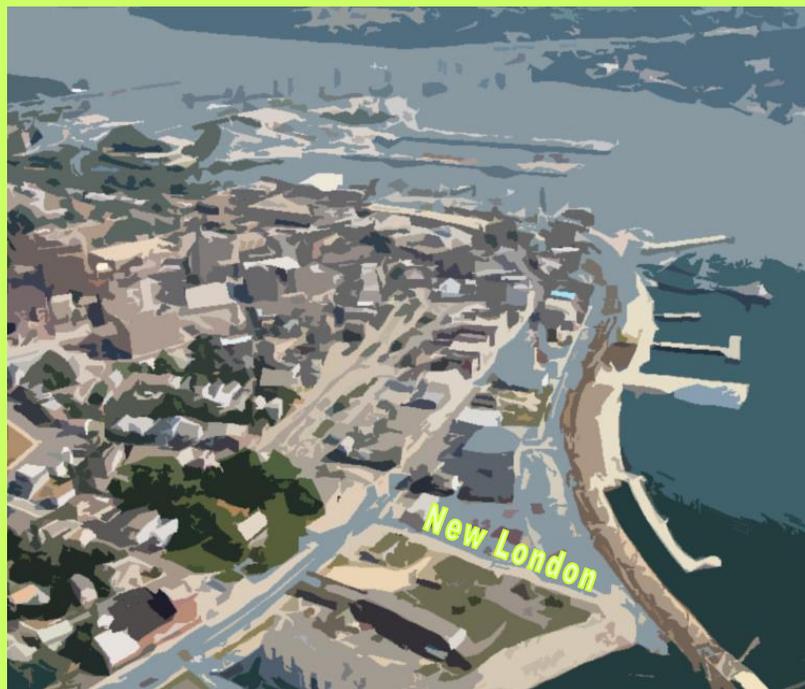
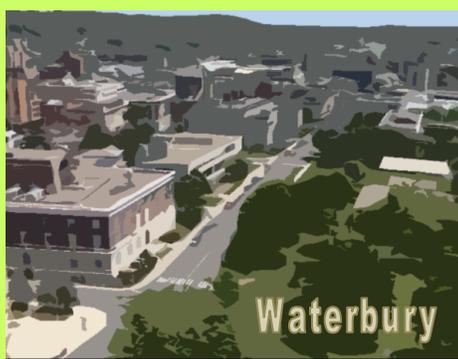
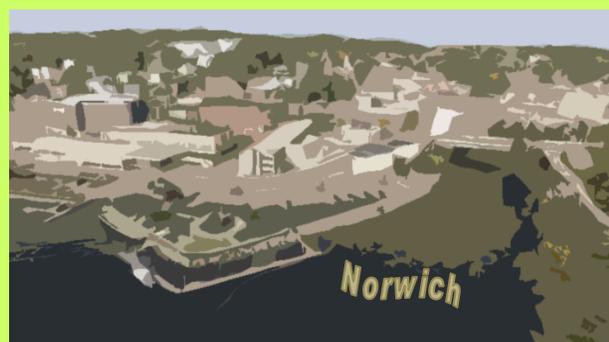


Connecticut Division of Public Defender Services



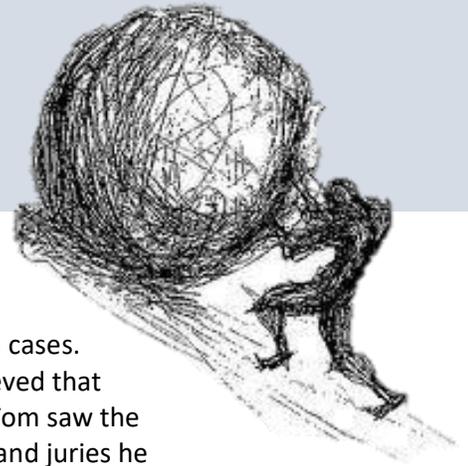
**Our Clients' Communities
Are Our Communities**



2018 Annual Report of the Chief Public Defender

DEDICATION

THOMAS J. ULLMANN



In April, 2018, the Connecticut legal community lost an icon, Public Defender Thomas Ullmann. Tom was the consummate public defender. He fought fearlessly, never shying away from the most difficult and controversial cases. No matter how horrible the crime charged might be, he firmly, devoutly believed that every accused deserved the best defense of his sacred constitutional rights. Tom saw the humanity in the client and worked to convey that to the judges, prosecutors and juries he appeared before. If you were lucky enough to watch him in person, you noticed that he never made any routine arguments. Whether bail arguments or sentencings, every client was treated as an individual and Tom's arguments reflected the care he had for them. He was impressive in the lock up, talking to clients about the merits of their cases and the offer. He had a way of speaking to clients that conjured trust and respect. They knew they were in good hands.

Tom sought to impart his vision and his passion to other lawyers, advocates and students. He wanted to instill a commitment to access to justice in a new generations of lawyers. He made time to mentor and brainstorm and was quick to take an inexperienced lawyer on as a second chair. He served the legal community on boards and committees but leaves a special legacy in the Connecticut Sentencing Commission, which he helped to create. He taught that the art of the trial is what keeps the right to counsel fresh. Tom also taught us to be compassionate and to treat clients as individuals. This is so important in a system that seems to favor speed and settlement over the adversarial process that leads to true justice for all.

He was the model of a brave and vigorous attorney, but he was also a wonderful person. Tom was excited to retire and spend time with Diana, his wife, and he was so proud of his two sons. I don't know how he managed to work so hard and maintain a fruitful family life but he did. Tom's family generously shared him with the legal community for so many years and we all owe them thanks.

The Constitution gives a person the right to counsel if their liberty could be infringed by action of the government. This liberty interest is a thing we Americans hold dear. It keeps us free to speak, practice religion and be free from arbitrary searches. It is meaningless if every person, regardless of race, gender, citizenship or financial status does not have access to counsel who will work to secure justice for that individual. We were lucky to be in the place where this right was protected by Tom Ullmann. He taught us to raise novel issues of law, search for the truth and be committed to going to trial. We dedicate this annual report to Tom and to the ideals he represented. May we all seek to practice life and law as Tom did.

- *Christine Rapillo*



June 14, 1950-April 14, 2018

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CHAPTER TWO: ORGANIZATION AND ADMINISTRATION

The 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.

As of October 1, 2017, the chief administrative officer for the Division, appointed by the Commission, is *Chief Public Defender Attorney Christine Rapillo*. The *Deputy Chief Public Defender is Attorney John Day*. The duties of the Chief Public Defender are specified in Sec. 51-291, C.G.S., and include supervision of all

ORGANIZATION AND ADMINISTRATION

Workforce Analysis-Division of Public Defender Services

This comparison is based on the Division's 367 employees as of October 1, 2018. Workforce availability figures are based on the 2006-2010 American Community Survey as reportable by the U.S. Census Bureau.

MALES

OFFICIALS/ADMINISTRATORS	(49)		WORKFORCE AVAILABILITY
WHITE	20	40.8%	47.8%
HISPANIC/LATINO	1	1.9%	1.5%
BLACK AFRICAN AMERICAN	3	6.1%	3.3%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	1	2.0%	2.9%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.3%

FEMALES

OFFICIALS/ADMINISTRATORS			WORKFORCE AVAILABILITY
WHITE	22	44.9%	30.2%
HISPANIC/LATINO	0	0.0%	1.2%
BLACK AFRICAN AMERICAN	2	4.1%	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%

MALES

PROFESSIONALS	(198)		WORKFORCE AVAILABILITY
WHITE	78	39.2%	33.3%
HISPANIC/LATINO	3	1.5%	1.0%
BLACK AFRICAN AMERICAN	5	2.5%	3.0%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.1%
ASIAN	0	0.0%	4.2%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.0%
TWO OR MORE RACES	0	0.0%	0.2%

FEMALES

PROFESSIONALS			WORKFORCE AVAILABILITY
WHITE	91	45.7%	41.6%
HISPANIC/LATINO	5	2.5%	1.4%
BLACK AFRICAN AMERICAN	13	6.5%	5.4%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	4	2.0%	3.7%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.0%
TWO OR MORE RACES	0	0.0%	0.3%

ORGANIZATION AND ADMINISTRATION

MALES

PROTECTIVE SERVICE WORKERS (NON-SWORN)	(50)		WORKFORCE AVAILABILITY
WHITE	17	34.0%	34.2%
HISPANIC/LATINO	10	20.0%	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%

FEMALES

PROTECTIVE SERVICE WORKERS (NON SWORN)			WORKFORCE AVAILABILITY
WHITE	20	40.0%	37.2%
HISPANIC/LATINO	2	4.0%	2.4%
BLACK AFRICAN AMERICAN	1	2.0%	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%

MALES

ADMINISTRATIVE SUPPORT	(70)		WORKFORCE AVAILABILITY
WHITE	2	2.9%	24.7%
HISPANIC/LATINO	2	2.9%	1.8%
BLACK AFRICAN AMERICAN	2	2.9%	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%

FEMALES

ADMINISTRATIVE SUPPORT			WORKFORCE AVAILABILITY
WHITE	35	50.7%	44.2%
HISPANIC/LATINO	15	21.7%	3.3%
BLACK AFRICAN AMERICAN	11	15.9%	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%

MALES/FEMALES

SUMMARY OF WORKFORCE

TOTAL MALES	145	39.5%
TOTAL FEMALES	222	60.5%
TOTAL MINORITY	82	22.3%
TOTAL MINORITY FEMALES	54	24.3%
TOTAL MINORITY MALES	28	19.3%

2017/18

CONNECTICUT PUBLIC DEFENDER SERVICES COMMISSION

Member	Appointed by
Thomas J. Rechen, Esq. Chair	Governor
G. Kenneth Bernhard, Esq.	Senate Minority Leader
Hon. Hillary Strackbein	Chief Justice
Hon. William R. Dyson	House Republican Leader
Aimee C. Golbert, LCSW	Senate President Pro Tempore
Atty. Ramona Mercado-Espinoza	Speaker of the House
Hon. Elpedio N. Vitale	Chief Justice

**CHIEF JUSTICE:
APPOINTS TWO JUDGES**

**GOVERNOR:
APPOINTS CHAIRMAN**

**GENERAL ASSEMBLY LEADERS:
APPOINT FOUR MEMBERS**

SPECIALIZED UNITS:

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

**PUBLIC DEFENDER
SERVICES COMMISSION**

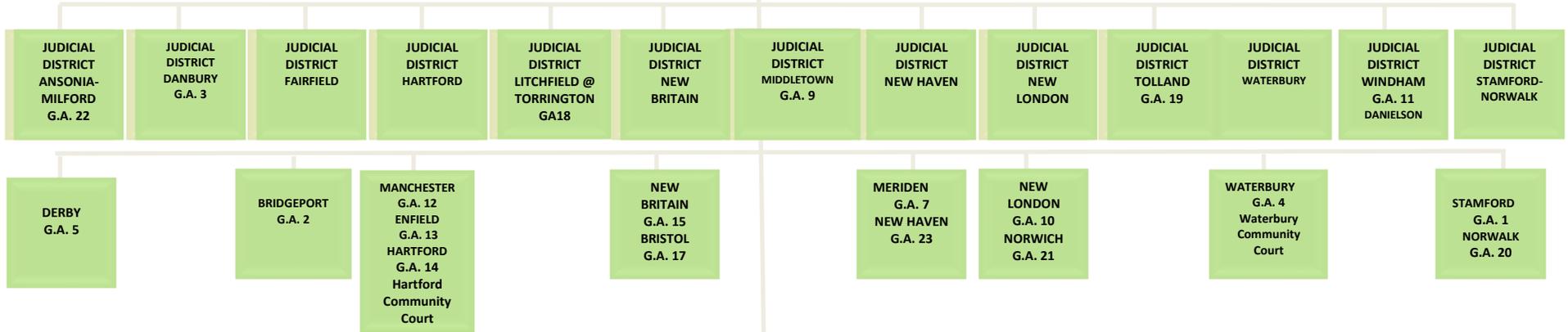
**OFFICE OF THE
CHIEF PUBLIC DEFENDER**

30 Trinity Street, Hartford, CT 06106

- CHIEF PUBLIC DEFENDER
- DEPUTY CHIEF PUBLIC DEFENDER

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 & RESEARCH
- INFORMATION SYSTEMS BUSINESS MANAGER



DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION
30 Trinity Street, 4th Floor, Hartford, CT 06106

