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**ANNUAL REPORT OF THE OFFICE OF THE GREENE COUNTY  
PUBLIC DEFENDER FOR THE YEAR ENDING 2017**

In 2017, the Greene County Public Defender's Office (hereinafter referred to as "the Office") opened an additional 1872 new cases. There were 457 cases dealing with family court matters and 1264 cases dealing with criminal matters. The Office had a total of 340 felony cases and 857 misdemeanor cases. The remaining cases were comprised of other violations and miscellaneous matters. **See Figure 1 and Figure 2 annexed hereto below.**

The Office continued to represent clients in support violation proceedings, parole violation hearings and appeals, Habeas Corpus petitions, Article 81 guardianship cases, Sexual Offender Registration Act (SORA) hearings, applications for an early termination of probation, and applications for a certificate of relief from disabilities. In addition, the Office advocated on behalf of clients who have been sentenced to prison and whose cases are technically closed, but who have discovered errors in their criminal record or who have not been given credit for time served in local jail. Our office has made every effort to advise clients of their rights both before and after charges are filed. This includes assisting during police interrogation and interview by probation.

The number of cases handled by the Office in the year 2017 saw an increase from the previous year by 82 cases or almost 4.5%. The increase during the year 2017 was primarily due to the increased levels from all types of cases that this office handles. The total number of criminal court cases increased from 1189 cases in 2016 to 1264 cases in 2017. The number of felony cases increased by 15 or almost 4.6%. The number of misdemeanor cases increased by 70 or almost 9%. The total number of family court cases increased by 26 or almost 6%. **See Figure 3 and Figure 4 annexed hereto below.**

The year 2017 saw multiple criminal jury and bench trials similar to the year 2016. This trend has been consistent for the past couple of years. I expect that this trend may be a result of more stringent plea offers than in the past and more extensive review of case investigation as it relates to the appropriateness of the criminal arrest and subsequent proceedings. The year 2017, as in the year 2016, saw another felony jury trial which was a total success for the Office in that the jury acquitted our client of all pending charges.

The Greene County Public Defender's Office continued to be a member of the Greene County's Drug Court where the Office appeared on a weekly basis as a community stakeholder. The Office provided valuable insight throughout the drug court process and protected the rights of all drug court participants, regardless whether or not

represented them on the underlying charge. Additionally, there were instances when the Office's clients were not appropriate or selected for Drug Court, but desired to begin the process of recovery. In those instances, the Office provided hands-on assistance to these individuals that in other counties would have been handled by social workers. This hands-on assistance included initiating contact with treatment facilities, insurance companies and arranging for the transfer of medical records. The Office set up treatment screening interviews at the Greene County Jail and made applications to courts for clients to be released to treatment, both of which require a Judicial Order written by the Office for those clients that are incarcerated. The Office remained the liaison between the facility, the Court, and the client for the duration of the case.

As a result of a new grant that became available for Public Defender's Office, the Office applied for and awarded funding in the amount of \$557,409 for a three year period to have an attorney on call for all criminal arraignments that occur outside of normal business hours. This is part of a statewide initiative to increase the quality of representation provided to indigent defendants. The Office expects that by having representation at the earliest possible stage of a criminal prosecution, all of our clients will benefit from constitutionally protected due process and continuity of representation. Having representation will reduce unjust incarceration.

Assigned Counsel costs have become a decreased expense for this office. Assigned counsel is necessary as ethics rules govern/mandate outside assignment of counsel whenever a conflict of interest is present. The Office has explored sharing of services with other counties, but to no avail. Nevertheless, the amount that the Office spends on assigned counsel has decreased by almost 32% from the previous year. It is difficult to project yearly expenditures as these costs do not follow any identifiable trend.

