



ARLINGTON
VIRGINIA

Office of the Public Defender

**COUNTY MANAGER'S
PROPOSED FY 2023 BUDGET**

County Board Work Session
Thursday, March 17, 2022
3:00 p.m.

Department Mission

To protect and defend the rights and dignity of our clients through zealous, compassionate, high-quality legal advocacy

THE LEGAL SYSTEM CAN FORCE OPEN DOORS AND SOMETIMES EVEN KNOCK DOWN WALLS. BUT IT CANNOT BUILD BRIDGES. THAT JOB BELONGS TO YOU AND ME. JUSTICE THURGOOD MARSHALL



Department Overview

- The Arlington Public Defender has developed a reputation as a model of zealous, client-centered indigent defense practice.
- The office is a statewide leader in holistic defense, institutional advocacy, and community engagement.



ALLISON CARPENTER/POLICE PRACTICES WORK



- The office has been an essential partner in the County's efforts to build a more contemporary, evidence-informed, humane, racially-just and equitable criminal legal system.

FY 2023 Budget Highlights

- **Caseload/staffing levels**: Although total case numbers have declined slightly during the pandemic, this has not affected overall workload, due to increased case-related demands of clients with serious mental illness, and clearing of the backlog of jury trials.
- **Pretrial reform**: PD advocacy led to decreased use of cash bail, consistent next-day judicial bond review, greater use of bond diversion—all major reasons jail population is near an all-time low.
- **The Public Defender makes diversion work**: The Public Defender continues to play a critical role in County-funded diversion efforts, notably the Behavioral Health Docket, which a PD attorney and mitigation specialist attend every week.
- **Community engagement**: Public defenders have become valuable stakeholders in County efforts to address racial disparities in the justice system, improve police transparency/accountability, and encourage a decarceral, behavioral health-focused approach to serious mental illness.
- **Diversity/staff retention**: County salary supplements have had an immense impact on the office's ability to recruit and retain a diverse, talented, experienced and dedicated staff. Four of the office's last 5 hires have been people of color, including the individual hired to fill the County-funded paralegal position.

Focus on Equity



- Racial justice is inseparable from and often synonymous with our mission.
- In addition to fighting zealously for each client, we embrace a duty to share our unique expertise & front-line experience to advance the goals of racial justice/equity in the community more broadly.
- We are committed to a diverse workplace, understanding that Black voices have long been suppressed in the justice system; our advocacy can only be at its strongest when it gives voice to the perspectives, passion, and lived-experience of those from affected communities.

FY 2023 Budget Summary

	FY 2022 Adopted	FY 2023 Proposed	Change	% Change
Expenses	\$336,310	\$386,120	+\$49,810	+15.0%

- Personnel expense increases reflect a multi-year initiative to eliminate pay disparities between Arlington’s public defenders and prosecutors.
- The “rising tide” created by the County’s leadership on pay parity has “lifted boats” in other Va. jurisdictions.
 - Virginia Beach: \$500,000 in supplements for public defender pay in FY 2022.
 - Richmond: \$572,469 for FY 2022; \$1,127,984 for FY 2023.
- Above entry-level, Arlington’s public defenders continue to make 15% to 45% less than their counterparts in the Commonwealth’s Attorney’s Office.

Key Budget Considerations

- FY 2023 funding is part of a multi-year initiative to provide pay that is competitive with County agencies.
- The proposed \$49,810 increase for FY 2023 will reduce those disparities by 4.5% per position; the Office would therefore request a modest increase—an additional \$50,000—over the County Manager’s proposal.
- Salary supplements allow the office to attract/retain diverse, talented, and experienced staff, leveling the playing field between the government and those disproportionately affected by the legal system, and between disadvantaged defendants and those of greater means.
- With the County’s support, the Public Defender can continue to help Arlington make extraordinary strides toward developing a truly contemporary, humane, evidence-informed and equitable legal system.



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