



Cook County Public Defender

FY2021 Mid-Year Budget Review

Public Defender

Objective: Update on FY2021 Goals and Objectives, review FY2021 YTD budget, FY2020 year-end projections and operational lessons learned in the midst of the COVID-19 public health crisis.

I. Update on FY2021 Initiatives and Goals

Goal #1: Continued Enhancement of Police Station Representation Unit with Support from State and Local Officials

- **Current Status of Initiative/Goal**

The Police Station Representation Unit (PSRU) continues to provide zealous representation to arrestees in Cook County. In FY 2021, PSRU attorneys have made 429 police station visits through June 30, 2021, resulting in 65 clients being released from the police station, uncharged. During FY21, the PSRU has averaged 62 police station visits per month and is on track to make a projected total of 735 police station visits by the end of the fiscal year, via a hybrid of in-person and telephone visits.

During the spring legislative session Public Defender's Office ("Office") successfully passed legislation as a part of the SAFE-T Act, that clarifies an arrestee's rights to have access to make three phone calls within three hours of arrest. That legislation will go into effect on January 2, 2022.

- **Provide impact on any key performance indicators**

The COVID-19 pandemic impeded the PSRU's ability to conduct in-person police station visits, with most visits occurring via telephone. This limitation extended into FY21, thereby having a significant impact on the projected target of doubling police station visits in FY21 to over 2,000. In addition, the pandemic prohibited the Office's community outreach and education efforts, preventing the Office from having community outreach in schools and at community gatherings, which in the past were key marketing opportunities to inform the public about PSRU services.

- ***For OUP Only: How does this align with the Policy Roadmap?***

This goal is aligned with the County's policy priority of:

- ***"Safe and Thriving Communities" Objective 2: Align criminal justice investments and strategies to prioritize the needs of individuals involved in the criminal justice system, and***
- ***"Safe and Thriving Communities" Objective 3: Increase alternatives to detention and access to supportive services for justice-involved residents.***

FY2021 Mid-Year Budget Review

Goal #2: Expansion of the Mental Health Unit

- **Current Status of Initiative/Goal**

The capacity of the Mental Health Unit expanded with the hiring of four Mental Health clinicians at the beginning of FY21. In addition, the Mental Health Unit began to build collaborative relationships with local professional schools of psychology and the Cook County Health System to better serve clients who have mental health needs. These collaborative efforts will help the Public Defender's Office achieve its goal of increasing access to services for clients while reducing expert witness expenses. The efforts will also identify and address the mental health needs of clients in a more effective and efficient manner, thereby potentially reducing their length of stay in Cook County jail.

- **Provide impact on any key performance indicators**

The COVID-19 pandemic and resulting court shutdown impacted the Mental Health Unit's access and ability to conduct in-person assessments of Public Defender clients. In addition, the Unit's performance is being impacted by staff shortages due to resignations and leaves of absence. The Mental Health Unit is currently seeking a federal grant for \$800,000 over the course of three years to expand its capacity in anticipation of the court's re-opening.

- ***For OUP Only: How does this align with the Policy Roadmap?***

Expansion of Mental Health Unit aligns with the following policy priorities:

- ***"Safe and Thriving Communities" Objective 2 and Objective 3 (noted above)***
- ***"Healthy Communities" Objective 2: Improve access to and integration of high-quality responsive healthcare and information, and Objective 4: Advocate for increased community safety through a public health approach to violence reduction.***

Goal #3: Immigration Unit

- **Current Status of Initiative/Goal**

The Immigration Unit pilot program officially launched in September 2020 with the hiring of an attorney supervisor. The Unit currently has four vacant grant funded positions that are either posted or waiting for the Bureau of Human Resources (BHR) to post to the Taleo system.

During the spring legislative session, the Public Defender's Office successfully passed legislation (House Bill 2790, House Amendment 1), that gives the Public Defender the statutory authority to represent clients in immigration court. The Office is currently in the process of establishing the scope of immigration court legal representation via the pilot program.

FY2021 Mid-Year Budget Review

- Provide impact on any key performance indicators

During FY21, the Immigration Unit pilot program has completed 96 *Padilla* consultations to Assistant Public Defenders regarding the potential immigration consequences of their clients' pending criminal cases. In addition, the Unit has conducted 15 in-house trainings of approximately 430 Public Defender employees via Zoom. Thus, the Immigration Unit has had a productive launch, despite challenges that have arisen with the delay in filling the Immigration Unit's vacancies.

