

# 2016 The Annual Report of the Chief Public Defender



CONNECTICUT DIVISION OF PUBLIC DEFENDER SERVICES

SUSAN O. STOREY CHIEF PUBLIC DEFENDER

FEBRUARY 1, 2017

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*“The Part I took in Defense of Captain Preston and the Soldiers, ...[was] one of the most gallant, generous, manly and disinterested Actions of my whole Life, and one of the best Pieces of Service I ever rendered my Country. Judgment of Death against those Soldiers would have been as foul a Stain upon this Country as the Executions of the Quakers or Witches, anciently. As the Evidence was, the Verdict of the Jury was exactly right.”*

- 35 year-old John Adams on his representation of Captain Preston and eight British soldiers during the Boston Massacre Trials of 1770 in which his clients, accused of murdering Samuel Gray, Samuel Maverick, James Coldwell, Crispus Attucks and Patrick Carr, faced the death penalty.

# AMERICAN BAR ASSOCIATION'S TEN PRINCIPLES OF A PUBLIC DEFENSE DELIVERY SYSTEM

(ABA STANDING COMMITTEE ON LEGAL AID AND INDIGENT DEFENSE, 2002)

THROUGHOUT THIS REPORT, THE ABA'S TEN PRINCIPLES OF A PUBLIC DEFENSE DELIVERY SYSTEM ARE REFERENCED. BELOW THEY ARE LISTED IN THEIR ENTIRETY.

- 1** *THE PUBLIC DEFENSE FUNCTION, INCLUDING THE SELECTION, FUNDING, AND PAYMENT OF DEFENSE COUNSEL, IS INDEPENDENT.*
- 2** *WHERE THE CASELOAD IS SUFFICIENTLY HIGH, THE PUBLIC DEFENSE DELIVERY SYSTEM CONSISTS OF BOTH A DEFENDER OFFICE AND THE ACTIVE PARTICIPATION OF THE PRIVATE BAR.*
- 3** *CLIENTS ARE SCREENED FOR ELIGIBILITY, AND DEFENSE COUNSEL IS ASSIGNED AND NOTIFIED OF APPOINTMENT, AS SOON AS FEASIBLE AFTER CLIENTS' ARREST, DETENTION, OR REQUEST FOR COUNSEL.*
- 4** *DEFENSE COUNSEL IS PROVIDED SUFFICIENT TIME AND A CONFIDENTIAL SPACE WITHIN WHICH TO MEET WITH THE CLIENT.*
- 5** *DEFENSE COUNSEL'S WORKLOAD IS CONTROLLED TO PERMIT THE RENDERING OF QUALITY REPRESENTATION.*
- 6** *DEFENSE COUNSEL'S ABILITY, TRAINING, AND EXPERIENCE MATCH THE COMPLEXITY OF THE CASE.*
- 7** *THE SAME ATTORNEY CONTINUOUSLY REPRESENTS THE CLIENT UNTIL COMPLETION OF THE CASE.*
- 8** *THERE IS PARITY BETWEEN DEFENSE COUNSEL AND THE PROSECUTION WITH RESPECT TO RESOURCES AND DEFENSE COUNSEL IS INCLUDED AS AN EQUAL PARTNER IN THE JUSTICE SYSTEM.*
- 9** *DEFENSE COUNSEL IS PROVIDED WITH AND REQUIRED TO ATTEND CONTINUING LEGAL EDUCATION.*
- 10** *DEFENSE COUNSEL IS SUPERVISED AND SYSTEMATICALLY REVIEWED FOR QUALITY AND EFFICIENCY ACCORDING TO NATIONALLY AND LOCALLY ADOPTED STANDARDS.*



I AM A PUBLIC DEFENDER/DEFENSE LAWYER.  
I AM THE GUARDIAN OF THE PRESUMPTION OF INNOCENCE, DUE PROCESS, AND FAIR TRIAL.  
TO ME IS ENTRUSTED THE PRESERVATION OF THOSE SACRED PRINCIPLES.  
I WILL PROMULGATE THEM WITH COURTESY AND RESPECT, BUT NOT WITH OBSEQUIOUSNESS AND NOT WITH FEAR.  
FOR I AM PARTISAN; I AM COUNSEL FOR THE DEFENSE.  
LET NONE WHO OPPOSE ME FORGET THAT WITH EVERY FIBER OF MY BEING I WILL FIGHT FOR MY CLIENTS.  
MY CLIENTS ARE THE INDIGENT ACCUSED.  
THEY ARE THE LONELY, THE FRIENDLESS.  
THERE IS NO ONE TO SPEAK FOR THEM BUT ME.  
MY VOICE WILL BE RAISED IN THEIR DEFENSE.  
I WILL RESOLVE ALL DOUBT IN THEIR FAVOR.  
THIS WILL BE MY CREDO: THIS AND THE GOLDEN RULE.  
I WILL SEEK ACCLAIM AND APPROVAL ONLY FROM MY OWN CONSCIENCE.  
AND IF UPON MY DEATH THERE ARE A FEW LONELY PEOPLE WHO HAVE BENEFITED, MY EFFORTS WILL NOT HAVE BEEN IN VAIN.

- JAMES DOHERTY, 1957

# INTRODUCTION: SUMMARY OF THE CHIEF PUBLIC DEFENDER

# 1

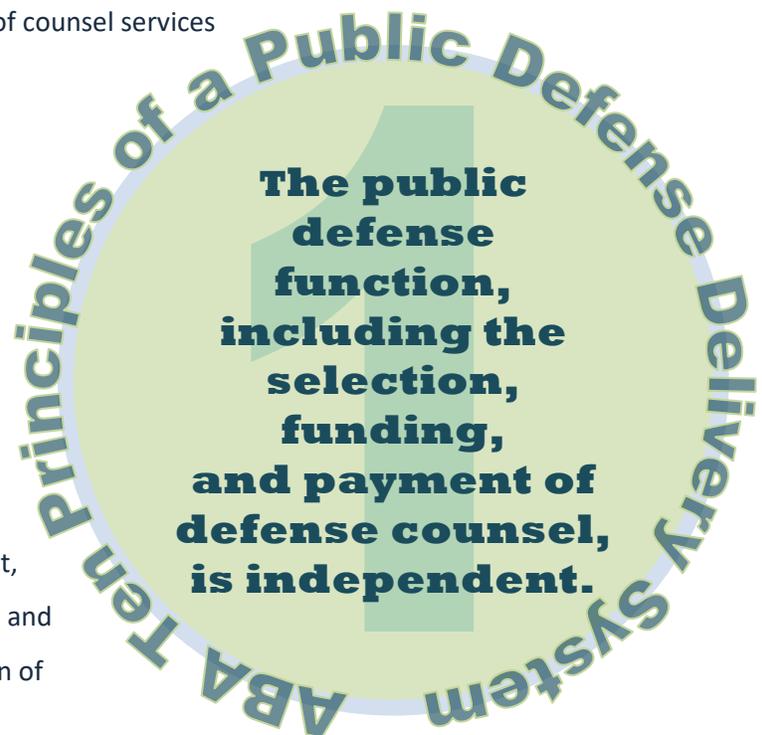


**T**he ABA Ten Principles are a set of standards that are interdependent. That is, the health of an indigent defense system cannot be assessed simply by rating a jurisdiction's compliance with each of the ten criteria and dividing the sum to get an average 'score.' For example, just because a jurisdiction has a place set aside in the courthouse for confidential attorney/client discussions does not make the delivery of indigent defense services any better from a client's perspective if the appointment of counsel comes so late in the process, or if the attorney has too many cases, or if the attorney lacks the training, as to render those conversations ineffective at serving a client's individualized needs. Instead, for a public defense system to be found capable of providing effective assistance of counsel, that system must meet all of the minimum standards described by the ABA Ten Principles."

- National Legal Aid and Defender Association

The FY 16 Annual Report acknowledges the enduring importance of the *ABA Ten Principles of a Public Defense Delivery System* approved by the ABA House of Delegates in 2002. These Guidelines have also been endorsed by the American Council of Chief Defenders and the National Association of Public Defenders. Since their formation they have served as clear and concise guidelines for lawmakers, funders, and Chief Defenders on how to design and maintain an effective system for providing indigent defense services. These principles were based on the work of two very dedicated members of NLADA, James Neuhard, then Director of the Michigan State Appellate Defender Office and Scott Wallace, then Director of Defender Legal Services for NLADA. First known as the "Ten Commandments", these principles are as relevant today as when they were conceived in 2000. They are the standard for measuring whether or not an indigent defense organization is adequately resourced and organized to provide constitutionally mandated effective assistance of counsel services according to the Sixth Amendment of the United States Constitution.

It is a source of pride that in 1975, decades prior to the adoption of these principles, that the creators of our state public defender system had the foresight to incorporate these same core principles into the Agency's enabling legislation which include: independence from political interference, salary and resource parity with prosecutors, on-going training, supervision of work product, vertical representation of clients, eligibility determinations and appointment of counsel as soon as possible, representation of



clients charged with misdemeanor cases at arraignment, availability of in-house professional support staff, caseload control, and on-going training. Connecticut's public defender system has served as a model for established and emerging indigent defense systems throughout the country.

Though nothing precisely akin to the *10 Principles of Indigent Defense* has been formally created for Child Protection organizations, these same principles are applicable. For example, OCPD maintains the list of qualified child welfare lawyers and makes an assignment upon notification of a court determination that counsel should be appointed. The appointment of individual lawyers in these cases is independent and made as soon as possible. The involvement of both public defender staff and the private bar is utilized, and counsels' ability, training and experience match the complexity of cases assigned.

Adhering to these principles is challenging given a decade of reduced appropriations, budget cuts, staff retirements and layoffs that have already resulted in more than a 12% reduction to the Agency's workforce. These staff reductions continue to require significant re-deployment and staff sharing among field offices, as well as increased responsibility for cases to mitigate the Agency's deficiency. And, despite the falling crime rate and reduction in CT's prison population, our Division is projecting increases in GA, JD field office caseloads and child welfare appointments. These increases may be a result of the percentage of state residents living in poverty and the increasing numbers of people who are employed but who qualify for our services because they cannot afford to hire private counsel or meet basic household, medical, and childcare needs.

Despite the economic downturn, Division personnel continue to vigorously advocate for adequate resources and legislative reform to achieve equal justice for our clients. We are required to constantly review and evaluate how we might create efficiencies and cost savings that maintain best practices in representation. As delinquency cases decrease, we have increased the number of child welfare clients our juvenile staff are able to represent. We also seek to develop more supportive resources for Assigned Counsel who currently represent the majority of indigent adults and children in Connecticut's child welfare system. These attorneys are highly trained professionals who are devoted to this critically important work.

In the face of these obstacles, public defender staff and Assigned Counsel have remained flexible, dedicated and resilient. They work hard every day to uphold the *Ten Principles* and go above and beyond their courtroom responsibilities in order to fulfill the mission of the Agency. Many public defender staff volunteer their time to community organizations, task forces, non-profit boards and legislative committees to help improve the lives of our clients and strengthen communities. Our staff donate clothing, household and other essential personal items

to those clients who are homeless and living in shelters. Thousands of books donated by our staff have been delivered to various state correctional facilities. Our attorneys, investigators, social workers and clerical staff are especially dedicated to those that have served our country and have participated in the *Stand Down for Veterans* event for almost three decades.

The Division continues to pursue adequate funding and resources to preserve adherence to the *ABA 10 Principles* of an Indigent Defense Delivery System. Our core mission of providing constitutionally mandated quality representation for each indigent adult and child in the criminal justice and child welfare system can only be achieved with adequate funding, resources, and adequate numbers of dedicated and trained personnel. Failure to provide zealous and equal justice services in the courts has an enormous human and economic cost for generations of Connecticut residents. Our Agency continues to monitor all resources to make sure that public funds are distributed in the most cost efficient and equitable manner possible to fulfill our mandate to provide constitutionally required effective representation.

***Susan O. Storey***

**T**he Division of Public Defender Services is an agency of the State of Connecticut, established by Chapter 887 of the Connecticut General Statutes. The policy-making and appointing authority for the Division is the Public Defender Services Commission. The seven (7) members of the Commission are appointed for three-year terms, in accordance with Sec. 51-289, C.G.S., by the Governor, the Chief Justice, the Speaker of the House, the Senate President Pro Tempore, and the House of Representatives Minority and Majority Leaders. The current members of the Commission are listed on page seven together with their appointing authorities.

As established by statute, the Division is made up of three separate components: a Commission responsible for policy-making, appointments of all personnel and compensation matters; an Office of Chief Public Defender charged with statewide administration of the public defender system and the provision of specialized legal representation; and the individual public defender offices providing legal services throughout the State to indigent persons accused of crimes as required by both the United States and Connecticut Constitutions.

Section 51-291(m), C.G.S., specifies that the Commission is an “autonomous body within the Judicial Department for fiscal and budgetary purposes only.” As such, the Commission is part of the Judicial Department but is otherwise autonomous within that branch of state government.

All attorneys and other employees of the Division are appointed by the Public Defender Services Commission. The Commission also establishes the compensation plan for the Division, approves certain expenditures, and establishes policies and procedures relating to the operation of the Division.

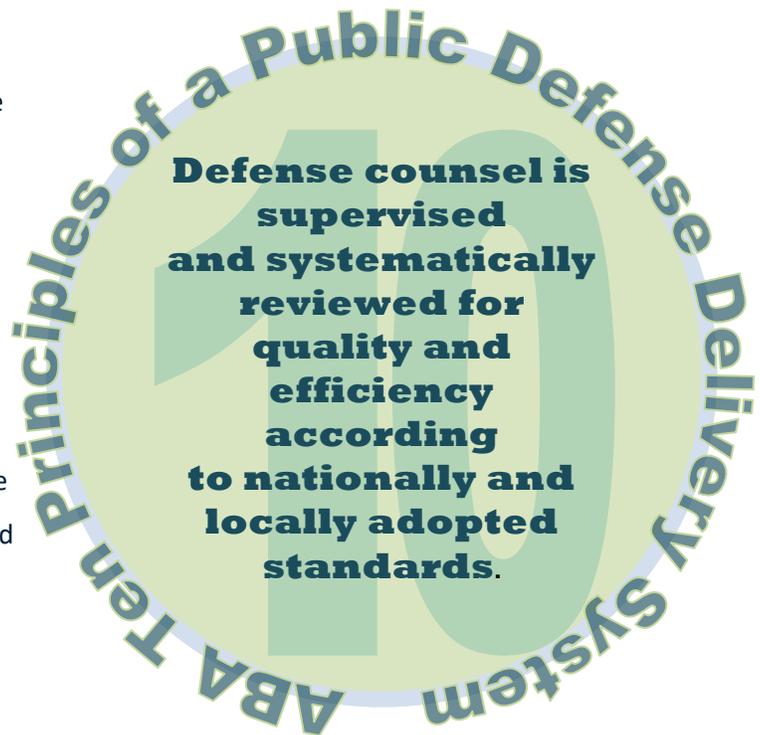
The chief administrative officer for the Division, appointed by the Commission, is Chief Public Defender Attorney Susan O. Storey. The Deputy Chief Public Defender is Attorney Brian S. Carlow. The duties of the Chief Public Defender are specified in Sec. 51-291, C.G.S., and include supervision of all personnel and operations of the Division, training of all attorneys and support staff, and preparation of all grant and budget requests for approval by the Commission and submission to the Governor.

## OUR MISSION

The Division of Public Defender Services provides counsel in accordance with both the United States and Connecticut Constitutions to any indigent person charged with the commission of a crime that carries a risk of incarceration. In addition, representation and guardian ad-litem services are afforded to indigent children and parents in child welfare, family, and child support matters, in accordance with the Connecticut General Statutes and by order of the Superior Court.

In addition to the Chief and Deputy Chief Public Defender, management and administration of the Division is carried out by the office of Chief Public Defender, located at 30 Trinity Street, 4<sup>th</sup> Floor, in Hartford. In FY2015/16, administrative staff consists of Director of Training, Director of Assigned Counsel, Director of Delinquency Defense and Child Protection, Legal Counsel (Director), Financial Director, Director of Human Resources, Chief Investigator, Chief Social Worker, four (4) Managers (Administrative Services, Information Services and Research, Information Systems and Legal Technology Planning and Staff Development), seventeen (17) administrative staff, and two (2) secretarial positions.

The Public Defender Services Division is responsible for the defense of indigent children and adults in criminal cases in the juvenile and adult courts, and since inclusion of *Child Protection* in 2011, for providing all representation for all children and all indigent adults in child welfare cases, appointment of Guardian-ad Litem for children in Family Court, representation for persons held in contempt for the failure to pay child support in magistrate courts, and representation of non-indigent persons when appointed by the court in the “Interests of Justice.”



Public Defender services are provided to “indigent” accused adults and juveniles throughout Connecticut at thirty-eight (38) *combined* field offices and six (6) specialized units (reflecting the combined Habeas and CTIP) and branches of the Office of Chief Public Defender. Pursuant to Sec. 51-296 C.G.S., public defenders may be appointed to represent individuals in any criminal action, any habeas corpus proceeding arising from a criminal matter, any extradition proceeding, or in any delinquency matter.

Representation is provided to clients in both adult and juvenile misdemeanor and felony cases, including appeals and other post-conviction matters as well as child protection and GAL matters. Public defenders also represent clients acquitted by reason of insanity before the Psychiatric Security Review Board pursuant to Sec.17a-596(d), C.G.S., post-conviction petitions for DNA testing in accordance with Sec. 54-102kk(e), and through the public defender Connecticut Innocence Project in post-conviction claims where new evidence (both DNA and non-DNA evidence) might reasonably exonerate inmates who are innocent and who have been wrongfully convicted.

# Workforce Analysis-Division of Public Defender Services

THIS COMPARISON IS BASED ON THE DIVISION'S 393 EMPLOYEES AS OF OCTOBER 1, 2016. WORKFORCE AVAILABILITY FIGURES ARE BASED ON THE 2006-2010 AMERICAN COMMUNITY SURVEY AS REPORTABLE BY THE U.S. CENSUS BUREAU.

