

MISSOURI STATE
PUBLIC DEFENDER

ANNUAL REPORT 2025

JUSTICE FOR ALL

*DEFENDING RIGHTS
CHANGING LIVES*



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PUBLIC DEFENDER COMMISSION

Charles E. Atwell – Chair

Kansas City · Lawyer Member · Democrat

Larry H. Ferrell – Vice Chair

Cape Girardeau · Lawyer Member · Republican

Gloria C. Reno

University City · Lawyer Member · Democrat

Roy Richter

Ozark · Lawyer Member · Republican

Rodney Schad

Versailles · Public Member · Republican

Katie Sinuefield

Columbia · Public Member · Republican

Matthew Crowell – Director

Columbia · Ex-Officio Member

The governing body of Missouri State Public Defender is a Commission appointed by the Governor. The term of office of each commissioner is six years or until a successor is selected. Commissioners may succeed themselves. The Public Defender Commission is responsible for the hiring of the State Public Defender Director. They review the budget request prepared by the Director and provide support of the request before the Legislature. They make any rules needed for the administration of the State Public Defender.

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A LETTER FROM THE CHAIR

**Governor Mike Kehoe
Chief Justice W. Brent Powell
Members of the General Assembly**

Dear Governor Kehoe, Chief Justice Powell, and Members of the General Assembly,

This past year marked a significant milestone for the Missouri State Public Defender (MSPD) with the retirement of Director Mary Fox, a lifelong public servant who led the agency since 2020. Under her leadership, MSPD navigated the unprecedented challenges of the COVID-19 pandemic and made remarkable strides in fulfilling its mission of providing zealous advocacy for Missouri's indigent accused.

Director Fox eliminated a longstanding case waitlist, secured 53 new attorneys and 24 new support staff employees, launched the Holistic Defense Services (HDS) and Strike Force units, expanded juvenile representation, created a Parole Revocation Team, and reduced caseloads through increased case contracting. These and other achievements are detailed in the pages that follow and reflect a legacy of innovation and dedication that sets a high standard for public service.

These accomplishments were made possible by the support of Missouri's citizens and policymakers. The inclusion of MSPD in Article XIV of the Missouri Constitution, allocating a portion of recreational marijuana tax revenue, along with the FY26 budget support, enables continued growth of the HDS program, critical IT security investments, and the first increase in case contracting pay in decades. It's important to note that private attorneys handle over 16% of MSPD's annual caseload.

Despite this progress, challenges remain. MSPD staff continue to face pay disparities, high workloads, and increasing competition for legal talent. MSPD is continually working to address these issues through efficiency, innovation and fiscal responsibility. A strong public defense system is essential to protecting the rights of all Missourians.



It is my honor to present this Annual Report, which highlights the outstanding work of MSPD and the continued need for your support to ensure a fair and effective justice system.

Sincerely,

A handwritten signature in blue ink that reads "Charles E. Atwell".

Charles E. Atwell
Chair, Missouri State Public Defender Commission

A MESSAGE FROM THE DIRECTOR

The Missouri State Public Defender (MSPD) is dedicated to ensuring justice for low-income Missourians. Thanks to our concerted recruitment efforts, we are closer than ever to achieving full employment outside of a recession. Attracting talented attorneys is a significant achievement, and we are equally focused on retaining them to maintain our high standards of legal representation. Unfortunately, turnover rates remain well over fifteen percent.

While MSPD has faced challenges with turnover, we are committed to creating a supportive and rewarding work environment. Our surveys show that improving pay, providing advancement opportunities, and managing workloads are key to retaining our dedicated staff. By addressing these areas, we can ensure more stable and motivated teams statewide.

In 2022, Missouri voters made the decision to legalize recreational marijuana and approved a six percent tax on its sale. The voters specifically dedicated one-third of the tax revenue from the Missouri Veterans, Health, and Community Reinvestment Fund (Reinvestment Fund) to go directly to MSPD. This funding is instrumental in enhancing our services and has allowed us to increase the number of cases we contract to the private sector, easing workloads.

In addition, in FY2026, we will further expand our Holistic Defense Services (HDS) team thanks to recent appropriations from the Reinvestment Fund that allowed for ten new mitigation specialists. HDS focuses on reducing recidivism by addressing the root causes of criminal behavior. This proactive approach not only reduces crime but also saves the State money by minimizing unnecessary jail and prison time, all while ensuring community safety.



MSPD Director Matthew Crowell
presenting at MSPD's Annual Conference
Photo by Josie McKellips

To continue our positive trajectory, MSPD seeks to continue to build on the successes of our HDS program and to achieve pay parity with other state lawyers and prosecutors. In FY2027, we will request a portion of the Reinvestment Fund to further expand HDS and increase salaries, aligning them with other state legal professionals. This salary adjustment is crucial for maintaining a motivated and effective team, ensuring we can continue providing high-quality, zealous advocacy for Missourians.

"We are excited about the future and the positive changes on the horizon. The support received from the people of Missouri and the legislature will continue to create a solid foundation for future success. Together, we can build a stronger, more just public defense system for all Missourians."

- Director Matthew Crowell

WHO WE ARE & WHAT WE DO

Missouri State Public Defender (MSPD) is a statewide system that provides legal representation to poor people who are accused or convicted of state crimes or juvenile delinquency offenses in Missouri's trial and appellate courts.

MSPD is divided into ten divisions: a Trial Division, an Appellate/Post-Conviction Division, a Capital Division, a Commitment Defense Team, a Children's Defense Team, a Training Division, a Case Contracting Division, a Parole Revocation Defense Team, Holistic Defense Services, and an Operations Division.

MSPD



DEFENDING
RIGHTS



JUSTICE FOR
ALL



CHANGING
LIVES

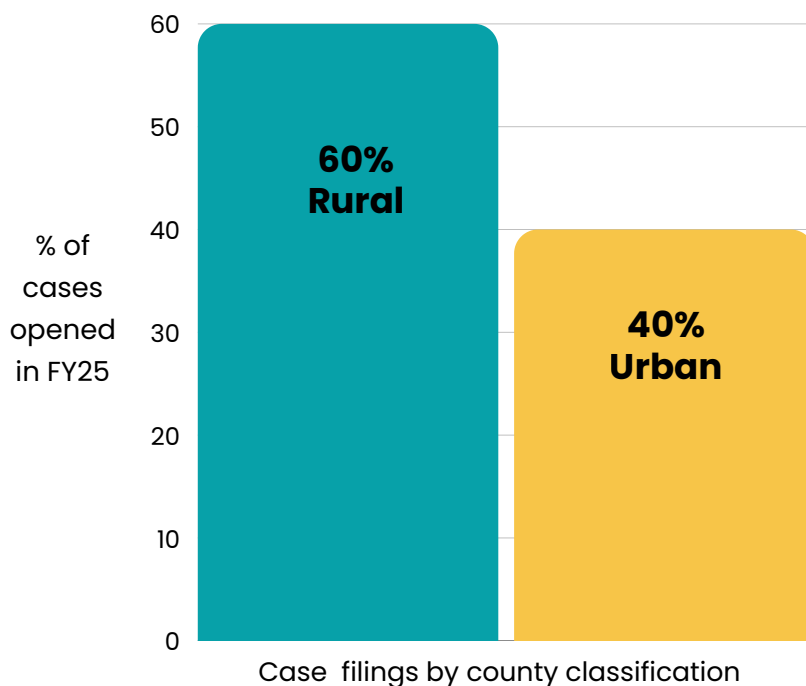
The mission of the Missouri State Public Defender (MSPD) is to provide high quality, zealous advocacy for indigent people who are accused of crime in the State of Missouri. MSPD will ensure that this advocacy is not compromised by providing each client with a comprehensive, competent, and ardent defense team at every stage of the process in which public defenders are necessary.

WHO WE SERVE

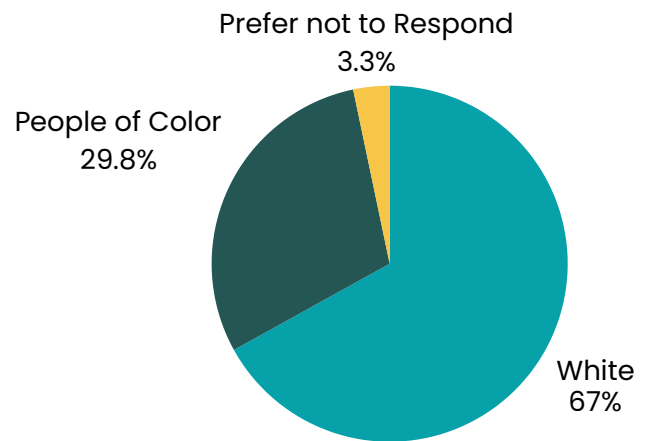
The Sixth Amendment guarantees that criminal defendants have a right to counsel in their criminal cases, ensuring the ability to have a fair trial, no matter their background, the charge, or the evidence against them. In 1963, *Gideon v. Wainwright* established the right to counsel for indigent defendants, meaning that an attorney would be appointed for anyone who could not afford one.

