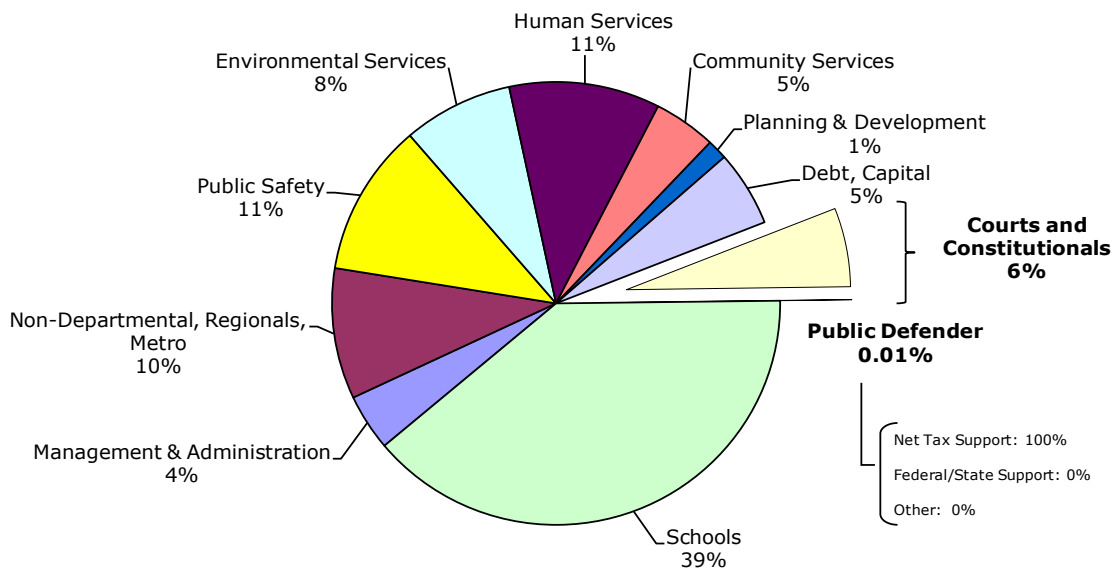


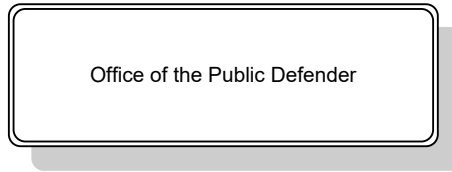
Our Mission: The Office of the Public Defender provides holistic, client-centered representation to indigent persons charged with offenses in Arlington County or the City of Falls Church.

The Office of the Public Defender represents individuals in the General District Court, Juvenile and Domestic Relations District Court, Circuit Court, Court of Appeals, and Supreme Court. It engages in community outreach, criminal justice education, and reentry programming and has spearheaded the initiation and development of problem-solving courts in Arlington County. It also zealously protects the liberty interests of justice-involved clients, while also partnering with community agencies and organizations to reduce recidivism and promote public safety.

FY 2022 Proposed Budget - General Fund Expenditures



LINES OF BUSINESS



Office of the Public Defender

SIGNIFICANT BUDGET CHANGES

The FY 2022 proposed expenditure budget for the Office of the Public Defender is \$336,310, an 86 percent increase from the FY 2021 adopted budget.

- ↑ Personnel increases reflect the addition of funding for a Paralegal position to support the Body Worn Camera Program (\$80,071) and additional salary support for staff to assist in competitive pay with other County agencies (\$75,000).

DEPARTMENT FINANCIAL SUMMARY

| | FY 2020 Actual | FY 2021 Adopted | FY 2022 Proposed | % Change '21 to '22 |
|------------------------------|-------------------|--------------------|---------------------|------------------------|
| Personnel | \$171,548 | \$181,239 | \$336,310 | 86% |
| Non-Personnel | - | - | - | - |
| Total Expenditures | 171,548 | 181,239 | 336,310 | 86% |
| Total Revenues | - | - | - | - |
| Net Tax Support | \$171,548 | \$181,239 | \$336,310 | 86% |
| Permanent FTEs | - | - | - | |
| Temporary FTEs | - | - | - | |
| Total Authorized FTEs | - | - | - | |

PROGRAM MISSION

To protect and defend the rights and dignity of indigent clients through zealous, compassionate, high-quality legal advocacy, and further, to prevent wrongful conviction and facilitate practical cost-saving alternatives to incarceration that reduce recidivism, protect individual liberty, and promote community safety.