The recent Supreme Court decision concerning immigration altered the manner in which this Office represents clients that are facing immigration consequences as a result of a criminal charge or conviction. The Supreme Court ruled that the Office must advise clients of the possible consequences a conviction would have upon a person's immigration status in the United States. This area of the law is a very specialized field and requires much research to properly advise clients. In order to help minimize the impact this additional research has upon the Office, the Office of Indigent Legal Services established regional resource centers to assist in providing advice to this Office. As in the year 2016, these centers were invaluable to this office and advised us on multiple offices.

The Office continued to improve the contact that it had with clients that were incarcerated in county jail and state prison. The Office streamlined its methods and coordinated with the Greene County Jail so that all incarcerated individuals could direct a message to their attorney which is often transmitted the same day. This procedure

permitted the attorney to address clients' issues in a timely fashion. Such issues included contacting family members or arranging for clients to obtain evaluations for mental health or substance abuse concerns. Increased contact has decreased the average amount of time that clients spend incarcerated in local jail when treatment options are available.

The Office's attorneys continued to receive training on the latest caselaw and the effect it has upon the Office's clients. This allowed the Office to provide the most effective services and representation. This office provided a venue for Continuing Legal Education credits for attorneys that represent indigent clients in the community.

As a result of the Indigent Legal Services grant, the Office was able to purchase two ultra-portable laptops so that attorneys can digitally enter information gathered at court to reduce the use of paper and associated costs. The office also purchased two desktop computers to replace aging equipment and a color laser printer which allows for reduced reproduction costs of trial exhibits.

In summary, the Office saw improvements in the year ending 2017. We will strive to continue this trend in future years by improving client representation and services provided by this Office.

Respectfully submitted,

Angelo F. Scaturro, Esq.  
Greene County Public Defender

Figure 1:

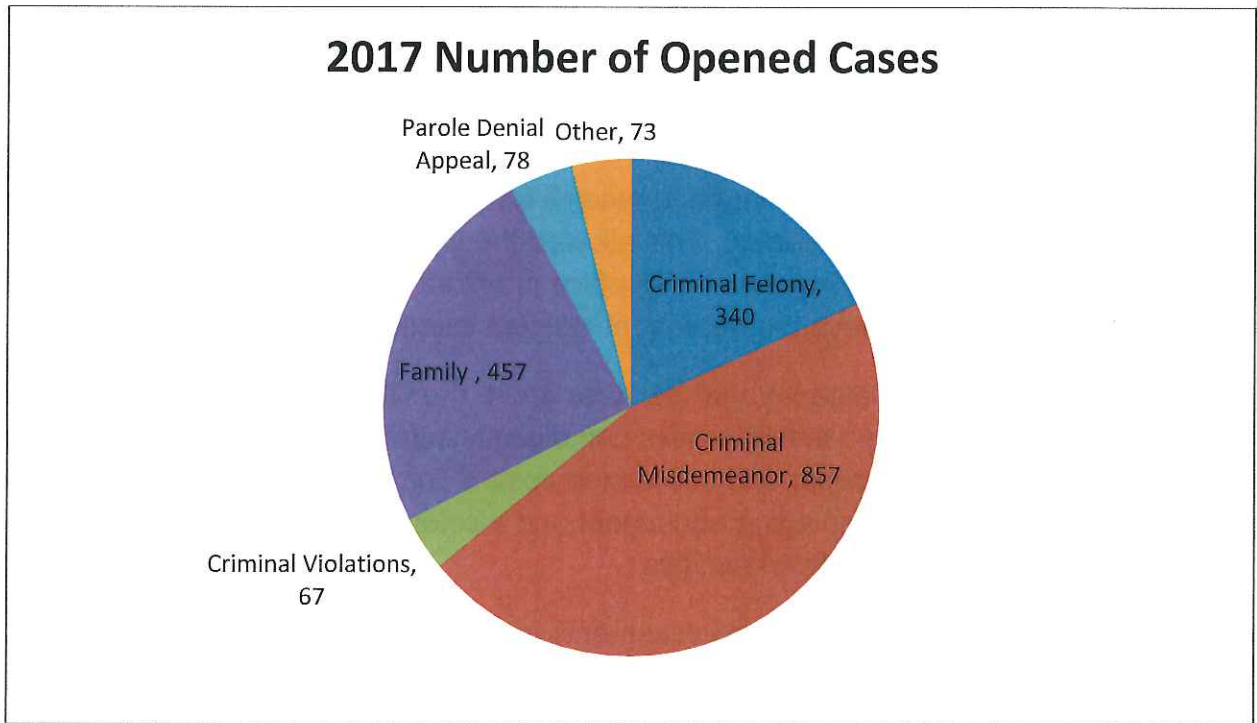


Figure 2:

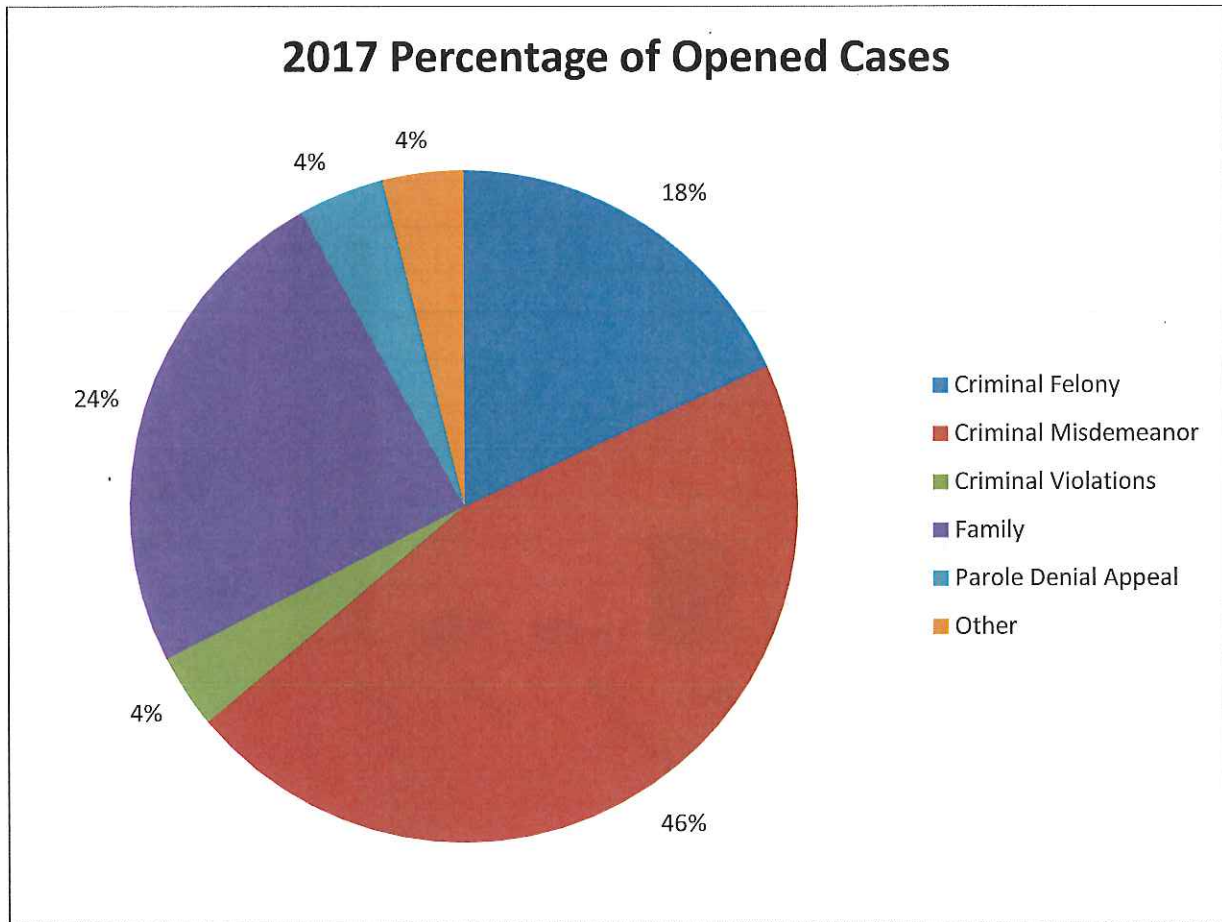


Figure 3:

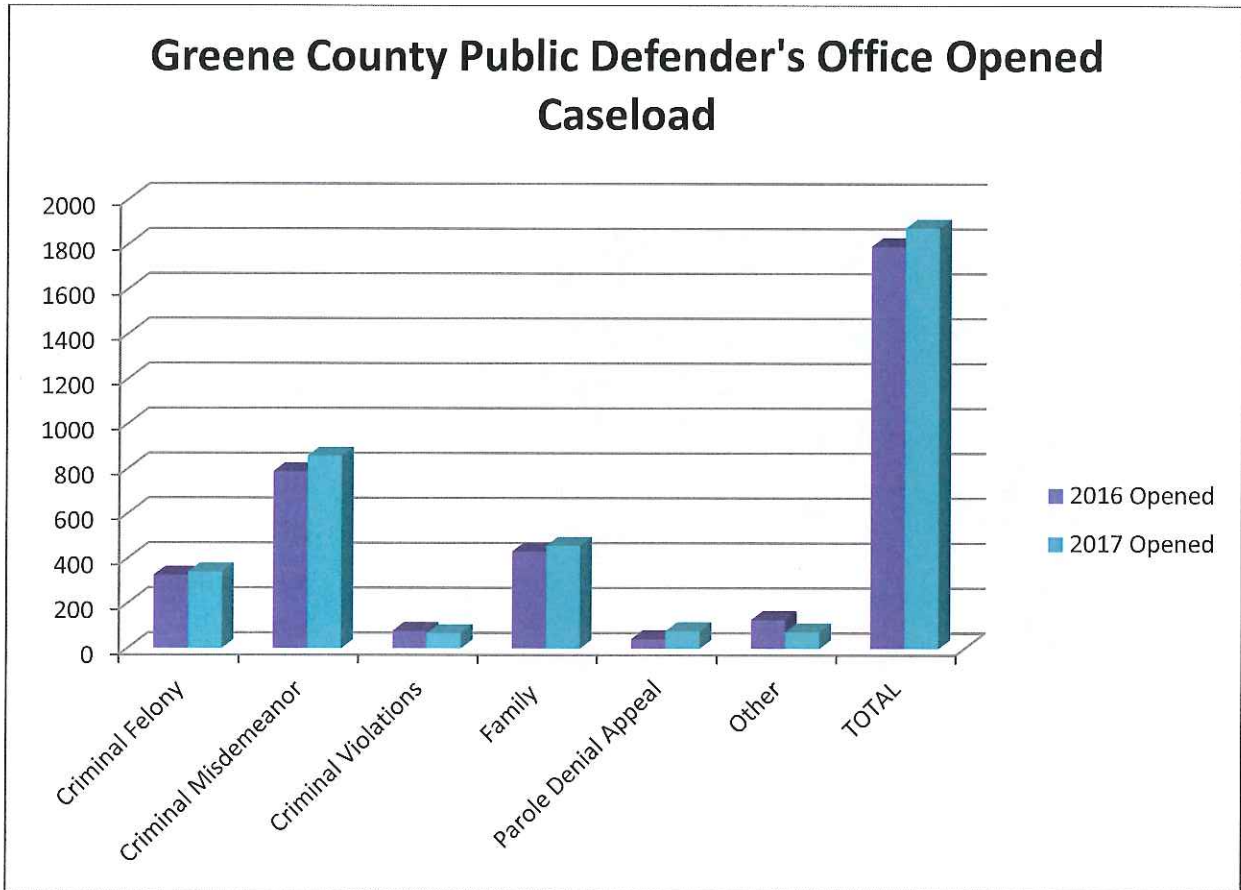


Figure 4:

