

Kentucky Department of Public Advocacy Annual Report Fiscal Year 2023



DPA Leadership Team



Tim Arnold
Post-Trial Director



Cheyla Bush
Diversity, Equity,
and Inclusion
Director



Cara Lane Cape
Executive Staff
Advisor



Jason Cloyd
Law Operations
Director



Samuel Cox
Trial Director



Public Advocate
Damon L. Preston



Jeff Edwards
Protection &
Advocacy Director



Melanie Foote
Education &
Strategic Planning
Branch Manager



Brad Holajter
Conflict Services
Director



Melanie Lowe
General Counsel



B. Scott West
Deputy Public
Advocate

Public Advocacy Commission



Courtney Lollar
Chair



John Rosenberg
Vice-Chair



Roula Allouch



LaCosta Hays



Daniel Goyette



Chynna Hibbitts



Jennifer Kinsley



Whitney Lawson



Luke Milligan



Frederick Moore



Lewis Paisley



David Sloan

Find us online at www.dpa.ky.gov



Diversity, Equity, and Inclusion at DPA

The Diversity, Equity, and Inclusion (DEI) Workgroup's mission is to carry out the DPA's mission of providing high-quality legal defense for our clients by creating a diverse, equitable, accessible, and inclusive environment at all levels. The DEI Workgroup seeks to achieve this mission through diversifying hiring practices, building culturally competent office communities, and continuing the fight for justice for all indigent clients throughout the Commonwealth of Kentucky.

The Diversity, Equity, and Inclusion (DEI) Workgroup hosted a 2023 Annual Conference session titled "Juneteenth Recognition and Connection to Public Defense." The session highlighted the empowering role of defenders, drawing inspiration from the landmark United States Supreme Court decision of *Gideon v. Wainwright*. The session also celebrated Juneteenth's historical importance in the fight for freedom and discussed the connections between American slavery and the criminal legal system, shedding light on the disproportionate impact of mass incarceration on the poor and marginalized communities.



Diversity, Equity and
Inclusion Director
Cheyla Bush



DEI Workgroup (L to R): Nick Houser, Sarah Aagard, Shaleesa Clayton, Cheyla Bush, Ches Clark, Patti Heying, Robert Yang, Haley Johnson, Cara Lane Cape, Jaye Bryant-Hayes, and Latrese Bryant



The Kentucky Association of Government Communicators presented the DEI Workgroup with two awards for their agencywide communications in CY2022.

Louisville Metro Public Defenders

For more than 50 years, defender services in Jefferson County have been provided by the independently-operated Louisville Metro Public Defender's Office, a non-profit corporation funded jointly by the Department of Public Advocacy and the Louisville Metro Government. The Chief Public Defender in Jefferson County is Leo G. Smith, who joined the office in 1982 and was promoted to Chief in October 2018. Founded in 1971, the Louisville Metro Public Defender's Office has a distinguished history and well-deserved reputation for effective client-centered advocacy.

Effective July 1, 2024, the Louisville Metro Public Defender's Office will become a part of DPA. We look forward to welcoming the hard-working staff of that office into DPA and the final completion of a comprehensive statewide public defender system.



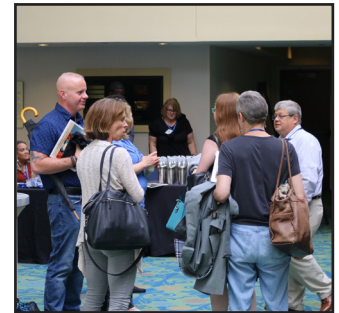
Chief Defender
Leo Smith

Education and Strategic Planning Branch



Education &
Strategic Planning
Branch Manager
Melanie Foote

The Education and Strategic Planning Branch is responsible for leading training and education efforts for the Department of Public Advocacy, including The Kentucky Public Defender College, Annual Conference, Online Educational Materials, and continuing trainings for attorneys, investigators, alternative sentencing workers, mitigation specialists, administrative assistants, and other members of the defense team.