All of MSPD's clients are poor, living at or below 150% of federal poverty guidelines. Demographic data on our clients from across the state is highlighted in these charts.

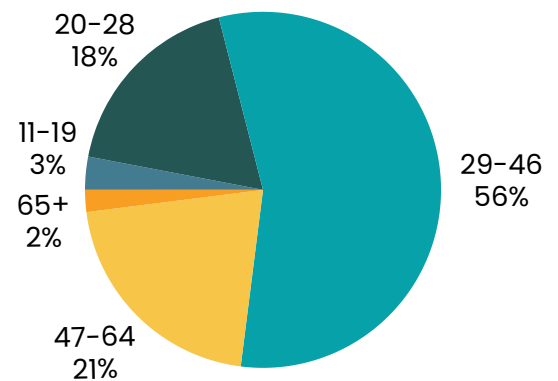
Geographic Trends



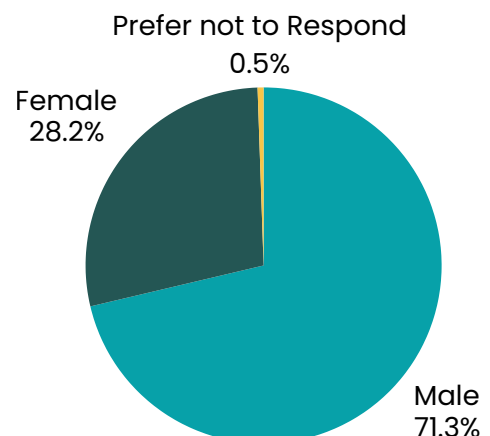
Race



Age



Sex



ELIGIBILITY FOR REPRESENTATION

◆ Applications

In FY25, MSPD Trial Offices **processed 61,942 applications** for services.

◆ Approvals & Denials

When someone applies for public defender representation, MSPD reviews a number of factors set out in 18 CSR 10-3.010 to determine eligibility. Of the 61k applications MSPD processed in FY25, we **found 46,086 clients eligible for representation** and **denied 15,856**, or approximately 25%, of applications for services.

◆ Indigence Appeals

If MSPD denies an application for representation, that person can file an appeal to the court and an indigence determination will be made by a judge. In FY25, **2,212 indigence appeals were granted** by the courts.



All of our clients live at or below 150% of Federal Poverty Guidelines

To be eligible for representation, clients must live at or below 150% of federal poverty guidelines.

Applications Continue to Increase



In FY25, applications for services increased slightly over those received in FY24. Over the past 3 years, we have seen a 4.8% increase in applications.

DID YOU KNOW?

Clients Pay Fees

Pursuant to RSMo. 600.090 and 18 CSR 10-5.010, public defender clients are assessed a fee after the close of their case.

While these fees are much less than it would cost to obtain private representation, they are costly to our clients and MSPD staff devote time and resources towards this process.

- ➡ **\$ 25**
Entry with early withdrawal
- ➡ **\$ 125**
Misdemeanors and Probation Violation cases
- ➡ **\$ 375**
Felonies, Appeals and Post-Conviction Relief
- ➡ **\$ 500**
Felony Sex Cases
- ➡ **\$ 750**
Murder Non-Capital and Civil Commitment Cases
- ➡ **\$ 1,500**
Capital Murder Cases

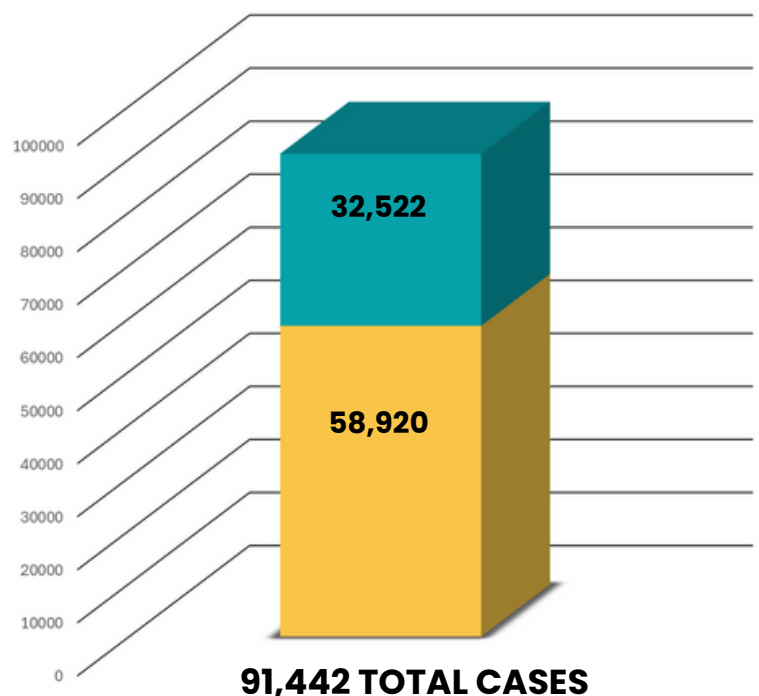
TRIAL DIVISION

The Trial Division is MSPD's largest division and handles most of MSPD cases. **In FY25, MSPD's Trial Division represented clients in 91,442 cases.** Of those, 58,920 cases were new cases that were opened in FY25 and 32,522 were cases that had been opened before the fiscal year started and were still ongoing in FY25.

Public defenders are also providing counsel in the vast majority of felony cases filed in Missouri courts. In FY24, the Trial Division handled **approximately 71% of all felony cases** filed in Missouri circuit courts. In contrast, public defenders cover a smaller portion of misdemeanors filed in state court. In FY24, MSPD attorneys entered on approximately 12% of the misdemeanor cases that were filed in Missouri associate circuit courts.

See Missouri Courts FY24 Annual Statistical Report - Circuit Profiles, Table 26, available at <https://www.courts.mo.gov/file.jsp?id=7318>.

Trial Division Cases FY25

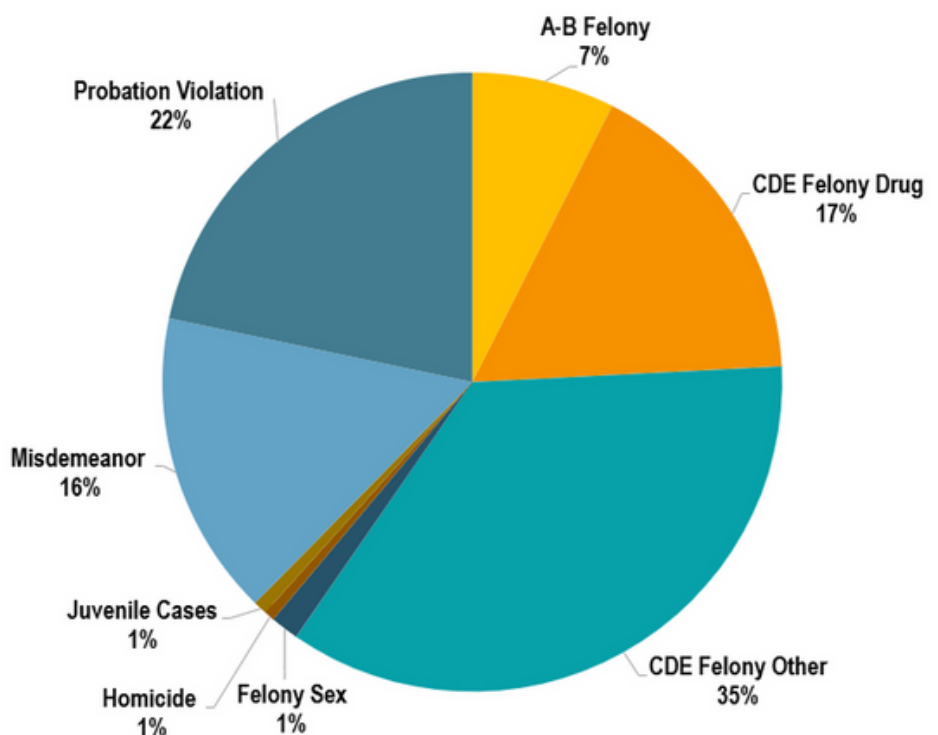


Cases by Case Type

The vast majority of cases in the Trial Division are low-level felonies, probation violation cases, and misdemeanors (16%).

