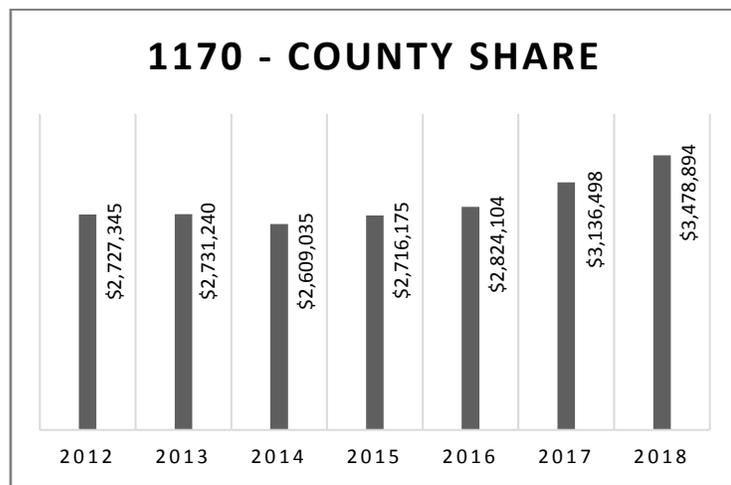


PUBLIC DEFENDER

1170



MISSION STATEMENT

The Office of the Public Defender provides legal representation to individuals who cannot afford legal counsel and have either been accused of crimes in Albany County or for specified proceedings in Family Court, as required by Articles 18-A and 18-B of the County Law. The Public Defender represents indigent individuals at every stage of the criminal proceeding, from arraignment through final disposition, including, when appropriate, appeals from adverse judgments and decisions.

The right to counsel is guaranteed by the United States and New York State Constitutions. Our goal is to provide our clients with truly competent legal representation, comparable to what they would expect from privately retained counsel. An individual's constitutional rights must be protected regardless of their financial circumstances and we are dedicated to providing the highest quality legal representation as efficiently as possible.

WHO WE SERVE

The Office of the Public Defender specifically serves indigent people who require legal representation either for criminal court or family court proceedings within Albany County. Public Defenders zealously represent clients on misdemeanor and initial felony proceedings in 16 separate City, Town, and Village Courts, as well as all proceedings in Albany County Court. We also represent individuals accused of violating the terms of their probation or parole, and file appeals to the Appellate Division and the New York Court of Appeals. The Public Defender's Office also represents clients in Family Court for custody matters, family offense matters, violations of support obligations, violations of orders of protection, and in abuse and neglect cases.

ABOUT OUR DEPARTMENT

Our office is organized to ensure that attorneys are not only present at every regularly scheduled court proceeding, but also to ensure that they have time to prepare their cases and work with each client until the matter is resolved. Attorneys are assigned to Albany City Court, Albany County Court, and the fifteen other local courts in the County, as well as Parole hearings, and Family Court. We also have an attorney who works primarily on filing appeals to the Appellate Division. An attorney from our office will represent an accused individual at every stage of a criminal proceeding—from the commencement of the proceeding at arraignment through to the completion of a trial, if required.

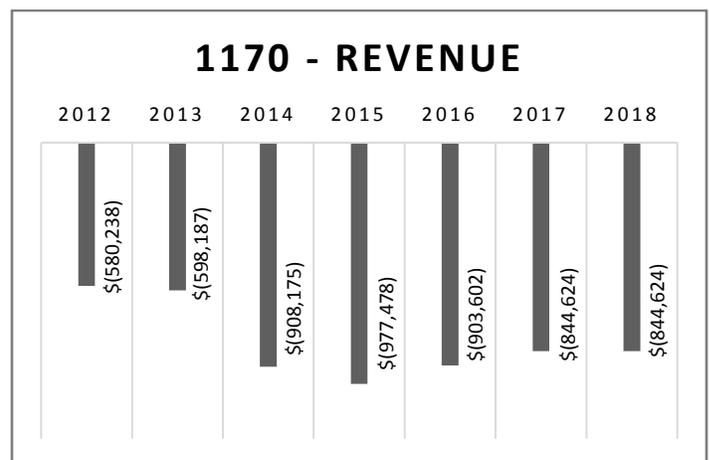
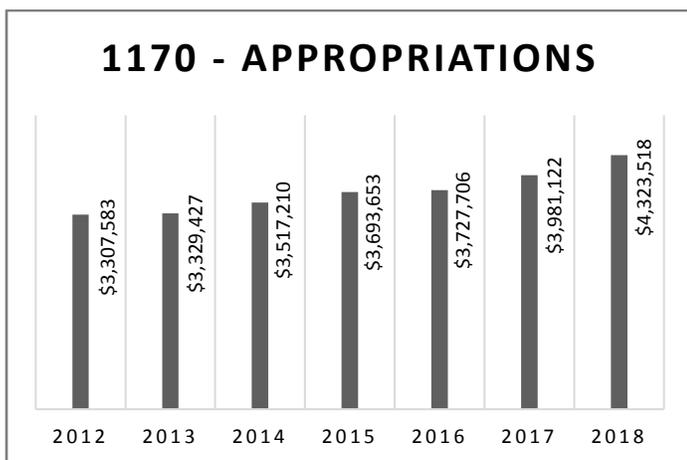
The Public Defender's Office has 29 attorneys and 9 support staff. [Our budget for 2018 proposes to maintain our current staffing level, and allows for the hiring of two new attorneys.] It also allows for greater access to training and technology resources for our attorneys. Each attorney and member of the support staff has taken on additional responsibilities and we continue to provide the exceptional level of professional service that has been historically provided by the Albany County Public Defender's Office.