OFFICIALS/ ADMINISTRATORS (54)	<u>MALES</u>		WORKFORCE AVAILABILITY
WHITE	23	42.6%	47.8%
HISPANIC/LATINO	1	1.9 %	1.5%
BLACK AFRICAN AMERICAN	2	3.7%	3.3%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	1	1.9%	2.9%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.3%

OFFICIALS/ ADMINISTRATORS	<u>FEMALES</u>		WORKFORCE AVAILABILITY
WHITE	24	44.4%	30.2%
HISPANIC/LATINA	1	1.9%	1.2%
BLACK AFRICAN AMERICAN	2	3.7%	4.1%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	0	0.0%	2.0%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%^	0.3%

PROFESSIONALS (210)	<u>MALES</u>		WORKFORCE AVAILABILITY
		36.2	
WHITE	76	%	33.3%
HISPANIC/LATINO	2	0.9%	1.0%
BLACK AFRICAN AMERICAN	7	3.3%	3.0%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.1%
ASIAN	1	0.4%	4.2%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.0%
TWO OR MORE RACES	0	0.0%	0.2%

PROFESSIONALS	<u>FEMALES</u>		WORKFORCE AVAILABILITY
WHITE	100	47.6%	41.6%
HISPANIC/LATINA	5	2.4%	1.4%
BLACK AFRICAN AMERICAN	15	7.1%	5.4%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	4	1.9%	3.7%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLAND	0	0.0%	0.0%
TWO OR MORE RACES	0	0.0%	0.3%

PROTECTIVE SERVICE WORKERS (NON-SWORN) (56)	MALES		WORKFORCE AVAILABILITY
WHITE	20	35.7%	34.2%
HISPANIC/LATINO	13	23.2%	1.9%
BLACK AFRICAN AMERICAN	0	0.0%	5.2%
AMERICAN INDIAN/ALASKA NATIVE	0	0.0%	0.4%
ASIAN	0	0.0%	1.1%
NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.5%

PROTECTIVE SERVICE WORKERS (NON SWORN)	FEMALES		WORKFORCE AVAILABILITY
WHITE	20	35.7%	37.2%
HISPANIC/LATINA	1	1.8%	2.4%
BLACK AFRICAN AMERICAN	2	3.6%	7.3%
AMERICAN INDIAN/ALASKA NATIVE	0	0.0%	0.3%
ASIAN	0	0.0%	0.9%
NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER	0	0.0%	0.2%
TWO OR MORE RACES	0	0.0%	0.6%

ADMINISTRATIVE SUPPORT (73)	MALES		WORKFORCE AVAILABILITY
WHITE	2	2.7%	24.7%
HISPANIC/LATINO	2	2.7%	1.8%
BLACK AFRICAN AMERICAN	2	2.7%	3.7%
AMERICAN INDIAN/ALASKA NATIVE	0	0.0%	0.2%
ASIAN	1	1.4%	1.8%
NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.2%

ADMINISTRATIVE SUPPORT	FEMALES		WORKFORCE AVAILABILITY
WHITE	38	52.1%	44.2%
HISPANIC/LATINA	16	21.9%	3.3%
BLACK AFRICAN AMERICAN	11	15.1%	8.1%
AMERICAN INDIAN/ALASKA NATIVE	0	0.0%	0.4%
ASIAN	1	1.4%	2.4%
NATIVE HAWAIIAN/OTHER PACIFIC ISLAND	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.5%

<u>MALES/FEMALES</u>		SUMMARY OF WORKFORCE			
TOTAL MALES	153	38.9%	TOTAL MINORITY FEMALES	58	64.4%
TOTAL FEMALES	240	61.1%	TOTAL MINORITY MALES	32	35.5%
			TOTAL MINORITY	90	22.9%

*“Here is a land full of power and glory  
Beauty that words cannot recall  
Oh her power shall rest on the strength of her freedom  
Her glory shall rest on us all (on us all)...  
Yet she’s only as rich as the poorest of her poor  
Only as free as the padlocked prison door  
Only as strong as our love for this land  
Only as tall as we stand”*

*-Phil Ochs “The Power & The Glory”*

**FY2015/16**

**PUBLIC DEFENDER SERVICES  
COMMISSION MEMBERS**

**MEMBER**

**APPOINTED BY**

**THOMAS J. RECHEN, ESQ. CHAIR**

**GOVERNOR**

**G. KENNETH BERNHARD, ESQ.**

**SENATE MINORITY LEADER**

**HON. JULIA DICOCO DEWEY**

**CHIEF JUSTICE**

**HON. WILLIAM R. DYSON**

**HOUSE REPUBLICAN LEADER**

**AIMEE C. GOLBERT, LCSW**

**SENATE PRESIDENT PRO TEMPORE**

**RAMONA MERCADO-ESPINOZA, ESQ.**

**SPEAKER OF THE HOUSE**

**HON. ELPEDIO N. VITALE**

**CHIEF JUSTICE**

*"As long as the world shall last there will be wrongs, and if no man objected  
and no man rebelled, those wrongs would last forever."*

*- Clarence Darrow, Attorney (1857-1938)*

**CHIEF JUSTICE:  
APPOINTS TWO JUDGES**

**GOVERNOR:  
APPOINTS CHAIRMAN**

**GENERAL ASSEMBLY LEADERS:  
APPOINT FOUR MEMBERS**

**PUBLIC DEFENDER  
SERVICES COMMISSION**

**SPECIALIZED UNITS:**

- CAPITAL DEFENSE AND TRIAL SERVICES UNIT
- CONNECTICUT INNOCENCE PROJECT/HABEAS CORPUS UNIT
- JUVENILE POST-CONVICTION AND REENTRY UNIT
- LEGAL SERVICES UNIT
- PSYCHIATRIC DEFENSE UNIT
- ASSIGNED COUNSEL

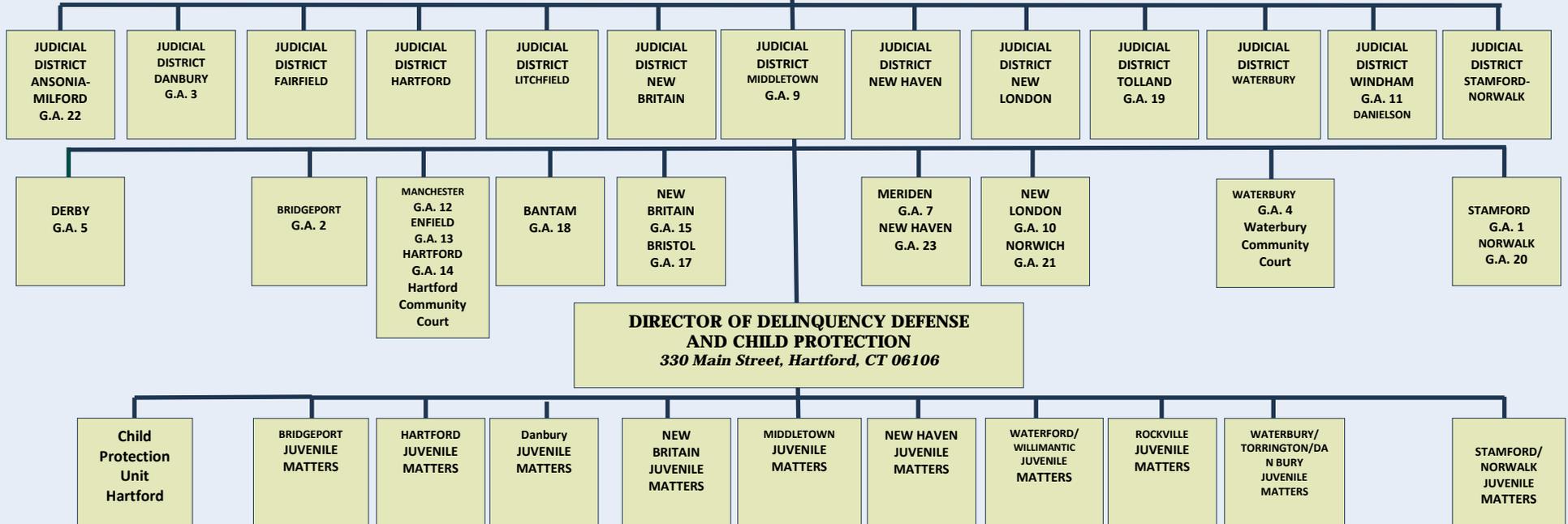
**ADMINISTRATIVE STAFF:**

- LEGAL COUNSEL, DIRECTOR
- DIRECTOR OF TRAINING
- DIRECTOR OF ASSIGNED COUNSEL
- CHIEF SOCIAL WORKER
- CHIEF INVESTIGATOR
- DIRECTOR OF HUMAN RESOURCES
- FINANCIAL DIRECTOR
- MANAGER OF ADMINISTRATIVE SERVICES
- MANAGER OF SYSTEMS
- MANAGER OF INFORMATION SERVICES AND RESEARCH
- MANAGER OF LEGAL TECHNICAL PLANNING AND STAFF SUPPORT

**OFFICE OF THE  
CHIEF PUBLIC DEFENDER**

*30 Trinity Street, Hartford, CT 06106*

- CHIEF PUBLIC DEFENDER
- DEPUTY CHIEF PUBLIC DEFENDER



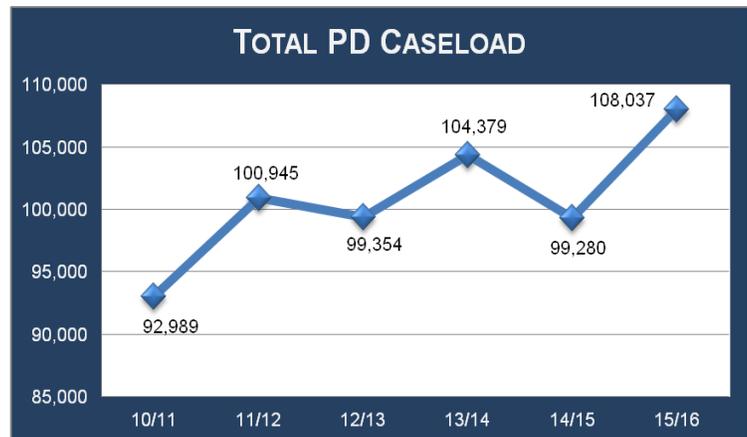
**CONNECTICUT DIVISION OF PUBLIC DEFENDER SERVICES**  
**ORGANIZATIONAL CHART FISCAL YEAR 2015/16**



## DIVISION OF PUBLIC DEFENDER SERVICES FISCAL YEAR CASELOAD TOTAL<sup>2</sup>

During FY2015/16, the criminal and Assigned Counsel public defender caseload was 106,856 cases. This is a 8.5% increase from the 98,449 cases during

FY2014/15. An additional 1181 cases were appointed to the appellate and habeas corpus units during FY2015/16 totaling 108,037 cases for which the Division of Public Defender Services was fiscally responsible. The JD cases are not weighted for the DPDS Total Fiscal Caseload.



## NEW CASES ASSIGNED<sup>3</sup>:

Below are breakdowns for FY2015/16 of cases appointed<sup>4</sup> and cases calculated for the “New Cases Assigned” statistic for the Judicial District (JD), Geographical Area (GA) and Juvenile Matters offices.

### JUDICIAL DISTRICT (JD) OFFICES

<b>Cases Appointed</b> FY15/16 3,535 FY14/15 2,901 FY13/14 2,903 FY12/13 2,952	<b>“New Cases Assigned”*</b> FY15/16 1,892 FY14/15 1,470 FY13/14 1,566 FY12/13 1,512	Average Number of Permanent JD Attorneys during FY2015/16 : <b>40.4</b>
Number of Dispositions: 1591	*Murder and Accessory to Murder are weighted as two cases	Average Number of New Cases Assigned p/Attorney p/Fiscal Year: <b>47</b>

### JUVENILE MATTERS OFFICES

<b>Cases Appointed</b> FY15/16 5,384 FY14/15 5,869 FY13/14 6,086 FY12/13 6,429	<b>“New Cases Assigned”</b> FY15/16 3,805 FY14/15 4,520 FY13/14 4,516 FY12/13 4,805
Number of Dispositions: 4,058	Average Number of Permanent Juvenile Matters Attorneys during FY2015/16 : <b>19.5</b>

### GEOGRAPHICAL AREA (GA) OFFICES

<b>Cases Appointed</b> FY15/16 68,632 FY14/15 62,737 FY13/14 62,417 FY12/13 62,528	<b>“New Cases Assigned”</b> FY15/16 53,817 FY14/15 48,029 FY13/14 48,811 FY12/13 47,643	Average Number of Permanent GA Attorneys during FY2015/16 : <b>122.2</b>
Number of Dispositions: 43,456	Average Number of New Cases Assigned p/Attorney p/Fiscal Year: <b>440</b>	

Average Number of New Cases Assigned p/Attorney p/Fiscal Year: <b>195</b>
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“I’VE LEARNED THAT PEOPLE WILL FORGET WHAT YOU SAID, PEOPLE WILL FORGET WHAT YOU DID, BUT PEOPLE WILL NEVER FORGET HOW YOU MADE THEM FEEL.”  
**“I’VE LEARNED THAT PEOPLE WILL FORGET WHAT YOU SAID, PEOPLE WILL FORGET WHAT YOU DID, BUT PEOPLE WILL NEVER FORGET HOW YOU MADE THEM FEEL.”**  
 - MAYA ANGELOU

## EVALUATION OF CASELOAD GOALS

In order to insure that the attorneys within the Division of Public Defender Services are able to render quality representation to all clients and avoid unnecessary delay in the disposition of cases, the Public Defender Services Commission established Caseload Goals for Public Defenders in 1999. These goals reflect the Commission's view of the number of new cases to be assigned to an individual attorney per year in order to represent clients in accordance with the Commission's Guidelines on Indigent Defense. These goals have enabled the Commission to assess staffing levels and allocate resources on an equitable basis.

## MAJOR FELONY CASES

An ongoing concern within the Division, the number of felony cases remaining in the Geographical Area (GA) courts may require re-evaluation of these goals.

In FY2015/16 DPDS GA

offices were

appointed to 23,423 minor (12,943), major (7,654) and unclassified (2,826) felony cases. In FY2015/16, 1,438 cases (6.1%) were transferred from GA to JD Courts leaving an estimated 94% of felonies in GA offices<sup>5</sup>.

In 2007, the American Council of Chief Defenders (ACCD) reaffirmed the caseload guidelines established in 1973 by the National Advisory Commission on Criminal Justice Standards and Caseload Goals (NAC Standards). These guidelines are significantly lower in some

respects than those established by the Public Defender Services Commission in 1999 as a result of the settlement agreement in *Rivera v. Rowland, et al.* Furthermore, the American Bar Association (ABA) has issued a formal opinion regarding the ethical obligations of public defender lawyers and public defender supervisors when faced with excessive caseloads<sup>6</sup>.

## MAJOR FELONY MEASURES

Currently, 34% of all new cases appointed to GA public defender offices are felonies. Major felonies accounted for 54.6% of new cases appointed to JD offices. In the Juvenile Matters offices, 35.3% of juvenile cases were

### THE CASELOAD STATISTIC

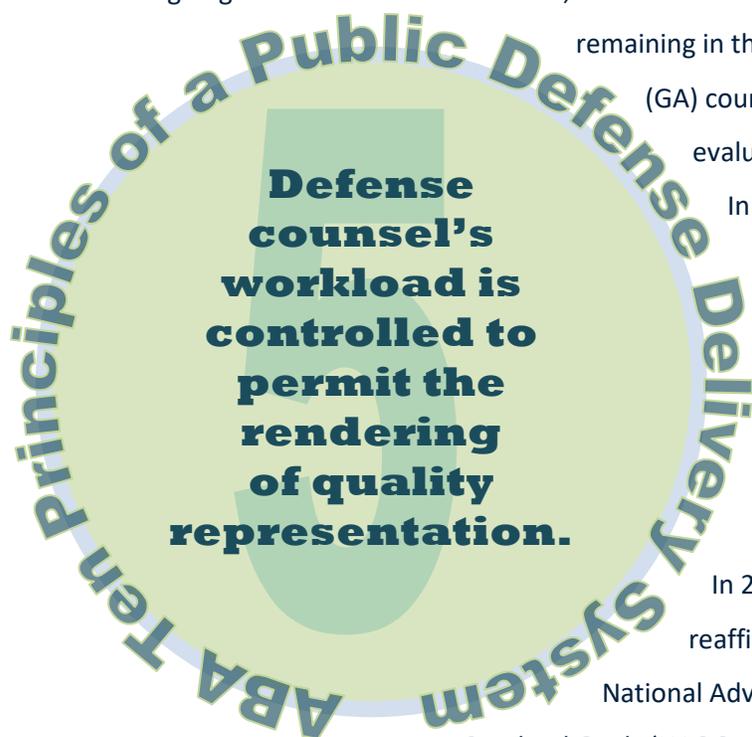
**CASELOAD GOALS AND ANALYSIS**  
The adoption of "Caseload Goals" in 1999 redefined "Caseload" as "new cases assigned", which is reflected in the Appendices tables entitled "Caseload Goals Analysis". The specific calculations differ depending upon whether the office is identified as a JD, GA or Juvenile Matters location.

#### "NEW CASES ASSIGNED"

**JD:** "New Cases Assigned" equals murder, accessory to murder and non-death penalty capital cases plus *Other Major Felonies* minus Cases Transferred (removed) (allocating the % of minor felonies, misdemeanors, MV and Other of the total "Cases Appointed" in order to avoid double subtraction of transfers). For weighting purposes, murder, accessory to murder and non-death penalty cases = 2 cases (add 1). (Transfers of murder and capital non-death are excluded prior to the weighting process).

**GA:** "New Cases Assigned" is calculated by excluding cases that are nolle or dismissed on the date of appointment. Cases transferred (removed) are also excluded.

**Juvenile Matters:** "New Cases Assigned" is calculated by excluding cases in which the juvenile is charged with Violation of a Court Order in a pending matter. Cases transferred (removed) are also subtracted.



felonies with 12% of those considered “Serious Juvenile Offenses”.

## **CASE TRACKING (CT) AND JUSTWARE DEFENDER CASE MANAGEMENT SYSTEM (CMS)**

For the first quarter of FY2015/16, the Division relied upon the “Case Tracking” software application to produce reports for docket management and caseload tracking for all adult GA and JD offices. Case information was entered by each office into a centralized system. This system enabled the Information Services and Research department to access office data in real time and to create statistical reports from the division-wide level down to the office and staff level.

Beginning in the second quarter (October 1, 2015) of FY2015/16, the Division migrated to the JustWare Case Management System. The Information Services and Research department continues to collaborate with both the Systems department and those overseeing the new CMS in order to evaluate data validity and reliability. Data and tables for this annual report were generated from both of these systems to provide as seamless a data report as possible, however it should be noted that during a transition between systems there can be a significant learning curve for users. Data collected during the second and third quarters of this Fiscal Year may not have been captured and updated with the same rigor as the first and fourth quarters, however all departments mentioned above put forth efforts to ensure the reliability and validity of this data.

## **ASSIGNED COUNSEL**

Assigned Counsel are private attorneys hired by the Public Defender Services Commission to represent indigent defendants when the public defender office determines that there is a conflict of interest. In FY2015/16, Assigned Counsel were assigned to handle 23,337 cases for the Judicial District, Geographical Area, Juvenile Matters, Appellate, Habeas and Child Protection offices combined. The majority of these cases were assigned pursuant to contracts entered into between the Commission and members of the private bar.

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<sup>1</sup> This chapter was contributed by Jennie Albert, Manager of Information Services and Research, Office of the Chief Public Defender.

<sup>2</sup> “Fiscal Year Caseload” is defined as “cases pending at the beginning of the fiscal year plus cases appointed minus cases transferred after removals [to Part A (GA only), another court for consolidation, Assigned Counsel (conflict of interest), private counsel, pro se or to appellate.] Subsequent inclusion of Appellate Unit, CT/Habeas Unit and all Assigned Counsel cases results in the number of cases for which the Public Defender Services Commission is fiscally responsible.

<sup>3</sup> “New Cases Assigned” is further defined on page ten (10) of this chapter. Guidelines refer to the average number of New Cases Assigned (calculation) per attorney per fiscal year: 450-500 for GA; 75 for JD and 300-400 for Juvenile Matters.

<sup>4</sup> “Cases Appointed” is defined as new cases appointed to Public Defender offices during the Fiscal Year. This statistic is not the caseload statistic used to monitor average attorney caseloads.

<sup>5</sup> Most the cases transferred from GA to JD are major felonies, although some are transferred to consolidate if the client has multiple files. DPDS does not track how many major felonies are assigned to Assigned or private counsel. Cases contained in the case tracking system were only identified by classification when they are appointed.