Despite common misconceptions, homicides and felony sex cases are incredibly rare, comprising together just 2% of Trial Division cases.

Cases by Case Type FY25



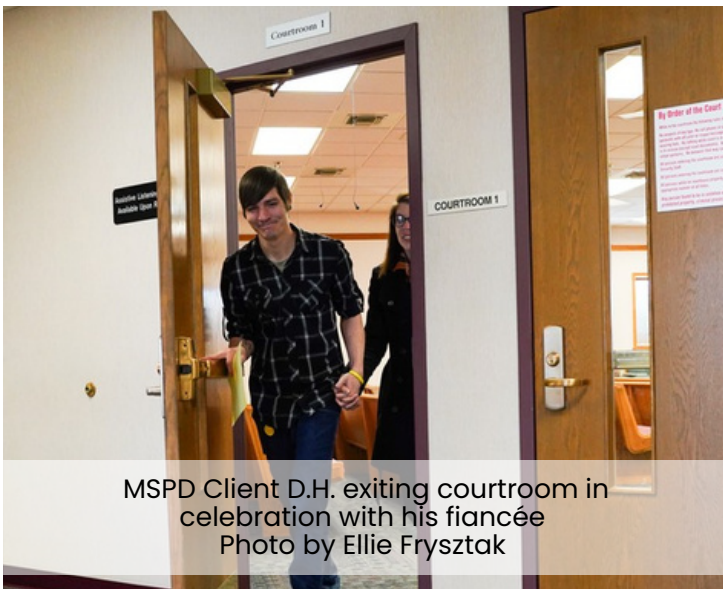
FY25 TRIAL DIVISION OUTCOMES



Public Defender David Wiegert celebrating a win with his client, R.M. Summer 2025
Photo by Josie McKellips

IMPRESSIVE TRIAL OUTCOMES

Public defenders earned **acquittals on all counts in 23% of cases taken to trial** in FY25. Another **30% of trials resulted in mixed verdicts**, which include cases where clients were found guilty of something, but the outcome was better than what was charged at the start of the trial. **Of those cases, 57% were able to avoid unnecessary incarceration** in the Department of Corrections.



MSPD Client D.H. exiting courtroom in celebration with his fiancée
Photo by Ellie Fryszak

HIGH RATE OF DISMISSALS DUE TO DEFENSE WORK

Public defenders **secured dismissals in 15% of cases that were opened in FY25**. These dismissals were largely due to the dedicated and thorough defense work of our defense team. By conducting early investigations, filing timely motions, and advocating effectively at every stage, our staff were able to challenge weak evidence, expose procedural errors, and ensure that our clients' rights were protected.



A View of the Downtown St. Louis Courthouses
Photo by Ellie Fryszak

REDUCING UNNECESSARY PRISON SENTENCES

Our defense teams used collaborative, holistic defense practices to reduce unnecessary prison sentences. In FY25, **62% of clients who pleaded guilty were able to avoid unnecessary carceral sentences** in either the Department of Corrections or county jail. Additionally, public defenders got their clients' **charges amended to something lesser or better for 42% of clients who pleaded guilty**. When we help reduce unnecessary incarceration, our clients, their families, and our communities are healthier and safer.

THE WORK OF A TRIAL ATTORNEY

Trial attorneys do a lot more than what happens in court. The National Public Defender Workload Study sets out 8 main categories of work required to provide an effective defense (Pace et al., 2023).



01 — Client Communication and Care

Time spent communicating with client or arranging care, support, or other personal and social services for the client, including working with social services, treatment providers, or outside agencies, and working on medical, family, or other issues affecting the client



02 — Discovery and Investigation

Time spent on investigation of the case and exchange of discovery with the prosecution, including requesting and reviewing discovery materials, viewing evidence, canvassing for and interviewing witnesses, working with investigators, and reviewing and preparing case materials



03 — Experts

Time spent hiring and working with pretrial and trial experts, including locating, interviewing, corresponding, consulting with, and reviewing reports of experts for the defense, including experts related to competency, pretrial, and trial matters



04 — Legal Research, Motions Practice, and Other Writing

Time spent on legal research and writing, including research, drafting motions, pleadings, briefs, etc. related to pretrial, motions, or trial, and any written submission to the prosecutor related to negotiations



05 — Negotiations

Time spent on resolving any part of the case by agreement, including discussions with a prosecutor to dismiss a case or resolve by plea bargain

For more information on the National Public Defender Workload Study, go to https://www.rand.org/pubs/research_reports/RRA2559-1.html



06 — Court Preparation

Time spent preparing for any and all pretrial hearings, as well as trial, including preparing for hearings, preparing clients, family, and other witnesses, preparing materials and exhibits, defense team meetings, moot and mock arguments and exams



07 — Court Time

Time spent in court for pretrial hearing and trial, including initial appearance, bail hearings, status hearings, competency proceedings, motions hearings, and trials



08 — Sentencing and Mitigation and Post-Adjudication

Time spent preparing for sentencing, attending sentencing hearing(s), and on any post adjudication activities, including developing or collecting evidence to be used in sentencing, witness preparation, consulting with sentencing and mitigation experts, preparing for and attending sentencing hearings, addressing fines, fees, and restitution, filing post adjudication motions or notices, preparing and filing any required documentation for appeal, preparing file for appeal or transition to appellate attorney, communication with appellate attorney

Retention and Holistic Defense Teams Are Keys to Quality Representation



Protects Constitutional Rights

The 6th Amendment guarantees the right to counsel in criminal cases and the right to a speedy trial – experienced attorneys and holistic teamwork are necessary to protecting these rights.



Benefits the Entire Community

Effective defense teams are necessary given high workloads and preventing delays in cases, which harms clients, victims, and taxpayers.



Ethical Strains, Burnout, and Turnover

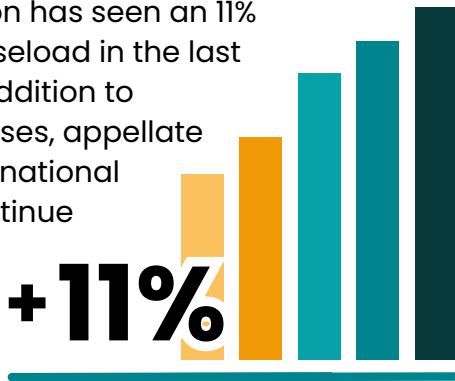
Workloads that are too high put public defenders in the horrible position of being unable to meet ethical standards. This contributes to burnout and turnover – which in turn creates even higher workloads for those who stay.

CURRENT TRENDS

RIISING CASELOADS & COMPLEX CASES

Caseloads Continue to Rise

The trial division has seen an 11% increase in caseload in the last five years. In addition to numbers of cases, appellate decisions and national standards continue to demand much of public defenders.



Complex Case Needs

In addition to increasing sizes of caseloads, there is an ongoing need for attorneys who can handle complex cases. While recruitment efforts have brought MSPD closer to being fully staffed, the high rate of turnover means that a huge proportion of our attorneys, particularly in the trial division, are new to criminal defense practice. Additionally, filings of old 'cold cases' have increased, which require a degree of forensic expertise.

New Unit: Strike Force

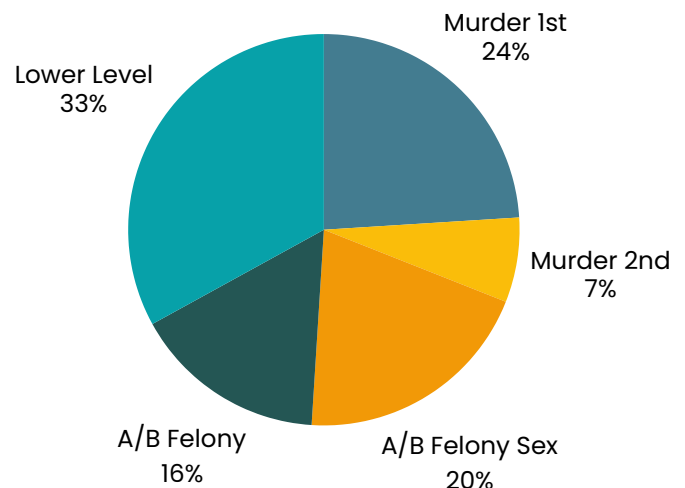
In FY25, MSPD created a new Strike Force team, comprising a group of five highly skilled attorneys with over 80 years of combined expertise.