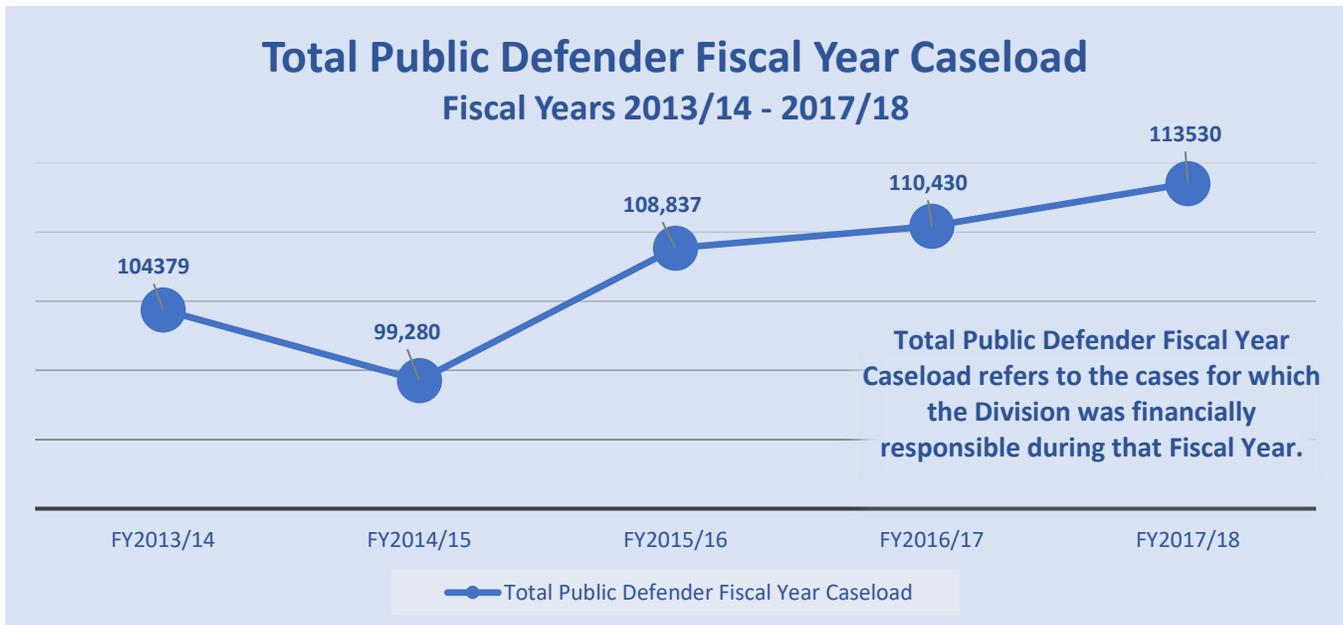


CHAPTER THREE: CASELOAD

T

Total Public Defender Fiscal Year Caseload

During FY2017/18, the total public defender Fiscal Year Caseload¹ was 113,530. This is nearly a 3% increase over FY2016/17. This figure includes assignments of 23,846 Assigned Counsel cases, 299 appeals, and 443 habeas cases in addition to the caseloads of Juvenile Matters, Geographical Area and Judicial District field offices.



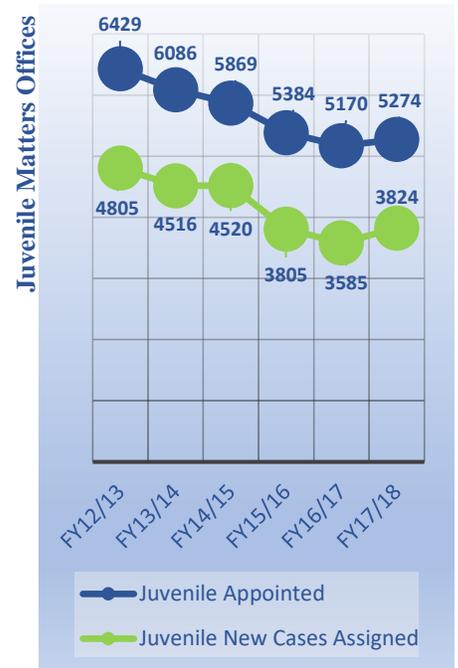
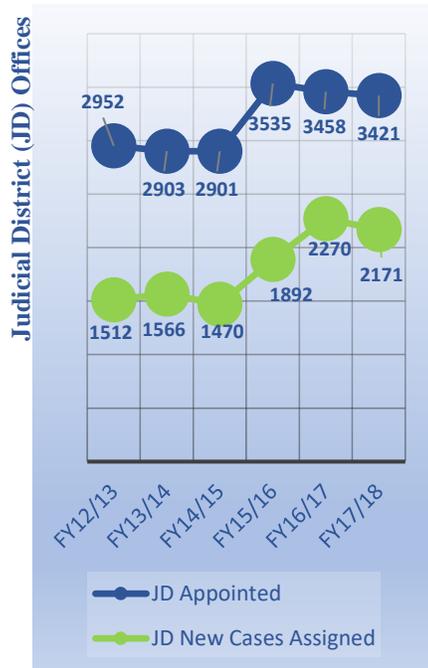
The three charts on the next page reflect both the “cases appointed” and the “New Cases Assigned (NCA)”² for the Judicial District (JD), Geographical Area (GA) and Juvenile Matters³ offices over the course of the last six fiscal years. See footnote 2 below for a detailed definition and history of these two caseload statistics.

¹ “Fiscal Year Caseload” is presented in three steps. 1) The first is defined as total GA, JD and Juvenile Matters cases pending on 7/1/17 (28,844) + cases appointed in those offices during FY2017/18 (77,831) minus cases transferred from those offices during the fiscal year (17,733). The second adds in the cases sent out to Assigned Counsel during FY2017/18 (total of 112,778) and 3) the third adds the 443 habeas and 299 appeals assigned during FY2017/18. The final calculation (113,530) represents all of the cases for which the Division is financially responsible.

² Caseload Goals & Analysis: The adoption of “Caseload Goals” in 1999 redefined “Caseload” as “New Cases Assigned” (NCA), 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. Judicial District offices calculate NCA by weighting murder and non-death penalty capital cases as two (2) cases, (by adding one [1] 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. The “Caseload Goals Analysis” tables in the Appendix reflect NCA per attorney to assess caseload goals in each public defender office. The number of attorneys in the JD and GA locations used to calculate NCA p/attorney has been reallocated in offices where the same staff handles JD and GA business. In these offices, a staff attorney is shown as working in only the JD or GA although he/she may handle both types of cases.

³ Note: The Juvenile Matters caseload discussion that has historically been located within the Caseload (Chapter Three) Chapter is now in a standalone chapter entitled “Juvenile Matters and Child Protection” (Chapter Five).

Field Office Appointed and New Cases Assigned (NCA) Trends Fiscal Years 2012/13 – 2017/18



Note: Juvenile Matters Appointed and NCA now include Child Protection Cases handled by Division Juvenile staff (468 CP appointments in FY2017/18)

Judicial Districts. The percentage of appointed JD cases decreased for the third year in a row with 1.1% fewer cases than in FY2016/17. After the caseload statistic known as New Cases Assigned (NCA) increased by almost 400 cases in FY2016/17, this FY saw a 4.4% decrease. Despite the decrease, NCA was still almost 300 cases higher than it was in FY2015/16. This continues to be the likely result of more cases handled in-house as part of the efforts to reduce Assigned Counsel costs.

Geographical Areas. Collectively, the GA offices saw an increase in both cases appointed (+5.5%) and new cases assigned (+3.4%) in FY2017/18. Despite an uncharacteristic dip in both categories last FY, this year's numbers exceeded FY2015/16 values and continued the trend of increasing appointments and cases the field offices kept during the year.

Evaluation of Caseload Goals

In order to ensure 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.

Going forward, the Division and Commission are committed to evaluating our current performance measures against the national standards. Through a thorough evaluation, the new administration endeavors to explore various key performance indicators that best reflect caseload and workload and how they impact client services.

Major Felony Cases

As noted in many prior years, the Division has had concern over the number of major felony cases remaining in the Geographical Area (GA) courts. Compared to previous Fiscal Years, a smaller percentage of major felony cases (91.3%) remained in the GA courts.

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 because 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.

Major Felony Measures

Compared to 28.1% during FY2016/17, 32.8% of all new cases appointed in the GA are felonies (includes 10.4% major felonies, 17.5% minor, and 4.1% unclassified felonies). Major felonies accounted for 56.8% of new cases appointed in JD offices.

JustWare Case Management System (CMS)

FY2016/17 was the first full Fiscal Year within which the Division relied solely upon the JustWare Case Management System (CMS) to produce reports for docket management and caseload tracking for all adult GA, JD (and Juvenile Matters) offices. 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.

Assigned Counsel (Formerly known as Special Public Defenders)

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. As noted above, in

PUBLIC DEFENDER OFFICES: TRENDS IN CASELOAD AND STAFFING

POSITIONS	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Attorneys	209	214	217	224	221	210	192	197
Clerical	62	86	79	68	68	67	57	65
Investigators	59	56	60	60	60	56	53	51
Social Workers	40	32	33	41	41	36	33	33
Exempt or Other Staff (Administrative)	33	25	22	23	26	24	31	21
TOTAL	403	413	411	416	416	393	366	367
Judicial Districts								
Judicial Districts	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Major Felonies	1456	1483	1544	1404	1455	1905	1853	1911
Minor Felonies	264	315	321	320	321	298	256	231
Misdemeanors	179	142	135	152	152	161	159	156
Total (Includes MV, VOP and Other)	2800	2909	2915	2903	2826	3535	3458	3421
Geographical Areas*								
Geographical Areas*	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Major Felonies	8072	8457	7929	7437	7502	7654	6951	7528
Minor Felonies	14257	14801	12772	12881	13052	12943	11856	11858
Misdemeanors	26503	27036	25439	25660	24944	26060	25514	25056
Total (Includes MV, VOP and Other)	66821	69572	62978	63266	62051	68632	66822	67589
Juvenile Matters								
Juvenile Matters	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Serious Juvenile Offenses	643	613	821	794	758	646	727	552
Other Felonies	563	752	993	1000	935	1254	1303	1257
Misdemeanors	4349	3861	4297	3992	3857	2895	2665	2201
TOTAL (includes Other)	5569	5443	6282	6086	5629	5384	5170	4806
Judicial Districts								
Judicial Districts	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Major Felonies	52%	51.0%	52.3%	48.4%	50.2%	53.8%	53.6%	56.8%
Minor Felonies	9.4%	10.8%	10.9%	11.0%	11.1%	8.4%	7.4%	6.8%
Misdemeanors	6.4%	4.9%	4.6%	5.2%	5.2%	4.6%	4.6%	4.6%
MV, VOP and Other	32%	32.6%	31%	32.2%	31%	33.2%	31.4%	31.8%
Geographical Areas								
Geographical Areas	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Major Felonies	12.1%	12.3%	12.5%	11.8%	12%	11.2%	10.4%	11.1%
Minor Felonies	21.3%	21.3%	20.1%	20.4%	20.8%	18.8%	17.7%	17.5%
Misdemeanors	39.7%	40.7%	40.1%	40.6%	39.8%	37.9%	38.2%	37.1%
MV, VOP and Other	26.3%	25.3%	26.5%	26.6%	26.4%	32.1%	33.8%	34.3%
Juvenile Matters								
Juvenile Matters	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Serious Juvenile Offenses	11.5%	11.3%	12.8%	13.0%	12.9%	12%	14.1%	11.5%
Other Felonies	10.1%	13.8%	15.4%	16.4%	15.9%	23.3%	25.2%	26.2%
Misdemeanors	78.1%	70.9%	66.8%	65.6%	65.7%	53.7%	51.5%	45.8%
Other	.3%	4.1%	2.7%	0.0%	1.3%	11.0%	9.2%	16.5%

CHAPTER FOUR: PUBLIC DEFENDER DEPARTMENTS & SPECIALIZED UNITS



This chapter describes each specialized unit and department within the Division of Public Defender Services. Where applicable, staffing, caseloads, training, legislation and trends are provided. The agency includes the following specialized units: Assigned Counsel, Connecticut Innocence Project/Post Conviction Unit, Legal Services Unit (Appellate), Psychiatric Defense Unit and the Juvenile Post-Conviction Unit¹. Administrative staff from the Office of Chief Public Defender have also provided the following department updates: Legal Counsel, Director of Training, Chief Social Worker, Chief Investigator, Manager of Systems, Manager of Legal Technical Planning & Staff Support, and the Manager of Information Services and Research.

ASSIGNED COUNSEL (FORMERLY SPECIAL PUBLIC DEFENDERS)

Staffing

Director of Assigned Counsel – Alix Walmsley
Four (4) Staff

Located at: 30 Trinity Street, 4th Floor, Hartford, Connecticut 06106

Staffing

The Assigned Counsel unit was staffed during FY 2017/18 by four staff members and one Director of Assigned Counsel. The Assigned Counsel unit is located at the Office of Chief Public Defender.

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 to case assignments and compensation, the database has been expanded to include the approval and compensation of expenses and experts.

There were approximately four hundred and twenty nine attorneys contracting with OCPD during FY2017/18.

¹ Juvenile Post-Conviction Unit update is now located in “Chapter 3: Juvenile Delinquency & Child Protection”.

Case Assignment Statistics

AC Assignments FY2016/17- 2017/18		
Assigned Counsel Criminal Assignments	2016/17	2017/18
GA Courts	5410	4490
Juvenile Delinquency	1253	902
JD Courts	727	633
Habeas Matters	487	398
Appellate Matters	231	250
Assigned Counsel Child Protection /GAL Matters	2016/17	2017/18
Child Protection	12081	15886
Family Court GAL	500-600 (estimate)	243

Training

All attorneys awarded an Assigned Counsel agreement are offered a variety of training opportunities throughout the fiscal year and must be in annual compliance with the continuing legal education (CLE) requirements necessary to maintain a Connecticut license to practice law. 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, Assigned Counsel serving as an AMC/GAL in Family Court must attend a minimum of 20 hours of preservice training and otherwise qualify with CT Practice Book sections 25-62 and 25-62a. In addition, many Assigned Counsel attorneys regularly take the opportunity to attend many seminars offered throughout the year. The Assigned Counsel unit was staffed during FY 2017/18 by four staff members and one Director of Assigned Counsel. The Assigned Counsel unit is located at the Office of Chief Public Defender.