<sup>6</sup> American Bar Association Standing Committee on Ethics and Professional Responsibility (2006). *Formal opinion 06-441L Ethical Obligations of lawyers who represent indigent defendants when excessive caseloads interfere with competent and diligent representation.* ABA.

# PUBLIC DEFENDER OFFICES: TRENDS IN CASELOAD AND STAFFING

POSITIONS	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Attorneys	217	214	209	214	217	224	221	210
Clerical	60	66	62	86	79	68	68	67
Investigators	62	60	59	56	60	60	60	56
Social Workers	40	41	40	32	33	41	41	36
Exempt or Other Staff (Administrative)	21	22	33	25	22	23	26	24
<b>TOTAL</b>	<b>400</b>	<b>403</b>	<b>403</b>	<b>413</b>	<b>411</b>	<b>416</b>	<b>416</b>	<b>393</b>

## CLASSIFICATIONS OF CASES APPOINTED

Judicial Districts	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Major Felonies	1686	1579	1456	1483	1544	1404	1455	1905
Minor Felonies	296	291	264	315	321	320	321	298
Misdemeanors	200	181	179	142	135	152	152	161
Total (Includes MV, VOP and Other)	3067	2895	2800	2909	2915	2903	2826	3535
Geographical Areas*	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Major Felonies	7365	6846	8072	8457	7929	7437	7502	7654
Minor Felonies	14598	15282	14257	14801	12772	12881	13052	12943
Misdemeanors	27825	28646	26503	27036	25439	25660	24944	26060
Total (Includes MV, VOP and Other)	69476	69611	66821	69572	62978	63266	62051	68632

\*GA cases appointed include Community Courts (GA 14 and GA 4)

Juvenile Matters	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Serious Juvenile Offenses	594	624	643	613	821	794	758	646
Other Felonies	587	544	563	752	993	1000	935	1254
Misdemeanors	3877	3797	4349	3861	4297	3992	3857	2895
<b>TOTAL (includes Other)</b>	<b>5071</b>	<b>4985</b>	<b>5569</b>	<b>5443</b>	<b>6282</b>	<b>6086</b>	<b>5629</b>	<b>5384</b>

## PERCENTAGE OF CASES APPOINTED BY CLASSIFICATION

Judicial Districts	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Major Felonies	55.0%	54.5%	52%	51.0%	52.3%	48.4%	50.2%	53.8%
Minor Felonies	9.7%	10.1%	9.4%	10.8%	10.9%	11.0%	11.1%	8.4%
Misdemeanors	6.5%	6.3%	6.4%	4.9%	4.6%	5.2%	5.2%	4.6%
MV, VOP and Other	27.9%	28.4%	32%	32.6%	31%	32.2%	31%	33.2%
Geographical Areas	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Major Felonies	10.6%	9.8%	12.1%	12.3%	12.5%	11.8%	12%	11.2%
Minor Felonies	21.0%	22.0%	21.3%	21.3%	20.1%	20.4%	20.8%	18.8%
Misdemeanors	40.0%	41.2%	39.7%	40.7%	40.1%	40.6%	39.8%	37.9%
MV, VOP and Other	27.8%	26.6%	26.3%	25.3%	26.5%	26.6%	26.4%	32.1%
Juvenile Matters	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Serious Juvenile Offenses	11.7%	12.5%	11.5%	11.3%	12.8%	13.0%	12.9%	12%
Other Felonies	11.6%	10.9%	10.1%	13.8%	15.4%	16.4%	15.9%	23.3%
Misdemeanors	76.5%	76.2%	78.1%	70.9%	66.8%	65.6%	65.7%	53.7%
Other	0.2%	0.4%	.3%	4.1%	2.7%	0.0%	1.3%	11.0%

# PUBLIC DEFENDER OFFICES AND SPECIALIZED UNITS<sup>1</sup>

# 4

## JUDICIAL DISTRICT OFFICES (JD)

### FIELD OFFICE STAFFING

AVERAGE NUMBER OF PERMANENT ATTORNEYS: 40.4

### LOCATIONS

- ❖ SIX (6) JD OFFICES
- ❖ SEVEN (7) COMBINED JD/GA OFFICES

### FY2015/16 CASELOADS

- ❖ NEW CASES ASSIGNED= 1,892
- ❖ CASES APPOINTED= 3,535
- ❖ AVERAGE # CASES PER ATTORNEY= 47

### CASELOAD

An average of forty point four (40.4) permanent attorneys were assigned to the JD offices compared to forty one (41) in FY2014/15 and thirty nine point six (39.6) in FY2013/14. In FY2015/16 the individual JD attorney was assigned to an average weighted caseload of forty seven (47) compared to thirty eight (38) new cases over the course of FY2014/15 and forty eight (48) during FY2013/14. Caseloads for JD attorneys are weighted by counting cases in which the defendant is charged with murder, accessory to murder or non-death capital felony murder as two (2) cases.

### LITIGATION

JD offices reported increased trial activity over FY2015/16. A total of thirty eight (38) trials: Thirty five (35) Jury Trials with twenty (20) reaching verdict and three (3) Court trials all of which reached Judgment.

### MURDER AND ACCESSORY TO MURDER

One hundred and seventeen (117) murder and accessory to murder charges were initially appointed to a Public Defender in FY2015/16. During the course of the year fifty seven (57) of those were removed to Assigned Counsel; ten (10) were removed to private attorneys; one (1) was removed to Pro Se and one (1) was removed to appellate. The remaining forty eight (48) cases were handled by DPDS field offices.

### TRENDS AND FORECASTS

The Division's annual report has regularly pointed out the gap between Public Defender JD offices and prosecutorial staff in the same jurisdictions. Public Defender staff in JD offices are given the responsibility of providing effective representation pursuant to both state and federal constitutional requirements. These



inequities range from two to six times the number of prosecutorial staff compared to that of public defender offices in some jurisdictions. The Chief Public Defender continues to request that additional assistant public defender positions be added to the overall position count to address this specific inequity of resources.

## GEOGRAPHICAL AREA OFFICES (GA)

### FIELD OFFICE STAFFING

AVERAGE NUMBER OF PERMANENT ATTORNEYS: 122.2

### LOCATIONS

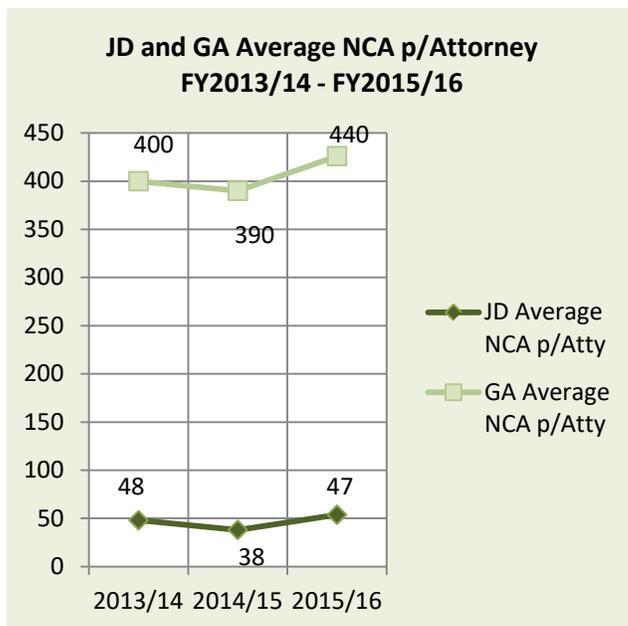
- ❖ THIRTEEN (13) GA OFFICES
- ❖ SEVEN (7) COMBINED JD/GA OFFICES

### FY2015/16 CASELOADS

- ❖ NEW CASES ASSIGNED= 53,817
- ❖ CASES APPOINTED= 68,632
- ❖ AVERAGE # CASES PER ATTORNEY = 440

### CASELOAD

In FY2015/16 there were an average of one hundred twenty two point two (122.2) permanent attorneys assigned to GA offices compared to one hundred twenty three (123) in FY2014/15 and one hundred twenty two point nine (122.9) in FY2013/14. The individual GA attorney was assigned to an average of four hundred and forty (440) New Cases Assigned over the course of the year compared to three hundred ninety (390) over the course of FY2014/15 and 400 in FY2013/14.



### LITIGATION

In FY2015/16 GA PD offices reported fourteen (14) jury trials. Eleven (11) jury trials reached verdict. GA PD offices also reported three Court trials; all three (3) of which reached Judgment. In FY2014/15, GA Public Defender offices reported a total of twenty three (23) Jury trials in various stages and seven (7) Court trials in various stages. In FY2013/14 those figures were fifteen (15) and nine (9), respectively.

# JUVENILE MATTERS OFFICES

## ADMINISTRATIVE STAFFING

ONE (1) DIRECTOR  
ONE (1) ADMINISTRATIVE  
MANAGER

## DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION

CHRISTINE RAPILLO, ESQ.  
330 MAIN STREET  
HARTFORD, CONNECTICUT 06106

## FY2015/16 CASELOADS

- ❖ NEW CASES ASSIGNED = 3,805
- ❖ CASES APPOINTED = 5,384
- ❖ AVERAGE NCA P/ATTORNEY = 195

## FIELD OFFICE STAFFING

SIX (6) SOCIAL WORKERS  
SIX (6) INVESTIGATORS  
SIX (6) ADMINISTRATIVE  
SUPPORT STAFF  
NINETEEN (19) ATTORNEYS

## OVERVIEW

The Director of Delinquency Defense and Child Protection manages delinquency, child protection and family matters representation, training and policy development. This included supervision of twelve (12) Juvenile Matters Field Offices for delinquency matters and an administrative staff of seven (7) employees who are primarily responsible for the Child Protection data and services (see Chapter 5 “Child Protection”). Because of diminishing resources and reduction in staffing, many staff functions overlap between delinquency and family/child protection matters and those instances are highlighted both here and in Chapter 5 “Child Protection”.

## OTHER ASSIGNMENTS AND ASSIGNED COUNSEL STAFFING

There were one hundred seventy two (172) lawyers contracted to act as Public Defender Assigned Counsel for juvenile matters in FY 2016. Twenty four (24) were approved to handle appellate review and appeals from child welfare matters. One hundred and five (105) individuals and firms are contracted to serve as guardian ad litem or attorney for the minor child in family matters. Seventeen (17) lawyers or firms are contracted to represent indigent contemnors and paternity respondents in child support matters before the family magistrate court. In addition there are three (3) Deputy Assistant Public Defenders handling family magistrate matters as a regular part of their caseloads.

## CASELOADS

In light of a decreasing delinquency caseload, OCPD has taken steps to redeploy staff to maximize resources and provide better service to clients. Some juvenile and family services have been consolidated. With the retirement of the Supervisory Assistant Public Defender (SAPD) in Middletown juvenile matters, the SAPD from Rockville transferred to Middletown and New Britain and Rockville juvenile offices were consolidated under one supervisor as a cost cutting measure. Most juvenile social workers are covering two juvenile courts or are

assisting with an adult caseload. There is no social worker assigned to the New Haven or the Middletown juvenile matters courts. All juvenile attorneys, including the Director, now carry a caseload that includes either representing children in child protection matters or reviewing child protection appeals.

There was a need for regular coverage in family magistrate court in Norwich. An Assistant Public Defender from New Haven, where caseloads were manageable, was reassigned to cover family magistrate court 2 days a week. Juvenile and adult public defenders have also been trained in family magistrate practice and regularly handle emergency hearings in Family Support Magistrate court.

In FY2015/16, there were three thousand eight hundred and five (3,805) *New Cases Added* in Juvenile Matters Delinquency offices.

## **LEGISLATION**

Legislative reform of the juvenile justice system continued in FY2015/16. The Office of Chief Public Defender is represented on the Juvenile Justice Policy Oversight Committee and attorneys serve on workgroups covering Diversion, Recidivism, Incarceration and Data. Attorneys Renee Cimino, James Connolly and Christine Rapillo participated in the advocacy surrounding the passage of P.A. 16-147, *An Act Concerning the Recommendations of the Juvenile Justice Policy Oversight Committee*. This act limits the criteria for detention, shortens the time period between mandated reviews of detention and eliminates truancy as a Family with Services Needs offense.

## **LITIGATION**

Attorneys in juvenile delinquency matters handled seventeen (17) trials with two (2) going to verdict in FY2015/16. Juvenile Matters attorneys litigated two (2) Violation of Probation trials and conducted nineteen (19) evidentiary hearings. There were one hundred and eighty two (182) cases transferred to the adult docket and evidentiary hearings were held on all cases eligible for transfer under Conn. Gen. Stat. Sec 46b-127(b). Juvenile Assigned Counsel Lisa Vincent was assisted by Assistant Public Defender Josh Michtom in *In Re: Jacklyn H*, 161 Conn. App. 811 (2016), where the Appellate Court found that the trial court should have provided a hearing on the issue of what access juvenile probation staff could have to the court file in a child protection action.

# LEGAL SERVICES UNIT (LSU)

## STAFFING

ONE (1) CHIEF  
TEN (10) FULL TIME  
ATTORNEYS  
TWO (2) PARALEGALS  
TWO (2) SECRETARIES

## CHIEF OF LEGAL SERVICES

LAUREN WEISFELD  
55 W. MAIN STREET, SUITE 430  
WATERBURY, CT 06702

## FY2015/16 CASELOADS

- ❖ TOTAL NUMBER OF APPEAL FILES OPENED (DIRECT APPEALS PLUS HABEAS APPEALS): 306
- ❖ TOTAL NUMBER OF APPEAL FILES CLOSED (DIRECT APPEALS PLUS HABEAS APPEALS): 303
- ❖ HABEAS APPEAL FILES OPENED: 144
- ❖ APPEALS DISPOSED OF BY LSU ATTORNEYS: 48

## OVERVIEW

LSU attorneys were active during FY2015/16 collaborating with colleagues within the Division, consulting on a variety of appellate issues, meeting with faculty and staff of local Law School programs and advocating on behalf of clients regarding a number of issues through working groups and commissions and the Quinnipiac Appellate Clinic.

## LITIGATION

Staff in the LSU engaged in a wide variety of litigation and advocacy efforts during FY2015/16:

- ❖ The case of State v. Steven Hayes, who had been sentenced to death, was successfully resolved with a sentence of life in prison after the client withdrew his appeal
- ❖ The case of Helmedach v. Commissioner resulted in a habeas trial victory as well as appellate victory, and the release of Assigned Counsel's client
- ❖ Extensive work by unit attorneys on briefs and oral argument in State v. Santiago and State v. Peeler, resulted in the abolition of the death penalty in Connecticut.
- ❖ A partial victory in the case of State v. Sara VanDeusen, 160 Conn. App. 815 (2015) with the reversal of sentence enhancements applied to conspiracy and risk of injury convictions
- ❖ A partial victory in the case of State v. Chywon Wright, 320 Conn. 781 (2016) when the court agreed with our position that term "material" in rape shield statute referred to evidentiary standard and overruled State v. DeJesus, 270 Conn. 826 (2004)
- ❖ A win in State v. Jahsim T., 165 Conn. App. 134 (2016) where a judgment of adjudication as youthful offender for conspiracy to commit first degree robbery was vacated and the state did not appeal and defendant's probation terminated as a result
- ❖ Wins in the appeals of State v. Miranda, 317 Conn. 741 (2015) and State v. Braswell, 318 Conn. 815 (2015)
- ❖ A unit attorney successfully defended her victory in Riley, both in the state Supreme Court and then in successfully opposing the state's effort to have the US Supreme Court grant review

- ❖ A unit attorney drafted and filed application in a public interest appeal in the Supreme Court in State v. James Lovingood
- ❖ A unit attorney acted as co-counsel and mentor to a CTIP/PCU colleague in State v. Ray Boyd, (application of Miller/Riley on motions to correct illegal sentence), achieving transfer to our Supreme Court.
- ❖ A unit attorney handled Hinds v. Commissioner Of Correction, 321 Conn. 56, holding that where the jury was not properly instructed on elements of kidnapping, post-conviction challenge to convictions are not subject to defense of procedural default; court applied harmless beyond a reasonable doubt burden on state as state had requested at habeas trial. Court declined to address whether state will recognize principle that harm from multiple trial errors not individually warranting reversal may cumulatively result in an unfair trial in violation of due process of law, as recognized by federal courts
- ❖ A win in the non-death capital case of State v. Leniart, 166 Conn. App. 332 (2016), where court held admissible, for the first time in the nation, expert testimony on the culture and use of snitches in the justice system and additionally reversed on confrontation grounds, clarifying the law regarding the admissibility of polygraph evidence other than actual test results

#### **ADVOCACY AND LEGISLATION**

- ❖ Unit attorneys initiated and helped to lead a Brady Working Group in the Division
- ❖ A unit attorney consulted with both the Psychiatric Defense Unit and DPDS Legal Counsel regarding proposed amendments to § 54-56d, principally subsection (i), regarding DMHAS proposal to expand the 18 month maximum period of placement, determined cumulatively under State v. Jenkins, 288 Conn. 610 (2008), which would supersede the Jenkins rule.
- ❖ A Unit attorney filed an application to appear as amicus curiae and helped amicus Professor Jasmine Gonzales Rose with procedural aspects of the brief in State v. Jeffrey Gould, S.C. 19471

#### **TRAININGS AND CONFERENCES**

Many of the unit attorneys made time to:

- ❖ present on topics including confidential witnesses for the CCDLA and car searches for the CTLA criminal seminar
- ❖ participate in the Quinnipiac University ABA Mock Trial Competition and Moot Court Competition
- ❖ work on the Division training on Suppression of Statements
- ❖ participate in the Quinnipiac School of Law Criminal Appellate Clinic
- ❖ help organize the Division's *Fifth Amendment Seminar* that was held on 9/24/15
- ❖ present at the Connecticut Trial Lawyers Association Annual Criminal Litigation Seminar on 3/5/16

# ASSIGNED COUNSEL FORMERLY SPECIAL PUBLIC DEFENDERS

## STAFFING

ONE (1) DIRECTOR  
FOUR (4) STAFF

## DIRECTOR

JOHN DAY, ESQ.  
30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106

## FY2015/16 CASE ASSIGNMENTS

❖ FOUR HUNDRED SIXTY FIVE (465)  
ATTORNEYS CONTRACTING WITH OCPD

### ASSIGNED COUNSEL CRIMINAL

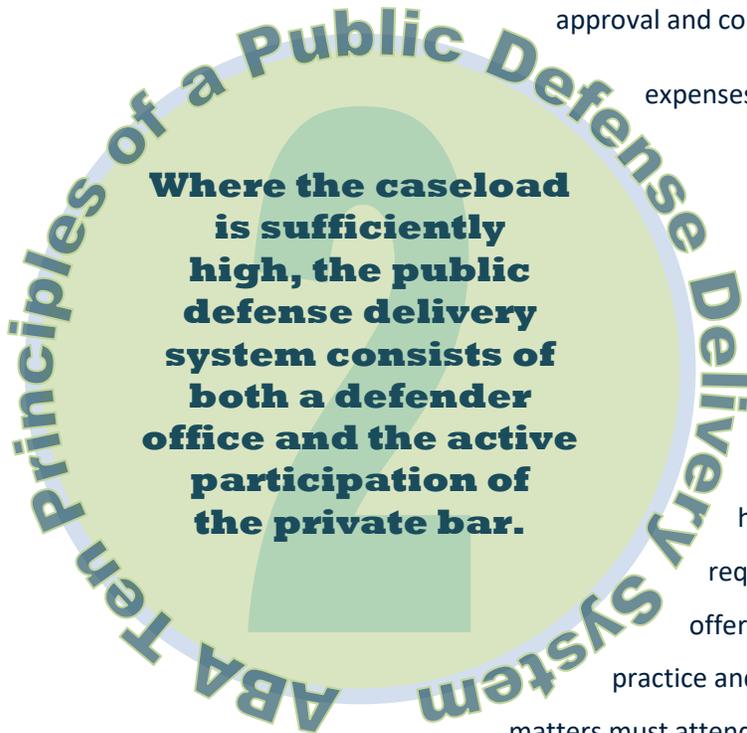
❖ GA COURTS – 7,277  
❖ JUVENILE DELINQUENCY – 1,229  
❖ JD COURTS – 713  
❖ HABEAS MATTERS – 665  
❖ APPELLATE MATTERS – 260

### ASSIGNED COUNSEL CHILD PROTECTION/GAL

❖ CHILD PROTECTION—11,574  
❖ FAMILY COURT GAL – 1619

## CASE ASSIGNMENTS AND COMPENSATION

A centralized database is used to make case assignments and process all compensation for criminal, appellate, habeas and child protection matters. In addition, the database has been expanded to include the approval and compensation of expenses and experts.