These attorneys specialize in a variety of areas including forensic sciences, sex offense cases involving children, mental illness, and complex homicides.

The Strike Force team accepts high-level, complex cases from local offices across the state, taking on full responsibility for the case and traveling frequently to different jurisdictions. They also partner with local office attorneys as co-counsel to assist with the forensic issues in the case, and in doing so help train newer attorneys to expand their own skill set.

The goal of Strike Force is to identify and address systemic issues impacting MSPD's clients through vigorous litigation and expanded use of forensic experts.

Strike Force Cases
by Case Type FY25



Over 67% of the cases handled were homicides, sex cases, or other A/B felony offenses. Many of the remaining lower-level cases were companion cases for a client facing more serious charges in another cause number.

CURRENT TRENDS

INCREASE IN CASES INVOLVING MENTAL ILLNESS

In the past five years, there has been a major increase in the number of cases involving complex issues of mental illness and behavioral health needs. These issues are oftentimes the root cause of the charges themselves, and demand collaborative, holistic solutions that will protect both our clients' health and the public's safety.

The Competence Crisis

The law prohibits the prosecution of anyone who is not competent to proceed. A person is not competent to proceed if, due to a qualifying mental disease or defect, they lack the capacity to understand the proceedings or assist in their defense. RSMo. § 552.020.

The State of Missouri is facing an unprecedented crisis involving the competence process. Evaluations regarding competence to proceed have nearly doubled in recent years, while at the same time supportive housing and residential treatment services have decreased. These individuals are suffering, sometimes irreversible harms, because of these delays. Additionally, this crisis burdens already overwhelmed jails and court systems.

As of September 2025, nearly **500 people** have been found incompetent to proceed. The vast majority of these individuals are being held in jails for **delays of approximately 14 months** simply waiting for treatment.



70% of people who are incarcerated have a mental illness or substance use disorder (SAMHSA, 2015).



Nearly 30% of incarcerated people have a serious mental illness, a rate that is 6x higher than the general population (SAMHSA, 2015; NAMI, 2025).



People with mental illness in the US are 10x more likely to be incarcerated than hospitalized (Torrey et al., 2014).



Only 10% of people in jails receive treatment for mental health or substance use disorder (Belenko et al., 2014).



NATIONAL WORKLOAD STANDARDS

In 2014, the American Bar Association, working with MSPD, hired Rubin Brown to develop scientifically based public defender workload standards. This collaboration produced a report in 2014 known as the Missouri Project. The Missouri Project established workload standards for criminal defense attorneys in Missouri and created a framework for other jurisdictions to follow in developing their own workload standards. The culmination of these studies emerged in September 2023, with the RAND Corporation's National Public Defense Workload Study.

NATIONAL PUBLIC DEFENDER WORKLOAD STUDY: KEY FINDINGS

The new standards reflect the demands of current criminal defense practice, including **digital discovery and forensic evidence**, and the **expanded scope of a criminal defense lawyer's obligations**, including advising clients on collateral consequences.

Average Time Needed by Case Type



Case Type	Case Weight (Hours per Case)	Annual Caseload Standard
Felony-High-LWOP	286.0	7
Felony-High-Murder	248.0	8
Felony-High-Sex	167.0	12
Felony-High-Other	99.0	21
Felony-Mild	57.0	36
Felony-Low	35.0	59
DUI-High	33.0	63
DUI-Low	19.0	109
Misdemeanor-High	22.3	93
Misdemeanor-Low	13.8	150
Probation/Parole Violations	13.5	154

NOTE: Annual caseload standards were calculated using an assumption of 2,080 hours available annually to a defender for case-related work.

MISSOURI IS FAR FROM MEETING WORKLOAD STANDARDS

As shown above, national workload standards would limit a public defender to handling 7 serious felonies where clients are facing life without the possibility of parole (LWOP) in one year. In Missouri, our public defenders are operating way past these limits – with some **caseloads of over 200 cases per attorney**, which are comprised mostly of felonies, including high level LWOP cases.

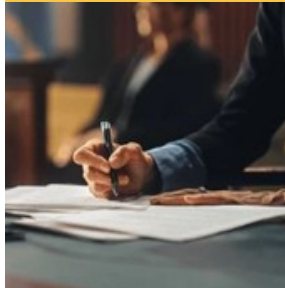
4 SOLUTIONS TO ADDRESS WORKLOADS

PAY PARITY

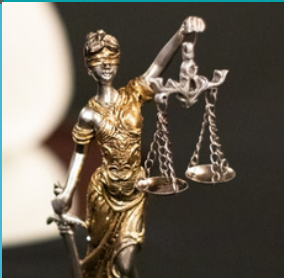


HOLISTIC DEFENSE SERVICES

WORKLOAD SOLUTIONS



INNOVATIVE TRAINING & ONBOARDING



TECHNOLOGY UPGRADES

Pay Parity

Prospective and current employees often cite higher wages in choosing other employment.

Parity with the Attorney General's Office and other state agencies is essential for recruitment and retention, which in turn impacts workload.

\$62K

MSPD
Starting Attorney Salary

\$70-75K

Other State Agencies
Starting Attorney Salaries

Innovative Training & Onboarding

Excessive workload causes turnover. While recruitment is up, a focus on training and onboarding newer staff is essential to prevent early burnout.

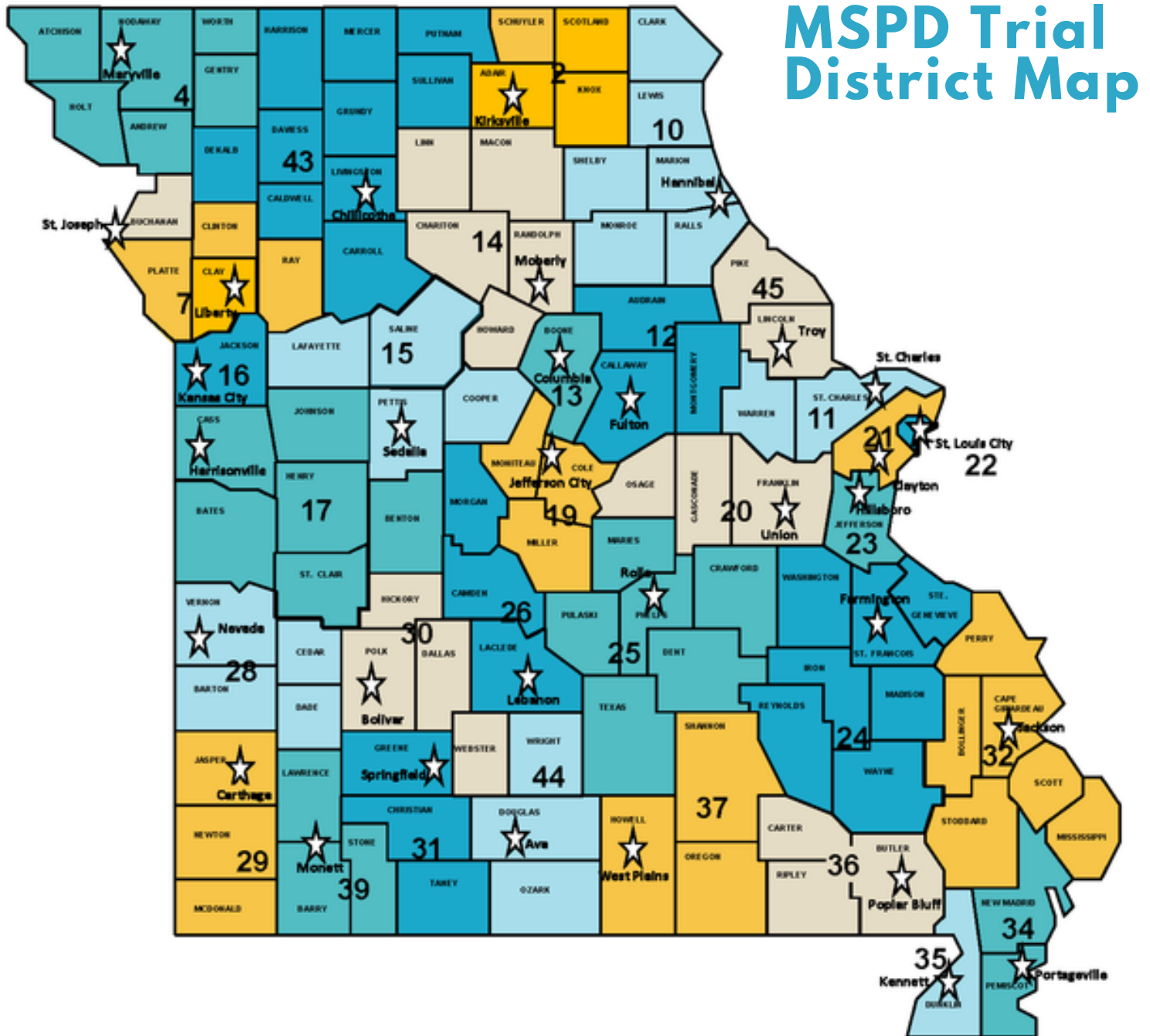
Holistic Defense Services

Mitigation Specialists in every trial office will help by taking tasks like connecting clients to services and conducting mitigation investigations off attorneys' plates.

