\$351,628	-	-	-
Medicare @ 1.45%	\$44,067	\$44,067	-	-	-
Request Subtotal =	\$3,434,832	\$3,434,832	-	-	-
<b>VI. Revised Salary Basis for Remaining Request Subtotals</b>					
Total Continuation Salary Base, Adjustments, Performance Pay & Shift	\$107,272,333	\$107,272,333	-	-	-
<b>VII. Amortization Equalization Disbursement (AED)</b>					
Revised Salary Basis * 5%	\$5,363,617	\$5,363,617	-	-	-
<b>VIII. Supplemental AED (SAED)</b>					
Revised Salary Basis * 5%	\$5,363,617	\$5,363,617	-	-	-
<b>IX. Short-term Disability</b>					
Revised Salary Basis * 0.15%	\$160,908	\$160,908	-	-	-
<b>X. Health, Life, and Dental</b>					
Funding Request	\$13,488,463	\$13,488,463	-	-	-
<b>XI. Paid Family and Medical Leave Insurance Program Premiums</b>					
Funding Request	\$482,725	\$482,725	-	-	-

**Salary Pots Request Summary, Fiscal Year 2024 25**

	<b>FY 2023-24</b>				
<b>Common Policy Line Item</b>	<b>Appropriation</b>	<b>GF</b>	<b>CF</b>	<b>RF</b>	<b>FF</b>
Step/Grade Adjustment	\$11,945,435	\$11,945,435	\$0	\$0	\$0
Salary Survey	\$4,212,901	\$4,212,901	\$0	\$0	\$0
PERA Direct Distribution	\$277,101	\$277,101	\$0	\$0	\$0
Paid Family and Medical Leave Insurance Program	\$0	\$0	\$0	\$0	\$0
AED	\$4,931,186	\$4,931,186	\$0	\$0	\$0
SAED	\$4,931,186	\$4,931,186	\$0	\$0	\$0
Short-term Disability	\$157,798	\$157,798	\$0	\$0	\$0
Health, Life and Dental	\$12,944,641	\$12,944,641	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$39,400,248</b>	<b>\$39,400,248</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25</b>				
<b>Common Policy Line Item</b>	<b>Total Request</b>	<b>GF</b>	<b>CF</b>	<b>RF</b>	<b>FF</b>
Step/Grade Adjustment	\$3,773,303	\$3,773,303	\$0	\$0	\$0
Salary Survey	\$3,434,832	\$3,434,832	\$0	\$0	\$0
PERA Direct Distribution	\$1,873,870	\$1,873,870	\$0	\$0	\$0
Paid Family and Medical Leave Insurance Program	\$482,725	\$482,725	\$0	\$0	\$0
AED	\$5,363,617	\$5,363,617	\$0	\$0	\$0
SAED	\$5,363,617	\$5,363,617	\$0	\$0	\$0
Short-term Disability	\$160,908	\$160,908	\$0	\$0	\$0
Health, Life and Dental	\$13,488,463	\$13,488,463	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$30,168,033</b>	<b>\$30,168,033</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>FY 2024-25</b>				
<b>Common Policy Line Item</b>	<b>Incremental</b>	<b>GF</b>	<b>CF</b>	<b>RF</b>	<b>FF</b>
Step/Grade Adjustment	\$3,773,303	\$3,773,303	\$0	\$0	\$0
Salary Survey	\$3,434,832	\$3,434,832	\$0	\$0	\$0
PERA Direct Distribution	\$1,596,769	\$1,596,769	\$0	\$0	\$0
Paid Family and Medical Leave Insurance Program	\$482,725	\$482,725	\$0	\$0	\$0
AED	\$432,431	\$432,431	\$0	\$0	\$0
SAED	\$432,431	\$432,431	\$0	\$0	\$0
Short-term Disability	\$3,110	\$3,110	\$0	\$0	\$0
Health, Life and Dental	\$543,822	\$543,822	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$6,926,121</b>	<b>\$6,926,121</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## Compensation Plan

The Office of the State Public Defender implemented its Step and Grade compensation system on July 1, 2023. This was the result of our work with Logic Compensation Group. Our compensation philosophy is centered on rewarding longevity and commitment to our mission. To this end, our steps are designed to provide annual increases within each grade for the first 20 years of an employees' career. Additionally, the steps within grades include retention increases in the years where we have historically experienced high turnover. This plan also recognizes the importance of providing employees progression within job classifications along with equitable pay for the work being performed and have thus structured pay grades accordingly.