## TRAINING

All attorneys awarded an Assigned Counsel agreement are offered a variety of training opportunities throughout the fiscal year and must attend at least six hours of training annually. Each new Assigned Counsel is required to attend the full day *Basic Orientation Course* offered each year which focuses on basic Assigned Counsel practice and ethics. New Assigned Counsel for Child Protection matters must attend a 3 day pre-service training provided under a contract with the Center for Children’s Advocacy. In addition, many Assigned Counsel attorneys regularly take the opportunity to attend many seminars offered throughout the year.

# CAPITAL DEFENSE AND TRIAL SERVICES UNIT (CDTSU)

## STAFFING

ONE (1) ACTING CHIEF  
TWO (2) APPELLATE ATTORNEYS  
(LOANED FROM LSU)  
ONE (1) ADMINISTRATIVE  
ASSISTANT

## ACTING CHIEF

MICHAEL COURTNEY, ESQ.  
30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106

## FY2015/16 WORKLOAD

- ❖ ELEVEN (11) MEN UNDER SENTENCE OF DEATH (5 WITH DIVISION ATTORNEYS AND 6 WITH ASSIGNED COUNSEL)
- ❖ TEN (10) CASES PENDING IN CONNECTICUT SUPREME COURT
  - SIX (6) ON DIRECT APPEAL
  - FOUR (4) ON APPEAL FROM DENIAL OF HABEAS
- ❖ ONE (1) CASE PENDING IN HABEAS COURT

## UPDATE AND OVERVIEW

In August 2015, in the case of *Eduardo Santiago*, the Connecticut Supreme Court decided 4-3 that following the legislative repeal of the death penalty in 2012, it would violate the state constitution to carry out death sentences imposed before repeal. Mr. Santiago, who had been awaiting a penalty retrial, was re-sentenced to life without release on December 4, 2015. In October 2015, the death-knell for capital punishment in Connecticut was put on hold for those men remaining on death row when the Court granted the State re-argument in Russell Peeler's direct appeal to reconsider the *Santiago* ruling. Following supplemental briefing in November and re-argument in January 2016, the Court issued its 5-2 decision in *Peeler* upholding the *Santiago* decision on May 26, 2016. Mr. Peeler was resentenced at the beginning of FY2016/17.

Decisions in the habeas appeals of *Richard Reynolds* and *Daniel Webb* followed in June and July of 2016, granting sentencing relief in accordance with *Santiago*. Mr. Webb was resentenced to life without release in September, while [as of October 26, 2016] *Reynolds* remains on the Supreme Court docket pending motions directed at resentencing. Sedrick Cobb was resentenced on August 5, 2016; a motion to withdraw his appeal was filed in September. Robert Breton's habeas appeal challenging his capital felony conviction was argued on October 21, 2016. In Joseph (Todd) Rizzo's case, a habeas trial is set for June 2018.

Steven Hayes, whose direct appeal had been ready for oral argument, was resentenced and withdrew his appeal in June 2016. Joshua Komisarjevsky, whose direct appeal is pending the litigation of *Brady* claims and briefing, was resentenced the following month.

CDTSU is currently handling three lengthy capital direct appeals – Jessie Campbell, Lazale Ashby, and Richard Roszkowski. Each of these cases presents unique complexities as a result of being tried as death penalty cases with a myriad of hearings and ongoing issues affecting their convictions and potential retrials and resentencings. They are at various stages of briefing and litigating appeal-related motions. The Unit is also transitioning from primarily representing clients in death penalty trials and appeals to expanded direct representation and trial support services as an outgrowth of capital representation.

# TRAINING AND LEGAL EDUCATION

## STAFFING

ONE (1) DIRECTOR  
ONE (1) ADMINISTRATIVE  
ASSISTANT

## DIRECTOR

ALISON BLOOMQUIST, ESQ.  
30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106

## FY2015/16 TRAININGS

- ❖ MORE THAN FIVE HUNDRED FIFTY (550) ATTORNEYS PARTICIPATED IN TRAININGS
- ❖ TWENTY THREE (23) TRAININGS AND CONFERENCES

## OVERVIEW

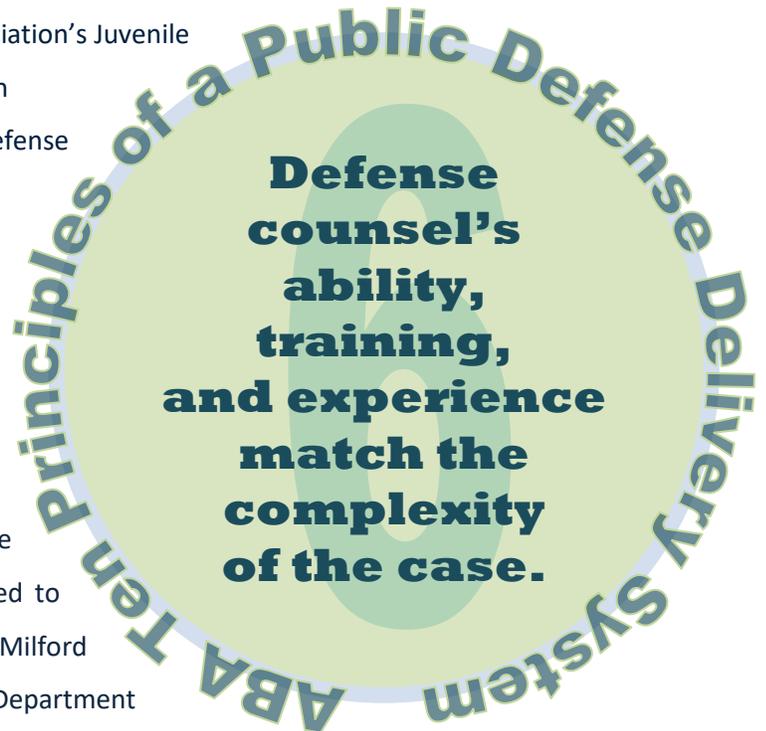
Due to budget freezes during the second half of the fiscal year, the trainings offered were fewer than in years past. Nevertheless, the Department remained energetic, providing training on many different subjects including Collateral Consequences of Arrest, Incarceration & Conviction; Fifth Amendment practice; Prosecutorial Misconduct; and Classification, Calculation of Sentences and Eligibility for Release. In addition to Division sponsored trainings, attorneys and staff attended trainings around the state and beyond. We had lawyers representing us at the Connecticut Bar Association's Juvenile Sentencing Seminar, at Yale's National Symposium on Eyewitness Identification, at the National Criminal Defense College in Macon, Georgia, as well as the Bronx Defenders Academy in New York, among others. In total, over 550 Division attorneys participated in 23 trainings and conferences this fiscal year.

## TRANSITION

FY2015/16 was a transition year for the Training Department. We saw the departure of our long time Training Director, Susan Brown. Susan has returned to client service as the Public Defender for the Ansonia-Milford combined JD/GA office. She served in the Training Department for 10 years, as both the Assistant Director and Director, and she contributed greatly to the advancement of zealous indigent defense practice. Our new Training Director, Alison Bloomquist, joined the Division at the end of May and is looking forward to continuing and growing Susan's work.

## NEW LAWYER TRAINING

All new lawyers to the Division are required to participate in New Lawyer Training. The yearlong curriculum is designed to engage new lawyers at the point of employment and continue to provide training through specific



training events, including the weeklong trial school. In FY2015/16, we hosted 13 new Division attorneys through this program.

### STAND DOWN FOR VETERANS

We are proud to have participated again in our long standing tradition of assisting Veteran's through the *Stand Down* modified criminal court. During the September 2016 event, 24 Division Attorneys and Staff served over fifty eight (58) veterans.

### GOING FORWARD

In many ways next year will be a rebuilding year for the Training Department, and an opportunity to recommit to the core mission of supporting public defenders in this important work. As budget constraints continue to challenge and caseloads continue to climb, the Training Department will continue its commitment to providing creative, efficient, and timely training opportunities for all staff because, *"As long as poverty, injustice, and gross inequality persist in our world, none of us can truly rest."* Nelson Mandela

## CONNECTICUT INNOCENCE PROJECT AND POST CONVICTION UNIT (CTIP/PCU)

### STAFFING

ONE (1) DIRECTOR  
TWO (2) ASSISTANT PUBLIC DEFENDERS  
ONE (1) DEPUTY PUBLIC DEFENDER  
ONE (1) SENIOR CASE ANALYST  
THREE (3) INVESTIGATORS  
TWO (2) PARALEGALS  
TWO (2) SECRETARIES  
ONE (1) LAW CLERK

### DIRECTOR

DARCY MCGRAW, ESQ.  
2275 SILAS DEANE HIGHWAY  
ROCKY HILL, CONNECTICUT  
06067

### FY2015/16 CASE STATISTICS

- ❖ HABEAS CASES OPENED: 875
  - 758 HABEAS CASES
  - 91 CTIP
  - 26 PA 15-84 PAROLE HEARINGS
- ❖ CTIP CASES
  - 33 CASES PENDING AT END OF FISCAL YEAR
  - 14 CASES IN REVIEW BY IN-HOUSE LAWYERS
  - 2 CASES REMOVED TO ASSIGNED COUNSEL
  - 17 CASES IN REVIEW BY CASE ANALYST
  - 25 CASES-A FACIAL REVIEW OF REQUEST INDICATED THAT INMATE DID NOT QUALIFY FOR CTIP SERVICES
- ❖ PENDING IN 2009 & 2011 GRANTS
  - 2009=2 CASES
  - 2011=1 CASE
- ❖ HC CASES REMOVED TO ASSIGNED COUNSEL: 664
- ❖ 94 HC CASES WERE NOT SENT TO ASSIGNED COUNSEL. THESE INCLUDED:
  - CASES ASSIGNED IN-HOUSE
  - CASES RETURNED TO COURT
  - WITHDRAWALS PRIOR TO APPOINTMENT
  - CONSOLIDATED CASES

### OVERVIEW

CTIP/PCU is a specialized unit of the Office of the Chief Public Defender that investigates cases of wrongly convicted individuals and seeks their release from prison.

In September 2015, CTIP client Bobby Johnson was released from prison due to the monumental efforts of New Haven Attorney Ken Rosenthal who, along with the assistance of CTIP, convinced the State's Attorney to agree to vacate the conviction.

## JUVENILE JUSTICE INITIATIVE

Attorney Alexandra Harrington of CTIP/PCU has continued to litigate the appropriateness of sentences imposed on juvenile defendants pursuant to the United States Supreme Court rulings in *Miller v. Alabama* and *Graham v. Florida*. Attorney Harrington and Paralegal Elizabeth Dolbeare have continued coordination of the Public Act 15-84 mandate and continue to prepare and litigate the first parole hearings under PA 15-84.

## TRAININGS AND CONFERENCES

- ❖ Annual 3-day *Innocence Network Conference* in San Antonio, Texas. This year the Division also had exonerees Scott Lewis, Stefon Morant and Bobby Johnson in attendance
- ❖ *Innocence Network Policy Conference* in Kansas City, MO
- ❖ *Eyewitness Identification Symposium* at Yale Law School
- ❖ *International Academy of Trial Lawyers Conference* – Refugee Migration and Human Trafficking, April 2-6, 2016 Washington, DC
- ❖ *One Book, The Long Hard Road to Innocence*, February 3, 2016, Connecticut College
- ❖ Motions-Eyewitness ID; Mental Health – Hearing Voices; Collateral Consequences of Arrest, Incarceration & Conviction; Motions: Arrest & Mirada; Division training on The Fifth Amendment; CBA Juvenile Sentencing Training; Campaign for the Fair Sentencing of Youth 2015; NAPD - How to Investigate Life Without Parole After Miller.
- ❖ Innocence Network conference; Update on 5<sup>th</sup> and 6<sup>th</sup> Amendments issues; Collateral Consequences of Convictions; Prosecutorial Misconduct at UConn Law School; NACDL seminar on criminal law; computer course; webinar on forensics: bite marks; webinar on cognitive bias.
- ❖ Classification, Calculation of Sentencing
- ❖ 3 Miller/Graham trainings at Quinnipiac Law School, Classification, Calculation of Sentencing.

# PSYCHIATRIC DEFENSE UNIT (PDU)

### STAFFING

ONE (1) CHIEF  
TWO (2) STAFF ATTORNEYS  
ONE (1) SOCIAL WORKER  
ONE (1) PARALEGAL

### DIRECTOR

MONTE RADLER, ESQ.  
SHEW HALL, SILVER STREET  
P.O. BOX 351  
MIDDLETOWN, CT 06457

### FY2015/16 CASELOADS

10 CLIENTS ADDED  
119 CLIENTS PENDING OCTOBER 1, 2017  
26 CLIENTS IN COMMUNITY

- ❖ 2 RELEASED IN FY2015/16
- ❖ 14 ON FAMILY TEMPORARY LEAVE OR DAY TEMPORARY LEAVE

6 CLIENTS UNCONDITIONALLY DISCHARGED  
DURING FY 2015/16

### COMMITTEES AND ADVOCACY

The PDU Chief serves as the designee of the Chief Public Defender on the Behavioral Health Subcommittee of the Criminal Justice

Advisory Commission (CJPAC) Social Worker attends Patient Steering Committee at Connecticut Valley Hospital  
 Stand Down 2015: Social Worker assisted with set up for Stand Down 2015.

**TRAININGS**

Social Worker attended NASW-CT Annual Conference in March 2016.

# JUVENILE POST CONVICTION AND RE-ENTRY UNIT (JPC-REU)

**STAFFING**

THREE (3) ATTORNEYS  
 ONE (1) SOCIAL WORKER  
 ONE (1) PARALEGAL

**DIRECTOR**

JAMES CONNOLLY, ESQ.  
 30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
 HARTFORD, CONNECTICUT 06106

**FY2015/16 CASELOADS**

154 CASES APPOINTED  
 164 CASES DISPOSED  
 316 CASES PENDING OCTOBER 1, 2017

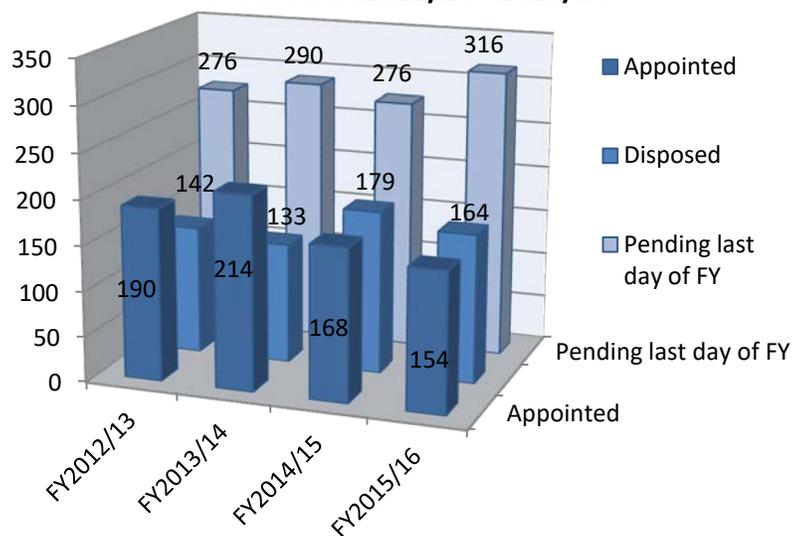
**INNOVATIONS**

In November 2015, the Juvenile Re-entry Unit was introduced to the Division’s new Case Management System (CMS). For the first time, the unit transferred all cases into the new system and are paperless.

**TRIAL/LITIGATION AND ADVOCACY WORK**

During FY2015/16 the Juvenile Re-entry Unit held a number of committee positions, litigated critical issues and advocated on behalf of clients. Memberships included the Juvenile Justice Policy Oversight Committee Incarceration Workgroup, the Girls Provider Network, and the leadership role in the Human Anti-Trafficking Response Team. Unit attorneys litigated issues related to parole eligibility in Miller Graham hearings (Public Act 15-84), to Article VI hearings under the Interstate Compact for Juveniles (C.G.S. §46b-151h) and early Erasure of Record (C.G.S. §46b-146). The unit also

**Juvenile Post-Conviction and Re-Entry Unit Statistics FY2012/13 - 2015/16**



partners with the Office of the Child Advocate to advocate for improvements within DCF facilities.

### **TRAININGS AND CONFERENCES**

In FY2015/16, Unit staff participated in a number of trainings and conferences related to juvenile post conviction re-entry work. These included annual conferences on Children and the Law, Justice-Involved Women and Girls, and the Juvenile Defender Summit. Other trainings included LGBTQ Youth Issues and the Law (UCONN), Dual Status Youth, Techniques Children and Adolescents with Emotional and Behavior Problems, and the CT Department of Correction training on gangs presented at the Office of the Chief Public Defender.

### **TRENDS**

Some of the trends in this area of practice include: increased use of group homes and more frequent direct placements at those homes by the Courts, increased direct placement at residential treatment centers, length of stay at CJTS resulting in shorter periods of congregate care, rise in SJO commitments, continued rise in the percentage of CJTS residents becoming involved in the adult system and a decrease in referrals on clients with problem sexual behavior. The bar graph depicts the appointed and disposed caseload trends for this Unit over the past four fiscal years.

## **INVESTIGATIVE DIVISION**

### **STAFFING**

ONE (1) SHARED ADMINISTRATIVE ASSISTANT  
SIXTY (60) INVESTIGATORS

❖ (59 FULL TIME & 1 PER DIEM)

### **CHIEF INVESTIGATOR**

ELLEN KNIGHT  
30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106

### **COVERAGE**

LOCATED IN THIRTY SIX (36) JD, GA AND JUVENILE MATTERS COURTS AND ONE SPECIALTY UNIT

### **OVERVIEW**

In addition to their regular case load and DPDS subpoenas, our investigators continue to serve all of the Assigned Counsel subpoenas, as well as all Child Protection attorneys' subpoenas, resulting in large savings for our Division and the State by eliminating Marshal Fees for the service of these subpoenas. This year, our investigators (and social workers) have also worked with attorneys from their offices on conflict cases outside their jurisdiction in a statewide DPDS initiative designed to save money on Assigned Counsel cases.