Technology Upgrades

Technological upgrades like improved case management systems and AI software to streamline workflows can help boost efficiency.

WHERE WE WORK



MSPD has 33 Trial Division Offices across the state, covering every judicial circuit. For more information, including how to contact the District Defenders of each office, go to: <https://tinyurl.com/mspd-contacts>

CHILDREN'S DEFENSE TEAM

Our Children's Defense Team (CDT) represents children who are accused of committing juvenile delinquency matters as well as those who have been certified to be tried as adults in criminal court. MSPD has three CDT offices - one each in the St. Louis and Kansas City areas, and in 2025, MSPD opened a third office in the Columbia area. We also have a Rural CDT attorney who covers Southeast Missouri and assists trial offices in the specialized aspects of representing children.

CHILDREN ARE DIFFERENT

In 2021, Missouri enacted Raise the Age in recognition of the fact that 17 year-old brains are still developing and children should not be treated the same as adults in criminal court. Unfortunately, instead of embracing the policy behind Raise the Age, we are seeing Juvenile Officers and courts certifying more children than ever.

CERTIFICATIONS HAVE INCREASED

In Missouri, children as young as 12 years old can be certified to be tried as adults. Certifications are on the rise, having more than doubled since 2019 (when there were 45 certifications statewide). Just five years later, in 2024, 120 children were certified to be tried as adults. See Juvenile & Family Division Annual Report (2024).

REFORM IS NEEDED TO PROTECT DUE PROCESS

Unlike adults who are charged with a crime, children facing delinquency charges do not have the right to a probable cause determination. Without this important due process protection, there is no check on the juvenile officer's claims at the time the charge is filed, resulting in many children being detained for months on end based on mere allegations.

SPOTLIGHT: NEW ANTI-SHACKLING LAW

A huge win for Missouri's children went into effect on August 28, 2025. The new Anti-Shackling Law means that children can no longer be shackled in juvenile court by default. See RSMo. 211.436.

Thanks to advocacy from many groups, including testimony from Columbia CDT's District Defender, Daniel Feldman, children can only be shackled in court if a hearing is held and findings of fact are made. This law will protect children from the physical and psychological harms of shackling and reduce recidivism.



Mural art by Justice Murals

HOLISTIC DEFENSE SERVICES

MSPD launched the Holistic Defense Services (HDS) program in April 2022 and embraced a new model for criminal defense statewide: collaborative, holistic defense. The holistic approach emphasizes client-centered advocacy combined with zealous legal counsel in recognition of the fact that an effective defense requires solutions both inside and outside the courtroom. To implement a holistic model, criminal defense teams bring in social workers and case managers to identify the client's needs and provide solutions through connection with resources and mitigation advocacy.



2,671 CLIENTS ASSISTED

In FY25, HDS assisted 2,671 total clients. HDS support included connecting clients to community-based services as well as mitigation support.



HDS CONNECTED CLIENTS TO 2,683 DIRECT SERVICES

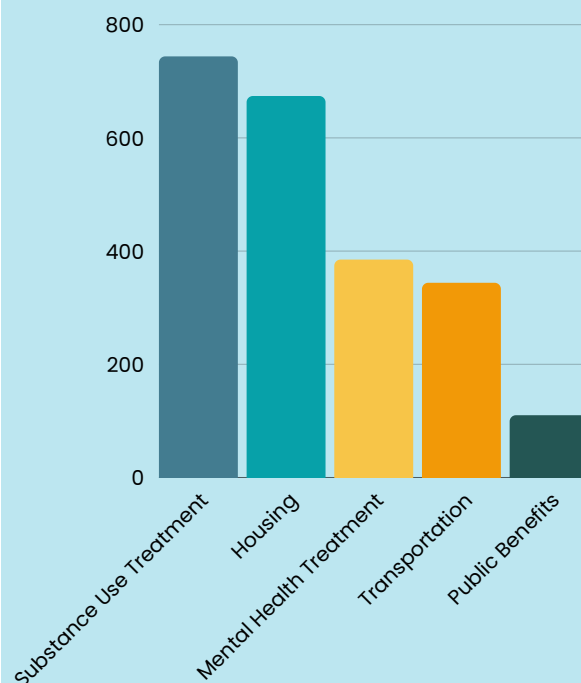
The most frequently connected services provided to clients were substance use treatment, housing, and mental health services.



421 MITIGATION REFERRALS

Through mitigation, HDS provides information on what brought our clients into the system and offer alternative ways to resolve their cases that address their needs.

SERVICE CONNECTIONS BY SERVICE TYPE FY25



A MODEL FOR HOLISTIC REPRESENTATION

"Investing in HDS not only has the potential to reduce costs but also likely enhances the quality of legal representation and supports the wellbeing and stabilization of clients, making it a crucial component of Missouri's public defense strategy."

– Missouri's Holistic Defense Services Program:
A Snapshot of Costs and Benefits (WEI, 2024)



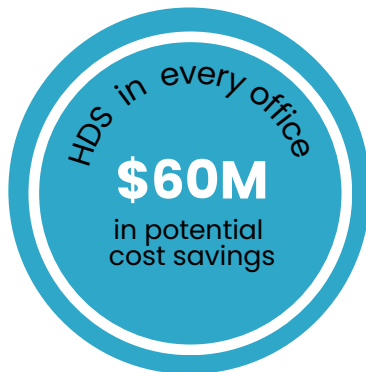
HDS involvement was associated with **reduced prison sentences** of, on average, **4–6 years** for HDS clients.



24% of clients who were in jail were **released** after HDS got involved.



Based on data from the 7 pilot offices, these reductions in sentence length translated into a substantial financial savings of **\$15,123,376**.



In the seven offices that WEI examined, researchers found that HDS involvement led to significant cost savings of over \$15,558,429 for the State of Missouri. Applying these findings to all 33 trial offices, HDS has the potential to produce roughly \$60 million annually in cost savings for the state.

An independent researcher, Wellbeing & Equity Innovations, Inc. (WEI), evaluated the HDS program and found that **HDS helps to reduce incarceration and save taxpayers money.**

WEI also spoke to MSPD clients about how having a holistic defense team fighting for them impacted their lives.

"Charlie's" Story

Charlie was facing a hefty sentence and felt uncertain about the outcome. His HDS advocate played a crucial role in his journey toward recovery and stability by guiding him into behavioral health treatment services. *"I needed help, you know. And since she [HDS staff] was there to guide me and tell me where to go and what I needed to do... she was the main one that got it [treatment services] started [for me]."*

With successful treatment and adherence to his legal restrictions, the MSPD team was able to build a strong defense strategy. Charlie emphasized the impact of his HDS advocate's persistence in reaching his fiancée while he was incarcerated, ultimately connecting her with his attorney—who discovered she was a key witness. *"All together, it's about 30 years that I was facing, but a lot of it got dropped because of the investigation they [MSPD] did and talking to the witnesses."*

NEW MITIGATION SPECIALISTS

In FY26, MSPD received an appropriation for ten HDS Mitigation Specialists. Thanks to talent identified and developed over the past two years through social work internships, previous grant-funded positions, and community outreach, **MSPD filled all ten of those positions within one month of receiving funding.**



2022

HDS started in April 2022 with a team of **1**. Within a year, HDS grew through grants and other resources, covering MSPD trial offices with a regional approach.

2025

MSPD was grateful to receive **10** Mitigation Specialist FTEs in the FY25 budget. These positions are funded by the recreational marijuana reinvestment funds guaranteed to MSPD by the constitution.

2026

In FY27, MSPD will be asking for **35** Mitigation Specialists so MSPD can place at least one Mitigation Specialist in every office.



FY27 Budget Request



In our FY27 budget request, MSPD will be asking for an appropriation for **35** Mitigation Specialist FTEs to continue growing our HDS program.



Funding for these positions will not come from General Revenue. Instead, MSPD seeks an appropriation to use Reinvestment Funds already designated for MSPD for the salaries and benefits of these new FTEs.



This appropriation will expand HDS so that there is at least 1 Mitigation Specialist in all 33 Trial Offices, as well as support for specialty practices and contract counsel, saving MO up to \$60M in unnecessary incarceration costs.

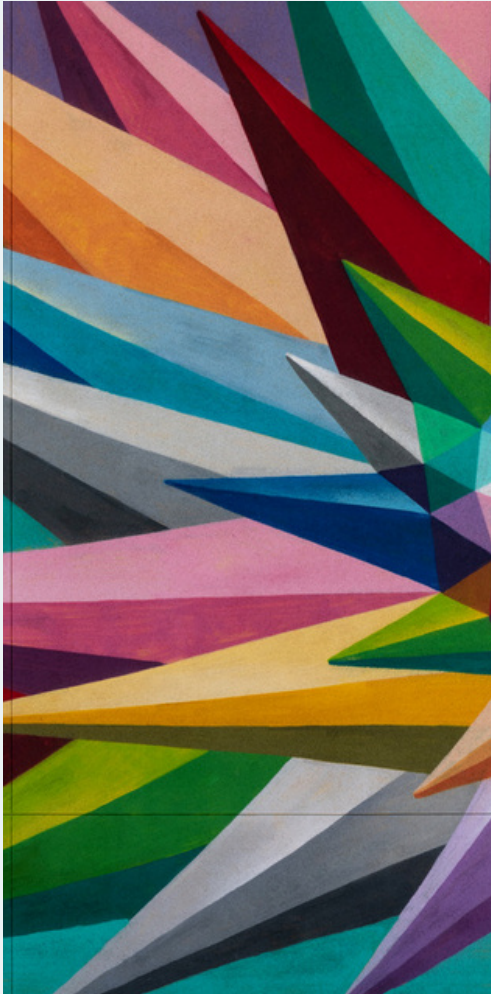
Mitigation Specialist Brittney Rowe meeting with client D.H. at the Lebanon office
Photo by Ellie Frysztak



GRANTS

Total Grant Awards FY25 – \$570,628

MSPD had four active grants in FY25, all of which contributed to the creation and success of the Holistic Defense Services program.



Missouri Foundation for Health

MSPD continued to receive grant funding from Missouri Foundation for its Holistic Defense Services Pilot Program. MSPD received a total of \$756k over the course of three years, or approx. **\$252k** per year.



AmeriCorps State & National

MSPD's AmeriCorps Holistic Advocate grant was continued in FY25, placing eight Holistic Advocates in offices statewide. In the 2024–2025 grant year, MSPD was awarded **\$199k**.



AmeriCorps VISTA

Four AmeriCorps VISTAs served in HDS in FY25, focusing on building capacity of HDS, ensuring our MSPD staff have the resources necessary to create an effective program. MSPD was awarded **\$91k** from AmeriCorps VISTA in 2025.



MO Department of Public Safety State Crisis Intervention Program

MSPD received a total of \$83,330 to support HDS program development, training, and analysis of the program's impact on clients over three years, amounting to approx. **\$27k** in funding per year.

APPELLATE AND POST-CONVICTION RELIEF

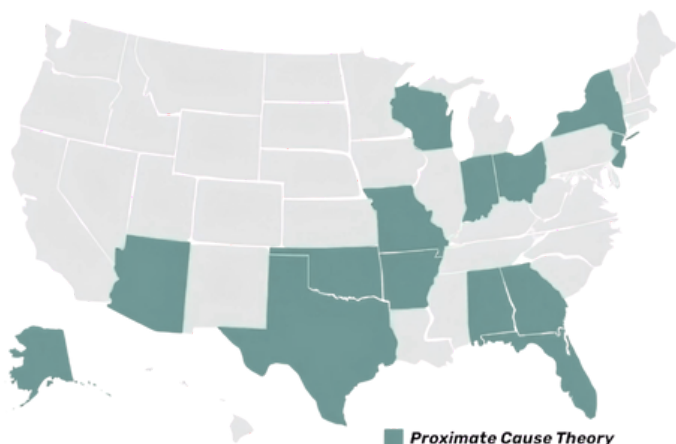
MSPD has six offices representing people in appellate and postconviction relief (PCR) cases. These offices are located in St. Louis, Columbia, and Kansas City. Appellate and Post-Conviction Relief offices provide a second look at our courts' proceedings, ensuring that Missourians' rights under the federal and state constitutions have not been violated.

MISSOURI'S FELONY MURDER LAW NEEDS TO CHANGE

MISSOURI'S FELONY MURDER LAW IS AMONG THE BROADEST IN THE COUNTRY

In Missouri, a person can be charged with second degree murder if someone dies during the commission of a felony – even if they did not directly cause their death.

Missouri is one of only 14 states which allow the state to charge someone with murder if their actions proximately cause another's death.



Under **the proximate cause theory that Missouri follows**, if death was a reasonably foreseeable result of the felony, a person may be charged, regardless of whether the

defendant directly participated in the killing or not. Most states limit felony murder to cases where the defendant (or an accomplice) directly caused the death.

Additionally, **Missouri is one of only four states that explicitly allow felony murder to be based on any felony.**

While the other three states (Delaware, Georgia, and Texas), limit these charges to felonies that are either reckless or clearly dangerous to human life, Missouri does not have any such requirements.

Such a broad application of the felony murder rule leads to unjust results – where someone who was in unlawful possession of a firearm, for example, can be convicted of murder without ever pulling a trigger.

For more on the problems with Missouri's felony murder law, see *Considering causation in Missouri felony murder law*, Chad Flanders, Missouri Bar Journal, Vol. 79, No. 1, Feb. 7, 2023.

CAPITAL LITIGATION

MSPD has three Capital Litigation offices, based in St. Louis, Columbia, and Kansas City. These offices focus on defending clients whom the State seeks to put to death.

In FY25, MSPD's Capital Litigation offices won non-death dispositions in five cases, and no MSPD clients were sentenced to death in FY25.



Mural art by Justice Murals

DEATH PENALTY REFORM

ABOLITION OF THE DEATH PENALTY

MSPD believes that Missouri should abolish the death penalty. Death sentences can cause grave, irreversible errors – for every 8.2 people executed in the modern era of the death penalty in the U.S., 1 person on death row has been exonerated. Moreover, the death penalty is not a proven deterrent to crime; the lengthy legal process makes capital cases incredibly expensive for taxpayers (in some states, capital cases cost \$1M to \$3M more than cases seeking life imprisonment); the death penalty disproportionately affects racial minorities and is seen by many as a racialized form of violence; and the use of lethal injection drugs raises concerns about cruel and unusual punishment (Death Penalty Information Center).

Instead of death, bills to abolish the death penalty would have anyone convicted of murder in the first degree sentenced to life imprisonment without the possibility of parole.

ELIMINATE THE JUDICIAL LOOPHOLE

Missouri is one of only two states that still allows a judge to impose a death sentence when a jury cannot reach a decision in the punishment phase of a capital trial. In recent years, bills have been introduced in Missouri to close that loophole. These proposals would change the law to require the judge to sentence the defendant to life without the possibility of parole in the case of a hung jury.

REQUIRE UNANIMOUS FINDINGS ON AGGRAVATORS AND MITIGATORS

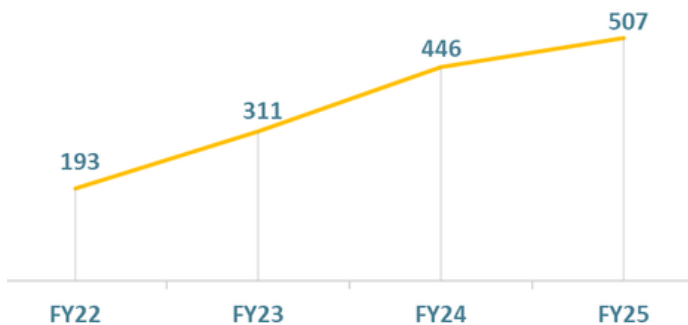
Last legislative session, a bill was introduced to address a problematic provision of RSMo. 565.030. That statute requires the jury to find that mitigating factors outweigh aggravating factors to impose a sentence of life imprisonment, but currently, the law does not require those findings be decided *unanimously*. Proposed changes to this law would require a jury to make a unanimous finding that the statutory aggravators outweigh mitigating factors before it could impose the death penalty.

Passing these changes would address constitutional concerns, align Missouri with the practice of most other states, and emphasize the importance of jury consensus in matters of life and death.