CONNECTICUT INNOCENCE PROJECT/POST CONVICTION UNIT (CTIP/PCU)²

Staffing

One (1) Director of CTIP/PCU: Attorney Darcy McGraw	One (1) Investigator
Two (2) Senior Assistant Public Defenders	Two (2) Paralegals
Two (2) Assistant Public Defenders	One (1) Secretary
One (1) Senior Case Analyst	
Three (3) Summer Interns (Quinnipiac School of Law)	

Located at: 2275 Silas Dean Highway, Rocky Hill, Connecticut 06067

The Connecticut Innocence Project and Post-conviction Unit (CTIP/PCU) focuses principally on the identification and litigation, where necessary, of claims of actual innocence or constitutionally flawed convictions. CTIP/PCU reviews both DNA and non-DNA cases. CTIP/PCU also initially reviews and processes all pro se habeas matters filed with the court for referral to the Office of Assigned Counsel.

Caseload

During FY2017/18 the CTIP pending cases declined slightly (50 cases to start the FY and 43 at the close). Similarly, incoming and outgoing case counts also declined from last year with 56 opened (83 opened last FY) and 64 closed (84 cases closed last FY).

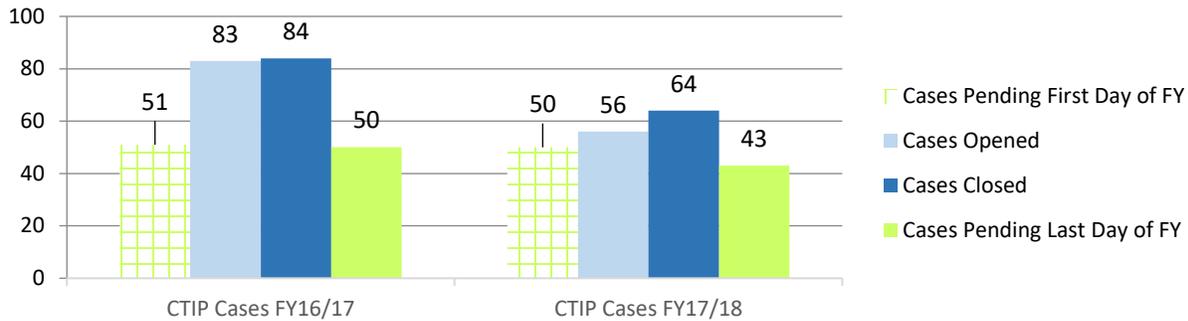
Caseloads for Habeas cases are counted by cases received, inquiries opened, number of active cases and number of cases closed. The two charts below indicate caseload for habeas and CTIP cases, respectively, in FY2017/18.

Habeas Assignments FY2016/17- 2017/18

Habeas Cases	2016/17	2017/18
Cases Received from the Court	525	443
New Inquiries Opened	91	155
Inquiries Turned into Active Cases	32	49
Petitions Returned to Court	15	11
Withdrawn Prior to Appointment of Counsel	3	2
Consolidated Prior to Appointment	2	6
PA 15-84 Parole Cases		
Assigned	19	24

² The Connecticut Innocence Project (CTIP) and the Post-Conviction (Habeas) Units were combined during FY13/14 to create one specialized unit of the Office of Chief Public Defender and are located in Rocky Hill, Connecticut.

CTIP Caseload Movement FY2016/17 – 2017/18



Major Developments

Working together with the Innocence Project, Mr. Leroy Harris was released from prison after over two decades of incarceration when DNA evidence established that the state’s theory at his criminal trial was wrong.

CTIP/PCU was featured in a documentary film written, produced and directed by Yale students Keera Annamaneni, Matt Nudel, and Lukas Cox. The film chronicles the wrongful conviction and release of Scott Lewis, and his co-defendant Stefon Morant notwithstanding powerful evidence of the men’s innocence. The film was shown to a crowd of over 200 at Yale University’s Luce Hall on September 1, 2018. It was also shown at the Liman Center for Human Rights at Yale Law School where CTIP’s Ali Harrington is now a Senior Liman Fellow in Residence. The film documents the extremely heavy burden faced by individuals making claims of wrongful conviction.

CTIP joined the Innocence Project (New York) as amicus in the case *State v. Harris*, 330 Conn. 91 (2018). *Harris* is a significantly positive step toward prevention of wrongful convictions. The Connecticut Supreme Court addressed the most troublesome cause of wrongful conviction: unreliable eyewitness identification testimony. In

Peter Palmer 1966 - 2018

It is with great sadness that we remember CTIP Investigator Peter Palmer. Pete passed away unexpectedly in September 2018. Pete was an investigator with the Division for over 26 years. He worked in our New Britain GA and Windham JD/GA offices before joining the Capital Defense and Trial Services Unit (CDTSU) in June 2000. In CDTSU, Pete worked tirelessly for his clients even under the most immense pressures. In February 2008, Pete moved on to work for our Connecticut Innocence Project (CIP) and brought the same passion and tireless work ethic to that position.

Pete will be remembered by those of us in the Division who knew him as a fighter, an advocate, a funny and loving coworker, and a friend. Our thoughts go out to his former and current clients, anyone who worked with Pete and, of course, his beautiful family. You will be sorely missed.



Harris, the Supreme Court made significant new procedural changes to assessing reliability of identifications under the Connecticut Constitution. The Court brought Connecticut in line with the most up-to-date science concerning the fallibility of such eyewitnesses. Additionally, the Court adopted the new burden shifting procedure as recommended by the amicus.

CTIP participated in the Habeas Working Group, a committee of Division attorneys, outside attorneys, and law professors seeking to examine the best ways to reform the existing post-conviction system to improve efficiency without sacrificing our clients' ability to be heard.

Mr. Tyrese Bowens' habeas trial, in which flawed eyewitness testimony is alleged to have created a due process violation, is on appeal to the Appellate Court. Mr. Bowens was a client of Tom Ullmann who sincerely believed in his client's innocence. This will be an issue of first impression. The unit also had trials in two *Miller/Graham* cases claiming various constitutional errors, and a trial in a case alleging serious Brady violations.

Juvenile Justice Initiative

Attorney Alexandra Harrington continued to coordinate the litigation of parole hearings mandated by Conn. Gen. Stats. 15-84. The hearings are conducted by Division attorneys, some of whom have taken on these matters as their additional cases, and Assigned Counsel. All work on these cases with the assistance of various experts, including Division Social Workers. Attorney Harrington continued to organize and conduct the legal trainings for these matters.

Professional Development

All attorneys are in compliance with the Practice Book requirements regarding CLE. Two CTIP attorneys were once again able to participate in the annual three-day Innocence Network Conference in Memphis Tennessee. Also once again, due to a generous donation from the Tow Foundation, we were able to have several of our exonerees in attendance: David Weinberg, Bobby Johnson, Stefon Morant and his wife, and Leroy Harris and his wife.

LEGAL SERVICES UNIT (LSU)

Staffing

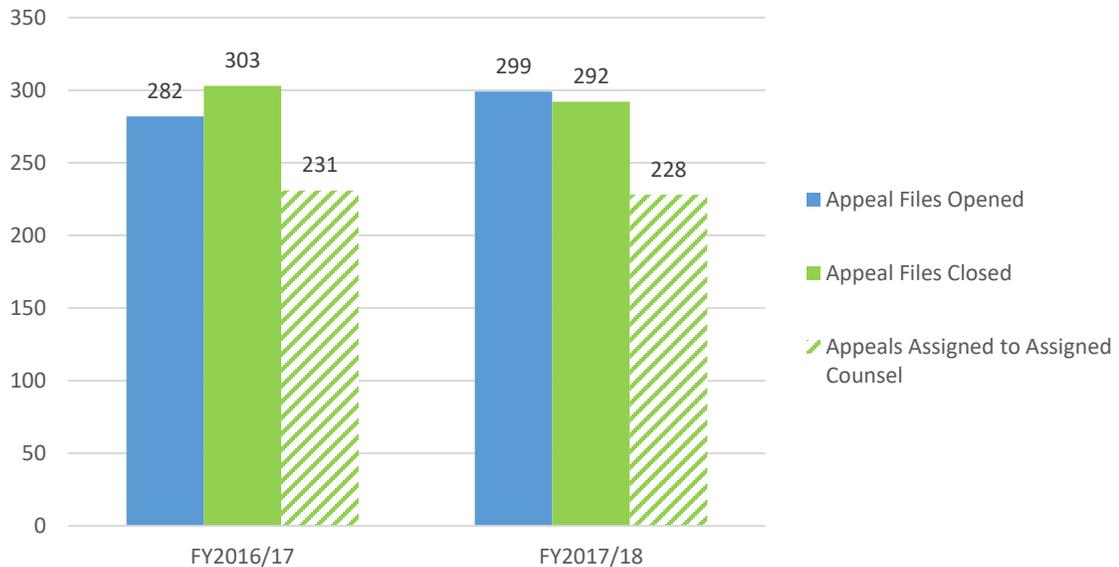
Chief of Legal Services – Lauren Weisfeld
 Nine (9) full-time attorneys
 Two (2) paralegals
 One (1) secretary

*Located at: 55 W. Main Street, Suite 430,
 Waterbury, CT 06702*

Caseloads

- 299 Appeal files opened
 - 138 direct appeals
 - 161 habeas appeals
- 292 Appeal files closed
 - 140 direct appeals
 - 152 habeas appeals
- 228 Appeals assigned to Assigned Counsel
 - 93 direct appeals
 - 135 habeas appeals

LSU Case Statistics FY2016/17- FY2017/18



LSU Litigation

Jim Streeto

Favorable Outcomes

- State v. Jerzy G., 326 Conn. 206 (2017) (with Kelly Billings): the Supreme Court held that the defendant’s appeal was not rendered moot by his deportation, in the process, substantially modifying the Aquino standard.
- State v. Lopez, 177 Conn. App. 651 (2017) (with certified legal intern Ani Desilets): reversed and a new trial granted in a DUI. The trial court erred in failing to allow cross-examination of state’s expert on the estimated blood alcohol content that the expert hypothesized the defendant displayed. The court criticized the use of estimated BACs.

- State v. Reed, 176 Conn. App. 537 (2017) (with certified legal intern Maria Vogel-Short): new trial granted based on erroneous instructions on the charged offense.
- State v. Steele, 176 Conn. App. 1 (2017) (with certified legal intern Maria Morse): defendant’s convictions for two counts of conspiracy violated double jeopardy; one count vacated on appeal.
- Singleton v. Commissioner, No. 3:10-cv-1432 (SRU): new trial granted in a federal habeas stemming from work by Kent Drager and Jim Streeto of LSU. The federal court found that the trial court’s instructions on justification and self-defense were defective, depriving the petitioner of due process.

Pam Nagy

- State v. Bush, 179 Conn. App. 108 (2018)(partial win – defendant’s sentence for conspiracy to sell narcotics was illegal – court improperly sentenced him to 20 years when most it could give him was 15 years)
- State v. Dayton, 176 Conn. App. 858 (2017) (trial court improperly denied defendant’s motion to dismiss case after case had been nolle and then redocketed more than 13 months after nolle)

Presentations, Advocacy and Trainings

In addition to the appellate work, LSU attorneys and staff also provided advocacy within and outside of the agency.

Trial Support

In addition to the favorable outcomes, training and advocacy listed above, appellate attorneys also actively participated in trial offices alongside our GA, JD and Juvenile Matters and other specialty unit staff attorneys by providing briefs, preparing for arguments, taking second chair and providing other trial support.

PSYCHIATRIC DEFENSE UNIT

Staffing

One (1) Chief of Psychiatric Services: Monte P. Radler, Esq.

One (1) Full Time Attorney

One (1) Paralegal

One (1) Part Time Attorney

One (1) Social Worker

Located At: Connecticut Valley Hospital, Psychiatric Defense Unit, Shew Hall, Silver Street, Middletown, CT 06457

PDU is a specialized unit located on the grounds of Connecticut Valley Hospital (CVH) responsible for the holistic representation of persons acquitted of crimes *by reason of mental disease or defect*³ and committed to the state’s Psychiatric Security Review Board (PSRB).

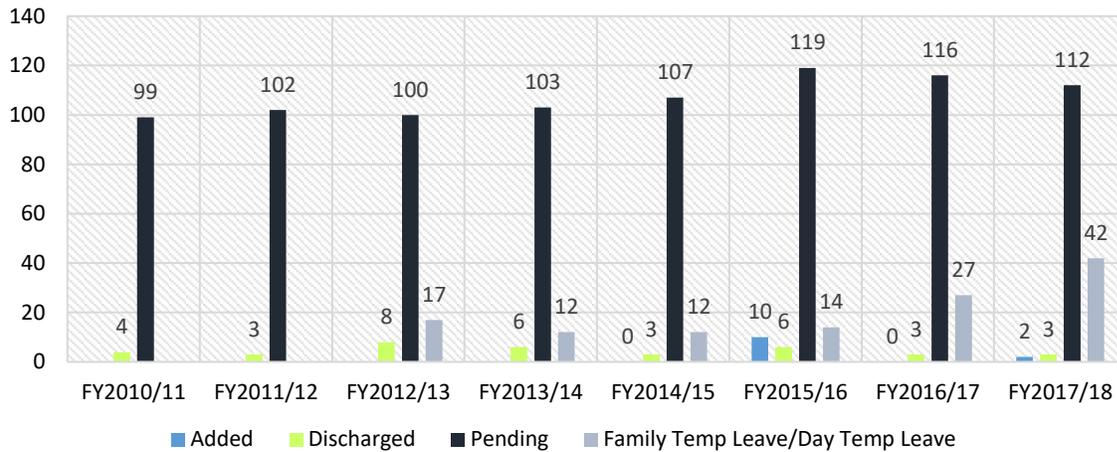
Caseload and Trends

PDU’s case responsibilities have remained stable over the last several years (see PDU Trends table below⁴) with a pending number ranging between 99 clients in FY2010/11 and 119 clients in FY2015/16. This year PDU reported the most clients on Family Temporary Leave/ Day Temporary Leave (42) since they began reporting this statistic in FY2012/13.

