

Department Name	Alternate Public Defender
Account(s)	1171

Department Function
The Office of Alternate Public Defender provides high quality legal representation to people who cannot afford to hire an attorney. Our mission is to address disproportionality in the criminal legal system, the collateral consequences of system involvement and other systemic issues that undermine the rights of our clients. The Office provides legal representation to eligible adults and juveniles who have been charged with committing a crime and cannot afford an attorney, as well as people who have been convicted of a crime on appeal, parents who could lose their children in welfare and neglect cases, and people seeking to vacate a past felony or misdemeanor conviction. Eligibility for representation is determined pursuant to NYS Office of Indigent Legal Services' (ILS) guidelines or where representation is ordered by a court. The Office was created to represent eligible people where a bona fide conflict of interest prevents the Albany County Public Defender's Office from representing them. To that end, this Office represents people in both criminal and family court cases at every type of proceeding, including hearings, trials, sentencing proceedings and post-conviction proceedings.

Current Year Highlights
• Conducted multiple jury trials over the past year, including 7 homicides and 5 attempted murders. • Successfully represented appellate cases, including the reversal of a homicide conviction and a modification leading to the release and youthful offender adjudication of a young man. • Implemented a staffing model that lead to more equitable local court assignment plan, reasonable caseloads, and a renewed focus on client-centered representation. • Advocated for innovative alternatives to incarceration through participation in various diversion programs, such as drug treatment court, diversionary programs and Mental Health Court.

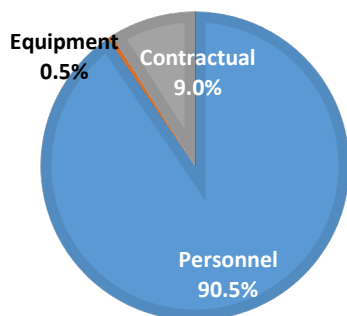
Next Year Projects
• Implement the digitization of case files, including discovery materials, court filings and appellate records and briefs. • Complete transition to an in-house investigator to assist attorneys in analyzing cases. The in-house investigator will locate and interview complainants, witnesses, or law enforcement personnel, and will locate and gather relevant records, documents, and serve subpoenas. Hiring a full-time staff for this role will reduce the Department's spending and reliance on contractors.

Link to Website	www.albanycounty.com/APD
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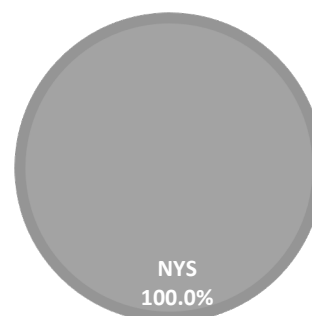
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Financial Charts

FORECASTED COSTS, BY TYPE



FORECASTED REVENUES, BY TYPE

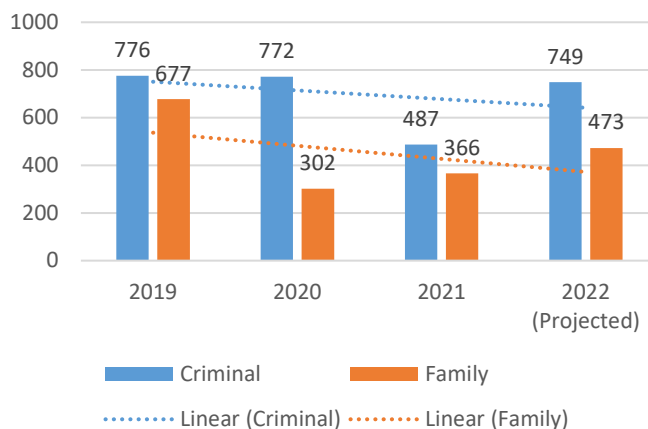


The Department's primary annual expenses are personnel such as attorneys, investigators, and support staff, and who contribute to indigent defense in instances where there's a bona fide conflict. Annual contractual expenses are for vendors that provide cloud-based case management systems and discovery storage, client services, legal reference materials, subscriptions, conferences, training/CLEs, etc.

Revenues received by the APD's Office are completely from New York State, the bulk of which are grants from the Office of Indigent Legal Services including funding for the Statewide Implementation of the Hurrell-Harring settlement. Revenues are budgeted at \$1.13 million for 2023. The 2023 Budget has a forecasted County Share of \$0.85 million for the APD.

Programmatic Highlights

Cases Opened by the Albany County Alternate Public Defender



In 2022, the Office of the Alternate Public Defender saw a return to pre-pandemic caseloads in Criminal Court, with an increase in the number of felonies. Family Court caseloads are still trending between one-half to two-thirds the pre-pandemic levels for APD attorneys. In 2021, the Office saw a large increase in violent felony cases. Further, the APD has been assigned more homicide and attempted homicide cases in recent years. The two years before the pandemic, they handled an average of six (6) cases annually. In 2021 they handled nine (9); and in 2022 they've been assigned twelve (12) homicides or attempted homicides so far.

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