



# NASHVILLE DEFENDERS

404 James Robertson Parkway, Suite 2022, Nashville, TN 37219  
615-862-5730 • 615-862-5736 (fax)  
publicdefender.nashville.gov

TO: Bob Mendes, Chair of the Budget and Finance Committee

FROM: Martesha L. Johnson, Metropolitan Public Defender

SUBJECT: Council Budget Hearing Information Request

DATE: May 5, 2020

The attached information is provided in response to questions posed by the Budget and Finance Committee. Thank you to Committee members for soliciting our input and taking the time to review the response.



Martesha L. Johnson, Public Defender

**Budget & Finance Committee**  
**Preliminary Questions to Metropolitan Government Departments**  
**Metropolitan Public Defender**  
**Fiscal Year 2021 Proposed Budget**

1. What is the amount of the proposed funding increase or decrease from the previous fiscal year?  
The proposed funding increase from the previous fiscal year is \$224,400.

We were also required to reduce our fiscal year 2021 budget request by the amount of our fiscal year 2020 reversion target of \$222,600.

2. Please provide a statement regarding the impact the proposed increase/reductions will have on your department's operations.

The proposed increases included in the Mayor's proposed budget will allow us to cover our contractual rent increase and to restore or enhance our case management, quality of representation, systemic reform and training and development efforts.

The Mayor's proposed budget included reductions for longevity payments and all funding for out-of-town travel. Due to the reduction of out-of-town travel funds, our staff will not be able to attend training or continuing legal education conferences geared toward legal defense or professional development. Also, even though the funds have been eliminated, case-related out-of-town travel will still be necessary.

Reductions required in our budget request to meet our targeted savings amount will limit our resources to review body camera footage, to provide financial support for staff to receive continuing legal education geared toward criminal defense, to provide legal research resources to our attorneys, to pay membership dues to organizations that provide training and professional growth opportunities for staff, to provide community outreach for our clients and the public, and to provide some office supplies and equipment. A large portion of our reversion target over the last two fiscal years has been met due to vacancy savings through attrition. Reducing that same amount of funds from our budget will have a significant impact on our operations, meanwhile attrition savings will continue to occur.

3. Please identify and describe programs or services added or eliminated in the Mayor's proposed budget. None of our programs or services have been eliminated in the Mayor's proposed budget, however budget cuts required in our budget request to meet our reversion target will significantly impact the operation of our existing programs. The addition of legal defense funds will allow for the restoration or enhancement of our current services.

4. For any requested or recommended programs or services not included in the Mayor's budget, please itemize them by dollar amount and in order of importance to your department.

The Mayor's proposed budget does not include the following requested items:

1. Targeted savings restoration \$222,600
2. Body camera dissemination \$511,400

5. Regarding the number of FTE employees in your department:

a. How many budgeted employees do you have for the current fiscal year?

There are 90.49 FTE employees budgeted in the current fiscal year.

b. How many unfilled FTE employees does your department currently have?

Our department currently has 10 unfilled FTEs.

c. How many FTE positions are included in the Mayor's proposed budget?

The Mayor's proposed budget includes 88.49 FTEs.

6. Regarding your department's "departmental savings":
- What is the amount of your department's 'targeted savings' for FY2020?  
Our targeted savings amount for FY 2020 was \$222,600.
  - What was your department's budget for FY2020 after the targeted savings?  
After targeted savings, our total budget was \$9,189,500.
  - How does that compare with the Mayor's proposed FY2021 budget?  
The Mayor's proposed FY2021 budget totals \$9,413,900, the net impact of reductions and increases nets to an increase of \$224,400.

7. Regarding any previous audits in which your department has participated:

- What operations or expenditures have been audited within the last three years?  
During the Metropolitan Government's fiscal year 2019 audit, a sample of our credit card transactions were reviewed.

Five years? In November 2016, the Department of Finance's Office of Financial Accountability released a monitoring report for a review of credit card transactions conducted for the period July 1, 2012, through February 29, 2016.

Ten years?

-In May 2015, the Department of Finance's Office of Financial Accountability released a monitoring report for grant contracts in effect during the fiscal year ending June 30, 2014.

-In March 2015, the Department of Finance's Office of Financial Accountability conducted a review of selected Key Measures Results reported to the Office of Management and Budget for the year ending June 30, 2014.

-In March 2014, the Department of Finance's Office of Financial Accountability conducted a review of selected Key Measures Results reported to the Office of Management and Budget for the year ending June 30, 2013.

-In March 2013, the Department of Finance's Office of Financial Accountability conducted a review of selected Key Measures Results reported to the Office of Management and Budget for the year ending June 30, 2012

-In April 2012, the Department of Finance's Office of Financial Accountability conducted a review of selected Key Measures Results reported to the Office of Management and Budget for the year ending June 30, 2011.

-In March 2011, the Department of Finance's Office of Accountability conducted a review of selected Key Measures Results reported to the Office of Management and Budget for the year ending June 30, 2010.

-In November 2010, the Department of Finance's Office of Financial Accountability conducted a review of the American Recovery and Reinvestment Act (ARRA) grant received for the year ending June 30, 2010.

-In July 2010, the Office of Internal Audit issued a Compliance with Financial and Operational Policies audit report which focused primarily on the period March 1, 2008, through February 28, 2010.

- Has any capital spending been audited during the last five years? Ten years?

Not applicable to our department.

- Are there any prior audit recommendations still shown as pending/outstanding?

No.

If so, please identify these recommendations and provide a response regarding your department's plan to address the recommendation(s).

Not applicable.