- Defend indigent persons accused of crimes in Arlington County, Ronald Reagan Washington National Airport, and the City of Falls Church.
- Provide assistance to clients including reentry planning, case management, referrals to community resources and treatment centers, employment assistance, treatment coordination, health insurance, and sentencing alternatives.
- Independently investigate for evidence of innocence and mitigating circumstances.

PERFORMANCE MEASURES

FY 2020 Performance Measures reflect COVID-19 impacts to services in the final months of the fiscal year while FY 2021 and FY 2022 estimates are based on similar conditions and anticipated impacts on the performance measures.

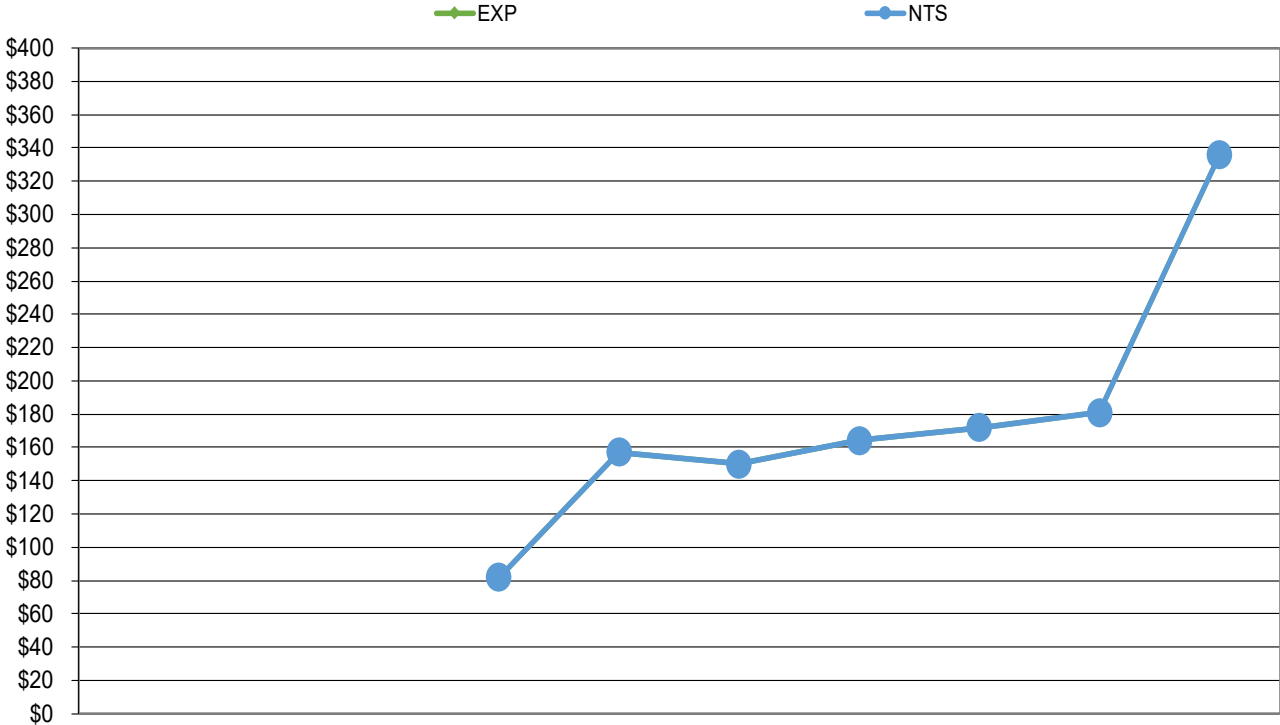
| Critical Measures | FY 2017 Actual | FY 2018 Actual | FY 2019 Actual | FY 2020 Actual | FY 2021 Estimate | FY 2022 Estimate |
|---|----------------|----------------|----------------|----------------|------------------|------------------|
| Number of cases per attorney | 230 | 208 | 239 | 214 | 178 | 186 |
| Number of seriously mentally ill (SMI) clients identified | 217 | 409 | 439 | 404 | 405 | 540 |
| Number of SMI incarcerated in the Arlington County Detention Center | 988 | 1,023 | 985 | 898 | 900 | 1,200 |
| Number of Competency/Restoration | 57 | 56 | 58 | 82 | 82 | 85 |

| Supporting Measures | FY 2017 Actual | FY 2018 Actual | FY 2019 Actual | FY 2020 Actual | FY 2021 Estimate | FY 2022 Estimate |
|--------------------------------|----------------|----------------|----------------|----------------|------------------|------------------|
| Number of misdemeanors | 1,258 | 1,125 | 1,335 | 942 | 842 | 1,100 |
| Number of non-violent felonies | 608 | 640 | 884 | 760 | 578 | 760 |
| Number of violent felonies | 75 | 58 | 39 | 131 | 136 | 135 |
| Number of other violations | 50 | 20 | 59 | 92 | 49 | 50 |