During FY2015/16, twenty two (22) undergraduate interns from colleges in Connecticut, Massachusetts, and New Hampshire completed investigative internships in eight (8) GA and JD offices. Investigative interns work with our investigators to do intakes of potential clients in lock-up, observe court proceedings, and conduct case investigations. They also work with the attorneys and social workers by participating in case analysis and team meetings. In addition, they make jail and prison visits with members of the defense team.

## **TRAININGS AND CONFERENCES**

Our investigators continue to actively participate in the field of education, with several of them speaking to high school and college classes about defense investigation and another serving as an adjunct professor and teaching about principles of investigation. Again this year, one of our investigators (Milford GA/JD) received a Bar Association Liberty Bell Award.

Our investigators participated in a number of national and state-level seminars and trainings. Two trainings in the critical area of Digital Forensics were put on by the Chief Investigator, thereby continuing the focus on matching educational opportunities for the investigators with advances in technology. These trainings were developed in conjunction with the Computer and Cell Phone Forensic Analysis Firm, IRIS LLC. The first training – *Digital Evidence for the Field Investigator Part I: Best Practices for the Identification and Preservation of Digital Evidence* – was held in November 2015 and the follow-up – *Digital Evidence for the Field Investigator Part II: Practical Applications* – was held in April 2016. These trainings utilized a unique laboratory approach: a simulated case with hands-on retrieval of data from video surveillance systems, as well as cell phone tracking and location analysis utilizing cellular call detail records and cell tower locations.

Working group initiatives continue, such as in the area of Investigator III development. New working group initiatives include Internship recruitment and protocol. Inter-office cross training and mentoring has emerged as an educational initiative designed to share ideas, approaches and skill sets, and will continue in the upcoming year.

# SOCIAL WORK

## STAFFING

- ❖ FORTY THREE (43) FT SOCIAL WORKERS
- ❖ THREE (3) PER DIEM SOCIAL WORKERS
- ❖ ONE (1) PT TEMPORARY SOCIAL WORKER
- ❖ SIX (6) SOCIAL WORK INTERNS IN FIVE (5) DPDS LOCATIONS

## CHIEF SOCIAL WORKER

KATIE FERRELL, LCSW  
30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106

## COVERAGE

FORTY (40) LOCATIONS  
TEN (10) IN JUVENILE MATTERS  
FOURTEEN (14) IN GA COURTS  
SEVEN (7) IN JD COURTS  
SIX (6) IN COMBINED GA/JD COURTS  
THREE (3) IN SPECIALTY UNITS:  
❖ PSYCHIATRIC DEFENSE SERVICES  
❖ JUVENILE POST-CONVICTION AND RE-ENTRY UNIT  
❖ HARTFORD COMMUNITY COURT

## STAFFING TRENDS

Due to retirements and budgetary reductions, one position was frozen in a juvenile office halfway through FY2015/16. In addition, per diem and temporary positions were discontinued and five (5) full-time social workers were laid off during this fiscal year.

## INNOVATIONS

During FY2015/16 the Chief Social Worker began serving as the Chief Public Defender's designee on the Alcohol and Drug Policy Council and continued to serve on the Special Committee on Sex Offenders of the Connecticut Sentencing Commission: Subcommittee on Sex Offender Assessment and Management. The Chief Social Worker continues to collaborate with the Chief Investigator and community providers to work on medical diversion issues as they arise.

## DATA COLLECTION

Social workers are entering information into the new JustWare CMS. This will enable the Division to collect more inclusive and less time consuming data on social work activities.

## HONORED AWARDS

- ❖ Elena Poma and Isabel Logan were honored by the National Association of Social Workers (NASW) Latino Network with a Certificate of Recognition for their leadership in making significant contributions as a Social Worker in criminal justice corrections and court systems, and for serving as Mentors and Role Models to Latino/a social workers.
- ❖ Sonia Downer participated in Mercy Learning Center's legal workshop as a guest speaker. She presented information to women at MLC about the justice system to help them learn how they interact within the justice system and how it affects our society at large. This contributed to MLC's mission to, "*Educate a woman.....Educate a family.*"
- ❖ Stacey Anglade attained her social work licensure as a Licensed Clinical Social Worker (LCSW).

## TRAININGS

Although budgetary restraints limited training opportunities during FY2015/16, the Division was able to send some social workers to trainings earlier in the fiscal year. Ninety three (93) social workers attended thirty one (31) trainings in addition to participation in the annual Stand Down for Veterans event. For a list of conferences and seminars please refer to the table to the right.

## PRESENTATIONS/COLLABORATIONS

During FY2015/16 the Chief Social Worker and a number of social work staff hosted, collaborated, and presented at events related to a variety of issues. Social Workers took the lead in-house by coordinating and presenting on the topics of transgender, substances and substance abuse. Social Work staff also aided the training department in New Lawyer Training, Trial Advocacy School and Motions/Eyewitness ID trainings. Throughout the year DMHAS, the Department of Developmental Disabilities and DOC collaborated with Social Work staff to present on topics such as problem gambling, discharge, and re-entry.

## SOCIAL WORKER CONFERENCES & SEMINARS FY2015/16

Date	Title
6/30-7/1/15	CWC - Beyond Anger & Violence
7/15/2015	CWC - Buried Treasure; Hoarding
7/17/2015	CWC - Surviving Suicide
7/23/2015	Mental Health First Aid (APT Foundation)
8/3/2015	UConn-SSW Parent Mgmt Training
8/6/2015	CWC - Cultural Diversity
8/20/2015	CWC - Safe & Together Model
8/21-8/23/15	NOFSW Annual Conference - Arlington, VA
9/9/2015	Mental Health Summit
9/17/2015	PESI - Nutritional & Integrative Interventions
10/9/2015	5th Ann Yale Psychopharmacology Master Class
10/13-10/15/15	AJFO Conference
10/27/2015	SW SEMINAR & MEETING
10/30/2015	CWC - End of Life Issues
11/2/2015	CWC - Real Food for Thought
11/9/2015	CWC - Alzheimer's and Other Dementias
11/18/2015	CWC - Working w/LGBT Clients & Staff
11/19/2015	UConn-SSW Transgender Teens & Adults
12/3/2015	Anna Grace Project - Love Wins
1/13/2016	CCW - A DSM-5 Overview
1/15/2016	CCW - A Woman's Way
2/17/2016	CCW - Complex Co-Occurring Disorders
2/22/2016	UConn-SSW - Understanding Implicit Bias
2/25/2016	UConn-SSW - Transgender Teens & Adults
2/26/2016	NASW - Working with Aging Veterans
3/4/2016	UConn-SSW - Emotional Freedom Technique
3/11/2016	UConn-SSW - Seeking Safety
3/18-3/19/16	True Colors 2016 Annual Conference
4/6/2016	CWC - Relationship of Adverse Childhood
4/7/2016	PESI - 75 Quick Techniques for Children, etc
5/19/2016	SW SEMINAR & MEETING

**"Most of the important things in the world have been accomplished  
by people who have kept on trying when there seemed to be  
no hope at all." - Dale Carnegie**

*Most of the important things in the world have been accomplished  
by people who have kept on trying when there seemed to be  
no hope at all. - Dale Carnegie*

# CONNECTICUT INFORMATION SHARING SYSTEM (CISS) AND DPDS STRATEGIC PLAN

## **CONNECTICUT INFORMATION SHARING SYSTEM (CISS)**

DPDS has been actively involved with the CISS effort since its inception in 2008. As of Fall 2016, CISS has moved three of its nine planned “Releases” into production. Each release consists of either a search source or a piece of major functionality being added to the application. The current timetable for all nine releases to be completed is the end of 2017, and DPDS employees will have access to the system when it’s released. During this entire process, DPDS acquired the services of MTG Management Consultants and worked with them to create a strategic IT plan. MTG was the consulting firm hired by the State to produce a plan for CISS, so they were in a perfect position to analyze the needs of the Division as it pertained to its CISS readiness.

MTG identified many issues that DPDS faced, and recommended strategic initiatives and projects to overcome those issues. These initiatives represented areas in which the Division focused its efforts to create a functional technological infrastructure.

## **DPDS STRATEGIC PLAN**

### **STAFFING**

In 2016, DPDS reduced its number of consultants to one (1). The remaining consultant is responsible for Tier I support for the Case Management system, which involves providing internal front-line support to staff regarding issues related directly and indirectly to record creation, retrieval and updates, as well as investigating root causes of systems issues in order to assist staff and provide high quality end user experience. Other duties include creating customized reports and automated documents, training users, and providing other project implementation services as required.

### **OVERVIEW**

The Division's Strategic IT Plan has created a client centered work environment that has increased the overall capabilities of the Division and given employees access to the information needed to do their jobs. Major accomplishments to this point have included mobile and office technology that provide access to a wide array of information and a comprehensive Case Management System. Once CISS is fully released, integrated access to that system will be another important milestone.

BUSINESS BENEFITS TO THIS PLAN HAVE INCLUDED:

- ❖ Creation of a dedicated Case Management System that meets the needs of adult and juvenile clients
- ❖ Creation of standardized attorney and staff processes
- ❖ Creation of integrated information architecture
- ❖ Reduction in the use of paper files
- ❖ Efficiencies that would allow for staff reductions, principally through attrition

### *PROGRESS*

As of Fall 2016, nearly all of the program's projects have been completed; most notably the implementation of a new Case Management System for both Adult and Juvenile offices.

### **CASE MANAGEMENT SYSTEM**

Implementing the Division's new Case Management solution on schedule and under budget has been the IT program's most critical component. The system was initially launched in adult field offices on October 1, 2015 and additional functionality has been added throughout 2016. An integral part of the adult portion of the system was to obtain an automated feed of information from Judicial Information Systems to populate the system with data pertaining to DPDS cases. That process was enhanced in 2016 to update cases from the previous day overnight in order to provide employees with the most current information possible.

In 2016, the Division also extended the system to some of its specialty offices. Customized versions of the system were created for the Connecticut Innocence Project and Post Conviction Unit and the Juvenile Post-Conviction Unit.

### ***PROCUREMENT OF FUNDS***

DPDS continues to be actively involved in acquiring funding for the program. Bond funding was acquired for the first three (3) fiscal years in order to purchase the necessary equipment for the initial projects and contracts as well as for the case management system. As DPDS funding requests are prepared and budget decisions are made, the approved budgets may require revisions to the plan and staffing levels for the program.

### ***CONCLUSION***

The Case Management system has been the largest facet of the Division's Strategic IT plan and its implementation was completed in 2016. Technology is critical for the communication, professionalism, and performance of the Division. This plan is aligning DPDS's technology environment with the business needs of the Division, thereby providing personnel with tools to assist in the effective representation of clients.

# SYSTEMS DEPARTMENT

## STAFFING

ONE (1) SYSTEMS MANAGER  
TWO (2) SUPPORT SPECIALISTS  
ONE (1) NETWORK ADMINISTRATOR

## SYSTEMS MANAGER

JOHN MORRISSON  
30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106

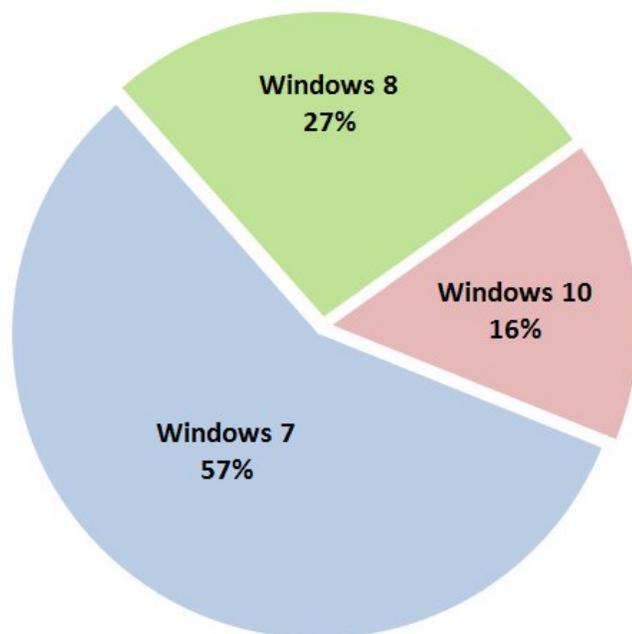
## UPDATE

During 2016, the Division continued to add components and functionality to its IT infrastructure which include fully mirrored data center sites. The fully mirrored sites are at the Office of Chief Public Defender located at 30 Trinity Street, Hartford, Connecticut and 400 Grand Street, Waterbury, Connecticut. By continuing to update and upgrade our servers, file storage arrays, computer systems, switches, and management software; the division is able to consolidate resources, manage and secure users data, and provide greater redundancy across our wide area network.

Our fully mirrored sites continue to be an important platform for the Division because users' data is protected from both disaster and system failures. Users have access to their data no matter where in the agency they are located. A user could move or transfer offices but their data would remain on the centralized servers. In addition, enabling offline files enable laptop users to have access to server storage data when not connected to a division data center. A new process of backing up users email was instituted in FY2015/16. All users' email (*pst files*) are encrypted and backed up each day to a local USB drive. This local backup is necessary to minimize network traffic and ensure user data is fully protected.

The Systems Department's focus in 2016 was not on new systems but on upgrading our operating systems and improving the functionality of our current systems. New multifunction copy/printer/scanner systems were installed replacing older printers and allowing staff better access to scan case file materials into the new JustWare Case Management System (CMS).

Computer Operating Systems



STAFF	DESKTOP	LAPTOP
ADMIN. STAFF	18	15
ATTORNEY	3	216
CLERK - SECRETARY	62	3
INTERN	28	0
INVESTIGATOR	14	43
SOCIAL WORKER	14	24
TOTAL	139	301

The Systems Department continued to maintain a virus free environment on all its active computer systems by utilizing our centrally managed Kaspersky Anti-Virus Security Center. This anti- malware, spyware and virus software allows the Division to run daily system scans and to “push out” updated virus definition each hour.

Due to layoffs in 2016, Division personnel were tasked with filling in the vacancies by working in multiple

offices. Desktop users were given laptops to travel between offices easily, network mapping was necessary to accommodate access to office resources, and specialized software was installed to quickly and easily switch network configurations from one office to another.

The Office of Chief Public Defender is in the second year of a three-year contract with Thomson Reuters for WestlawNext, its online legal research service. In addition to federal and state case law and statutes, law reviews and treatises, this online service will provide enhanced resources, such as its *drafting assistant*, which assists with the creation of the table of authorities and cite checking. With its comprehensive legal content WestlawNext will greatly enhance the advocacy of Public Defenders in their representation of indigent accused against charges lodged by the prosecution and before the courts, both of which had previously subscribed to WestlawNext. Included in the three (3) year contract with Thomson Reuters, the Division also has access to *Clear* for all investigators. *Clear* is an online resource of real-time information pulled from multiple sources. *Clear* allows fact access to a vast collection of public and proprietary records for investigative purposes.

# INFORMATION SERVICES AND RESEARCH (ISR)

## STAFFING

ONE (1) MANAGER  
ONE (1) SECRETARY

## MANAGER

JENNIE ALBERT  
30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106

## OVERVIEW

ISR is responsible for ensuring the fidelity of data collection, data reporting, archiving, grant reporting and applications and research. This department is staffed by one (1) Manager and one (1) part-time secretary.

## DATA COLLECTION

During FY2015/16, ISR continued to provide any necessary support to the Systems and Legal Education departments for the *JustWare* Case Management System (CMS) referenced above. After completing nearly a full year of data collection and enhanced capability, the new CMS continues to represent a significant improvement to the Division's data collection capabilities and reliability of the data itself.

## COLLABORATIONS

On behalf of the Division, the manager of ISR participates in several collaborations ranging from interstate agency to national. These include:

- ❖ membership on various planning committees including the CJPAC Research Workgroup and the PJOR Subcommittee among our Connecticut partners in Criminal Justice
- ❖ ongoing relationships with other state entities such as DESPP's forensic laboratory and the Division of Criminal Justice through such endeavors as federal grant funding for DNA and other post-conviction analyses
- ❖ membership on outside committees such as the Human Studies Council (Institutional Review Board) at Central Connecticut State University as one of two members representing defendants, prisoners and those on community release for all student and faculty research proposals
- ❖ membership in national indigent defense organizations and working groups on issues related to indigent defense research including the steering committee for the National Legal Aid and Defender Association's Community Oriented Defense (COD) group
- ❖ ongoing participation in the MacArthur Foundation's Safety and Justice Challenge planning and implementation grants for the Connecticut Site

## GRANTS

During FY2015/16 ISR participated in a number of grant activities including awards for:

1. the 2016 Postconviction Testing of DNA Evidence to Exonerate the Innocent grant as a contractor under DESPP's Forensic Laboratory
2. the MacArthur Implementation grant awarded to the Connecticut site as one of only 11 recipients out of 190+ applications

**“As long as poverty, injustice, and gross inequality  
persist in our world, none of us can truly rest.”  
- Nelson Mandela**

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<sup>1</sup>Contributors of narrative and figures to this chapter (4) included:

- ❖ *Jennie Albert (JD, GA , Information Services and Research, writing and editing throughout)*
- ❖ *Christine Rapillo (Juvenile)*
- ❖ *Darcy McGraw (CTIP/HC)*
- ❖ *Alison Bloomquist (Training)*
- ❖ *John Day (Assigned Counsel)*
- ❖ *Monte Radler (Psychiatric Defense Unit)*
- ❖ *James Connelly (Juvenile Post Conviction)*
- ❖ *Lauren Weisfeld (LSU)*
- ❖ *Catherine Farrell (Social Work)*
- ❖ *John Morrisson (Systems)*
- ❖ *Frank DiMatteo (CISS)*
- ❖ *Ellen Knight (Investigative Division)*

<sup>2</sup>The Innocence Network originated out of work done in the area of best practices for post-conviction litigation and forensic sciences at the New York Innocence Project.

# CHILD PROTECTION AND FAMILY CHAPTER

# 5

## CHILD PROTECTION

### DIRECTOR

CHRISTINE RAPILLO, Esq.  
330 MAIN STREET  
HARTFORD, CONNECTICUT 06106

### ADMINISTRATIVE STAFFING

ONE (1) DIRECTOR  
ONE (1) ASSISTANT PUBLIC DEFENDER  
ONE (1) DEPUTY ASSISTANT PUBLIC DEFENDER  
THREE (3) PARALEGALS  
ONE (1) ADMINISTRATIVE MANAGER  
ONE (1) ADMINISTRATIVE ASSISTANT

### STAFFING OVERVIEW

The Office of Chief Public Defender Juvenile/Child Protection Unit employs seven (7) staff under the supervision of the Director of Delinquency Defense and Child Protection. The staffing assignments include an Assistant Public Defender for child protection appeals and litigation support, the Deputy Assistant Public Defender assigned to the Hartford Family Magistrate Court, the paralegals who manage the child protection assignment system, an administrative manager who supervises the office staff at 330 Main Street, oversees the family magistrate appointments and manages data for the juvenile unit, and the administrative assistant who also manages the client inquiry log for child welfare and family matters and assists with all training programs.

### CASELOAD

The following chart shows the caseload breakdown for child protection matters where Public Defender Attorneys or Assigned Counsel were assigned in FY2015/16.

There were twelve thousand one hundred and seven (12,107) appointments made in child protection matters. Public Defender Assigned Counsel was appointed as guardian ad litem in a delinquency matter four hundred and sixty eight

FY 16 OCPD-CHILD PROTECTION ATTORNEY APPOINTMENTS				
FISCAL YEAR 2016	MOM	DAD	CHILD	OTHER
CP Attorney	2191	2062	5330	117
Termination of Parental Rights	325	262	636	1
Appeal	3	6	0	1
Appeal Review	44	32	5	0
Interest of Justice (IOJ) Attorney*	111	109	9	42
Guardian ad Litem (GAL) Attorney	41	10	381	0
Child Protection DELQ – IOJ Attorney	7	0	2	1
Child Protection DELQ- GAL Attorney	0	0	374	5
*IOJ=Interest of Justice, where the court orders counsel without a finding of indigence.				

(468) times. Appellate review was conducted in eighty one (81) cases, resulting in ten (10) appeals being filed. The Assistant Public Defender assigned to the child protection unit handled twenty eight (28) appellate reviews and appeals and three (3) trial cases.

## LEGISLATION

Public Defender staff testified in favor of Public Act 16-123. This Act requires the Department of Children and Families to provide foster care family profiles to foster children and to solicit feedback from foster children about their experiences in care to better recruit, train and retain high-quality foster parents.

## LITIGATION

There were a number of significant cases litigated by public defender staff and Assigned Counsel in FY2015/16. In re: Yasiel R. 317 Conn. 773 (2015) imposed a requirement that the court canvass a parent before accepting a consent to a terminating of parental rights. In Re: Oreoluwa, 321 Conn. 523 (2016) explored the extent to which DCF 's efforts to reunify are reasonable and the Connecticut Supreme court found that efforts were required to assist a father located in Africa who diligently exercised his rights.

## TRENDS

Filings of petitions of neglect, abuse or for termination of parental rights increased in FY2015/16. The Judicial Branch reports ten thousand three hundred and seven (10,307) petitions filed for FY2015/16 compared to eight thousand three hundred sixty four (8364) for FY2014/15. OCPD expects the trend to continue, as filings so far in FY2016/17 continue to increase. There has also been a significant increase in the amount of litigation required to resolve child welfare cases, resulting in more hourly billing.

## FAMILY MATTERS

Public Defender Assigned Counsel were appointed as guardian ad litem or attorney for the minor child approximately 1619 times in family matters. Staff from the Juvenile Unit worked with the Judicial Branch to update the list of individuals eligible to be appointed, resulting in over 500 individuals being removed from the list, either voluntarily or as a result of issues with their professional licensing. No new trainings pursuant to C. P. B. Sec. 25-62 have been scheduled but new Rules were adopted in FY2015/16. OCPD expects to collaborate with the Judicial Branch to plan for training to be offered once the new Rules take effect in 2017.

## FAMILY MAGISTRATE MATTERS

The Division has been working towards reducing costs for Family Magistrate court by increasing the amount of work done by staff attorneys. Attorney Steven Hanchuruck, who is assigned to the New Haven Juvenile Matters office, has been redeployed to the Norwich family magistrate court several days a month. Because there is a full time Deputy Assistant Public Defender assigned to the Hartford Magistrate court, OCPD was able to decrease the number of contracts in Hartford by two. Securing coverage for emergency capias hearings continues to be a challenge. Staff lawyers have been trained and have begun to assist with these cases. The magistrate courts have

responded positively to the inclusion of public defender staff in FSM operations and we plan to increase this practice in the next fiscal year.

### **TRAINING: JUVENILE DELINQUENCY, CHILD PROTECTION AND FAMILY MATTERS**

The Juvenile Unit continues to maximize training funds by offering multidisciplinary trainings that have utility to attorneys across our practice areas. Trainings are also opened to staff of other state agencies, students and lawyers contracted by the Judicial Branch to represent parties in Probate matters. Attorneys Sharon Elias and Christine Rapillo serve on the New England Juvenile Defender Center Board of Directors. The NEJDC sponsors regional trainings at little or no cost to juvenile defenders.

Attorney Renee Cimino sits on the advisory committee for the HART grant with DCF and other state agencies to sponsor trainings related to ending domestic minor sex trafficking. The Juvenile Unit has also begun a series of Practice Memoranda to highlight important legal and policy issues relating to juvenile matters, OCPD planned and executed a half day Child Welfare Law Symposium at Manchester Community College. The attendees heard from the Commissioner of the Department of Children and Families, Appellate Court Judge Christine Keller and the Child Advocate. A second CWLS will occur in Bridgeport in December. Colleague training continued with three (3) Assigned Counsel presenting programs for their peers over brown bag lunch programs at local courts. The Center for Children's Advocacy continued to provide the new lawyer training, in-service training and technical assistance to Assigned Counsel. Contracts with Children's Law Center and New Haven Legal Assistance were modified to include technical assistance and training.

The following trainings were organized and sponsored by the OCPD Juvenile and Child Protection Unit:

- ❖ Basic Practice in Family Magistrate Court
- ❖ Children's Law Center Domestic Violence: Its Impact on Children and Families
- ❖ Child Protection New Lawyer Training
- ❖ Child Welfare Law Symposium
- ❖ Civility and Professionalism
- ❖ Connecticut Family Support Magistrates Quarterly Meeting
- ❖ Domestic Minor Sex Trafficking
- ❖ E-Filing in Family Matters
- ❖ Gang Training
- ❖ Issues Relating to Very Young Children
- ❖ Issues for Appellate Review: Proper Record Development & Issue Preservation
- ❖ Permanency in Child Welfare Matters
- ❖ Youth Mental Health First Aid

OCPD Juvenile attorneys and Assigned Counsel attended the following programs:

- ❖ Adult and Juvenile Female Offenders Conference
- ❖ Federal Advisory Committee on Juvenile Justice Quarterly and Annual Meetings
- ❖ Grace Farms Domestic Minor Sex Trafficking
- ❖ JJPOC, Brain Development and Juvenile Justice Policy
- ❖ National Association of Counsel for Children, National Conference
- ❖ National Juvenile Defender Center Summit
- ❖ Robert F Kennedy Center Dual Status Youth Program
- ❖ University of Connecticut Inaugural Community and School program
- ❖ Implicit Bias
- ❖ Use of Experts in Parental Competency Cases

Public Defender Staff presented at the following events:

- ❖ Center for Children’s Advocacy: Police and Youth Training
- ❖ Connecticut Association of Foster and Adoptive Parents, Annual conference
- ❖ National Juvenile Defender Center’s Juvenile Training Immersion Project Sex offenses
- ❖ National Juvenile Defender Center Summit

“Do not be daunted by the enormity of the world’s grief.

Do justly, now.  
Love mercy, now.  
Walk humbly, now.

You are not obligated to complete the work, but neither are you free to abandon it.”

- Rabbi Rami Shapiro

## EXPENDITURES FY2015/16

The Public Defender Services Commissions' Actual Expenditures for FY 2016 totaled \$71,618,771. Below is a break-out of the actual expenditures for the agency:

The Commission's FY 2016 expenditures of \$71.6 million supported a permanent staff of three hundred eighty seven (387) full-time and six (6) part-time employees, two hundred and ten (210) of whom were attorneys. Other staff consisted of administrative, social work, investigative, secretarial and clerical personnel.

ACCOUNT	FY 2016
PERSONAL SERVICES	\$ 43,031,058
OTHER (OPERATING) EXPENSES	\$ 1,237,753
ASSIGNED COUNSEL	\$ 23,891,496
EXPERT WITNESSES	\$ 3,122,079
TRAINING AND EDUCATION	\$ 92,896
CONTRACTED ATTORNEYS RELATED EXPENSES	\$ 39,999
EQUIPMENT	\$ 179,417
FEDERAL FUNDS	\$ 24,073
<b>TOTAL FY 16 ACTUAL EXPENDITURES</b>	<b>\$ 71,618,771</b>

In FY 2017, the Commission's total available General Fund appropriation, as adjusted for savings under Public Act 16-2, as adjusted by Public Act 16-3, is \$63,074,585<sup>2</sup> to support a staff of 447 full time positions (the agency authorized position count) and 7 part-time positions. Below is a break-out of the FY 2017 General Fund appropriations and available Equipment and Federal funds.

ACCOUNT	FY 2017
PERSONAL SERVICES	\$ 37,992,553
OTHER (OPERATING) EXPENSES	\$ 1,185,863
ASSIGNED COUNSEL	\$ 20,742,284
EXPERT WITNESSES	\$ 3,034,137
TRAINING AND EDUCATION	\$ 119,748
EQUIPMENT	\$ 402,342
FEDERAL FUNDS	\$ 50,000
<b>TOTAL FY 17 APPROPRIATION</b>	<b>\$ 63,526,927</b>

Public Act 16-2, as adjusted by Public Act 16-3, made significant reductions to the Agency's budget. Appropriations were reduced by \$8.3 million compared to the FY 16 expenditures. The majority of these reductions were made to the Personal Services account (\$5 million) and the Assigned Counsel account (\$3.2 million). These cuts came at a time when habeas costs in the Assigned Counsel and Expert Witnesses accounts have increased considerably. Costs have increased mainly as a result of a bill passed in the session of 2012, HB

<sup>1</sup> This Chapter was submitted by Financial Director Stephen Hunt.

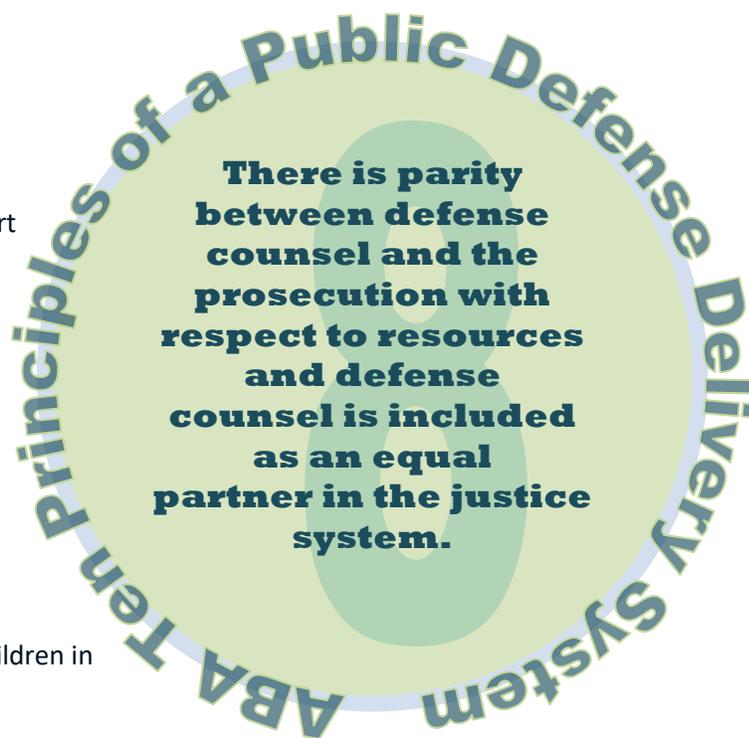
<sup>2</sup> The Commission's original FY 2017 General Fund appropriation of \$65,555,483 was reduced by \$2,480,898 as a result of programmed lapse savings.

5554, An Act Concerning Habeas Corpus Reform. The legislation reduced the length of time in which a habeas petition can be filed, which in turn has resulted in an influx of habeas petitions received by the Agency. As a consequence, the costs of habeas cases continue to increase significantly each month.

## FEDERAL GRANTS

### *COURT IMPROVEMENT PROGRAM (CIP) TRAINING GRANT*

In FY 2016, the carry forward balance of \$7,695.42 was spent on a federal grant pass through Judicial titled, Court Improvement Program (CIP) Training. The funding is to enhance and strengthen the core competencies that surround matters of child welfare and protection for legal, court and child welfare agency personnel through the creation and implementation of a professional development system that identifies needs and provides ongoing training to meet those needs in order to help provide for the safety, well-being and permanence of children in foster care in the State of Connecticut.



### *MACARTHUR FOUNDATION SAFETY AND JUSTICE CHALLENGE "PRIVATE GRANT"*

In FY 2016, \$16,377.77 was spent on a private grant pass through Office of Policy and Management (OPM) titled, MacArthur Foundation Safety and Justice Challenge "Private Grant" in the amount of \$15,533 for salary, fringe and travel costs which will be charged to OPM's account. There were additional funds of \$845 to cover expenditures charged to OPM's account. The funding is to assist OPM with research, data collection, implementation planning sessions, and work products related to the Grant.

## CLIENT REIMBURSEMENT PROGRAM

A client reimbursement program was implemented by the Commission in 1992-93 at the direction of the Appropriations Committee of the General Assembly, and has continued in effect with full implementation at twenty (20) G.A. offices. All clients, except those in custody, are requested to reimburse the system \$25 towards the cost of their defense. A minimal, flat amount was set in order to simplify the collection process and to encourage clients to make some effort of payment.

A total of \$87,696 was collected in FY 2016. Over the past ten (10) years of full implementation, the average collected has been \$114,305. While some public defender clients are able to meet this minimal reimbursement

charge, these clients are entitled to services of the public defenders, by constitution and by statute, regardless of whether they make payment. As such, the agency must rely on voluntary payment by financially able clients in order to collect these funds. Given these limitations, it would appear that these revenues are likely to remain at or near current levels in the years to come.

### COST PER CASE TYPE

In FY 2016, a caseload of approximately 83,029 was handled by the Commission’s staff and contracted attorneys funded out of the General Fund, at a cost per case of \$788, an amount indicative of the cost-effectiveness of maintaining a statewide public defender system for the representation of indigent accused. Below is an analysis of the cost per case type, which illustrates the high level of expenditures necessary for capital and appellate cases.

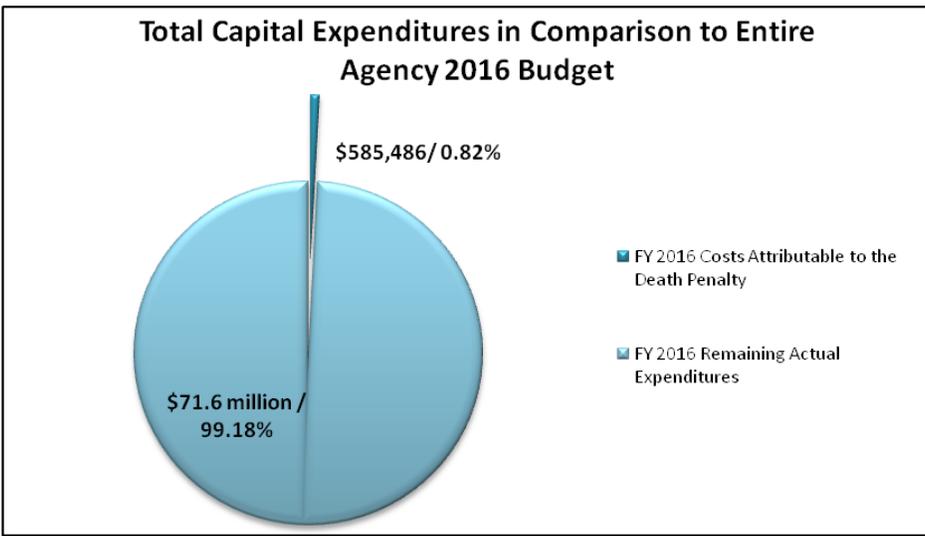
TYPE OF CASE	NUMBER OF CASES	FY 16 EXPENDITURES	COST PER CASE
APPELLATE	566	\$ 3,957,586	\$ 6,992
HABEAS	1,540	\$ 12,640,256	\$ 8,208
JD	3,121	\$ 13,001,876	\$ 4,166
CHILD PROTECTION	12,190	\$ 9,059,874	\$ 743
JUVENILE	4,518	\$ 6,889,740	\$ 1,525
GA	61,094	\$ 19,874,351	\$ 325

### COST ATTRIBUTABLE TO THE DEATH PENALTY

In FY 2016, the Division spent a total of \$585,436 on capital defense. To the right is a break-out of the actual capital defense expenditures for the agency:

FY 2016 - COSTS ATTRIBUTABLE TO CAPITAL CASES		
PERSONAL SERVICES (SALARIES)	\$	416,552
ASSIGNED COUNSEL	\$	122,597
EXPERT WITNESSES	\$	46,336
<b>TOTAL</b>	<b>\$</b>	<b>585,486</b>

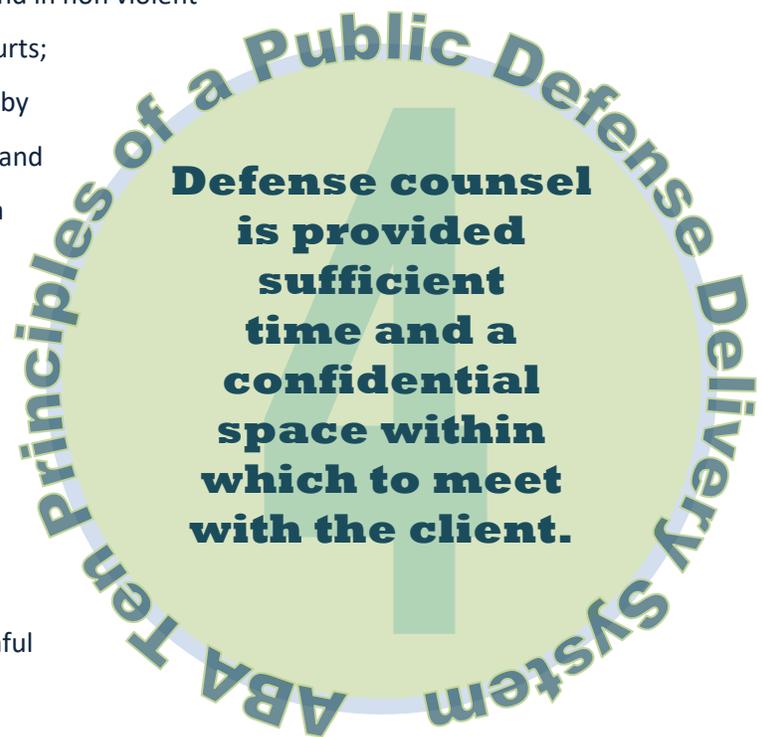
“There can be no equal justice where the kind of trial depends on the amount of money he has.”  
 - Hugo Black



### 2017 LEGISLATIVE PROPOSALS

Annually, the Office of Chief Public Defender seeks suggestions from its field office for legislative proposals. These proposals are reviewed and considered for possible inclusion in the Legislative Package which is provided by the Office of Chief Public Defender to the leadership of the General Assembly and the Committees on the Judiciary and Children. The following proposals, which include prior proposals not enacted into law, were submitted by the Office of Chief Public Defender to the Connecticut General Assembly for consideration in the 2017 legislative session:

- ❖ Require consideration of a family impact statement by the court prior to sentencing in any case in which a custodial parent will be incarcerated;
- ❖ To prohibit the requirement of a cash or surety bond in non violent misdemeanor matters in the adult and juvenile courts;
- ❖ Clarify that application and program fees required by statute for certain pre-trial diversionary programs and probation are waived for persons represented by a public defender and provide for the sealing of court files for offenders who are placed in the diversionary programs;
- ❖ Clarify the process whenever a regular or alternate juror is to be replaced and permit the statistical tracking of the race and ethnicity of jurors;
- ❖ Raise the age of persons who are eligible for Youthful Offender status;
- ❖ Provide for a definite period for a motor vehicle license suspension for persons who have violated C.G.S. §14-227a and were unable to install an ignition interlock device due to their indigency;
- ❖ Protect all children, under the age of 18 regardless of the court's jurisdiction, from undue influence by adults in authority in the absence of a parent or guardian;
- ❖ Provide discretion to the court to depart from the mandatory minimum sentencing scheme in cases involving juveniles prosecuted as adults and fashion an appropriate penalty if good cause is shown;



- ❖ Ensure that funding for counsel paid for through the budget of the Division of Public Defender Services is appropriately allocated for indigent persons;
- ❖ Eliminate the prior termination of parental rights when the subject parent was a minor child at the time of the initial Termination of Parental Rights;
- ❖ Clarify the confidentiality statutes in juvenile matters;
- ❖ Ensure fair and equitable sentencing and treatment of children adjudicated delinquent and sentenced to be committed to the Department of Children and Families (DCF);
- ❖ Provide credit for a child who is held in certain facilities subsequent to adjudication as delinquent but prior to the disposition of the juvenile matter who is subsequently committed to the Department of Children and Families.

## LEGISLATIVE TASK FORCES AND COMMISSIONS

Commissions and Task Forces are created and charged with the examination and review of the general statutes and national legislative trends to determine whether legislative changes should be recommended to the Connecticut General Assembly. Most, if not all, provide information online including Agendas and Minutes of meetings held. Occasionally, the meetings are recorded on CT-N and can be accessed upon demand online. Typically, the Chief Public Defender or her designee is a statutory member of a number of these Commissions and Task Forces. A list of the Commissions, Task Forces, Working Groups, Advisory Boards and Committee on which the Office of Chief Public Defender participated this year is as follows:

- |   |   |
|---|---|
| ❖ Children Exposed to Domestic Violence Task Force                              | Christine Rapillo   |
| ❖ Code of Evidence Oversight Committee of the Supreme Court                     | Brian Carlow  |
| ❖ Commission on Racial and Ethnic Disparity in the Criminal Justice System      | Ernest Green  |
| ❖ Connecticut Bar Association, Special Committee on Sex Trafficking of Children | Deborah Del Prete Sullivan                                      |
| ❖ Connecticut Coalition Against Domestic Violence Fatality Review Committee     | Michael Alevy   |
| ❖ Connecticut Juvenile Training School Advisory Group                           | Christine Rapillo   |
| ❖ Connecticut Racial Profiling Prohibition Project                              | Deborah Del Prete Sullivan                                      |
| • Data, Methodology and Analysis Work Group                                     | Deborah Del Prete Sullivan                                      |
| ❖ Connecticut Sentencing Commission   | Susan O. Storey   |
| • Legislative Sub-Committee   | Deborah Del Prete Sullivan                                      |
| ○ Classification Working Group  | Deborah Del Prete Sullivan                                      |
| ○ Juvenile Sentence Modification Working Group                                  | Deborah Del Prete Sullivan                                      |
| • Research Committee  | Thomas Ullmann - Co-Chair*                                      |
| • Sentencing Structure Committee  | Deborah Del Prete Sullivan                                      |
| ○ Special Committee on Sex Offenders  | Thomas Ullmann-designee of Susan Storey, Chief Public Defender* |
| ▪ Sub-Committee on Sex Offender Sentencing                                      | Thomas Ullmann*   |
| ▪ Sub-Committee on Sex offender Assessment & Management                         | Katie Heffernan   |
| ▪ Sub-Committee on Community &Victim Needs                                      | Deborah Del Prete Sullivan                                      |

- Steering Committee
- Victim Notification Study Group (Pertaining to Juvenile Lengthy Sentences PA 15-84)

Thomas Ullmann\*  
Deborah Del Prete Sullivan

*\*Except for the special Committee on Sex Offenders and its sub-committees, Public Defender Thomas Ullmann participates on the Connecticut Sentencing Commission and other sub-committees and working groups as the representative of the Connecticut Criminal Defense Lawyers Association (CCDLA)*

❖ Criminal Justice Information System Governing Board	Brian Carlow
• Criminal Information Sharing Systems Project	Brian Carlow
❖ Criminal Justice Policy Advisory Commission (CJPAC)	Brian Carlow for Susan Storey
• Research Workgroup	Jennie Albert
• Prison and Jail Overcrowding (PJOR)	Jennie Albert for Brian Carlow
❖ DNA Databank Oversight Committee	Beth Merkin, Joseph Lopez, Darcy McGraw
❖ Eyewitness Identification Task Force	Deborah Del Prete Sullivan (OCPD)
	Darcy McGraw (CT Innocence Project)
• Budget Deliverables Oversight Committee	Deborah Del Prete Sullivan
• National Conference Committee	Deborah Del Prete Sullivan
	Darcy McGraw
❖ Families In Crisis, Inc. Board Member	Susan O. Storey
❖ Family Violence Model Policy Governing Council	Michael Alevy
❖ Federal Advisory Committee on Juvenile Justice	Christine Rapillo
❖ Governor’s Task Force on Justice for Abused Children	Christine Rapillo
❖ Interstate Compact of Juveniles Task Force	Christine Rapillo
❖ Interstate Compact State Council	Susan O. Storey
❖ Judicial Branch Access to Justice workgroup on Video-Conferencing	John DelBarba
	Deborah Del Prete Sullivan
	Susan O. Storey
❖ Justice Education Center Board Member	Christine Rapillo
❖ Juvenile Justice Advisory Committee	Christine Rapillo
❖ Juvenile Justice Policy Oversight Committee	Christine Rapillo
• Recidivism Working Group	Christine Rapillo - Co-Chair
❖ Law Tribune Editorial Board	Thomas Ullmann
❖ State Court Improvement Project Task Force	Christine Rapillo
❖ Trafficking in Persons Council	Deborah Del Prete Sullivan

## 2016 LEGISLATIVE SESSION

### **PUBLIC ACT 16-127 AN ACT CONCERNING THE OFFICE OF THE CLAIMS COMMISSIONER**

This public act makes numerous technical revisions to the statutes governing the Office of the Claims Commissioner and the process over which the Office adjudicates claims against the state. The act also substantially changes the process for seeking compensation by persons who have been wrongfully incarcerated.

### **PUBLIC ACT 16-148 AN ACT CONCERNING COMPELLED DISCLOSURE OF CELLULAR TELEPHONE AND INTERNET RECORDS AND FRAUD COMMITTED THROUGH TELEPHONE SOLICITATION**

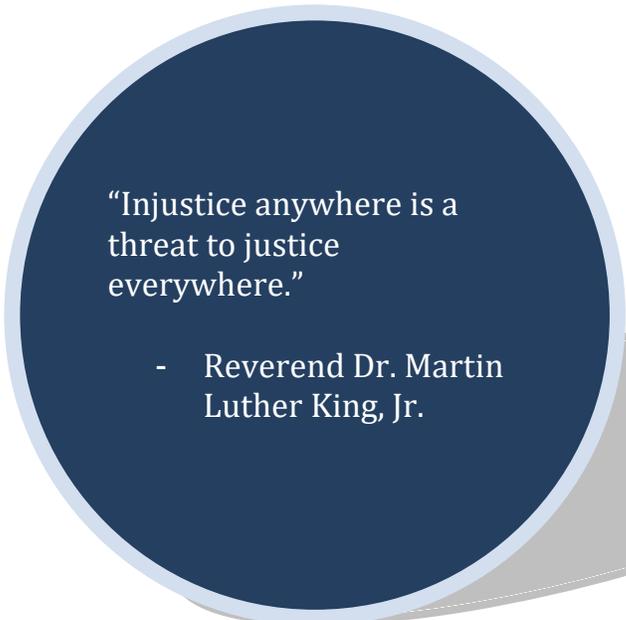
This act amends *subsection (a) of C.G.S. §54-47aa, Ex parte court order to compel disclosure of certain telephone and internet records*, and assures that defense counsel receives all information provided to the court in response to the court order for

subscriber record information. There were a number of meetings between the Office of Chief Public Defender, the Division of Criminal Justice, the Connecticut Criminal Defense Lawyers Association and the Connecticut Civil Liberties Union, regarding the warrant requirement for content. The parties drafted agreed upon language which was subsequently adopted by the General Assembly and required a warrant when content was sought. In addition, the act clarifies and defines “call-identifying information”, “geo-location data” and “exigent circumstances”.

The act permits law enforcement official to apply directly to a telecommunications carrier or provider of electronic communication service or remote computing service for geo location data pertaining to an identified subscriber or customer for a period of time not in excess of 48 hours, including real time or historical geo-location data. The act provides discretion to the telecommunications carrier or provider of electronic telecommunication service or remote computing service to provide the requested information if the law enforcement official swears to certain information under oath.

***PUBLIC ACT 16-23 AN ACT CONCERNING THE PALLIATIVE USE OF MARIJUANA***

The act permits the treatment of patients under the age of 18 years old to utilize marijuana. The law continues to prohibit the use of marijuana in buses, the workplace, schools, public places or in the presence of a person under the age of 18 years old.



“Injustice anywhere is a threat to justice everywhere.”

- Reverend Dr. Martin Luther King, Jr.

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<sup>1</sup>This Chapter was submitted by Legal Counsel Director Deborah del Prete Sullivan.

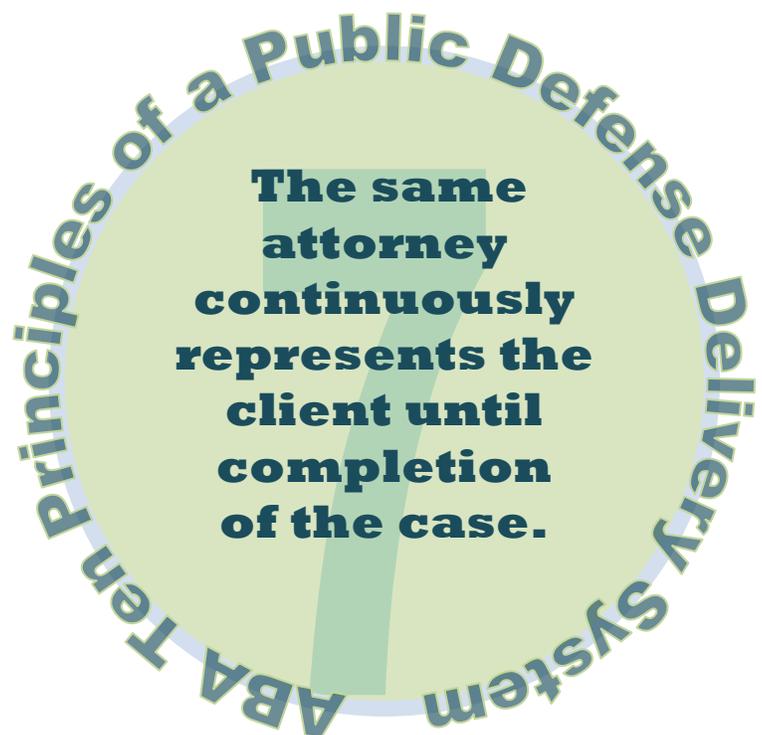
**T**he Division of Public Defender Services is grateful for the support received from Governor Malloy, the Office of Policy and Management, the Appropriations Committee, the Office of Fiscal Analysis, the Legislature, and the Judicial Branch. We also sincerely appreciate the collaborative efforts by all state agencies interested in furthering the cause of equal justice in Connecticut. This year our Agency has implemented major efficiencies to improve both our business model and the representation of clients.

As we go forward in 2017, I express my sincere thanks and admiration to all of the attorneys, investigators, social workers, clerical and administrative staff of the Division of Public Defender Services. I also wish to acknowledge the continuing support of the Public Defender Services Commission to our clients and to all of the men and women of the Division during the past year. I also want to thank those members of the private bar who assist the Division by acting as Assigned Counsel for indigent clients in criminal and juvenile delinquency cases, child welfare, habeas corpus matters, and appeals. It is through their collective dedication, vigilance, compassion, and unselfish commitment that our clients' rights to life, liberty, and family are protected in Connecticut.

Respectfully submitted,

*Susan O. Storey*

Chief Public Defender



## NOTES

- ❖ CASES APPOINTED are those in which the public defender is assigned to represent the accused.
- ❖ FISCAL YEAR CASELOAD is CASES PENDING the beginning of the fiscal year plus CASES APPOINTED minus CASES TRANSFERRED i.e. cases transferred to Part A, another court for consolidation, private counsel, Assigned Counsel (conflict of interest) or pro se. Murder and Accessory to Murder dockets are weighted as two (2) cases, (by adding one additional case). After the weighting process is applied, minor felony, misdemeanor, motor vehicle and other cases are excluded. Cases transferred (Assigned Counsel, private counsel, pro se) are also subtracted. A percentage of minor felonies, misdemeanors, motor vehicle and other cases is applied to “transfers” to avoid double subtraction.
- ❖ Geographical Area offices calculate “new cases assigned” by excluding cases transferred.
- ❖ Juvenile Matters offices calculate “new cases assigned” by excluding cases in which the juvenile is charged with Violation of a Court Order in a pending matter. Cases transferred are also subtracted.
- ❖ DISPOSED CASES include inactive/diversionary cases that are not part of the FISCAL YEAR CASELOAD which were disposed upon completion of programs and counted as disposed during the fiscal year. DISPOSED CASES are therefore all cases disposed of during the fiscal year whether active, newly appointed or inactive.
- ❖ DIVERSIONARY TRANSFER TO INACTIVE represents cases in which AR, Family Violence, Alcohol Education Program or some other diversionary program has been granted during the fiscal year. For purposes of this report, the following inactive cases are included in this category: a) a commitment under 54-56d incompetency, b) suspended prosecution or c) re-arrest has been ordered. Please note that the total for this category is omitted to avoid confusion.
- ❖ In the merged offices of Ansonia-Milford JD/GA 22, Danbury JD/GA 3, Middlesex JD/ GA 9, Tolland JD/GA 19 and Windham JD/GA 11 staff attorney time assignments are described using fractions to reflect the split between the JD and GA. Particularly in recent years when many attorneys provide coverage in multiple offices, this designation is necessary to calculate “New Cases Assigned Per Attorney” and assess *Caseload Goals*.
- ❖ TRIALS concluded are reported at the stage the trial is concluded. JURY TRIALS are concluded at one of three stages: a) Jury selection commenced b) Jury trial begun (jury sworn after voir dire) or c) Jury trial to verdict. Similarly COURT TRIALS are concluded at one of two stages: a) Court trial begun (first witness sworn) or b) Court trial to judgment
- ❖ The new case management system (JustWare) was initiated in all juvenile matters field offices on July 1, 2015 and all adult field offices on October 1, 2015. Because the Fiscal Year spans July 1, 2015 – June 30, 2016, case flow was recorded in two systems for adult offices in FY2015/16. For the first quarter (July 1, 2015 – September 30, 2015) adult offices used the Case Tracking system that had been in place for several years and for the second, third and fourth quarters adult field offices used the new JustWare case management system. Because FY2015/16 was a transition time for data collection and reporting, efforts were made throughout this Annual Report to note the changes and limitations and reflect the issues inherent in migrating to a new system.

“HOPE IS A STATE OF MIND INDEPENDENT OF THE STATE OF THE WORLD. IF YOUR HEART’S FULL OF HOPE, YOU CAN BE PERSISTENT WHEN YOU CAN’T BE OPTIMISTIC. YOU CAN KEEP THE FAITH DESPITE THE EVIDENCE, KNOWING THAT ONLY IN SO DOING HAS THE EVIDENCE OF ANY CHANCE OF CHANGING. SO WHILE I’M NOT OPTIMISTIC, I’M ALWAYS VERY HOPEFUL.”

-REVEREND WILLIAM SLOANE COFFIN, JR.

**Judicial Districts Movement of Cases  
Division of Public Defenders Services  
July 1, 2015 - June 30, 2016**

Office	Average Attorneys	Cases Appointed	Non-Death Capital/Murder Cases Appointed	Other Major Felonies Appointed	VOP Appointed	Minor Felonies, Misdemeanors & Other Appointed	Cases Transferred	Divers/Trans. to Inactive	Dispositions	New Cases Assigned	New Cases Assigned per Attorney
Ansonia-Milford	1	233	5	148	53	25	80	3	55	153	153
Danbury	2.9	430	2	175	58	131	143	82	208	287	99
Fairfield	4.8	362	29	234	99	54	138	1	206	224	47
Hartford	7.8	467	55	247	122	30	263	1	135	204	26
Litchfield	2	189	2	59	58	69	60	16	138	129	65
Middletown	0.5	79	3	36	23	17	34	3	30	45	90
New Britain	3	201	12	126	42	15	84	2	79	117	39
New Haven	7	662	35	270	120	220	346	9	293	316	45
New London	3.3	229	8	85	44	90	165	9	146	64	19
Stamford-Norwalk	2	113	0	51	23	39	78	7	54	35	18
Tolland	0.5	75	4	37	8	25	40	3	30	35	70
Waterbury	3.6	394	20	203	66	97	148	3	171	246	68
Windham	2	101	0	59	13	29	64	4	46	37	19
<b>Total</b>	<b>40.4</b>	<b>3535</b>	<b>175</b>	<b>1730</b>	<b>729</b>	<b>841</b>	<b>1643</b>	<b>143</b>	<b>1591</b>	<b>1892</b>	<b>47</b>

"New Cases Assigned" equals murder, accessory to murder, non-death penalty capital cases plus *Other Major Felonies* minus "Cases Transferred", allocating the % of minor felonies, misdemeanors, MV and Other of the total "Cases Appointed", in order to avoid double subtraction of transfers. For weighting purposes, murder, accessory to murder, and non-death penalty capital cases equal 2 cases (add 1). (Transfers of murder and capital are excluded prior to the weighting process).

