



MEMORANDUM

Date: August 23, 2016

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Savings Resulting from Public Defense Services Reorganization**

The Department of Public Defense Services (DPDS), which was created a little more than a year ago to manage the provision of indigent defense services in Pima County, has just completed its first full fiscal year of operations. I am pleased to report to the Board of Supervisors that DPDS saved \$1.278 million on the cost of defense services in Fiscal Year (FY) 2015/16, as compared with the fiscal year prior to the creation of DPDS (FY 2014/15).

The FY 2015/16 DPDS budget included all indigent defense services provided by Pima County, whether by the Public Defender (PD), Legal Defender (LD), Office of Children's Counsel (OCC), Mental Health Defender (MHD), or Office of Court-Appointed Counsel (OCAC). In FY 2015/16, PDS spent a total of \$28,356,753 on all those services, compared with total spending of \$29,635,713 in the year prior to the reorganization. Such 2015/16 spending also saved more than \$1.5 million from FY 2013/14 levels, when Pima County spent \$29,887,656 on indigent defense services. The year-to-year comparison of expenditures is complicated somewhat by the imposition in FY 2015/16 of Internal Service Fund (ISF) charges that did not exist in FY 2014/15 or prior years. When the \$1,208,205 in ISF charges are included, total DPDS expenditures in 2015/16 were \$29,564,958, which was within \$62,225 of budget. Attached for your information is a history of County expenditures on indigent defense services since FY 2004/05.

It is important to note that such savings were achieved while maintaining all the indigent defense offices and services from prior years. No offices were closed, and there were no reductions in force. By providing budget and administrative oversight, the DPDS has been able to manage spending more effectively and shift resources internally as needed to maximize cost/effectiveness. For example, by ensuring the PD, LD and OCC have sufficient capacity to take all cases where they do not have conflicts, thereby reducing the number of cases referred out to more expensive contract attorneys.

The DPDS has primary responsibility for planning and budget development, human resources, systems development (e.g., case management systems), forecasting, statistical analysis, and related tasks for the entire indigent defense system, in consultation with the PD, LD, OCC and MHD. The directors of the PD, LD, OCC and MHD continue to be responsible for the provision of legal services and client representation by their offices. The Director of

The Honorable Chair and Members, Pima County Board of Supervisors
Re: **Savings Resulting from Public Defense Services Reorganization**
August 23, 2016
Page 2

DPDS directly manages OCAC, which contracts with private attorneys to provide legal services in cases in which the other offices have conflicts or have reached caseload limits.

Given that DPDS, under the capable leadership of Director Lori Lefferts, has produced such positive results after only its first year of operations, I anticipate that additional savings may be achieved as DPDS continues to evaluate policies, procedures and the cost/effectiveness of service provision. I have also been pleased that DPDS has been an active participant and supporter of initiatives to improve the criminal justice system in Pima County, such as the Justice Coordinating Council and the MacArthur Foundation Safety & Justice Challenge aimed at reducing incarceration at the Pima County Adult Detention Center.

CHH/mjk

Attachment

c: Ellen Wheeler, Assistant County Administrator
Lori Lefferts, Director, Public Defense Services