PAROLE REVOCATION DEFENSE TEAM

The Parole Revocation Defense Team (PRDT) provides representation to individuals at risk of having their parole revoked by the State. Representation is provided at both the preliminary hearing and revocation hearing.

PRDT Case Openings
FY22 - FY25



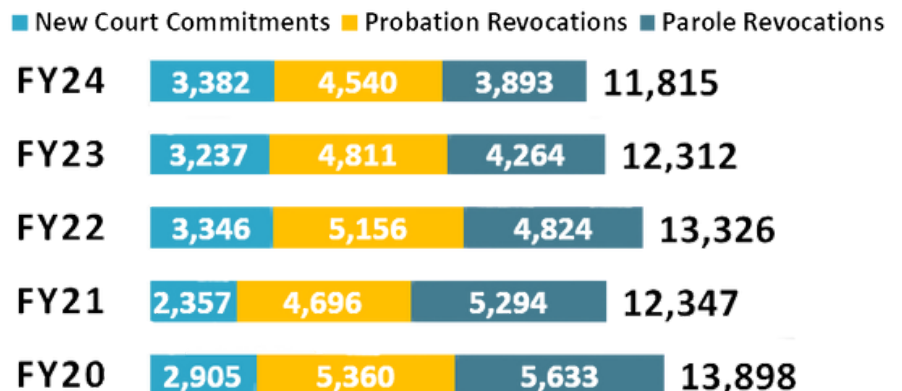
While the number of individuals returning to DOC because of parole violations are reportedly down overall, PRDT case numbers continue to increase, largely because of the parole board's recognition of the need for counsel in parole violation hearings.

PRDT has seen its caseload more than double since FY22, reaching an all-time high of 507 new cases in FY25.

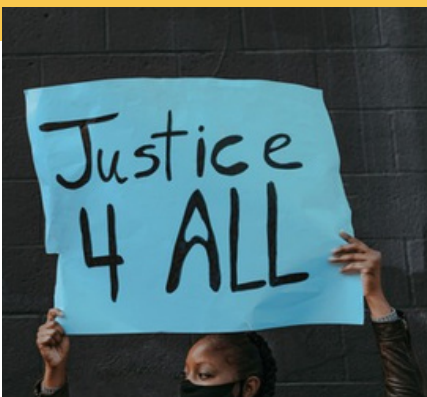
Meanwhile, probation violations have been the number one driver for prison admissions for the past three years. Parole revocations ranked as the second largest factor, followed by new court commitments.

Source: Missouri Department of Corrections, Profile of the Institutional and Supervised Offender Population, December 2024, <https://doc.mo.gov/media/pdf/offender-profile-fy24>.

Missouri Department of Corrections
Admission Status, FY20-FY24



COMMITMENT DEFENSE UNIT

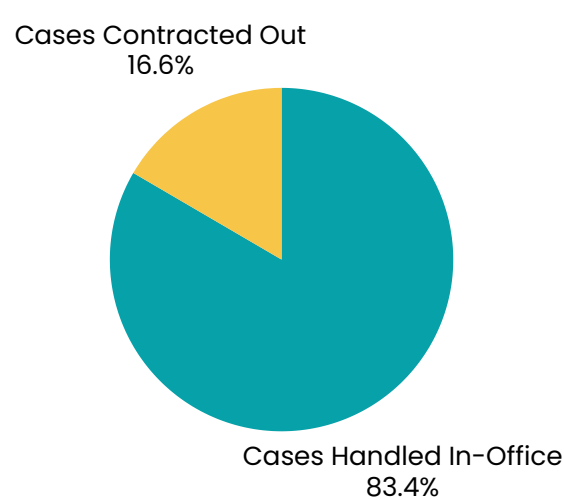


The Commitment Defense Unit includes a small team of five attorneys who provide representation to clients facing the possibility of civil commitment to the Missouri Department of Mental Health for an indefinite period of time, possibly for life. Our attorneys zealously defend the rights of these clients whom the State seeks to deem as “sexually violent predators” to ensure the State meets their legal burden under the law.

CASE CONTRACTING

Contract counsel continues to play a critical role in ensuring that indigent Missourians have meaningful access to legal representation as they navigate the justice system. For the third consecutive year, “overload” assignments—cases referred to contract counsel to relieve overburdened public defender offices—have outpaced conflict-of-interest assignments.

In FY25, a record 14,618 cases, representing 16% of all opened cases, were assigned to contract counsel, the highest number in a single fiscal year to date.



In addition to overload support, MSPD maintains county-level contracts with attorneys providing ongoing case coverage in Texas, Shannon, Howell, Oregon, Lewis, Clark, Perry, and Bollinger counties. Under these agreements, contract counsel manage all incoming cases for a specified period, based on the needs of each local office.

In the coming fiscal year, contract counsel will gain access to MSPD’s Holistic Defense Advocates, a resource designed to enhance representation through a collaborative, client-centered approach. This expansion is expected to strengthen legal outcomes and ensure that clients served through contract arrangements benefit from comprehensive, high quality representation.

NEW FEE SCHEDULE

This year, for the first time in decades, MSPD received authorization to increase the reimbursement rates for private attorneys handling contract cases. These funds were appropriated from the Reinvestment Funds MSPD receives from the Adult Recreational Use Marijuana Tax. The increased fee schedule ensures fair pay and improves recruitment of contract counsel. The chart to the right highlights a few of the most impactful rate increases.

Case Type	New Fee As of 7/01/25	Prior Fees
AB Felony - Other	\$3,000	\$1,500
AB Felony - Sex	\$3,000	\$2,000
CDE Felony - Other	\$1,000	\$750
Misdemeanor - Other Than Traffic	\$500	\$375
Probation Violation - Felony	\$500	\$375

TALENT ACQUISITION

Talent Outreach

With nearly 400 attorneys across MSPD, recruiting new legal talent continues to be a key focus. MSPD actively participated in over 50 law school recruitment events through on-campus interviews, résumé collections, virtual interviews and career fairs around the country. The Missouri Justice Fellowship (MJF) has also enabled us to expand attorney staffing in underserved rural communities across Missouri. However, turnover remains high—particularly among newer attorneys—due in large part to the lack of pay parity with other public sector employers. Addressing this issue remains a priority, and we are actively working to improve compensation through a budgetary request to the legislature.

FY 2025

By The

Numbers

- **132 NEW HIRES**
- **26 LAW SCHOOL GRADUATE HIRES**
- **88 SUMMER INTERNS**
- **83% OF MJF FELLOWS BECAME PUBLIC DEFENDERS AFTER FELLOWSHIP TERM**
- **16.52% TOTAL TURNOVER**

Mentoring Program

Launched in fall 2024, our Attorney Mentoring Program has quickly become a vital part of professional development for attorneys. Over the past year, 48 experienced public defenders have served as mentors to 54 newly hired attorneys. All mentors participate in a two-day mentor training program before being matched with a new attorney. The program fosters growth and collaboration by pairing new defenders with more experienced mentors who provide guidance on the practice of criminal law, courtroom advocacy, and navigating the unique challenges of public defense. This initiative not only strengthens attorney performance and retention but also enhances the quality of representation we provide to our clients.



Collaboration



**Growth
Mindset**



**Legal
Expertise**

TALENT DEVELOPMENT

Training Initiatives

MSPD continues to be nationally recognized for our exceptional training, providing attorneys with the tools, skills, and knowledge to become outstanding advocates for the clients we serve. In addition to our annual programming, we have developed new training programs this year, including Mentorship, Advanced Trial Advocacy in Sex Offense Cases, and an enhanced onboarding program.

50

Participants completed Train-the-Trainer programming to enhance their skills as group leaders and future training facilitators.

91

Training programs offered throughout the year, including in-person, web-based, and MSPD facilitated.

148

Contract attorneys enhanced their criminal law practice through free CLE's offered by MSPD.

317

CLE hours approved by the MO Bar for MSPD programs in FY2025.

520

Individuals attended our largest annual conference, MSPD Spring Training.

In Their Own Words

*"This week's training gave me the confidence to do a trial on my own.
I now feel like I have a solid foundation upon which to build."*

- APD, Trial Skills Attendee



Spring Training Speaker, Dr. Nicole Price,
delivering Keynote Session
Photo by Josie McKellips

AWARDS & RECOGNITION



Matt Waltz Defender of Distinction

The Defender of Distinction Award is presented to one attorney every year who exemplifies the ideals of public defense, takes pride in knowing that the clients have received the best service possible, treats everyone with the same dignity and respect with which all of us wish to be treated, and does all of this without seeking public recognition.