- *For OUP Only: How does this align with the Policy Roadmap?*

This goal aligns with the policy priority:

- **"Safe and Thriving Communities" Objectives 2 and 3** (noted above) and **Objective 4:** Cultivate multidisciplinary collaboration to advance criminal justice reform that incorporates the voices of affected communities.

II. FY2021 Revenue (for revenue generating offices)

Comparison of YTD budget (as of 5/31/2021) vs YTD actual revenue with explanations for major variances and corrective action steps. Final unaudited actuals for May 31, 2021 will be reported in the upcoming monthly Revenue and Expense report.

Revenue	FY2021 YTD Budget	FY2021 YTD Actuals	\$ Variance	% Variance
State of Illinois	\$55,235	\$55,784	\$549	0.9%

- **Explanation of variances greater than 1% and \$1 million** N/A
- **What corrective action will be taken?** N/A

III. FY2021 Expenditure Projections

Comparison of YTD budget (as of 5/31/2021) vs YTD actual expenses with explanations for major variances and corrective action steps. Final unaudited actuals for May 31, 2021 will be reported in the upcoming monthly Revenue and Expense report.

Operating Expenses	FY2021 YTD Budget	FY2021 YTD Actuals	\$ Variance	% Variance
Personnel	\$36,053,047	\$35,624,449	\$428,598	1.2%
Contractual Services	\$1,033,008	\$362,429	\$670,579	64.9%
Supplies and Materials	\$396,192	\$186,388	\$209,804	53.0%

FY2021 Mid-Year Budget Review

Operations and Maintenance	\$695,880	\$585,341	\$110,539	15.9%
Capital Expenditures				
Rental and Leasing	\$65,916	\$65,915	\$1	0.0%
Contingencies and Special Purposes	\$28,810	-	\$28,810	100.0%
Total	\$38,272,852	\$36,824,522	\$1,448,330	3.8%

- **Explanation of variances greater than 1% and \$1 million**
 - **Personnel** – No major variance.
 - **Contractual Services** – The majority of this budget line is for expert witnesses and court reporting. Due to the COVID pandemic and courts being closed, these expenses have not been incurred as in the past. However, as the courts increase capacity for in-person hearings, we anticipate spending down these funds.
 - **Supplies and Materials** – The majority of this budget line is for supplies and daily operational needs. Due to the COVID pandemic, courts being closed and employees working remotely, these expenses have not been incurred. However, as the courts increase capacity for in-person hearings, and employees are returning to their work locations, we anticipate spending down these funds.
 - **Operations and Maintenance** – No major variance.
 - **Capital Expenditures** – See summary below in Section VI Capital Equipment Updates
 - **Rental and Leasing** – No major variance.
 - **Contingencies and Special Purposes** – These funds are for grant matches and will be spent by the end of the fiscal year as grant funds are spent.
- **What corrective action will be taken if required?** N/A

IV. Status of FY2021 Hiring

Please provide a status (as of 5/31/21) on the office's hiring efforts to date and planned through the end of the year. This section applies to only operating fund positions. For OUP, please provide responses at the Bureau-level. For all other elected/appointed offices, please provide responses at the office/department-level.

Bureau/Department*	# of FY2021 Appropriated FTE	# of Filled Positions	# of Vacant Positions
Public Defender	694	626	68

FY2021 Mid-Year Budget Review

- **If your office has vacant positions, please provide an indication of what percentage of vacancies are anticipated to be filled by fiscal year-end and what actions are currently in place to help achieve that goal.**

As of July 7, 2021, the Office has 635 filled positions and 55 vacancies. The original FY21 appropriation including 694 FTEs, however four of these positions were absorbed by a grant the Office received from the JB & MK Pritzker Family Foundation, after the FY21 budget was passed, leaving a total of 690 FTE's.