Public Defender Services
General Fund Expenditures as of 8/12/16

	Public Defense Services								Total	ISF
	Indigent Defense			Office of Court Appointed Counsel						
	Public Defense Services	Public Defender	Legal Defender	Contract Attorney	OCAC	Office of Children's Counsel	Mental Health Defender			
FY 2015/16										
Budget	839,151	13,017,255	4,168,736	8,423,808	627,670	1,910,481	515,632	29,502,733		
Actuals	802,588	12,309,642	3,931,936	9,677,608	549,427	1,781,876	511,882	29,564,958		
Variance	36,563	707,613	236,800	(1,253,800)	78,243	128,605	3,750	(62,225)		
FY 2015/16 w/o ISF										
Budget	804,493	12,249,725	3,931,833	8,423,808	556,594	1,812,833	490,158	28,269,444	1,233,289	
Actuals	766,345	11,524,241	3,714,845	9,677,608	498,186	1,688,107	487,422	28,356,753	1,208,205	
Variance	38,148	725,484	216,988	(1,253,800)	58,408	124,726	2,736	(87,309)	25,084	
FY 2014/15										
Budget	-	13,086,104	4,045,881	6,875,338	741,385	1,675,724	508,711	26,933,143		
Actuals	-	12,560,665	4,009,312	10,284,194	728,419	1,574,266	478,858	29,635,713		
Variance	-	525,439	36,569	(3,408,856)	12,966	101,458	29,853	(2,702,570)		
FY 2013/14										
Budget	-	13,037,732	3,948,592	7,187,938	628,904	1,371,924	594,831	26,769,921		
Actuals	-	12,853,539	4,104,050	10,221,345	683,960	1,552,401	472,361	29,887,656		
Variance	-	184,193	(155,458)	(3,033,407)	(55,056)	(180,477)	122,470	(3,117,735)		
FY 2012/13										
Budget	-	12,664,202	3,776,099	7,307,306	585,860	1,300,137	587,525	26,221,129		
Actuals	-	12,572,804	3,800,382	9,259,639	571,065	1,361,207	510,857	28,075,954		
Variance	-	91,398	(24,283)	(1,952,333)	14,795	(61,070)	76,668	(1,854,825)		
FY 2011/12										
Budget	-	12,189,021	3,742,871	7,807,433	584,234	893,789	463,178	25,680,526		
Actuals	-	12,457,302	4,045,037	9,621,334	475,794	1,128,716	250,884	27,979,067		
Variance	-	(268,281)	(302,166)	(1,813,901)	108,440	(234,927)	212,294	(2,298,541)		

Public Defender Services
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	Indigent Defense			Office of Court Appointed Counsel					
	Public Defense Services	Public Defender	Legal Defender	Contract Attorney	OCAC	Office of Children's Counsel	Mental Health Defender		
FY 2010/11									
Budget	-	11,987,480	3,290,660	9,118,237	503,605	485,023	-	25,385,005	
Actuals	-	12,130,625	3,462,458	10,081,539	411,602	596,140	-	26,682,364	
Variance	-	(143,145)	(171,798)	(963,302)	92,003	(111,117)	-	(1,297,359)	
FY 2009/10									
Budget	-	12,116,034	3,333,282	9,668,413	643,104	-	-	25,760,833	
Actuals	-	12,140,241	3,100,637	11,191,386	501,626	-	-	26,933,890	
Variance	-	(24,207)	232,645	(1,522,973)	141,478	-	-	(1,173,057)	
FY 2008/09									
Budget	-	11,995,000	2,996,199	10,781,177	699,169	-	-	26,471,545	
Actuals	-	12,432,177	2,910,054	12,094,481	619,307	-	-	28,056,019	
Variance	-	(437,177)	86,145	(1,313,304)	79,862	-	-	(1,584,474)	
FY 2007/08									
Budget	-	12,531,084	3,069,373	10,981,177	709,536	-	-	27,291,170	
Actuals	-	12,604,444	2,942,198	11,089,206	670,009	-	-	27,305,857	
Variance	-	(73,360)	127,175	(108,029)	39,527	-	-	(14,687)	
FY 2006/07									
Budget	-	11,866,075	2,961,570	9,885,517	758,069	-	-	25,471,231	
Actuals	-	11,552,237	2,657,649	11,212,473	623,488	-	-	26,045,847	
Variance	-	313,838	303,921	(1,326,956)	134,581	-	-	(574,616)	
FY 2005/06									
Budget	-	10,512,512	2,738,181	9,138,983	665,291	-	-	23,054,967	
Actuals	-	10,055,030	2,799,665	10,490,785	603,119	-	-	23,948,599	
Variance	-	457,482	(61,484)	(1,351,802)	62,172	-	-	(893,632)	

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	Indigent Defense			Office of Court Appointed Counsel					
	Public Defense Services	Public Defender	Legal Defender	Contract Attorney	OCAC	Office of Children's Counsel	Mental Health Defender		
FY 2004/05									
Budget	-	8,495,052	2,508,398	7,820,809	-	-	-	18,824,259	
Actuals	-	8,558,850	2,487,532	9,878,057	-	-	-	20,924,439	
Variance	-	(63,798)	20,866	(2,057,248)	-	-	-	(2,100,180)	