ANNUAL CONFERENCE



LITIGATION PERSUASION INSTITUTE



NEW EMPLOYEE ORIENTATION



DPA Trial Division FY23 Assignments by County

County	Total Cases	Circuit Court	District Court	Family Court
Adair	593	176	417	-
Allen	913	473	352	88
Anderson	519	168	291	60
Ballard	351	144	207	-
Barren	1,586	790	787	9
Bath	500	162	338	-
Bell	1,330	537	793	-
Boone	2,595	831	1,751	13
Bourbon	698	257	432	9
Boyd	1,368	566	802	-
Boyle	1,103	338	656	109
Bracken	154	53	101	-
Breathitt	522	127	395	0
Breckinridge	431	216	215	-
Bullitt	2,291	492	1,625	174
Butler	457	252	189	16
Caldwell	410	148	262	-
Calloway	1,058	389	667	2
Campbell	1,777	579	1,164	34
Carlisle	128	61	67	-
Carroll	619	265	354	0
Carter	1,020	286	654	80
Casey	529	203	326	-
Christian	5,177	1,241	3,705	231
Clark	1,494	401	1,089	4
Clay	927	156	771	0
Clinton	385	116	269	-
Crittenden	235	57	169	9
Cumberland	312	130	182	-
Daviess	4,664	1,254	3,351	59

County	Total Cases	Circuit Court	District Court	Family Court
Edmonson	324	190	134	0
Elliott	259	107	137	15
Estill	377	117	260	-
Fayette	8,627	1,772	6,766	89
Fleming	423	179	244	-
Floyd	2,182	538	1,459	185
Franklin	1,237	489	708	40
Fulton	307	138	169	-
Gallatin	429	174	254	1
Garrard	506	112	376	18
Grant	618	206	412	0
Graves	1,866	685	1,181	-
Grayson	776	460	316	-
Green	270	78	192	-
Greenup	551	187	362	2
Hancock	75	35	38	2
Hardin	3,664	1,067	2,471	126
Harlan	1,780	471	1,309	-
Harrison	503	209	276	18
Hart	539	208	331	-
Henderson	2,291	726	1,467	98
Henry	690	290	397	3
Hickman	108	44	64	-
Hopkins	1,732	579	1,146	7
Jackson	535	109	426	0
Jefferson*	21,423	5,216	13,872	2,335
Jessamine	1,213	405	768	40
Johnson	519	143	322	54
Kenton	4,645	1,981	2,415	249
Knott	340	69	245	26

*The Louisville Metro Public Defender Office is a non-profit organization that contracts with DPA for defender services in Jefferson County.

DPA Trial Division FY23 Assignments by County

County	Total Cases	Circuit Court	District Court	Family Court
Knox	779	181	584	14
Larue	286	136	150	-
Laurel	1,269	343	908	18
Lawrence	507	174	313	20
Lee	95	19	76	-
Leslie	378	86	292	0
Letcher	1,018	357	661	-
Lewis	317	38	272	7
Lincoln	765	191	571	3
Livingston	291	107	184	-
Logan	1,339	605	734	-
Lyon	260	120	140	-
Madison	2,783	961	1,736	86
Magoffin	174	20	115	39
Marion	647	284	363	-
Marshall	849	321	515	13
Martin	344	92	207	45
Mason	834	257	577	-
McCracken	3,567	1,432	2,063	72
McCreary	168	132	36	-
McLean	206	82	124	-
Meade	448	242	206	-
Menifee	274	67	207	-
Mercer	463	134	281	48
Metcalfe	269	131	132	6
Monroe	288	137	151	-
Montgomery	1,098	475	623	-
Morgan	403	119	258	26
Muhlenberg	1,079	407	672	-
Nelson	1,269	478	791	0

County	Total Cases	Circuit Court	District Court	Family Court
Nicholas	254	122	112	20
Ohio	911	422	487	2
Oldham	791	355	435	1
Owen	314	102	212	0
Owsley	56	14	42	-
Pendleton	283	138	140	5
Perry	1,359	329	1,030	-
Pike	3,528	809	2,660	59
Powell	809	249	559	1
Pulaski	1,338	624	652	62
Robertson	49	28	20	1
Rockcastle	485	133	334	18
Rowan	848	309	539	-
Russell	554	192	297	65
Scott	1,481	423	1,041	17
Shelby	1,140	351	676	113
Simpson	1,236	719	503	14
Spencer	302	89	164	49
Taylor	1,050	395	655	-
Todd	282	87	195	-
Trigg	285	115	170	-
Trimble	299	128	170	1
Union	537	185	329	23
Warren	3,925	1,647	2,206	72
Washington	207	97	110	-
Wayne	924	349	549	26
Webster	482	156	319	7
Whitley	842	322	520	-
Wolfe	327	91	236	0
Woodford	274	70	181	23

Note - Numbers above does not include parole or supervised placement cases.

For more information, find us online at www.dpa.ky.gov

Trial Division

Attorneys in DPA's 37 trial offices represent clients who cannot afford to hire an attorney for their District, Family, Juvenile, or Circuit Court case. When DPA is appointed, defender teams protect clients' liberty and constitutional rights. We further serve our clients by seeking alternatives to detention like probation, rehabilitation, and specialty court placements. Through zealous advocacy and prudent counseling, DPA's trial offices ensure fairness and improve outcomes for clients in the criminal justice system.



Trial Director
Samuel Cox

BREAKDOWN OF REPRESENTATION TYPE

29,292 Circuit Court Felony Cases (Non-Revocations)
38,143 District Court Felony Cases
33,656 District Court Misdemeanor Cases
17,800 Court Revocation Cases
5,025 Juvenile Cases
5,458 Involuntary Commitment Cases
4,191 Contempt Cases
6,827 Conflict Cases
852 Parole Revocation Cases
53 Other Types of Cases

Caseloads
132%
of National
Standards



141,297
Total New
Trial Cases



365.4
Average Caseload
Per Attorney



\$496
Funding Per
New Trial Case



Conflict Services
Director
Brad Holajter

Conflict Services Division

The Conflict Services Division's focus is to provide programmatic leadership, resource management and dedicated training opportunities for conflict attorneys. Through committed support and general oversight, the Division aims to improve the quality of DPA's conflict services. DPA seeks to provide parity in representation for all clients by promoting a holistic conflict defense program through increased resources to private conflict counsel.

168
Conflict
Attorneys

6,827
Cases Assigned to
Private Attorneys

\$815
Funding Per
Conflict Case



Post-Trial Division



Post-Trial Director
Tim Arnold

When a client's case does not end in the trial court, the Post-Trial Division steps in. Recent studies have estimated that around 4% of the prison population are there for a crime they did not commit and even more are serving sentences for convictions tainted by legal errors. Post-Trial Division teams stand with clients in custody as they challenge their conviction or sentence, so that the justice system can fix its mistakes. Whether it is an appeal, a challenge to a juvenile placement, a post-conviction claim in a trial court, or an investigation of a wrongful conviction of an innocent person, the Post-Trial Division protects justice and fairness through access to effective counsel even after a client has been convicted.

BREAKDOWN OF REPRESENTATION TYPE

175 Appellate Briefs Filed

321 New Post-Conviction Appointments

262 New Juvenile Post-Disposition Cases

173 New Kentucky Innocence Project Cases



KENTUCKY INNOCENCE PROJECT EVENT
HONORING EXONEREES

Protection & Advocacy Division

The Protection and Advocacy Division (P&A) has a mission of protecting and promoting the rights of Kentuckians with disabilities. P&A is primarily federally funded and operates independently within DPA. P&A for Persons with Developmental Disabilities (PADD) created by the Developmental Disabilities Assistance and Bill of Rights (DD) Act of 1975 requires P&As to pursue legal, administrative, and other appropriate remedies under all applicable federal and state laws to protect and advocate for the rights of individuals with developmental disabilities. P&A for Individuals with Mental Illness (PAIMI) established by the PAIMI Act of 1986, mandated agencies to protect and advocate for the rights of people with mental illness; and investigate abuse and neglect in facilities that care for or treat individuals with mental illness.