³ Connecticut General Statutes: **Sec. 53a-13. Lack of capacity due to mental disease or defect as affirmative defense.** (a) In any prosecution for an offense, it shall be an affirmative defense that the defendant, at the time he committed the proscribed act or acts, lacked substantial capacity, as a result of mental disease or defect, either to appreciate the wrongfulness of his conduct or to control his conduct within the requirements of the law.

⁴ “Added” was not reported by PDU until FY2015/16 and “Family Temporary Leave/Day Temporary Leave” was not reported until FY2012/13.

PDU Trends FY2010/11 - 2017/18*



Training and Education

Members of the PDU strive to stay active in community events such as Stand Down for Veterans in the Fall, as well as professional development through both in-house trainings and those presented by outside agencies and professional associations.

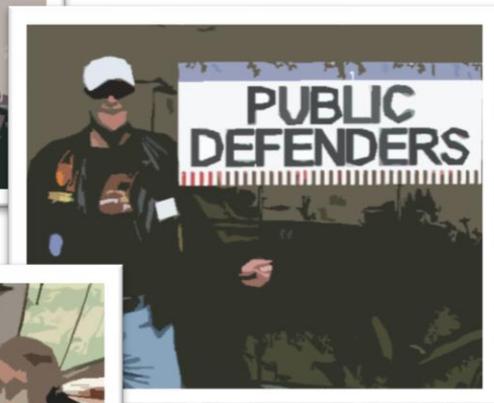
In FY2017/18, members of PDU participated in several trainings, activities and initiatives in FY2017/18: These included:

- Working with veterans, including Post 9/11 Veterans
- Attending:
 - Mental Health Summit: Spotlight on the Opioid Epidemic
 - Integrative Approaches to Pain Management
 - Jail Based Competency Restoration
 - CT Mental Health and The Law
 - NASW 33rd Annual Statewide Conference
 - Collateral Consequences of Arrest, Conviction & Incarceration
 - Talking Racial Justice
 - Preparing A DNA Case
 - Families in Poverty

Stand Down for Veterans

2017 <http://portal.ct.gov/DVA/Pages/Veterans-Stand-Down>

The Division continued its dedication to working with and for Veterans during the Department of Veterans Affairs' annual Stand Down for Veterans event held at the Connecticut Veterans Home in Rocky Hill, Connecticut. Each year, the one-day event offers veterans assistance with medical screenings, applying for benefits and free legal assistance. PDS volunteers have participated in this event for nearly three decades.



TRAINING AND PROFESSIONAL EDUCATION

Staffing

One (1) Director of Legal Education and Training: Alison Bloomquist, Esq.
One (1) Administrative Assistant

Located At: Office of Chief Public Defender (OCPD), Hartford, CT

During FY2017/18, Training and Professional Education saw significant growth in both overall programming and attendance. Overall participation increased by 25%. The biggest growth was seen at Division-created trainings, where attendance was up by 28%. This surge was due in part to an increase in the number of programs offered, including a newly redesigned weeklong trial skills clinic. The table on the following page identifies the trainings offered or attended during the year, as well as the total attendance by category.



Total Attendance **727**

DPDS Training Programs

- Ethics Roadshow
- Representing Veteran and Military Clients in Criminal Court
- Racial Justice Leadership Seminar
- Collateral Consequences of Arrest, Conviction, and Incarceration
- Talking Racial Justice
- Trial Skills Clinic
- Preparing a DNA Cases
- The Poverty Simulation
- Jury Selection and Theory Driven Voir Dire
- DPDS Annual Meeting
- Ethics with Brendan Levesque
- Ethics and the Media

28%



Total Attendance **109**

In-State Seminars/Conferences

- HC Lee Arnold Markle Symposium
- NST Leadership & Managements Skills for Women
- Das Fall & Spring
- HC Lee Crime Scene Investigations for Attorneys
- CTLA Criminal Litigation Seminar
- PESI Mental Health & The Law
- CCDLA David Ball on Criminal Defense
- HC Lee – Victim, Offender, Crime Scene

13%



Total Attendance **21**

Out-of-State Seminars/Conferences

- NLADA MacArthur Leadership Summit
- NACDL Race Matters
- MacArthur Safety & Justice Challenge
- NACDL Wicked Good Defenses
- NACDL Zealous Advocacy in Sexual Assault Cases
- NLADA 2017 Annual Conference
- Gideon’s Promise Trainer Development
- Innocence Network Conference
- NACDL Search, Seizure & Criminal Litigation
- NACDL Making Sense of Science
- National Criminal Defense College

17%

Program Highlights

One of the new programs we offered this year was the Families in Crisis poverty simulation. This program is a three-hour simulation wherein participants play a member of a family living in or near poverty, and spend a simulated month trying to make ends meet. This program is informative and powerful, even for people working in the system who see families in poverty every day. The tactile experience this simulation provides is eye opening. Over the next year, we will offer this program again and are looking to expand our audience to other stakeholders in the criminal legal system such as judges and prosecutors.



Trial Skills Clinic – The DPDS Defender Lab is born.

In March, we ran a weeklong trial skills program, now called the Defender Lab, at Middlesex Community College. The Defender Lab captures the

collaborative and exploratory nature of the program and was designed for attorneys at all experience levels. While at the Lab, participants are divided into

“Very skilled and enthusiastic presenters. They seemed thrilled to be sharing both their experiences and techniques to inspire us all to care more and do better.”

small groups with attorneys of similar trial experience. In small groups, participants work on skill assignments and receive feedback from faculty who rotate daily. Local and national experts supplement small group exercises with presentations and demonstrations. The program was incredibly popular, with over 100 applicants for 36 spots, and the feedback we received was incredibly positive.

“I thought it was amazing to learn from people I don't usually deal with and to see things from a different perspective.”



Racial Justice and Cultural Competency

Racial Justice continues to be a Division priority and the Training Department continued to support those efforts with both formal training and workshops, as well as administrative and technical support for the Racial Justice and Cultural Competency Committee. This year, the Committee, in partnership with the Chief Public Defender and the Manager of Information Services and Research (ISR), released a racial justice survey for DPDS employees. The survey sought to identify staff feelings and ideas about racial justice and inclusion and how those issues are being experienced in our courthouses and offices. The results were reviewed and discussed with staff at our “Talking Racial Justice” programs held across the state. The Chief Public Defender attended each of these programs where she answered questions

and elicited feedback. These programs were designed to open up conversations and to give staff the tools they need to continue to have constructive conversations about race and difference upon returning to their field offices. The surveys and workshops also provided valuable feedback for the Strategic Planning Committee as they drafted our Division’s mission statement and core values.

Looking Ahead

The Training Department will continue to expand programming and increase participation. In FY2018/19, we will begin a new Public Defender program in anticipation of increased hiring of new and experienced defenders. We will also continue to build partnerships in the hope of increasing multi-stakeholder training opportunities. We will continue to support and grow the Racial Justice & Cultural Competency Committee, to include expanding membership, and the creation of subcommittees.



SOCIAL WORK

Staffing

One (1) Chief Social Worker: Katie Farrell, LCSW
 Thirty Three (33) Full-time Social Workers with coverage across 39 locations including three in specialized units
 One (1) Part-time Social Worker in a Grant Position with Family Court
 Six (6) Interns in five (5) locations

Located at: Office of the Chief Public Defender (OCPD), 30 Trinity Street, Hartford, CT 06106

Staffing Trends and Innovations

Trend	Result
Nine positions remain vacant due to layoffs, retirements and resignations.	<ul style="list-style-type: none"> • Those positions were not filled in FY2017/18 • 33 social workers covered all locations • New Haven Juvenile Office position remains frozen and vacant in FY2017/18 •
Innovation	Result
Chief Social worker serves as the Chief Public Defender’s designee on various commissions	<ul style="list-style-type: none"> • Serves on the Alcohol and Drug Policy Council (ADPC) • Tri-Chairs the Criminal Justice Sub-Committee of the ADPC • Serves on the Special Committee on Sex Offenders of the Connecticut Sentencing Commission: Subcommittee on the Sex Offender Assessment and Management

Chief Public Defender, Chief Social Worker, and Manager of Information Services and Research (IS&R) envision a university partnership to enhance the understanding and training of Forensic Social Work for students entering the field, particularly in the area of indigent defense

- Discussions and planning began in earnest at the end of FY2017/18 to create an innovative new social work clinic model in the Division. Stay tuned for more details in the next annual report!

Trainings

Division social workers work with clients every day that are facing numerous collateral consequences of conviction as well as already existing substance, mental health, medical and other hurdles. Continuing professional development is critical to our social work practice by keeping our social workers abreast of all the most relevant information. The Division was able to facilitate many ongoing training and educational opportunities for its social workers through organizations such as the Connecticut Women’s Consortium (CWC) and others.

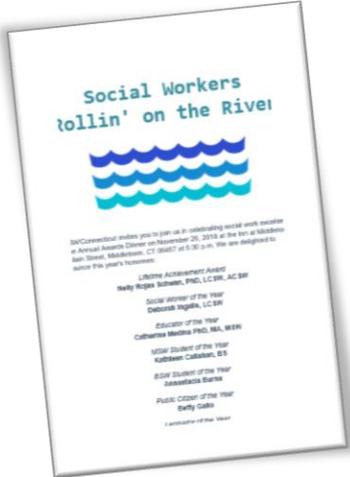
Total	Type
Twenty seven (27)	<ul style="list-style-type: none"> • Trainings/Seminars/Conferences • Events attended by one hundred three (103) social work attendees • Social Workers attended the DPS Annual Meeting
Three (3)	<ul style="list-style-type: none"> • Online Courses
Number of Attendees	Training Type and Content
Five (5)	<ul style="list-style-type: none"> • Mental Health and Treatment <ul style="list-style-type: none"> • CWC⁵ What is EMDR? • CWC - Treating OCD & Other Related Disorders • PESI Mental Health & The Law 2018
Four (4)	<ul style="list-style-type: none"> • Various <ul style="list-style-type: none"> • PESI - Nutritional & Integrative Interventions • CWC - Working with Men in Criminal Justice System • CWC - Holistic Healing and Integrative Medicine, SCSU
Four (4)	<ul style="list-style-type: none"> • Cultural Competence <ul style="list-style-type: none"> • CWC - Fostering a Gender-Responsive Culture • CWC - Demystifying Islam • CWC - Toxicity of Racism • Cultural Competence Training
Three (3)	<ul style="list-style-type: none"> • Trauma-Informed Care <ul style="list-style-type: none"> • PESI Transform Trauma and PTSD • CWC Trauma Informed Care • CWC - Supervising Staff-Trauma-Informed Approach

⁵ Connecticut Women’s Consortium (CWC)

Ten (10)	<ul style="list-style-type: none"> Assessment and Treatment <ul style="list-style-type: none"> CWC Harm reduction CWC Hopeful Conversations CWC DSM-V What You Need to Know CWC Eating Disorders CWC Assessment of Acute Risk
One (1)	<ul style="list-style-type: none"> Military and Veterans <ul style="list-style-type: none"> CWC Women Veterans
Seventy Four (74)	<ul style="list-style-type: none"> Social Work Conferences <ul style="list-style-type: none"> NASW/CT⁶ Annual Conference (15_ NLADA Social Work Conference, Philadelphia (5) DPDS Social Work Meetings (53) NLADA (1)
Two (2)	<ul style="list-style-type: none"> Sex Trafficking and Sex Cases <ul style="list-style-type: none"> MASOC Conference⁷

2018 Connecticut NASW Social Worker of the Year

The National Association of Social Workers (NASW) Connecticut Chapter honored Deborah Ingalls, Social Worker III in the Hartford GA14 office, as Social Worker of the Year for 2018. Three tables of family, friends and Division colleagues were there to celebrate this prestigious honor.



Just a handful of her admirers



Debbie accepting her honor - December 2018

⁶ National Association of Social Workers (NASW)
⁷ MASOC is the Massachusetts Society for a World Free of Sexual Harm by Youth.

Anniversaries and Milestones



2018 marked several milestone anniversaries for Division social workers across the state. Chief Social Worker, Katie Farrell, would like to acknowledge those years of service.

Congratulations to these dedicated, hard-working social workers who make the lives of their clients better every day.

INVESTIGATIVE DIVISION

Staffing

One (1) Chief Investigator: Ellen Knight
Fifty-three (53) Investigators in all Public Defender JD, GA, Juvenile and Specialized Units
Thirty Three (33) Undergraduate Interns

Located at: Office of the Chief Public Defender (OCPD), 30 Trinity Street, Hartford, CT 06106

Overview

The Investigative Division is comprised of the Chief Investigator and 53 investigators. In FY2017/18, while the number of investigators continued to decline due to retirement and resignations, fortunately we hired new investigators to replace many of them. While the Division is still short due to budget issues, investigators continue to provide investigative services despite managing increased caseloads and covering multiple offices.