The Office has been working diligently with Budget and BHR to fill much-needed vacancies. We anticipate onboarding a class of 16 new Assistant Public Defender I's on July 18, 2021, and a new Deputy of Policy and Strategic Litigation is scheduled to start on August 2nd. In addition, the Office is currently working with BHR to post for the following 17 vacancies:

- Senior Policy Advisor
- Director of Legislative & External Affairs (Juvenile Justice)
- Director of Legislative & External Affairs (Criminal Justice)
- Deputy of Communications
- Director of Community Engagement
- Immigration Unit Caseworker
- Immigration Unit Paralegal
- Immigration Unit Attorney (2 vacancies)
- FOIA and Subpoena Response Officer
- Investigator I (4 vacancies)
- Stenographer V (3 vacancies)

We will also seek to hire a new class of pre-licensed attorneys during FY21, as well as work with BHR to fill other critical vacancies. Approximately 60% of current vacancies will be filled by the end of the fiscal year.

- **To the extent your agency has positions vacant as of 5/31/21, please provide the Board information on what, if any, challenges your office has faced in filling the positions.**

In April 2021, a new Public Defender administration began. Under Public Defender Sharone R. Mitchell Jr.'s leadership, the Office has established new positions that will aid in addressing the Office's new priorities including the creation of a new policy and training divisions, enhanced community engagement and communications, and expanded technology capacity. The Office has faced several challenges and delays in establishing and filling new positions -- due in part to the new administration's steep learning curve in understanding the requirements of the Cook County Employment plan -- as well as a leave of absence in the Public Defender's internal HR Department and capacity limitations of BHR in reviewing, approving, and posting positions.

FY2021 Mid-Year Budget Review

V. FY2021 Contracts

Please provide a list of your office's existing and anticipated contracts for FY2021 in the format provided below. (Feel free to attach this list separately if more room is needed)

Vendor Name	Department	Contract Purpose	Contract Amount	Contract Start Date	Contract End Date	Contract Status*
Safer Foundation	Public Defender	Bond Court Backlog Clearance Specialists at 26 th Street	\$1,345,489	1/1/2019	12/31/21, with two one-year renewal options	1-year renewal option pending w/Procurement per contract
Journal Technologies	Public Defender	Maintenance of eDefender, case management system	\$2,326,425	10/21/2015	10/20/21, with two one-year renewal options	1-year renewal option pending w/Procurement per contract

○ ***For any contract that is expiring this year, please indicate:**

- **Whether the contract will be renewed, extended or re-bid.**
 - 1-year renewal option pending w/Procurement for the Safer Foundation and Journal Technologies contracts
- **If re-bid, the status of the procurement.**
 - N/A

VI. Capital Equipment Updates

Please provide a list of your office's FY2021 capital equipment projects and the status of projects in the format provided below. (Feel free to attach this list separately if more room is needed)

Capital Equipment Project	Project Status (Not Started/Started/Delayed/Completed)	Please provide an update on the project, reasons for any delays and the expected completion date of the project
Computer Refresh \$164K	Partially Complete	Working with vendor on laptop options due to national shortage
Furniture \$10K	Pending	Determining exact needs as employees return to worksites. Will be complete by year end.
CEP – Blu Ray Players \$5,500	Pending	Working with vendor on what is available
CEP – Resource Library \$92,671	Phase I nearing completion	Necessary software has been procured; system is scheduled to launch in August.
Vehicle \$30K	Pending	Order placed with dealer by BOA. Anticipating delivery of vehicle in July-August

FY2021 Mid-Year Budget Review

VII. Grant Funding

Grant Name	Department	Appropriated Award Amount	Awards Start Date	Award End Date	Grant Set-Up Status
G53738-Grant 2020 PD Forensic DNA	1260.Public Defender	\$23,675	7/1/2020	6/30/2021	Set-Up
G53828-Grant 2019 PD Juvenile Defender Education Advocacy Program	1260.Public Defender	\$105,874	10/1/2019	9/30/2022	Set-Up
G53839-Grant 2020 PD Data Analytics Enhance Program	1260.Public Defender	\$367,739	1/1/2020	12/31/2021	Set-Up
G53840-Grant 2020 PD National Forensic Evidence Litigation Training Program	1260.Public Defender	\$32,300	1/1/2020	6/30/2021	Set-Up
G53739-Grant 2020 PD Mitigator Project	1260.Public Defender	\$140,916	7/1/2020	6/30/2021	Set-Up
G54014-Grant 2021 PD Immigration Unit	1260.Public Defender	\$600,000	12/1/2020	11/1/2022	Set-up
G54027-Grant 2021 PD NAPD Fund for Justice	1260.Public Defender	\$2,000	1/1/2021	2/15/2022	Set Up