- The number of cases per attorney decreased in FY 2020 because of the effect of the pandemic on crime rates, with fewer arrests and therefore fewer case assignments in the final months of FY 2020. This was mainly true of misdemeanor and non-violent felony offenses and case

- assignments, however; the number of violent felony arrests and case assignments actually increased in FY 2020 and FY 2021—especially robberies and carjackings—which follows a nationwide trend. Given the additional time required to defend serious felony cases, consistent with national standards for indigent defense, the Office’s actual workload has not decreased, despite the decrease in overall case numbers.
- Contemporary best-practices for indigent defense entail a holistic approach, with participation in diversion initiatives and specialty dockets; active engagement with community leaders, stakeholders and advocates; and an enhanced commitment to mitigation, including aiding clients in finding mental health and substance abuse treatment to avoid re-arrest. These additional responsibilities are not reflected in raw caseload figures but have begun to be factored into office funding levels by the Virginia Indigent Defense Commission (VIDC). Partially in recognition of the fact that the Arlington Public Defender is a statewide leader in holistic defense, institutional advocacy, and community engagement, VIDC agreed to fund two additional staff attorney positions, with start dates in August and September of FY 2022, respectively. The two new positions account for the lower overall estimated “cases per attorney” in FY 2022.
- In FY 2016, the Office of the Public Defender began tracking clients who were identified as seriously mentally ill (SMI) by pretrial or jail staff. In FY 2017, the number of SMI clients identified decreased due to a change in counting methodology. In FY 2018, actuals began to increase as a percentage of the Office’s overall caseload and that trend is expected to continue partially due to the addition of SMI case appointments from the General District Court, among other factors.
- The Arlington County Detention Facility (ACDF) has seen a dramatic increase in SMI clients. Mental health clients remain a very large part of the Office caseload. The anticipated reduction in SMI incarcerations due to the implementation of specialty courts, diversion initiatives, and police commitments to identifying alternatives to arrest on SMI incarcerations has not been realized and continues to be area of concern for the Public Defender’s Office.
- The Indigent Defense Commission’s Case Management System (CMS) did not reliably track probation violation or DUI totals between FY 2019 and FY 2021. In practice, due to differences in local practice and procedure, defending probation violations in Arlington tends to require considerably more time and effort than similar cases in other jurisdictions.
- The County Manager proposed funding for one new paralegal position to manage the increased workload expected from the implementation of body worn cameras. The Public Defender is continuing to seek additional resources from VIDC to fully address the anticipated additional workload.

EXPENDITURE, REVENUE, AND NET TAX SUPPORT



| | FY 2013 Actual | FY 2014 Actual | FY 2015 Actual | FY 2016 Actual | FY 2017 Actual | FY 2018 Actual | FY 2019 Actual | FY 2020 Actual | FY 2021 Adopted Budget | FY 2022 Proposed Budget |
|------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------------------------|-------------------------|
| EXP | | | | \$82 | \$157 | \$150 | \$164 | \$172 | \$181 | \$336 |
| REV | | | | - | - | - | - | - | - | - |
| NTS | | | | \$82 | \$157 | \$150 | \$164 | \$172 | \$181 | \$336 |
| FTE | | | | - | - | - | - | - | - | - |

| Fiscal Year | Description | FTEs |
|--------------------|---|-------------|
| FY 2016 | ▪ Added funding for a Public Defender salary supplement, phased in over two years (\$80,000). | |
| FY 2017 | ▪ Added funding for year two of the Public Defender phase-in salary supplement, bringing the total supplement to 15 percent (\$86,111). | |
| FY 2018 | ▪ Added funding for the supplement increase based on state salary increases (\$5,565) and adjustments for payroll taxes (\$13,734). | |
| FY 2019 | ▪ Added funding for the supplement increase based on prior year state salary increases (\$6,009) and adjustments for payroll taxes (\$194). | |
| FY 2020 | ▪ Supplement decreased based on prior year state salary levels, staff turnover, and adjustments for payroll taxes (\$10,374). | |
| FY 2021 | ▪ No significant changes. | |