The Public Defender's Office is also working with the New York State Office of Indigent Legal Services (OILS), which monitors the flow of state funds to counties for the representation of indigent clients. Albany County is receiving, and has applied for additional, grant funding from OILS to help provide for enhanced representation of indigent individuals. Albany County continues to participate in the "Counsel at First Appearance" program created under OILS grant funding to provide each person accused of a crime with an attorney to represent them at their arraignment. We are proud of the work that the Albany County Public Defender's Office has done in furtherance of this initiative, and are pleased to report that a second grant proposal was accepted by the Office of Indigent Legal Services, and will allow our office to represent more clients more efficiently at their initial court appearances throughout the County of Albany.

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2017 ACCOMPLISHMENTS AND CHALLENGES

- The Public Defender’s Office has continued to provide the highest quality representation and achieve the most favorable outcomes for all of our clients. In 2017 we identified a number of different areas to prioritize, make improvements in, or otherwise explore in order to further this goal.
- One of these goals was to enhance the quality of representation by significantly upgrading the training of our attorneys. We have a highly experienced attorney who is specifically tasked with overseeing training and Continuing Legal Education. Our lawyers are actively engaged in training programs, and we have taken advantage of training opportunities as small as locally-held Continuing Legal Education classes, and as large as national conferences held out of state. Our attorneys are improving their techniques and learning new skills which will help them better represent our clients, and are returning with a renewed vigor for our mission.
- The Public Defender’s Office continues to work with the Office of Indigent Legal Services on grant-funded programs to enhance the quality of representation received by indigent individuals. Our “Counsel at First Appearance” program remains successful and we continue to provide on-call attorneys for arraignments in all participating local courts. Our appearance at arraignments has proven to be instrumental in the release of many of our clients, either on their own recognizance or pursuant to a reasonable bail being set. Attorneys often have the opportunity to communicate with clients’ family members to facilitate their release from jail or to advise them of the predicament that the client is confronting. Additionally, our efforts have allowed people accused of crimes to continue to maintain employment, housing, schooling and support their families.
- 2017 was the first year that the Public Defender’s Office participated in the Pro Bono Legal Scholar program, which allows third-year law students to take the bar exam before graduation and spend their last semester of law school working in an internship-style environment providing pro bono legal services. We hosted three law students from the Albany Law School with a specific interest in providing criminal defense services to indigent individuals. These students worked closely with our attorneys and clients, affording them invaluable experience and affording us significant extra help in both the courtroom and the office.
- The Public Defender’s Office has also continued to work with various other state and local offices, courts, and law enforcement agencies to maintain and further initiatives for diversion programs, restorative justice programs, alternatives to incarceration, and drug treatment and addiction counseling programs. These initiatives positively impact our clients in ways that could not be achieved without the collaboration of these stakeholders, and we are fortunate to be part of an ongoing movement to combat recidivism and allow the most vulnerable of our population access to the resources and assistance they need.



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2018 GOALS AND PERFORMANCE TARGETS

- Our goals for 2018 primarily focus around expanding on the successes we have had in 2017. As always, our ultimate goal is to provide our clients with superior professional and efficient legal representation.
- In 2017 the Public Defender's Office was afforded the opportunity to send a number of Assistant Public Defenders to various training programs. Many of these programs were tailored specifically for public defenders, and have helped our attorneys hone their trial and criminal practice skills. The ability to learn new techniques and enhance the skills they already have with like-minded individuals who encounter many of the same challenges every day, has proven to be of incredible value. Additionally, we have also started planning for a series of in-house CLE presentations. We are compiling topics and potential speakers and hope to put together a training program to take place in our office, potentially to be made available to other providers of indigent legal services in the area as well.
- 2018 will bring some changes to the way indigent criminal defense is implemented and we are attempting to prepare for those. Plans to provide accommodations for Up the Age, state-wide caseload standards, and state-mandated counsel at arraignment are currently underway and will continue to be a priority for us as more information regarding requirements and funding becomes available.

SUMMARY OF BUDGET CHANGES

The 2018 Budget for the Office of the Public Defender seeks only to ensure pay equality, provide our office with the resources and tools needed to ensure competency and relevancy in our work, and to maintain the level of staffing required for us to sustain the accomplishments and meet the goals discussed above.

Public Defender Stephen W. Herrick, his chief assistant Terry Kindlon and Assistant Public Defender Jessica Gorman all serve as speakers and teachers for Dr. Alice Green's *Know Your Rights* program at the Albany Center for Law and Justice. Each presentation is led by a lawyer and at least one police officer, and is designed not only to teach basic legal rights in the context of common police encounters, but also to enhance communication between members of the community and police. The program encourages questions, participation and honest dialogue. Currently, programs are planned for the general public along with local youth, including those in the Summer Youth Employment Program.