- **Please detail your office's efforts this year to seek out new sources of grant funding.**

In July 2020, the Public Defender's Office hired a Grant Analyst, who has helped the Office achieve the highest levels of grant funding in the organization's recent history. This role has been vital to identifying and applying for grant opportunities in several fields, including mental health, forensics, and immigration defense. The Office anticipates the trend of gradually increasing grant funding will continue in the upcoming fiscal years.

- **How many full-time or part-time staff members in your office are responsible for the administration of grants? *(Indicate how many are full-time and how many are part-time)***

We have one full-time Grant Analyst position responsible for the overall administration of grants, and several management staff who contribute to the day-to-day administration and management of grants on a part-time basis.

VIII. COVID-19 Operational Impacts

Please respond to each question below and provide details and take-aways about your operations as it relates to the COVID-19 public health crisis.

- **Describe any initiatives you have implemented that have resulted in greater efficiencies within your operations and how such initiatives can or will be carried forward into your operations as we transition back to full operation.**

During the pandemic, the Office provided staff members with laptops and other equipment to enable them to perform their job duties remotely. This included providing support staff, investigators, and attorneys with laptops, optimizing the eDefender case management system, and supporting other telecom and technological needs. The Office also incorporated video conferencing into its operations, using Zoom and/or Microsoft Teams to meet with clients, attend court calls and conduct meetings with colleagues.

FY2021 Mid-Year Budget Review

These new initiatives have allowed the Office to maintain a relatively high level of productivity during the pandemic and will be continued in the future to enable employees to telecommute as a part of a newly implemented hybrid worksite policy.

- **Are there additional cost-saving or efficiency-saving measures you envision incorporating into your operations as a result of lessons learned during the pandemic?**

The Office will work to ensure that newly implement cost-saving or efficiency-saving measures are incorporated into Office operations beyond the pandemic. This includes utilizing video conferencing for team meetings, routine court calls, and client visits; electronic filing of court documents and receiving discovery from law enforcement and prosecutors digitally.

- **How did you incorporate technology and digital access into your processes in the midst of COVID-19?**

The Office has increased its use of e-filing with the Clerk's office and provided staff with Adobe Acrobat Pro software that enables them to complete or sign digital forms and documents, thereby increasing online productivity and creating the potential of generating cost savings over the course of multiple fiscal years.

- **Are you contemplating implementing more innovative/transformational technological initiatives to systematically transform operations within your office and improve public accessibility?**

Yes, the Office anticipates implementing more innovative and transformational technological initiatives and will have a better sense of the need as the court increases the capacity for in-person hearings.

- **How can your office accelerate these improvements and what impact would that have on your budgets?**

The Office is in the nascent stages of determining the new Public Defender administration's approach to specific improvements that can be made. Many of them will likely center around three specific priority issue areas: 1.) efficient case management and data collection, 2.) electronic file maintenance and preservation and 3.) enhancing the Office's use of technology to improve productivity and efficiency.

IX. FY2022 Preliminary Forecast

Below is the target for the entire elected or appointed official's budget. Department level targets are available in the Hyperion budgeting system.

FY2022 Budget Target	\$83,259,026
-----------------------------	---------------------

- **Please provide preliminary ideas of how your office is planning to meet your budget target for FY2022.**

FY2021 Mid-Year Budget Review

The Office is dedicated to being fiscally responsible and will submit a FY22 budget that is within the set target. Over the course of the next several fiscal years, the Office will be investing resources to completely revamp and enhance training and professional development.

The Public Defender Training Division (also known as the Professional Development Division) has traditionally been utilized to provide training opportunities for attorneys, most of which occur in other parts of the country. Little to no investment has been made in providing professional development for support staff, investigators, or other Public Defender staff. The need to provide necessary training and up-to-date best practice information to all Public Defender staff has become increasingly more important, as the Office continues to expand its holistic offerings of services with the expansion of the Mitigation Unit, the addition of the Mental Health Unit, the newly launched Immigration Unit pilot program, etc.