We estimate the cost of maintaining the structure for FY25 at 3.4% as outlined in the chart below. In accordance with statewide common policy practice, we incorporated this 3.4% compensation request in our POTS template.

<b>Step &amp; Grade Adjustments</b>					
<b>Job Series</b>	<b>FTE</b>	<b>FY24 Amount</b>	<b>FY25 Amount</b>	<b>FY24 to FY25 Increase</b>	<b>Avg % increase per FTE</b>
Administrative	154	\$8,696,394	\$8,938,746	\$242,352	3.1%
Paralegals	116	\$6,908,099	\$7,195,782	\$287,683	4.2%
Social Workers	23	\$1,741,468	\$1,831,551	\$90,083	5.4%
Investigators	166	\$14,823,851	\$15,344,183	\$520,332	3.9%
Attorneys	572	\$61,193,834	\$63,328,877	\$2,135,043	3.7%
Central Admin.	71	\$8,298,820	\$8,460,103	\$161,284	1.9%
<b>Total</b>	<b>1102</b>	<b>\$101,662,466</b>	<b>\$105,099,242</b>	<b>\$3,436,776</b>	<b>3.4%</b>

Due to the high attrition experienced over the past few years, we currently have only 39% of our employees with over 5 years of service, significantly under our 70% performance measure as shown in our Annual Performance Report. Furthermore, 67% of our attorneys are early in their career and thus eligible for grade level adjustments in the next few years. Our goal is to retain our employees, which will help distribute these adjustments in the years to come and level out future requests.

## **TAB 11**

## Office of the State Public Defender FY 2024-25

Schedule 14

## Personal Services

## Position and Object Code Detail

	FY 2021-22 Actual		FY 2022-23 Actual		FY 2023-24 Appropriation		FY 2024-25 Request		
Position Type	State Public Defender	\$185,679	1.0	\$191,258	1.0				
	State Ofc Exec Mgt	\$802,266	4.2	\$895,042	4.9				
	State Ofc Sr Mgt	\$1,480,472	9.2	\$1,780,202	11.0				
	State Ofc Prof Svcs	\$2,782,085	34.4	\$3,226,997	38.4				
	Trial / Appl Managing Atty	\$3,565,371	22.0	\$3,548,049	22.0				
	Trial / Appl Sr Atty	\$16,045,046	135.7	\$16,837,721	138.8				
	Trial / Appl Staff Atty	\$27,641,935	384.3	\$27,434,007	368.6				
	Trial / Appl Inv / Paralegal / Social Workers	\$13,126,363	187.7	\$16,682,765	250.6				
	Trial / Appl Prof Svcs	\$6,084,679	128.5	\$7,479,247	151.4				
Total Full and Part-time Employee Expenditures		\$71,713,896	907.0	\$78,075,289	985.7				
PERA Contributions		\$15,112,935		\$16,568,911					
Medicare		\$1,053,390		\$1,141,530					
State Temporary Employees		\$1,333,639		\$1,205,105					
Sick and Annual Leave Payouts		\$1,340,167		\$1,058,333					
Contract Services		\$677,291		\$831,162					
Other Expenditures (specify as necessary)		\$12,938		\$2,963					
Total Temporary, Contract, and Other Expenditures		\$19,530,359	0.0	\$20,808,003	0.0				
Pots Expenditures (excluding Salary Survey and Performance-based Pay already included above)		\$9,765,438	0.0	\$10,808,976	0.0				
Total Expenditures for Line Item		\$101,009,694	907.0	\$109,692,268	985.7				
Total Spending Authority / Request for Line Item		\$101,118,330	965.3	\$110,147,659	1,049.4	\$96,197,556	1,097.6	\$124,936,631	1,258.0
Amount Under/(Over) Expended		\$108,636	58.3	\$455,391	63.7				

**Office of the State Public Defender FY 2024-25**  
**Operating Expenses**

**Schedule 14**

**Position and Object Code Detail**

Object Code	Object Code Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
	Cleaning/Disposal Services	\$31,480	\$36,156		
	Equip Maint and Repairs	\$2,669	\$1,210		
	Motor Pool	\$61,437	\$124,344		
	Equip Rental	\$77,570	\$137,817		
	IS Travel	\$338,603	\$925,573		
	OS Travel	\$11,786	\$65,774		
	Telephone and Cellphone	\$263,415	\$731,495		
	Printing	\$15,207	\$20,443		
	Training/Recruiting	\$41,645	\$69,516		
	Transcription Services	\$0	\$150,000		
	Subscriptions & Books	\$40,459	\$69,648		
	Office Supplies	\$202,981	\$160,044		
	Postage	\$34,869	\$27,310		
	Equipment	\$62,740	\$1,529		
	Misc Expense	\$27,040	\$5,000		
<b>Total Expenditures for Line Item</b>		<b>\$1,211,900</b>	<b>\$2,525,862</b>		
<b>Total Spending Authority / Request for Line Item</b>		<b>\$1,589,178</b>	<b>\$2,598,946</b>	<b>\$2,204,423</b>	<b>\$2,363,623</b>
<b>Amount Under/(Over) Expended</b>		<b>\$377,278</b>	<b>\$73,084</b>		

Office of the State Public Defender FY 2024-25  
Capital Outlay

Schedule 14  
Position and Object Code Detail

Object Code	Object Code Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
	Office Equip and Furn	\$286,000	\$518,668		
Total Expenditures for Line Item		\$286,000	\$518,668		
Total Spending Authority / Request for Line Item		\$286,000	\$545,600	\$281,350	\$1,113,890
Amount Under/(Over) Expended		\$0	\$26,932		

**Office of the State Public Defender FY 2024-25****Schedule 14****Leased Space / Utilities****Position and Object Code Detail**

Object Code	Object Code Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
	Total Leased Space Costs	\$7,883,674	\$8,035,696		
	Utilities and Maintenance	\$80,025	\$84,898		
<b>Total Expenditures for Line Item</b>		<b>\$7,963,700</b>	<b>\$8,120,595</b>		
<b>Total Spending Authority for Line Item</b>		<b>\$7,975,883</b>	<b>\$8,142,972</b>	<b>\$8,952,480</b>	<b>\$10,615,809</b>
<b>Amount Under/(Over) Expended</b>		<b>\$12,183</b>	<b>\$22,377</b>		



**Office of the State Public Defender FY 2024-25**  
**Automation Plan**

**Schedule 14**

**Position and Object Code Detail**

Object Code	Object Code Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
	IT Services/Training	\$40,867	\$122,287		
	IT Hardware Maint/Repair	\$99,578	\$226,366		
	IT Software Licenses/Subscriptions	\$1,072,545	\$1,188,691		
	Communications	\$444,786	\$372,450		
	IT Supplies	\$11,539	\$52,419		
	Equipment	\$1,737,709	\$2,106,074		
<b>Total Expenditures for Line Item</b>		<b>\$3,407,023</b>	<b>\$4,068,288</b>		
<b>Total Spending Authority for Line Item</b>		<b>\$3,760,164</b>	<b>\$4,192,564</b>	<b>\$3,452,419</b>	<b>\$3,628,741</b>
<b>Amount Under/(Over) Expended</b>		<b>\$353,141</b>	<b>\$124,276</b>		

Office of the State Public Defender FY 2024-25  
Mandated Costs

Schedule 14  
Position and Object Code Detail

Object Code	Object Code Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
	Experts	\$875,216	\$1,000,219		
	Interpreters	\$369,852	\$416,305		
	Transcripts	\$1,339,426	\$1,751,348		
	Travel	\$98,450	\$113,163		
	Discovery	\$173,688	\$220,301		
	Misc	\$32,744	\$28,667		
Total Expenditures for Line Item		\$2,889,377	\$3,530,004		
Total Spending Authority for Line Item		\$3,414,643	\$3,935,936	\$4,404,797	\$4,423,997
Amount Under/(Over) Expended		\$525,266	\$405,932		