Service, Collaboration, and Innovation

As the Division seeks ways to be efficient with our resources, Investigators continue to make meaningful contributions. Investigators help reduce outsourcing and accomplish significant savings for the Division

by serving all subpoenas for Assigned Counsel in criminal, habeas, and child protection cases, as well as for all Public Defender cases in all these same practice areas. Investigators also continue to collaborate with Public Defender social workers to work on P.A. 15-84 juvenile parole cases. These cases require investigations into the background of clients in preparation for their hearings. Investigators have also worked in conjunction with attorneys and social workers on the In-house Assigned Counsel Project. This project is an effort to mitigate Division expenditures on Assigned Counsel and involves conducting investigations, often at some distance from their own office, in addition to investigators' own daily caseloads.

The Investigator Internship Program continued to grow in FY 2017/18 with an increase to thirty-three interns. Our intern orientations provide information about the investigators role, constitutional and ethical issues concerning our work, and relevant legal and administrative mandates of both our Division and agencies with whom interns may come in contact.

This year we have begun collaborating with our nearby states in training and sharing mutually available resources and information and hope to build on that in the coming year.

Investigator working groups were also active this year. Our working groups, some of which involve the lead Investigators, are critical in assessing needs, identifying solutions, and reaching out to other investigators about these matters. Topics this year included financial eligibility determinations and applications, and an evaluation and comparison of our current investigative database (CLEAR) with a prospective one (LEXIS). We finished the fiscal year with a switch from CLEAR to LEXIS with the assistance of the administrative department and the approval of the Chief Public Defender.

Training

FY2017/18 was a robust training year for investigators. Digital Forensics training was developed specifically for PDS investigators by the Chief Investigator and Digital Forensics Specialists from IRIS, LLC. Designed for the legal team as a whole, Digital Forensics training recognizes the need for attorney knowledge and involvement in this area. "Managing Digital Evidence for the Legal Team" was held in April and was very well attended.

Investigators also attended other State and National Seminars and Trainings in CT, NY, VT and FLA, including two programs held at the University of New Haven entitled the Henry Lee Arnold Markle Symposium and the Henry Lee Institute on “Victim, Offender and Crime Scene”. Several investigators attended the NDIA National Conference in Maryland. In FY2017/18 eighty-six (86) investigators attended nine (9) different trainings and conferences.



Awards

In January 2018, Lead Investigator Matt Whalen (New Haven JD) was elected President of the NDIA, our national organization for State and Federal Public Defender Investigators. Matt previously served as President from 2004 – 2009. In addition to regional and national training provided by the NDIA, the large national membership serves as an important resource for all of us in our work.



INFORMATION TECHNOLOGY (SYSTEMS) DEPARTMENT

Staffing

One (1) Systems Manager: John Morrisson
Two (2) Support Specialists
One (1) Network Administrator

Located At: 30 Trinity Street, 4th Floor, Hartford, Connecticut 06106

IT Infrastructure

In 2018, the Division continued to add components and functionality to its IT infrastructure. Our mirrored data center sites are at the Office of Chief Public Defender located at 30 Trinity Street, Hartford, Connecticut and 400 Grand Street, Waterbury, Connecticut. A request for proposal (RFP) was issued by DPDS in 2018 in order to modernize and upgrade its IT infrastructure. By continuing to update and upgrade our servers, file storage arrays, computer systems, switches, and management software, the Division will be able to consolidate resources, manage and secure users data, and provide greater access and control over resources across our wide area network. Our data centers continue to be an important platform for the Division because users' data is protected from 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 while their data would remain in the same place (the centralized servers). In addition, enabling offline files enables laptop users to have access to server storage data when not connected to a Division data center.

Microsoft Office 2016

In 2018, the Division is continuing to benefit from its recent upgrade to Microsoft Office 2016 Suite. The upgrade has allowed the Division to remain compatible with other state agencies and to further increase productivity. In addition, few converted to the Judicial Department's Microsoft 2016 Exchange server; allowing the Division to convert all email accounts to Exchange email accounts. The configuring of Exchange email accounts enables users to retrieve all emails from any phone, tablet or other device while outside to office.

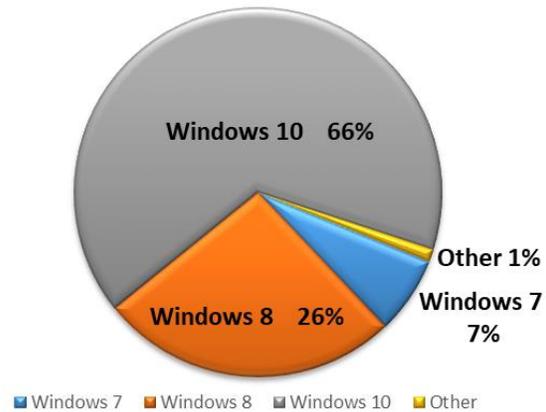
Operating Systems and Hardware

The IT department continued to focus on upgrading our operating systems and improving the functionality of our current systems. New multifunction copy/printer/scanner systems replaced older printers. These provide staff better access to scan case file materials into the JustWare Defender Case Management

System. New computer systems purchased in 2018 replaced systems that had reached their 5-year warranty. These older systems had become less reliable in handling the increased production

Staff	Desktop	Laptop
Admin. Staff	18	11
Attorney	6	208
Clerk / Secretary	58	7
Intern / Shared	40	14
Investigator	12	43
Social Worker	11	24
Servers	4	0
Total	149	307

Computer Operating Systems



requirements of today’s software and user demands

Security

In 2018, the Division transitioned from Kaspersky Anti-Virus software to *McAfee Endpoint Security* software. This change allowed us to continue to protect our computer systems and servers with low-impact user scans and minimal impact to system resources. *McAfee ePO Management* dashboard allows for greater visibility and customized policies and security initiatives. With McAfee’s centralized managed *Endpoint Threat Protection*, the systems department can more easily protect each computer from malware, spyware, and untrusted executables.

Resource Deployment

In 2018, staff downsizing continues to affect how the systems department deploys resources. Division personnel were tasked with filling in the vacancies by working in multiple offices. Desktop users were given laptops to travel between offices while retaining their computer profile. In addition, network mapping was necessary to accommodate access to multiple office resources and specialized software was installed to quickly and easily switch network configurations from one office to another.

WestlawNext

The Office of Chief Public Defender continued to subscribe to *Thomson Reuters’ WestlawNext*, which provides personnel with online legal research service. In addition to federal and state caselaw, statutes,

and law reviews, this online service provides enhanced resources such as drafting assistant- which assists with the creation of the table of authorities and cite checking.

Accurint for Government

In 2018, the Division began subscribing to *LexisNexis Accurint for Government*. *Accurint for Government* accesses databases built from public records, commercial data sets, and data provided by various government agencies. This collection of data is combined into a massive dataset enabling queries on many databases in a single step. This online tool allows our investigative staff the tools they need to better service our clients in case investigations.

LEGAL TECHNOLOGY PLANNING & STAFF DEVELOPMENT/INFORMATION SYSTEMS (IS)

Staffing

One (1) DPDS Information System Business Manager: Frank DiMatteo
One (1) System Analyst
Located At: Office of Chief Public Defender (OCPD), Hartford, CT

The IS department provides PDS employees with as much information as possible to assist with the effective representation of clients. The focus of IS in FY2017/18 was to enhance the scope of the Division’s case management system and prepare for the dissemination of access to the Connecticut Information Sharing System (CISS)⁸.

“Supporting the needs of the agency and its employees should be the primary function of technology in the workplace. “

JustWare Defender Case Management System

The Division’s case management solution was completed on schedule and under budget in the Fall of 2015. It has been the most critical component of the strategic IT plan PDS launched in 2013. Some of the features and capabilities include:

- a client-centered work environment
- more access for employees to the information they need to do their jobs

⁸ The Connecticut Information Sharing System (CISS) is a comprehensive, state-wide criminal justice information technology system that provides the ability to electronically share offender information within Connecticut’s criminal justice community (<http://www.ct.gov/cjis/cwp/view.asp?a=4097&q=480220>)

- access to vital caseload data for PDS leadership that assists with resource allocation concerns
- an increase in the overall capabilities of the Division

In addition, several enhancements have been added since its release. These include:

- additional automated documents and reporting (added throughout 2017 and 2018)
- a new customized version was created for one of PDS’s specialty offices
- training was provided to new staff over the past year and this will continue for FY2017/18 as more positions are filled

CISS Status

The Search part of the CISS application is currently being rolled out. The Search sources include CRMVS, DOC, DMV, and other criminal justice agencies within the State. Access to the system was disseminated to a group of PDS employees that formerly used the State’s Offender Based Tracking System (OBTS). The focus for next year will be to propagate access to the system to other PDS employees. This unit is currently responsible for all efforts concerning this initiative. PDS has been actively involved with the CISS effort since its inception in 2008 and will continue to play a role in its development as the application’s second major piece involves electronically providing all case materials to criminal justice agencies.

INFORMATION SERVICES AND RESEARCH (IS&R)

Staffing

One (1) Manager of Information Services & Research: Jennie Albert
 One (1) Secretary

Located At: Office of Chief Public Defender (OCPD), Hartford, CT

The Information Services and Research Department has primary responsibility for writing and publishing the Annual Report of the Chief Public Defender and providing statistical reporting of caseloads and other workload measures. This department also oversees most grant applications and grant management activities, research initiatives and local and national collaborations among indigent defense

organizations and criminal/juvenile justice agencies. IS& R has primary responsibility for document archiving and retrieval.

Partnerships and Initiatives

In FY2017/18, this department continued to cultivate partnerships with both state and national organizations and agencies. Nationally, we have been very active in the National Legal Aid and Defender Association (NLADA)'s Community Oriented Defense (COD) Network and continued participation in the NLADA Safety and Justice Challenge Leadership Team. In addition, the Manager of this Department was elected by NLADA members as the Practitioner Representative on the NLADA Defender Council.



Procedural Justice. Through this department, DPDS is in the process of implementing many of the recommendations that came out of last year's innovative Procedural Justice pilot project with the Center for Court Innovation (CCI). In addition to the efforts many offices are making to create a more inviting and informative lobby area, clients, their families and community members entering our field offices around the state may begin to see "Tiny Libraries"



popping up in our Public Defender waiting areas. Fueled completely by staff donations, these libraries offer books to our clients and communities to take free of charge. Milford GA/JD is pictured to the right and Bridgeport GA02 is pictured below.



Community Engagement. Another exciting initiative spanning this and other departments is the identification and implementation of strategies to increase community engagement. This approach was

What is Community Engagement?

Community Engagement is one of the goals of DPDS going forward. The concept of community engagement is to ensure the community we serve is a vocal partner in identifying their own needs and how we should strive to fulfill those needs as the agency that provides legal representation to the poorest and most marginalized members of those communities.

identified last Fiscal Year as one of the strategies for supporting our core values of: Commitment to Advocacy, Clients, Diversity and Excellence.



Grants Managed by IS&R

In addition to the ongoing collaborative DNA exoneration grant that the Division shares with the Division of Criminal Justice (DCJ) and the state Forensics Lab (DESPP), our Division was awarded \$410,000 for the State Enhancement Grant by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to design and implement a two-pronged approach to addressing gaps in our juvenile justice processes. The project, entitled *Early Appointment of Counsel*, will include 24/7 access to an attorney for any juvenile facing questioning in the earliest stages of an investigation. This will be implemented in one of our large metropolitan areas. The second prong provides collaborative opportunities among DPDS and the other stakeholders in the criminal justice system through a campaign of community outreach and education about recent changes to the juvenile justice system, knowing your rights, and access to services.





FAST FACTS ABOUT LITCHFIELD COUNTY:

Nicknames: Connecticut's Smallest City (Derby)

Founded in 1751

945 Square Miles

Largest City: Torrington

Population (2017): 182,177

Famous Folk: Arthur Miller, Playwright (Roxbury)
Kevin Bacon, Actor (Sharon)
Joan Rivers, Comedian (New Milford)

History: "America's first Law School, the Tapping Reeve Law School, had its beginning in Litchfield in 1775, when Mr. Reeve started teaching with his brother-in-law, Aaron Burr, as his first pupil. Well over 1200 students attended the law school during its 58 years of existence, coming from every state that then made up the Union.

Many of its graduates went on to become famous and distinguished; among them were two Vice Presidents, three Justices of the Supreme Court, ten Supreme Court judges, six Cabinet Members, ninety representatives of Congress, twenty six Senators, seventeen Connecticut Senators, six Connecticut Governors and ten Governors of other states. The school closed in 1833; however, the Law School building has been restored to its original site and, along with the Tapping Reeve House, is owned and maintained by the Litchfield Historical Society."

(Retrieved from <https://www.townoflitchfield.org/about/pages/town-litchfield-history>)

CHAPTER FIVE: JUVENILE DELINQUENCY AND CHILD PROTECTION



The Office of Chief Public Defender Juvenile/Child Protection Unit operates under the supervision of the Director of Delinquency Defense and Child Protection. This unit manages delinquency, child protection and family matters representation, training and policy development.

STAFFING AND CASELOADS

The tables below illustrate the distribution of staff under the oversight of this Unit.