**Judicial Districts Caseload Activity**  
**Division of Public Defender Services**  
**July 1, 2015 - June 30, 2016**

Office	Stage Jury Trial Concluded				Court Trial Concluded		VOP Hearings	Evidentiary Hearings	Jail Sentences to Serve	Nolled/Dismiss All Charges	Appeals Filed	Other Sent. Rev. PSRB, Habeas
	Average Attorneys FY 15-16	Jury Selection Commenced	Jury Trials Begun	Jury Trials to Verdict	Court Trials Begun	Court Trials to Judgment						
Ansonia-Milford	1	0	0	0	0	0	0	0	47	4	0	0
Danbury	2.9	0	0	0	0	1	7	11	157	63	0	0
Fairfield	4.8	5	3	6	0	0	0	0	167	22	0	7
Hartford	7.8	4	0	8	0	0	1	1	160	28	0	1
Litchfield	2	0	0	1	0	0	0	1	110	27	0	1
Middlesex	0.5	0	0	1	0	0	0	0	24	2	0	0
New Britain	3	0	1	1	0	0	0	1	77	9	0	3
New Haven	7	0	1	2	0	1	0	2	214	78	0	0
New London	3.3	0	0	0	0	1	0	0	109	43	1	0
Stamford-Norwalk	2	0	0	0	0	0	0	0	35	10	0	0
Tolland	0.5	0	0	1	0	0	0	0	25	5	0	0
Waterbury	3.6	0	0	0	0	0	0	0	119	40	0	1
Windham	2	1	0	0	0	0	0	0	39	6	0	0
<b>Total</b>	<b>40.4</b>	<b>10</b>	<b>5</b>	<b>20</b>	<b>0</b>	<b>3</b>	<b>8</b>	<b>16</b>	<b>1283</b>	<b>337</b>	<b>1</b>	<b>13</b>

**Judicial Districts Caseload Goals Analysis**  
**Division of Public Defenders Services**  
**July 1, 2015 - June 30, 2016**

Office	Average Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned per Attorney
Ansonia-Milford	1	233	80	153	153
Danbury	2.9	430	143	287	99
Fairfield	4.8	362	138	224	47
Hartford	7.8	467	263	204	26
Litchfield	2	189	60	129	65
Middletown	0.5	79	34	45	90
New Britain	3	201	84	117	39
New Haven	7	662	346	316	45
New London	3.3	229	165	64	19
Stamford-Norwalk	2	113	78	35	18
Tolland	0.5	75	40	35	70
Waterbury	3.6	394	148	246	68
Windham	2	101	64	37	19
<b>Total</b>	<b>40.4</b>	<b>3535</b>	<b>1643</b>	<b>1892</b>	<b>47</b>

"New Cases Assigned" equals murder, accessory to murder, non-death penalty capital cases and capital cases in which the State seeks the death penalty plus Other Major Felonies minus "Cases Transferred", allocating the % of minor felonies, misdemeanors, MV and Other of the total "Cases Appointed", in order to avoid double subtraction of transfers. For weighting purposes, murder, accessory to murder and non-death penalty capital cases equal 2 cases (add 1) and capital cases in which the State seeks the death penalty equal 10 cases (add 9). (Transfers of murder and capital are excluded prior to the weighting process)

During the 2015-16 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**New Cases Assigned  
(in rank order)  
Public Defender Offices  
Judicial Districts  
2015-2016**

Location	Total New Cases Assigned	Location	Average of Attorneys	New Cases Assigned Per Attorney
New Haven	316	Ansonia-Milford	1	153
Danbury	287	Danbury	2.9	99
Waterbury	246	Middlesex	0.5	90
Fairfield	224	Tolland	0.5	70
Hartford	204	Waterbury	3.6	68
Ansonia-Milford	153	Litchfield	2	65
Litchfield	129	Fairfield	4.8	47
New Britain	117	New Haven	7	45
New London	64	New Britain	3	39
Middlesex	45	Hartford	7.8	26
Windham	37	New London	3.3	19
Stamford-Norwalk	35	Windham	2	19
Tolland	35	Stamford-Norwalk	2	18
<b>Total</b>	<b>1892</b>	<b>Total</b>	<b>40.4</b>	<b>47</b>

During the 2015-16 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**Active Cases Pending  
(in rank order)  
Public Defender Offices  
Judicial Districts  
2015-2016**

FY 15-16			FY 16-17		
Location	Average of Attorneys	Active Cases Pending July 1, 2015	Location	Average of Attorneys	Active Cases Pending July 1, 2016
New Haven	6.5	286	New Haven	7	596
Hartford	9	246	Hartford	7.8	527
Fairfield	5	194	Danbury	2.9	388
Danbury	2	157	Fairfield	4.8	375
New London	3.5	114	Waterbury	3.6	283
Waterbury	3.5	112	New London	3.3	264
Litchfield	2	98	Litchfield	2	168
Stamford-Norwalk	2	81	Ansonia-Milford	1	166
Ansonia-Milford	1	74	New Britain	3	159
New Britain	3	72	Stamford-Norwalk	2	152
Windham	2	71	Windham	2	120
Tolland	0.5	38	Middlesex	0.5	79
Middlesex	1	33	Tolland	0.5	76
	41	1576		40.4	3353

**Geographical Areas Movement of Cases  
Division of Public Defenders Services  
July 1, 2015 - June 30, 2016**

Office	Average Attorneys	Cases Appointed	Major Felonies	VOP Appointed	Minor Felonies, Misdemeanors, MV & Other Appointed	Cases Transferred	Divers/Trans. to Inactive	Dispositions	New Cases Assigned	New Cases Assigned per Attorney
GA 01 Stamford	5	2068	286	183	1599	425	347	1433	1643	329
GA 02 Bridgeport	15.6	8062	1002	727	6333	1092	990	5045	6970	447
GA 03 Danbury	2.5	2122	23	164	1935	325	565	1241	1797	719
GA 04 Waterbury*	8	5095	645	421	3940	1071	596	3051	4024	503
GA 05 Derby	4	2418	238	224	1956	465	405	1393	1953	488
GA 07 Meriden	5	3475	453	326	2696	748	480	1788	2727	545
GA 09 Middletown	4.5	2369	248	212	1912	822	258	1712	1547	344
GA 10 New London	6	3644	357	313	2975	1088	573	2108	2556	426
GA 11 Danielson	5	2444	230	179	2035	696	184	1720	1748	350
GA 12 Manchester	5	3791	346	403	3042	1476	395	2102	2315	463
GA 13 Enfield	3	1354	128	120	1106	516	123	830	838	279
GA 14 Hartford	16.2	6697	876	704	5117	811	279	4453	5886	363
GA 15 New Britain	7.6	5351	586	588	4181	1081	350	3838	4270	562
GA 17 Bristol	3	1782	186	143	1456	405	276	1411	1377	459
GA 18 Bantam	4	2272	130	272	1870	549	321	1420	1723	431
GA 19 Rockville	3.5	1800	173	200	1427	431	320	1206	1369	391
GA 20 Norwalk	3.6	1265	118	149	998	331	77	777	934	259
GA 21 Norwich	3.9	2713	301	342	2070	1058	208	1408	1655	424
GA 22 Milford	2.5	1601	191	214	1196	617	105	747	984	394
GA 23 New Haven	14.3	8309	1137	687	6485	808	175	5773	7501	525
<b>Total</b>	<b>122.2</b>	<b>68632</b>	<b>7654</b>	<b>6571</b>	<b>54329</b>	<b>14815</b>	<b>7027</b>	<b>43456</b>	<b>53817</b>	<b>440</b>

\*Waterbury GA 4 Combined With Community Court

An additional attorney from GA 14 handled 1125 appointed cases at the Community Court on a full-time basis.

During the 2015-16 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**Geographical Areas Caseload Activity**  
**Division of Public Defenders Services**  
**July 1, 2015 - June 30, 2016**

Office	Average Attorneys	Jury Selection Commenced	Jury Trial Begun	Jury Trials to Verdict	Court Trials Begun	Court Trials to Judgment	VOP Hearings	Evidentiary Hearings	Jail Sentences to Serve	Nolled/Dismissed Charges	Appeals Filed	Other Sent. Rev. PSRRB, Habeas
GA 01 Stamford	5	0	0	1	0	1	9	0	520	808	0	1
GA 02 Bridgeport	15.6	0	0	2	0	0	0	2	2049	2112	1	0
GA 03 Danbury	2.5	0	0	2	0	1	24	48	520	606	0	0
GA 04 Waterbury*	8	0	0	0	0	0	1	10	1127	1734	2	0
GA 05 Derby	4	0	0	0	0	1	6	2	625	445	0	0
GA 07 Meriden	5	2	0	0	0	0	3	0	962	591	0	0
GA 09 Middletown	4.5	0	0	0	0	0	0	0	680	854	0	0
GA 10 New London	6	0	0	0	0	0	1	0	931	1060	0	0
GA 11 Danielson	5	0	0	1	0	0	1	3	754	731	0	0
GA 12 Manchester	5	0	0	0	0	0	0	0	1024	974	1	0
GA 13 Enfield	3	0	0	0	0	0	0	0	302	479	0	0
GA 14 Hartford*	16.2	0	0	0	0	0	0	1	1476	3654	0	1
GA 15 New Britain	7.6	1	0	0	0	0	0	0	1735	1909	1	0
GA 17 Bristol	3	0	0	0	0	0	0	0	554	806	0	0
GA 18 Bantam	4	0	0	1	0	0	0	5	452	922	0	0
GA 19 Rockville	3.5	0	0	0	0	0	0	5	641	478	0	0
GA 20 Norwalk	3.6	0	0	0	0	0	0	0	349	316	0	0
GA 21 Norwich	3.9	0	0	4	0	0	0	4	738	627	0	0
GA 22 Milford	2.5	0	0	0	0	0	1	17	436	322	0	0
GA 23 New Haven	14.3	0	0	0	0	0	2	0	2299	3221	1	0
<b>Total</b>	<b>122.2</b>	<b>3</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>3</b>	<b>48</b>	<b>97</b>	<b>18174</b>	<b>22649</b>	<b>5</b>	<b>2</b>

\* Waterbury GA 4 and Hartford GA 14 figures include Community Courts

**Geographical Areas Caseload Goals Analysis**  
**Division of Public Defender Services**  
**July 1, 2015 - June 30, 2016**

		Average FY 15-16 Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned Per Attorney
GA 1	Stamford	5	2068	425	1643	329
GA 2	Bridgeport	15.6	8062	1092	6970	447
GA 3	Danbury	2.5	2122	325	1797	719
GA 4	Waterbury	8	5095	1071	4024	503
GA 5	Derby	4	2418	465	1953	488
GA 7	Meriden	5	3475	748	2727	545
GA 9	Middletown	4.5	2369	822	1547	344
GA 10	New London	6	3644	1088	2556	426
GA 11	Danielson	5	2444	696	1748	350
GA 12	Manchester	5	3791	1476	2315	463
GA 13	Enfield	3	1354	516	838	279
GA 14	Hartford	16.2	6697	811	5886	363
GA 15	New Britain	7.6	5351	1081	4270	562
GA 17	Bristol	3	1782	405	1377	459
GA 18	Bantam	4	2272	549	1723	431
GA 19	Rockville	3.5	1800	431	1369	391
GA 20	Norwalk	3.6	1265	331	934	259
GA 21	Norwich	3.9	2713	1058	1655	424
GA 22	Milford	2.5	1601	617	984	394
GA 23	New Haven	14.3	8309	808	7501	525
<b>Total</b>		<b>122.2</b>	<b>68632</b>	<b>14815</b>	<b>53817</b>	<b>440</b>

An additional attorney from GA 14 handled 1125 appointed cases on a full-time basis at the Community Court. During the 2015-16 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**New Cases Assigned  
(in rank order)  
Public Defender Offices  
Geographical Areas Areas  
July 1, 2015 - June 30, 2016**

Location	Total New Cases Assigned	Location	Average Attorneys Atty Avg	New Cases Assigned per Attorney
GA 23 New Haven	7501	GA 03 Danbury	2.5	719
GA 02 Bridgeport	6970	GA 15 New Britain	7.6	562
GA 14 Hartford	5886	GA 07 Meriden	5	545
GA 15 New Britain	4270	GA 23 New Haven	14.3	525
GA 04 Waterbury	4024	GA 04 Waterbury	8	503
GA 07 Meriden	2727	GA 05 Derby	4	488
GA 10 New London	2556	GA 12 Manchester	5	463
GA 12 Manchester	2315	GA 17 Bristol	3	459
GA 05 Derby	1953	GA 02 Bridgeport	15.6	447
GA 03 Danbury	1797	GA 18 Bantam	4	431
GA 11 Danielson	1748	GA 10 New London	6	426
GA 18 Bantam	1723	GA 21 Norwich	3.9	424
GA 21 Norwich	1655	GA 22 Milford	2.5	394
GA 01 Stamford	1643	GA 19 Rockville	3.5	391
GA 09 Middletown	1547	GA 14 Hartford	16.2	363
GA 17 Bristol	1377	GA 11 Danielson	5	350
GA 19 Rockville	1369	GA 09 Middletown	4.5	344
GA 22 Milford	984	GA 01 Stamford	5	329
GA 20 Norwalk	934	GA 13 Enfield	3	279
GA 13 Enfield	838	GA 20 Norwalk	3.6	259
<b>Total</b>	<b>53817</b>	<b>Total</b>	<b>122.2</b>	<b>440</b>

During the 2015-16 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**Active Cases Pending  
(in rank order)  
Public Defender Offices  
Geographical Areas**

FY 15-16				FY 16-17			
Location		Average of Attorneys	Active Cases Pending July 1, 2015	Location		Average of Attorneys	Active Cases Pending July 1, 2016
GA14	Hartford	16	3011	GA23	New Haven	14.3	6853
GA23	New Haven	14.5	2375	GA14	Hartford	16.2	6326
GA2	Bridgeport	16	1905	GA2	Bridgeport	15.6	5278
GA15	New Britain	8	1682	GA4	Waterbury	8	4094
GA4	Waterbury	8	1586	GA15	New Britain	7.6	3733
GA5	Derby	4	1011	GA10	New London	6	2626
GA20	Norwalk	4	977	GA1	Stamford	5	2528
GA11	Danielson	5	973	GA5	Derby	4	2335
GA12	Manchester	5	934	GA20	Norwalk	3.6	2330
GA10	New London	5.5	931	GA12	Manchester	5	2311
GA1	Stamford	6	892	GA11	Danielson	5	2182
GA18	Bantam	4	769	GA18	Bantam	4	1944
GA21	Norwich	4	705	GA3	Danbury	2.5	1887
GA9	Middletown	4	700	GA7	Meriden	5	1774
GA3	Danbury	2	653	GA19	Rockville	3.5	1621
GA7	Meriden	5	623	GA21	Norwich	3.9	1603
GA19	Rockville	3.5	587	GA9	Middletown	4.5	1562
GA17	Bristol	3	532	GA17	Bristol	3	1423
GA13	Enfield	3	279	GA22	Milford	2.5	744
GA22	Milford	2.5	254	GA13	Enfield	3	609
<b>Totals</b>		<b>123</b>	<b>21379</b>	<b>Totals</b>		<b>122.2</b>	<b>53763</b>

**Juvenile Matters Movement of Cases  
Division of Public Defender Services  
July 1, 2015 - June 30, 2016**

<b>Office</b>	<b>Average Attorneys</b>	<b>Cases Appointed</b>	<b>Serious Juv. Offenses</b>	<b>Other Felony</b>	<b>Misd. &amp; Other</b>	<b>Cases Transferred</b>	<b>Dispositions</b>	<b>Cases Transferred to Adult</b>	<b>New Cases Assigned</b>	<b>New Cases Assigned Per Attorney</b>
Bridgeport	2.2	663	94	161	408	220	411	23	443	201
Danbury	0.2	151	19	34	98	20	124	0	131	655
Hartford	3	1075	130	297	648	318	719	16	757	252
Middletown	1	219	22	46	151	112	122	1	107	107
New Britain	2	532	62	112	358	129	437	7	403	202
New Haven	3.5	953	130	181	642	196	761	18	757	216
Rockville	1	230	19	71	140	110	167	1	120	120
Stamford	0.8	160	26	31	103	158	110	2	2	3
Waterbury/Torrington	3.8	880	75	219	586	142	785	22	738	194
Waterford/Willimantic	2	521	69	102	350	174	422	4	347	174
<b>Total</b>	<b>19.5</b>	<b>5384</b>	<b>646</b>	<b>1254</b>	<b>3484</b>	<b>1579</b>	<b>4058</b>	<b>94</b>	<b>3805</b>	<b>195</b>

**Juvenile Matters Caseload Activity  
Division of Public Defenders Services  
July 1, 2015 - June 30, 2016**

<b>Office</b>	<b>Average Attorneys</b>	<b>Detention Hearings</b>	<b>Court Trials Begun</b>	<b>Court Trials to Judgement</b>	<b>VOP Hearings</b>	<b>Evidentiary Hearings</b>	<b>Nolle/Dismissed</b>	<b>Clients Confined</b>	<b>Clients to Residential Placement</b>	<b>Appeals Filed</b>
Bridgeport	2.2	233	0	0	0	0	228	9	5	0
Danbury	0.2	15	0	0	0	0	57	1	0	0
Hartford	3	297	0	0	0	0	425	4	9	0
Middletown	1	23	0	0	0	0	81	1	1	0
New Britain	2	114	0	0	0	0	318	5	1	0
New Haven	3.5	471	0	0	0	0	444	15	1	0
Rockville	1	105	0	0	0	0	137	1	2	1
Stamford	0.8	49	0	0	0	0	44	1	0	0
Waterbury/Torrington	3.8	203	0	0	0	0	630	10	11	0
Waterford/Willimantic	2	113	0	0	0	0	240	3	0	0
<b>Total</b>	<b>19.5</b>	<b>1623</b>	<b>15*</b>	<b>2*</b>	<b>2*</b>	<b>19*</b>	<b>2604</b>	<b>50</b>	<b>30</b>	<b>1</b>

\*Aggregated Totals (not broken down by field office) for Court Trials, VOP and Evidentiary Hearings for FY 2015/16

**Juvenile Matters Caseload Goals Analysis**  
**Division of Public Defender Services**  
**July 1, 2015 - June 30, 2016**

	Average FY 15-16 Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned Per Attorney
Bridgeport	2.2	663	220	443	201
Danbury	0.2	151	20	131	655
Hartford	3	1075	318	757	252
Middletown	1	219	112	107	107
New Britain	2	532	129	403	202
New Haven	3.5	953	196	757	216
Rockville	1	230	110	120	120
Stamford	0.8	160	158	2	3
Waterbury/Torrington**	3.8	880	142	738	194
Waterford/Willimantic**	2	521	174	347	174
<b>Total</b>	<b>19.5</b>	<b>5384</b>	<b>1579</b>	<b>3805</b>	<b>195</b>

\*\*The caseloads for the Waterford/ Willimantic offices and for the Waterbury /Torrington/Danbury offices were handled by the same attorneys. During the 2015-16 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**New Cases Assigned  
(in rank order)  
Public Defender Offices  
Juvenile Matters  
2015-2016**

Location	Total New Cases Assigned	Location	Average of Attorneys	New Cases Assigned Per Attorney
New Haven	757	Danbury	0.2	655
Hartford	757	Hartford	3	252
WaterburyTorrington	738	New Haven	3.5	216
Bridgeport	443	New Britain	2	202
New Britain	403	Bridgeport	2.2	201
Waterford/Willimantic	347	Waterbury/Torrington	3.8	194
Danbury	131	Waterford/Willimantic	2	174
Rockville	120	Rockville	1	120
Middletown	107	Middletown	1	107
Stamford	2	Stamford	0.8	3
<b>Total</b>	<b>3805</b>	<b>Total</b>	<b>19.5</b>	<b>195</b>

**Active Cases Pending  
(in rank order)  
Public Defenders Offices  
Juvenile Matters  
2015-2016**

FY 14-15			FY 16-17		
Location	Average of Attorneys	Active Cases Pending July 1, 2015	Location	Average of Attorneys	Active Cases Pending July 1, 2016
Waterbury/Torrington	4	391	Hartford	3	389
Hartford	3	324	New Haven	3.5	354
Waterford/Willimantic	2	318	Waterbury/Torrington	3.8	317
New Haven	3.6	252	Waterford/Willimantic	2	218
New Britain	2	172	New Britain	2	119
Bridgeport	2.4	166	Bridgeport	2.2	97
Rockville	1	129	Middletown	1	84
Middletown	1	108	Rockville	1	82
Danbury	0.5	103	Danbury	0.2	73
Stamford	0.6	90	Stamford	0.8	39
<b>Total</b>	<b>20.1</b>	<b>2053</b>	<b>Total</b>	<b>19.5</b>	<b>1772</b>

CONNECTICUT DIVISION OF PUBLIC DEFENDER SERVICES



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