Protection & Advocacy
Director
Jeff Edwards



Law Operations Division

The 24 employees of the Law Operations Division work diligently to support DPA's workforce, enabling defender teams to focus on client services. Through Human Resources, Information Technology, Defender Services, and the Fiscal Branch, the LOPS Division is a team of experts who assist employees with payroll, benefits, technology, or reimbursement needs and who support the Alternative Sentencing Worker and Investigating Programs. In short, the Division keeps the agency running, efficiently and within budget.



Law Operations
Director
Jason Cloyd

DPA FUNDING

\$80,459,900 Defender General Funds

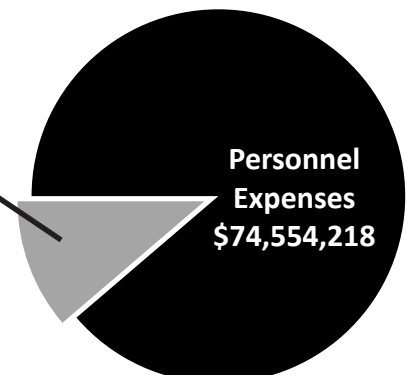
\$3,561,017 Defender Non-General Funds*

\$3,333,986 Protection & Advocacy

**Non-General Funds include funding from federal grant funds, court-ordered client fees, a portion of collected DUI service fees, and a small percentage of collected court costs.*

EXPENDITURES

Operating Expenses
\$9,466,699



Defender Services Branch



Alternative Sentencing
Worker Program
Supervisor
Dawn Gasser

Alternative Sentencing Worker Program

The Alternative Sentencing Worker (ASW) Program's objective is to reduce incarceration through working with individuals represented by DPA attorneys, to lead them to participate actively in treatment and rehabilitation. Through a referral process, DPA attorneys and ASWs identify individuals who suffer from substance use and/or mental health disorders, offering alternative options to the court, in lieu of incarceration. The Alternative Sentencing Plan (ASP) that is developed by the individual and ASW, is an individualized comprehensive plan that address the individual's underlying criminal behavior and facilitates rehabilitation. This program has received nationwide recognition and is now a pillar of DPA's client-centered approach to representation.



7,022

Total New
Assignments

5,370

ASW Plans
Presented to Court

3,438

Clients with Alternative
Sentencing Plan Approved

\$56,431,503

Potential State Savings from
Approved Plans in First Year



Investigative Services
Program Supervisor
Shane Beaubien

Investigative Services Program

The Investigative Services Program provides support to DPA investigators through case consultations, resource assistance, and regional/statewide collaborations. Investigative Services leads new investigator training and assists the Education and Strategic Planning Branch with educational programming for investigators.



2023 Celebration and Recognition Ceremony



Keaton T. Stewart

Defender Uprising Award

Amy Hannah

Edward C. Monahan Award

Kristin Gonzalez

In Re: Gault Award

Greg Griffith

Professionalism & Excellence Award

Lisa Blevins

Cindy Lovell Downs Award

Karen Shuff Maurer

Nelson Mandela Lifetime
Achievement Award

Cortney Lollar

Public Advocate's Award

Andrea M. Kendall

Furman Award

Whitney Allen

Defender Uprising Award

Christopher E. Schramm

Clarence Earl Gideon Award

Stephen Florian

Defender Leadership Award

Not Pictured:

Dennis J. Burke

Furman Award

Dewayne Deaton

Rosa Parks Award (*posthumously*)