Administration	<p>One (1) Director of Delinquency Defense and Child Protection</p> <p>One (1) Assistant Public Defender</p> <p>One (1) Administrative Assistant</p> <p>Three (3) Paralegals</p>
Family GAL/AMC	<p>95 Individuals and Firms</p> <p>Approximately 450-550 Cases</p>
Juvenile Field Offices	<p>Eleven (11) Offices</p> <p>Staffing:</p> <ul style="list-style-type: none"> Seven (7) Supervisory Assistant PDs Eleven (11) Assistant Public Defenders Five (5) Investigators Three (3) Fulltime Social Workers, two (2) Shared Social workers Six (6) Administrative Staff <p>Caseload:</p> <ul style="list-style-type: none"> 5,169 delinquency appointments 477 Child protection appointments
Child Protection	<p>Clients represented in all PD Field Offices:</p> <ul style="list-style-type: none"> 175 Assigned Counsel (Trial) 20 Assigned Counsel (Appeal) 15,774 appointments trial 30 Appeal Reviews
Juvenile Post-Conviction	<p>One (1) Director</p> <p>One (1) Assistant Public Defender</p> <p>One (1) Social Worker</p> <p>One (1) Paralegal</p>
Family Magistrate	<p>Eighteen (18) Attorneys and Firms</p> <p>Five (5) field offices handling contempt and capias matters</p>

DELINQUENCY LITIGATION

The juvenile public defender offices continued to diversify their practice, representing children in child protection cases and handling both regular and emergency family magistrate matters. The new cases assigned¹ decreased 6.4% from FY2016/17 (3585 cases) to FY2017/18 (3356 cases). Juvenile Public

¹ New Cases Assigned (NCA)= Appointed minus Removed during FY.

Defenders were appointed to 28.5% fewer cases involving a serious juvenile offences (SJO) during FY2017/18 (552 SJOs) compared to FY2016/17 (727 SJOs).

CHILD PROTECTION LITIGATION

Child Protection appointments increased by approximately 6% in FY 2018. Some of this is attributable to Assigned Counsel lawyers being allowed to withdraw from their cases after terminating their contracts but increases are seen in both neglect and TPR petitions, Interest of Justice (IOJ) Appointments and in the appointment of GALs for children in child protection matters. The following chart shows the caseload breakdown for child protection matters where Public Defender Attorneys or Assigned Counsel were assigned in FY2017/18.

FY2017/18	Mom	Dad	Child	LG/Other
Child Protection (CP) Attorney	4257	2986	5384	164
Termination of Parent Rights (TPR)	509	571	681	4
Appeal	5	7	0	0
Appeal Review	58	32	1	1
Interest of Justice (IOJ) ² Attorney	203	132	9	69
Guardian Ad Litem (GAL)	52	15	767	7

Appellate counsel in child welfare matters continue to litigate important issues and expand the jurisprudence in this practice area. *In re: Mariana A.* – The Appellate Court affirmed the trial court’s denial of a TPR Petition against both parents finding that DCF did not prove by clear and convincing evidence that mother had failed to rehabilitated based solely on her refusal to acknowledge alleged abusive behavior by father and also failed to prove that father had abandoned the child given that he had begun paying child support and communicating with the child prior to the adjudication date. *In re: Kyllan V.* – The respondent father appealed from the trial court judgment terminating his parental rights to one of his children based on the doctrine of collateral estoppel. More specifically, the trial court had relied on prior adjudicatory findings from a prior proceeding involving two of his other children as proof of the adjudicatory ground for this child. The Appellate Court held that this was an improper application

² IOJ=Interest of Justice, where the court orders counsel without a finding of indigence.

of collateral estoppel, reversed the trial court's judgment and remanded the case for a new trial. *In re: Egypt E. et al.* – Respondent parents appealed from the trial court judgment terminating their parental rights to Child A on the ground of acts of commission based on an injury that had occurred to a sibling (Child B) prior to the children's removal. The parents claimed that the court inappropriately relied on the theory of predictive harm as to Child A as there was no evidence of harm or any acts of commission or omission regarding Child A prior to that child's removal. The Supreme Court affirmed the trial court judgment and held that a new adjudication date was set when DCF filed an amended TPR petition; and, therefore, the trial court properly considered post-removal evidence of harmful acts of parental omission that occurred prior to the new adjudication date.

FAMILY MATTERS

Public Defender Assigned Counsel were appointed as guardian ad litem (GAL) or attorney for the minor child (AMC) approximately 450 times in family matters. OCPD has moved the family GAL/AMC practice into the Filemaker automated billing and appointment system, so a more exact number will be available next fiscal year. The Judicial Branch has formed its Standing Committee on GAL/AMC. OCPD is on the Committee and helped to coordinate and oversee the mandatory 3-day AMC/GAL training program in June, 2018.

FAMILY SUPPORT MAGISTRATE MATTERS

There are currently eighteen (18) individual and firm Assigned Counsel handling contempt and paternity matters in Family Support Magistrate Court. In addition, the Division has been working towards reducing costs for Family Support Magistrate court by increasing the amount of work done by staff attorneys. Public Defenders from New Haven Juvenile, Meriden and New Britain regularly handle family magistrate dockets. Capias coverage has also been incorporated into the Middletown and Waterbury field offices, and staff lawyers from across the state have volunteered to represent clients in emergency capias hearings.

LEGISLATION

The 2018 legislative session gave rise to significant changes in the area of juvenile justice. More specifically, PA18-31 transferred juvenile justice jurisdiction for committed youth from DCF to CSSD effective 7/1/18 and created new dispositional options of probation supervision with or without residential placement. The Connecticut Juvenile Training School was closed, and CSSD is now charged

with developing a continuum of community-based services as well as secure and staff-secure residential programs. The Office of Chief Public Defender continues to participate on the Juvenile Justice Policy Oversight Committee. That work will continue in FY 2019 as the system continues to implement these jurisdictional and resource challenges impacting youth involved in our juvenile justice system. Several child protection bills also passed, which will improve notice to attorneys regarding DCF meetings related to removal and permanency of children (See, PA18-58, PA18-186).

TRAINING

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. OCPD collaborated work with the CBA, Connecticut Legal Services, the Center for Children’s Advocacy, the Children’s Law Center, the Connecticut Juvenile Justice Alliance, CCDLA and other organizations to give agency lawyers and Assigned Counsel access to their programs. Agency attorneys and Assigned Counsel attended national conferences sponsored by the National Association of Counsel for Children and the National Juvenile Defender Center.

Staff lawyers presented trainings at areas schools, local bar associations, foster parent groups, CCDLA and local non-profits. Our lawyers sit on local and statewide review and policy boards and help shape national policy through work on the New England Juvenile Defender Center Board. Agency lawyers collaborated with the Connecticut Criminal Defense Lawyers Association to present training on litigating transfer hearings and representing youth in adult court. OCPD presented two Child Welfare Law Symposia: a half day at Quinnipiac Law School and Manchester Community College. A full-day training in collaboration with the New England Juvenile Defender Center was held in VT in August, featuring presentations on First Amendment issues and speech crimes and using adolescent development to challenge mens rea in delinquency cases. Colleague training continued with Assigned Counsel presenting programs for their peers on substance abuse evaluations, working with DCF and educational advocacy 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 was offered through contracts with Children’s Law Center, New Haven Legal Assistance and Connecticut Legal Services. . Other training opportunities included family magistrate matters , ethics in juvenile matters,

representing clients with intellectual and other disabilities, forensic interviewing, adolescent health care and teen rights, special immigrant juvenile status, among others.

JUVENILE POST-CONVICTION AND RE-ENTRY UNIT

Staffing

One (1) Director of Juvenile Post-Conviction:
James J. Connolly
Two (2) Additional Attorneys
One (1) Social Worker
One (1) Paralegal

Located at:
30 Trinity Street, 4th Floor, Hartford, CT 06106

Caseload

CASELOAD:
Appointed to 68 cases
Disposed of 127 cases
Average Daily Pending Caseload of 287 cases



Juvenile Post-Conviction Unit (pictured left to right): James Connolly, Dina St. George, Lindsey Guerrero, Mildred Doody and Jennifer Markoja.

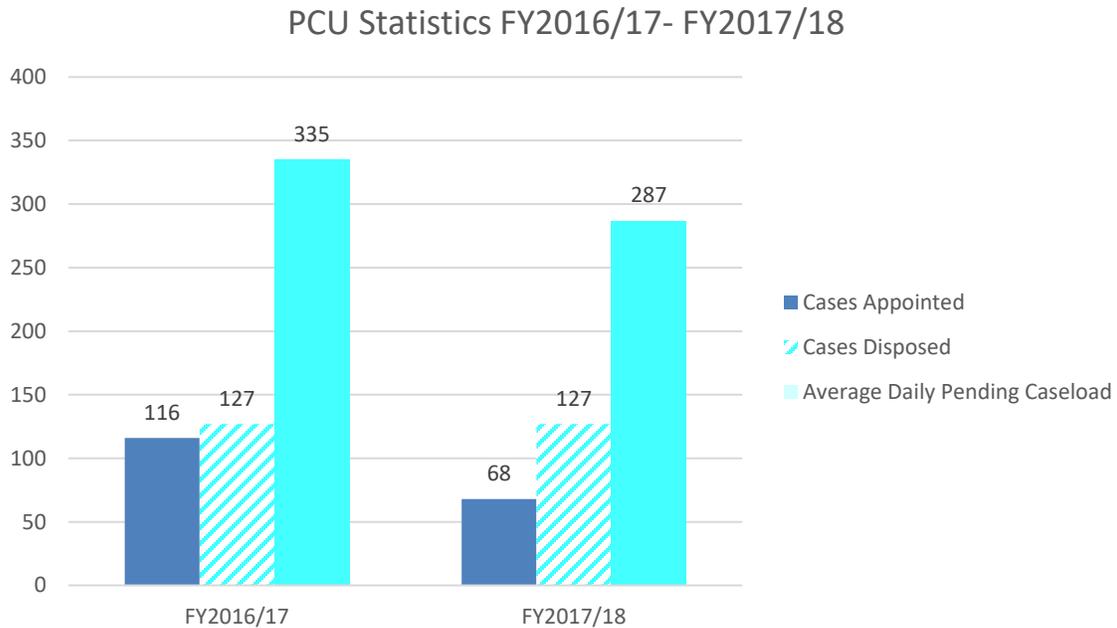
JUVENILE POST-CONVICTION

Overview

The Juvenile Post-Conviction and Re-Entry Unit, based at the Office of Chief Public Defender, is responsible for providing post-conviction advocacy to juvenile clients who have been removed from their homes and committed as delinquent to the Department of Children and Families (DCF). During the commitment period, the Unit maintains regular contact with the child and their family as well as the numerous care providers involved in the client's treatment. This oversight by the Unit is crucial in ensuring that the child receives the appropriate care and treatment to maximize the success of that child while in residential care and to prevent recidivism upon reentering their communities.

The unit functions in concert with juvenile field offices to provide holistic representation to juvenile clients. The Unit remains active in representing the clients while they are in residential treatment as well as at home on parole status.

Caseload



Trials/Litigation/Advocacy

The unit represents clients in formal juvenile court proceedings such as motions to extend commitments, motions to reopen and terminate commitments and appeals of administrative hearings. The unit continues to provide advocacy for clients in administrative hearings under the Uniform Administrative Procedures Act. These proceedings include parole revocation hearings, treatment plan hearings and administrative case reviews. These administrative hearings are subject to court review as well as appellate review. Additionally, with the upcoming transition to CSSD, unit members attended formal “transitional” meetings for each of their clients to look at individual treatment plans and to prepare for the in-court reviews they will be attending on each client after July 1, 2018. Below is a selection of significant advocacy efforts with the unit during the FY 2017/18.

Committees:

- Juvenile Justice Policy Oversight Committee Incarceration Workgroup
- Juvenile Justice Policy Oversight Committee Recidivism Workgroup
- Girls Provider Network
- Human Anti-Trafficking Resource Team (HART)

Litigation:

- Unit Supervisor and attorney prepared for and represented client at a parole eligibility hearing under Public Act 15-84
- Unit picked up a 2nd Public Act 15-84 case, met with client and began preparing case for July 2018 hearing
- Unit Attorneys represented clients on Motions to Correct Illegal Sentences
- Unit Attorney represented client on a Petition to Modify a 12-month mandatory minimum community removal order

Advocacy:

- Unit continues partnership with the Office of the Child Advocate on improvements with DCF Facilities
- Unit members collaborated with agency administration during the transition process where jurisdiction over clients in custody transferred from DCF to CSSD
- Unit attorney represented young adult clients in fair hearings to challenge discontinuance of DCF services
- Unit attorney(s) represented clients in family magistrate court
- Unit attorney(s) continue involvement with child protection representation
- Unit attorney and social worker assisted client through the application process and successfully enrolled client in community college
- Unit attorney and social worker were successful in assisting client in effort to apply for and receive DMHAS services and independent living housing
- Unit attorney and social worker supported client through numerous police interviews where client was the victim of a sexual assault
- Unit attorney and social worker supported client in a lengthy police interview where client was the victim of in a criminal investigation
- Unit staff were successful in assisting numerous clients attain Social Security and State Identification Cards
- Unit staff were successful with assisting client apply for food stamps and assistance through the Department of Social Services
- Unit social worker was successful in obtaining birth certificate for client from Puerto Rico

CHAPTER SIX: COST

Expenditures 2018

The Public Defender Services Commissions' Actual Expenditures for FY2017/18 totaled \$64,249,876.

Below is a breakout of the actual expenditures for the agency:

Account	FY 2018
Personal Services	\$ 37,626,157
Other (Operating) Expenses	\$ 1,176,467
Assigned Counsel - Criminal	\$ 22,442,277
Expert Witnesses	\$ 2,625,577
Training and Education	\$ 117,683
Equipment	\$ 225,000
Federal Funds	\$ 36,715
Total FY 18 Appropriation	\$ 64,249,876

The Commission's FY2017/18 expenditures of \$64.2 million supported a permanent staff of 386 full-time and six part-time employees, 205 of whom were attorneys. Other staff consisted of administrative, social work, investigative, secretarial, and clerical personnel.

The \$64.2 million spent in FY2017/18 is a significant decrease compared to spending in previous fiscal years. Specifically, the Division decreased expenditures by \$3 million compared to FY2016/17, which is a testament to the hard work the personnel of the Agency has done to reduced expenditures in the Personal Services and the Assigned Counsel account.

FAST FACTS ABOUT MIDDLESEX COUNTY:

Nicknames: Belltown, USA (East Hampton)

Founded in 1785

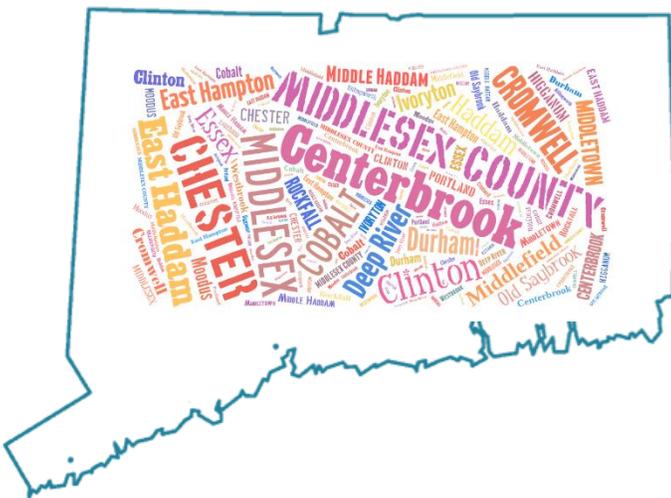
439 Square Miles

Largest City is Middletown

Population (2010 Census): 165,676

Famous Folk: Art Carney, Actor (Westbrook)

History: Anna Louise James (Old Saybrook) was the first female African American pharmacist in the state (1886-1977)



CHAPTER SIX: COST

Appropriated Budget 2019

In FY2018/19, the Commission’s total available General Fund appropriation, as adjusted for savings under Public Act 18-81, is \$65,116,374 to support a staff of 447 full time positions (the agency authorized position count) and seven (7) part-time positions. Below is a breakout of the FY2018/19 General Fund appropriations and in addition, the available Equipment and Federal funds.

Account	FY2018/19
Personal Services	\$ 39,079,338
Other (Operating) Expenses	\$ 1,173,363
Assigned Counsel - Criminal	\$ 21,868,321
Expert Witnesses	\$ 2,875,604
Training and Education	\$ 119,748
Equipment	\$ 225,000
Federal Funds	\$ 160,269
Total FY 18 Appropriation	\$ 65,501,643

The Commission’s original FY 2019 General Fund appropriation of \$64,871,789 was reduced by \$573,963 as a result of programmed lapse savings. In addition, the Agency received \$818,548 in Reserve for Salary Adjustment monies to fund collectively bargained increases for unionized employees.

FEDERAL GRANTS

Court Improvement Program (CIP) Training Grant

The total amount of the federal pass through Judicial grant entitled *Court Improvement Program (CIP) Training* was \$50,000. The agency carried forward \$39,236.62 of that original total, and \$31,490 was spent this Fiscal Year. 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. The system 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.

CHAPTER SIX: COST

Post-conviction Testing of DNA Evidence to Exonerate the Innocent Grant

In FY2017/18, \$110,269 was carried forward from last Fiscal Year on the federal grant pass through Department of Emergency Services and Public Protection grant entitled, *Post-conviction Testing of DNA Evidence to Exonerate the Innocent*. No funds were used on this grant during FY2017/18 as the grant did not begin activities until FY2018/19. The funding is used to identify cases of wrongful conviction where DNA analysis of hairs previously compared may establish innocence and seek the release and exoneration of the innocent individuals.

The Post-conviction Testing of DNA Evidence to Exonerate the Innocent continued into FY2018/19 with the remaining balance of \$110,269.

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 \$72,147 was collected in FY2017/18. Over the past ten (10) years of full implementation, the average yearly collection is \$96,500. Some public defender clients are unable to meet this minimal reimbursement charge and 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.

CHAPTER SEVEN: LEGAL COUNSEL, 2018 LEGISLATIVE ACTION & 2019 PROPOSALS

The Legal Counsel Unit¹ provides counsel to the Public Defender Services Commission and the Office of Chief Public Defender regarding budgetary, contractual, ethical, legislative litigation, personnel and policy issues. The Legal Counsel Director oversees all claims submitted to the agency's malpractice carrier, serves as the Attorney General's Designee in affirmative action litigation and other matters and is the Freedom of Information Officer for the Division. In addition, Legal Counsel advises Division personnel in Statewide Grievance and Habeas Corpus proceedings upon request and is the legislative liaison to the General Assembly and Office of the Governor.

Staffing and Location

One (1) Director of Legal Counsel: Deborah Del Prete Sullivan
One (1) Administrative Assistant
One (1) Legislative Assistant

Located at:
30 Trinity Street, 4th Floor, Hartford, Connecticut 06106

2018 Legislative Session

The Public Defender Legislative Committee (PDLCL) reviewed numerous legislative proposals from agency personnel in the Division's field offices. Similar to the prior year's submissions, proposals were received pertaining to confidentiality of and eligibility for diversionary programs, juvenile interrogations by law enforcement, juror questionnaires, mandatory minimum sentences, the PSRB and ignition interlock devices. A lengthy and detailed discussion focused on whether the proposals would provide equal justice to clients in obtaining services, enhance the delivery of legal services and/or improve the criminal justice system overall. The Chief and Deputy Chief Public Defenders reviewed the proposals and approved the final OCPD Legislative Package. The package was submitted to the General Assembly and Committee leadership with a request that the proposals be raised for a public hearing.

The 2019 legislative session is a long session that commences on January 9 and concludes at midnight on June 5. With a new Governor and many new legislators, there will also be new leadership among the

¹ This chapter was provided by Attorney Deborah Del Prete Sullivan, Legal Counsel and Director

Committees. The Office of Chief Public Defender meets with Committee leadership and members prior to the start of session to provide its proposals for consideration and with new legislators to acquaint them with this agency. A DPDS Fact Sheet that included our mission, caseloads, and budget information was distributed at every legislative meeting and at our legislative breakfast.

2018 Session

The 2018 legislative session provided success in the area of criminal justice and reform. The OCPD submitted several proposals for consideration by the General Assembly. One OCPD legislative proposal would have capped the period of time for which a license could be suspended after a conviction for driving under the influence. It did not pass as drafted. However, an agreement was ultimately reached with MADD and other advocacy groups and state agencies which would permit ignition interlock device providers to waive all or part of the installation, maintenance and removal fees associated for any person who is required to install such, upon providing proof of indigency. Pursuant to the legislation, indigency is demonstrated by a person providing a valid participation card or letter indicating participation in SNAP or state administered federal low income home energy assistance program. **Public Act No. 18-30, An Act Concerning Costs For Ignition Interlock Device Services For Persons Who Are Indigent And Are Seeking Restoration of a Motor Vehicle Operator's License.**

Unfortunately, the public act does not resolve the issue of a lifetime suspension for persons so convicted who do not own a motor vehicle or have one at their disposal. As a result, the issue will be raised again in 2019.

There were two other OCPD proposals that did not pass, although each both garnered attention. **H.B. 5414. An Act Concerning the Jury Administrator's Retention of Demographic Data Relating to Jurors passed out of the House.** The bill would have created a working group to look at the retention of juror questionnaires and how such are handled in other states. Unfortunately, the bill was not called in the Senate.

Another, **S.B. 512, An Act Concerning Access to Media Recordings and Records of the Department of Mental Health And Addiction Services, Connecticut Valley Hospital Or The Psychiatric Security Review**

Board pertained to Whiting Forensic Hospital and CT Valley Hospital. The proposal, if passed, would have provided access to defense counsel of media recordings of his/her client within those facilities.

While not an OCPD proposal, OCPD supported and advocated for passage of **P.A. 18-61, An Act Concerning Newly Discovered Evidence**. The legislation permits a Petition for a New Trial in a criminal proceeding to go forward based upon the discovery of “other newly discovered evidence”.

There were several recommendations of the Juvenile Justice Policy and Oversight Committee, on which the OCPD participates as a member, which passed. **P.A. 18-31, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee and Concerning the Transfer of Juvenile Services from the Department of Children and Families to the Court Support Services Division of the Judicial Branch.**

Special Act 18-18, An Act Establishing a Task Force to Promote Efficiencies in the Filing of Habeas Corpus Matters, was new legislation which created a task force to “examine methods that allow the state to better evaluate an application for writ of a habeas corpus at the time of filing in order to reduce the number of frivolous applications filed.”

A second task force was created to study student privacy and cell phone. **Special Act 18-28, An Act Concerning Students' Right to Privacy in Their Mobile Electronic Devices**, created a Working Group on which the Office of Chief Public Defender (OCPD) and the Connecticut Criminal Defense Lawyers Association (CCDLA) were members. The task force was charged with studying whether school personnel can seize and search a student’s electronic mobile device, which could include the student’s personal cell phone and laptop, because the student was believed to have violated school policy or committed a crime in the past or present.

Lastly, OCPD opposed passage of any legislation which would have totally eliminated the statute of limitations in all sexual assault prosecutions. Despite strong advocacy in favor of a bill that eliminated the statute of limitation, which passed in the Senate, the bill did not get called in the House. It is expected that such a bill will be raised again during the 2019 session.

2019 Legislative Proposals

OCPD will continue its advocacy for An Act Concerning Restoration of a License to eliminate the disparity between those who have financial resources and those who do not. The OCPD legislative proposal would eliminate lifetime license suspensions for persons who are indigent and who could not afford the Ignition Interlock Device installation and other monitoring fees.

In addition, OCPD has proposed legislation pertaining to the following:

(1) ***An Act Concerning Juveniles***

Purpose: To 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 and ensure fair and equitable sentencing and treatment of children adjudicated delinquent and sentenced to commitment or who are prosecuted as adults.

(2) ***An Act Concerning Fairness In Proceedings***

Purpose: To provide a process for the retention juror race and ethnicity statistics, permit disclosure of certain records to counsel pertaining to an acquittee, provide for consistency in the sentencing of persistent larceny offenders and fairness in the imposition of conditions of release.

(3) ***An Act Concerning Motor Vehicle Offenses***

Purpose: To provide a lookback period for certain motor vehicle violations and provide a maximum period for certain license suspensions.

(4) ***An Act Concerning the Expenditures of the Division of Public Defender Services and Diversionary Programs***

Purpose: To protect funding for the constitutional right to counsel for indigent persons and to provide confidentiality upon application to a diversionary program and a waiver of fees for indigent persons.

CHAPTER EIGHT: CONCLUSION

Fiscal Year 2017/18 brought change, challenges and opportunities for the Division of Public Defender Services. The multidisciplinary group tasked with crafting our mission statement remained together to draft core values and goals that become our first strategic plan. This plan has guided the operation of our organization. It drove a continued and deeper commitment to address racial bias issues, both in the criminal justice system and in our agency. We began the process of rebuilding our staff after several years of layoffs and hiring freezes. The plan helped guide our choices- always reminding us to be service oriented and client centered. The new additions to our agency owe their jobs to their colleagues- committed lawyers, social workers, investigators and staff whose ongoing participation in our in-house cost savings program gave us the financial resources needed to restaff. Our promise of holistic defense became real again, as social work positions were finally refilled. Fiscal Year 2017/18 also brought a renewed focus on developing trial skills. Attorneys are paired up and assigned conflict cases for trial. This gives the experience of litigation prep to everyone in the office. A set of expectations for supervision were issued, with a goal of ensuring that clients are represented by a team, that is resourced and prepared to go to trial.

The Division of Public Defender Services appreciates the continued support received from our Public Defender Services Commission, the Governor's office, the Office of Policy and Management, the Office of Fiscal Analysis, the Legislature, and the Judicial Branch. In difficult financial times, it is important for state agencies to work together to maximize resources. We are grateful to all of our partner agencies and their collaborative efforts to achieve justice for everyone in Connecticut. Also critical to our operation are the assigned counsel, private lawyers and nonprofit providers who assist us by handling conflicts, habeas, appeals, juvenile, and family matters.

As we move forward, I am encouraged by the public discourse on issues of criminal justice reform and the impact of past "tough on crime" policies. Society seems to be realizing what we public defenders have always known: justice for all makes everyone safer. We should be proud of the role The Division of Public Defender Services and its people have played in moving the conversation on criminal justice to a more productive place. Our agency remains dedicated to securing a fair and equitable justice system for all.

Respectfully Submitted,

Christine Perra Rapillo

Chief Public Defender

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

Location	Active Cases Pending July 1, 2017	Location	Active Cases Pending July 1, 2018
GA 23 New Haven	3382	GA 23 New Haven	3375
GA 04 Waterbury	2508	GA 04 Waterbury	3091
GA 02 Bridgeport	2435	GA 14 Hartford	2516
GA 14 Hartford	2064	GA 02 Bridgeport	2457
GA 15 New Britain	1412	GA 15 New Britain	1765
GA 10 New London	1401	GA 10 New London	1613
GA 01 Stamford	1371	GA 12 Manchester	1298
GA 20 Norwalk	1278	GA 01 Stamford	1215
GA 12 Manchester	1158	GA 07 Meriden	1118
GA 05 Derby	1130	GA 20 Norwalk	1098
GA 18 Torrington	992	GA 11 Danielson	978
GA 11 Danielson	933	GA 05 Derby	967
GA 07 Meriden	867	GA 03 Danbury	951
GA 03 Danbury	811	GA 17 Bristol	871
GA 17 Bristol	757	GA 18 Torrington	755
GA 19 Rockville	724	GA 21 Norwich	701
GA 09 Middletown	703	GA 09 Middletown	641
GA 21 Norwich	634	GA 19 Rockville	550
GA 13 Enfield	401	GA 13 Enfield	493
GA 22 Milford	315	GA 22 Milford	360
Total	25276	Total	26813

*an additional 354 cases were assigned to Hartford CC

*an additional 592 cases were assigned to Hartford CC

**New Cases Assigned
(in rank order)
Public Defender Offices**

Location	Total New Cases Assigned	Location	Average Attorneys Atty Avg	New Cases Assigned per Attorney
GA 23 New Haven	8376	GA 03 Danbury	1.9	845
GA 02 Bridgeport	6005	GA 19 Rockville	2.4	606
GA 14 Hartford	5247	GA 23 New Haven	14.3	585
GA 04 Waterbury	4216	GA 07 Meriden	4.9	556
GA 15 New Britain	4087	GA 15 New Britain	7.5	544
GA 07 Meriden	2729	GA 04 Waterbury	7.8	540
GA 10 New London	2688	GA 18 Torrington	3.5	522
GA 11 Danielson	1887	GA 10 New London	5.2	516
GA 12 Manchester	1876	GA 17 Bristol	3	500
GA 18 Torrington	1828	GA 21 Norwich	3.3	481
GA 05 Derby	1773	GA 05 Derby	3.9	454
GA 03 Danbury	1606	GA 22 Milford	2.6	440
GA 21 Norwich	1590	GA 02 Bridgeport	13.7	438
GA 01 Stamford	1515	GA 11 Danielson	4.4	428
GA 17 Bristol	1501	GA 12 Manchester	5	375
GA 19 Rockville	1456	GA 14 Hartford	14.4	364
GA 09 Middletown	1437	GA 09 Middletown	4	359
GA 22 Milford	1145	GA 20 Norwalk	3	331
GA 20 Norwalk	994	GA 01 Stamford	5.5	275
GA 13 Enfield	728	GA 13 Enfield	3	242
Total	52684	Total	113.3	464

In the merged offices of Danbury, Middlesex/Middletown GA9, Windham/Danielson GA 11, Tolland/Rockville GA 19 and Ansonai/Milford GA 22, staff attorneys are shown as working either the J.D. or G.A., although they may handle both types of cases. Although a departure from previous years, the change is necessary to calculate "New Cases Assigned Per Attorney" and assess Caseload Goals.

During the 2017-18 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys each quarter.

Geographical Areas Caseload Goals Analysis
Division of Public Defenders Services
July 1, 2017 - June 30, 2018

Office	Average Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned per Attorney
GA 01 Stamford	5.5	2155	640	1515	275
GA 02 Bridgeport	13.7	7068	1063	6005	438
GA 03 Danbury	1.9	1977	371	1606	845
GA 04 Waterbury	7.8	5489	1273	4216	540
GA 05 Derby	3.9	2235	462	1773	454
GA 07 Meriden	4.9	3670	941	2729	556
GA 09 Middletown	4.0	2327	890	1437	359
GA 10 New London	5.2	4022	1334	2688	516
GA 11 Danielson	4.4	2288	401	1887	428
GA 12 Manchester	5.0	3485	1609	1876	375
GA 13 Enfield	3.0	1335	607	728	242
GA 14 Hartford	14.4	5968	721	5247	364
GA 15 New Britain	7.5	4965	878	4087	544
GA 17 Bristol	3.0	1836	335	1501	500
GA 18 Torrington	3.5	2582	754	1828	522
GA 19 Rockville	2.4	1810	354	1456	606
GA 20 Norwalk	3.0	1323	329	994	331
GA 21 Norwich	3.3	2243	653	1590	481
GA 22 Milford	2.6	1863	718	1145	440
GA 23 New Haven	14.3	8948	572	8376	585
Total	113.3	67589	14905	52684	464

Hartford Community Court handled 1547 appointed cases, 128 removed cases and had 1419 new cases assigned for one attorney. During the 2017-18 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 Movement of Cases
Division of Public Defenders Services
July 1, 2017 - June 30, 2018**

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	5.5	2155	277	208	1670	640	604	1466	1515	275
GA 02 Bridgeport	13.7	7068	914	788	5366	1063	1323	4458	6005	438
GA 03 Danbury	1.9	1977	20	184	1773	371	489	1177	1606	845
GA 04 Waterbury*	7.8	5489	617	544	4328	1273	792	3008	4216	540
GA 05 Derby	3.9	2235	232	250	1753	462	509	1355	1773	454
GA 07 Meriden	4.9	3670	406	335	2929	941	497	1831	2729	556
GA 09 Middletown	4	2327	219	223	1885	890	340	1648	1437	359
GA 10 New London	5.2	4022	298	341	3383	1334	679	2010	2688	516
GA 11 Danielson	4.4	2288	256	228	1804	401	437	1564	1887	428
GA 12 Manchester	5	3485	365	485	2635	1609	114	1889	1876	375
GA 13 Enfield	3	1335	126	65	1144	607	100	800	728	242
GA 14 Hartford	14.4	5968	925	736	4307	721	405	4056	5247	364
GA 15 New Britain	7.5	4965	569	500	3896	878	304	2780	4087	544
GA 17 Bristol	3	1836	179	181	1476	335	407	1333	1501	500
GA 18 Torrington	3.5	2582	224	254	2104	754	470	1459	1828	522
GA 19 Rockville	2.4	1810	154	176	1480	354	322	1069	1456	606
GA 20 Norwalk	3	1323	122	133	1068	329	100	742	994	331
GA 21 Norwich	3.3	2243	244	237	1762	653	221	1205	1590	481
GA 22 Milford	2.6	1863	217	269	1377	718	138	822	1145	440
GA 23 New Haven	14.3	8948	1164	1028	6756	572	6	6163	8376	585
Total	113.3	67589	7528	7171	54437	14905	8368	41904	52684	464

*Waterbury GA 4 Combined With Community Court

Hartford Community Court had 1547 appointed cases of which 128 were removed for an NCA of 1419

**Active Cases Pending
(in rank order)
Public Defender Offices
Judicial Districts
2017 - 2018**

Location	Active Cases Pending July 1, 2017	Location	Active Cases Pending July 1, 2018
New Haven	307	New Haven	309
Hartford	258	Hartford	231
Fairfield	226	Waterbury	231
Waterbury	193	Fairfield	219
Danbury	162	Danbury	188
New London	160	New London	138
Torrington	119	New Britain	127
New Britain	103	Torrington	121
Stamford	68	Stamford	94
Ansonia/Milford	64	Ansonia/Milford	52
Tolland	47	Tolland	46
Windham	47	Windham	35
Middletown	43	Middletown	29
Total	1797	Total	1820

**New Cases Assigned
(in rank order)
Public Defender Offices
Judicial Districts Areas
July 1, 2017 - June 30, 2018**

Location	Total New Cases Assigned	Location	Average Attorneys Atty. Avg	New Cases Assigned per Attorney
New Haven	407	Danbury	1.9	154
Waterbury	315	New Britain	1.6	110
Danbury	294	Waterbury	2.9	108
Fairfield	244	Ansonia/Milford	1.4	100
Hartford	179	Tolland	1	80
New Britain	177	Torrington	2	73
Torrington	146	New Haven	5.7	71
Ansonia/Milford	140	Middletown	1	55
Tolland	80	Fairfield	5	48
Stamford	72	Stamford	1.5	48
Middletown	55	Windham	1	37
Windham	37	Hartford	5.7	31
New London	25	New London	2	12
Total	2171	Total	32.7	66

Judicial Districts Caseload Goals Analysis
Division of Public Defenders Services
July 1, 2017 - June 30, 2018

Office	Average Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned per Attorney
Ansonia/Milford	1.4	201	61	140	100
Danbury	1.9	412	118	294	154
Fairfield	5	326	82	244	48
Hartford	5.7	341	162	179	31
Middletown	1	93	38	55	55
New Britain	1.6	251	74	177	110
New Haven	5.7	589	182	407	71
New London	2	198	173	25	12
Stamford	1.5	118	46	72	48
Tolland	1	129	49	80	80
Torrington	2	263	117	146	73
Waterbury	2.9	436	121	315	108
Windham	1	64	27	37	37
Total	32.7	3421	1250	2171	66

**Judicial Districts Movement of Cases
Division of Public Defenders Services
July 1, 2017 - June 30, 2018**

Office	Average Attorneys	Cases Appointed	Non-Death Capital/Murder Cases Appointed	Other Major Felonies Appointed	VOP Appointed	Minor Felonies, Misdemeanors, MV & Other Appointed	Cases Transferred	Divers/Trans. to Inactive	Dispositions	New Cases Assigned	New Cases Assigned per Attorney
Ansonia/Milford	1.4	201	4	124	53	20	61	6	64	140	100
Danbury	1.9	412	4	168	70	128	118	53	185	294	154
Fairfield	5	326	46	182	105	23	82	22	170	244	48
Hartford	5.7	341	42	184	60	47	162	8	209	179	31
Middletown	1	93	2	42	18	31	38	0	45	55	55
New Britain	1.6	251	22	156	45	27	74	3	72	177	110
New Haven	5.7	589	34	236	152	163	182	14	267	407	71
New London	2	198	10	75	27	81	173	7	138	25	12
Stamford	1.5	118	4	72	27	14	46	8	42	72	48
Tolland	1	129	4	69	9	47	49	1	47	80	80
Torrington	2	263	2	101	25	135	117	8	146	146	73
Waterbury	2.9	436	26	262	72	75	121	9	315	315	108
Windham	1	64	0	40	16	8	27	4	37	37	37
Total	32.7	3421	200	1711	679	799	1250	143	1737	2171	66

**Active Cases Pending
(in rank order)
Public Defender Offices
Juvenile Matters
2017 - 2018**

Location	Active Cases Pending July 1, 2017	Location	Active Cases Pending July 1, 2018
Waterbury/Torrington	314	Bridgeport	392
Waterford/Willimantic	301	Waterford/Willimantic	344
Hartford	294	Waterbury/Torrington	323
New Haven	254	Hartford	259
Bridgeport	226	New Haven	187
New Britain	116	New Britain	143
Middletown	108	Stamford	130
Rockville	88	Middletown	77
Stamford	65	Rockville	59
Danbury	5		
Total	1771	Total	1914

**New Cases Assigned
(in rank order)
Public Defender Offices
Juvenile Matters
July 1, 2017 - June 30, 2018**

Location	Total New Cases Assigned	Location	Average Attorneys	New Cases Assigned Per Attorney
Waterbury/Torrington	741	New Britain	1.5	268
Waterford /Willimantic	481	Waterford/Willimantic	2	240
New Haven	479	Hartford	2	235
Hartford	470	Bridgeport	2.2	205
Bridgeport	452	Waterbury/Torrington	4	185
New Britain	403	Middletown	0.8	166
Middletown	166	New Haven	3	159
Rockville	100	Rockville	0.6	100
Stamford	64	Stamford	1	64
Total	3356	Total	17.1	196

Juvenile Matters Caseload Goals Analysis
Division of Public Defender Services
July 1, 2017-June 30, 2018

Office	Average Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned Per Attorney
Bridgeport	2.2	710	258	452	205
Hartford	2	749	279	470	235
Middletown	0.8	226	60	166	166
New Britain	1.5	501	98	403	268
New Haven	3	682	203	479	159
Rockville	0.6	225	125	100	100
Stamford	1	156	92	64	64
Waterbury /Torrington	4	931	190	741	185
Waterford/Willimantic	2	626	145	481	240
Total	17.1	4806	1450	3356	196

**Juvenile Matters Movement of Cases
Division of Public Defender Services
July 1, 2017 - June 30, 2018**

Office	Average Attorneys	Cases Appointed	Serious Juv. Offenses	Other Felony	Misd. & Other	Cases Transferred	Dispositions	Cases Transferred to Adult	New Cases Assigned	New Cases Assigned Per Attorney
Bridgeport	2.2	710	59	151	500	258	481	16	452	205
Hartford	2	749	106	276	367	279	479	40	470	235
Middletown	0.8	226	25	45	156	60	214	5	166	166
New Britain	1.5	501	61	133	307	98	381	6	403	268
New Haven	3	682	76	183	423	203	720	5	479	159
Rockville	0.6	225	45	69	111	125	172	14	100	100
Stamford	1	156	30	45	81	92	86	3	64	64
Waterbury/Torrington	4	931	77	266	588	190	768	24	741	185
Waterford/Willimantic	2	626	73	89	464	145	456	2	481	240
Total	17.1	4806	552	1257	2997	1450	3758	115	3356	196