Matt Waltz has served MSPD clients over 20 years, conducted well over 100 trials, including 21 murder trials, 34 sex cases, and 78 A felony trials—all while maintaining a client-centered approach, a passion for justice, and a commitment to supporting fellow defenders. Matt is a fearless advocate, a thoughtful mentor, and an inspiration to all who work alongside him.

Lifetime Achievement in Public Interest

Matt was also honored by St. Louis University School of Law with the Lifetime Achievement in Public Interest Award, which recognizes attorneys who have devoted their careers to advancing the well-being of others through public interest advocacy.

Hannibal Trial Office of the Year

This award is given to one MSPD office in recognition of its achievements in client representation and in furtherance of MSPD culture and values. The Hannibal office has weathered more than most in recent years. That's not why they were nominated, though—it's because of how they've responded.

Despite significant attorney turnover, core staff departures, and an office move, they never complained. They never lost focus. Instead, they persevered. District Defender Todd Schulze and his team met each challenge with grace and unwavering commitment—always keeping the client at the center of their work.





Melinda Rasnic

Excellence Award

This award recognizes a non-attorney member of MSPD who demonstrates outstanding work by consistently and enthusiastically assisting colleagues, exemplifying team building and leadership, and consistently furthers the ideals of public defense by: "Tirelessly working on behalf of clients and supporting colleagues in carrying out MSPD's mission; Working to ensure that MSPD's clients receive the best possible service; Actively seeking ways to further support clients and colleagues; and treating everyone with the same dignity and respect with which all of us wish to be treated."

Annie Legomsky

Women's Justice Award - Public Interest

Annie Legomsky, MSPD's Director of Client Advocacy, received the Missouri Lawyers Media Women's Justice Award for Public Service. These awards recognize women across Missouri who have demonstrated leadership, integrity, service, sacrifice, and accomplishment in improving the quality of justice and exemplifying the highest ideals of the legal professions.



Matthew Mueller

(2024)



Contract Defender of the Year

Each year a contract attorney is recognized for exceptional contributions to MSPD. In 2024, St. Louis attorney Matthew Mueller was awarded the Contract Defender of the Year Award.

In 2025, St. Genevieve attorney Carl Kinsky was awarded the Contract Defender of the Year Award.



Carl Kinsky

(2025)

Elijah Wolfe

(Central Region)



AmeriCorps Member of the Year

In 2025, Ed Butler (Kansas City Region) and Elijah Wolfe (Central Region) were two of four AmeriCorps Members in Missouri honored as AmeriCorps State & National Members of the Year for their respective regions. The Missouri Community Service Commission recognizes a handful of AmeriCorps Members from Missouri who have shown exceptional dedication to service each year.



Ed Butler

(Kansas City Region)

Mary Fox

Women's Justice Award: Woman of the Year

MSPD Director Mary Fox received the Missouri Lawyers Media Women's Justice Award for Woman of the Year. This is the highest award recognition presented to a woman who stands out in making an extraordinary difference in improving the quality of justice and exemplifying the highest ideals of the legal profession.

Director Fox retired July 1, 2025 after serving over four years as MSPD Director and 24 years with MSPD, where she advocated for our clients as a trial attorney and district defender before becoming director.

“

I hope here in Missouri we continue to put our emphasis on funding legal services so that the rule of law is not just used as a sword against the poor but is also used as a shield for the poor and for those who most need it and deserve it.

”

– Mary Fox, Former MSPD Director

Spurgeon Smithson Award

Mary Fox was also honored by the Missouri Bar in September 2025 with the Spurgeon Smithson Award. The Spurgeon Smithson Awards were established in 1976 by bequest of the late Smithson, an outstanding Kansas City lawyer. The Missouri Bar Foundation makes the awards annually to Missouri judges, teachers of law and/or lawyers deemed to have rendered outstanding service toward the increase and diffusion of justice.

Cat Kelly, Greg Lovelace, & Nancy McKerrow

Missouri Public Defender Association Alumni Awards

The Missouri Public Defender Association is an alumni organization and supports the mission of the Missouri State Public Defender by nurturing relationships between current and former employees to maintain their identity as advocates for the poor. This year, we inducted three alumni who embody the ideals of MSPD and continue to lead efforts in the alumni association.



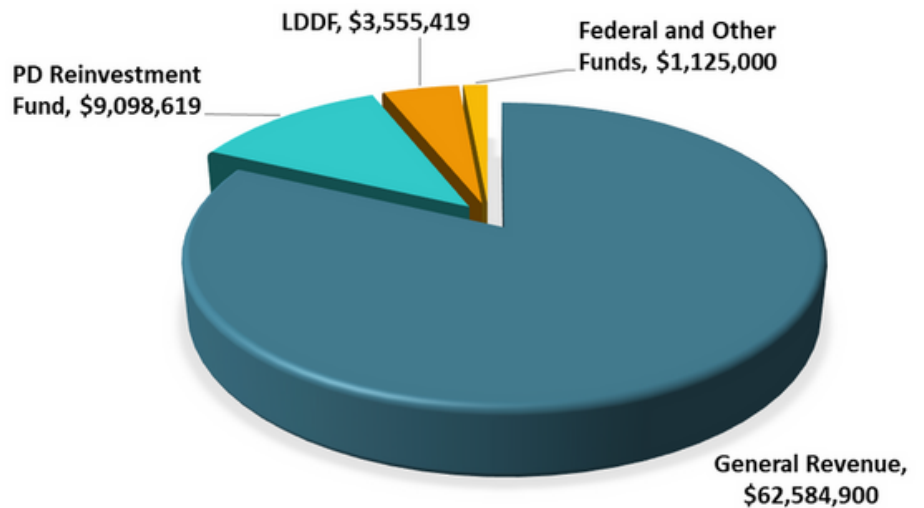
FINANCIAL OVERVIEW

FY25 Funding & Appropriations

MSPD is predominately funded by the state's general revenue funds. However, there are some funds received through other sources, including:

- **MSPD Reinvestment Fund:**
Funds received through amendment of Missouri Constitution, Article XIV.
- **Legal Defense and Defender Fund (LDDF):** Funds received through collection of client fees, per Section 600.090 RSMo. Also includes money received through state debt offset program.
- **Federal and Other Funds:**
Authorization to collect funding through grant resources.

MSPD Funding
Fiscal Year 2025



Expenditures

MSPD incurs expenses from multiple sources throughout the fiscal year.

Expense Category	Percent	Amount
Personal Services (Salaries)	66.67%	\$46,654,701.00
Expense & Equipment	15.71%	\$10,994,631.00
Conflict/Overload Case Relief	14.99%	\$10,490,086.00
Training/One time expenses	2.21%	\$1,549,459.00
Federal & Other Funds	0.41%	\$249,516.00

MSPD Revenue Sources

Section 600.090 RSMo. stipulates clients are charged fees for services. This revenue is collected through a variety of different sources.

FY25 Revenues		
Source	Amount Collected	% of Total
State Income Tax Intercept	\$2,141,695	92.58%
Circuit Clerk Payments	\$5,945	0.26%
Clients (direct pay; online)	\$78,018	3.37%
Lottery Intercept	\$87,261	3.77%
Other	\$375	0.02%
Total Collected in FY25	\$2,313,293	100%

REINVESTMENT FUND OPPORTUNITIES

MSPD receives a portion of its funding through the Public Defender Reinvestment Fund, established under Article XIV, Subsection 2.6(2) of Amendment 3 to the Missouri Constitution, which states:

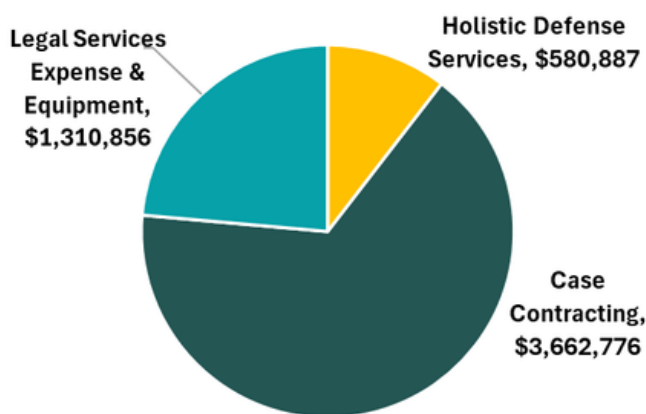
“Any moneys credited to the Missouri Public Defender System shall be used only for legal assistance for low-income Missourians, [and] shall not be diverted to any other purpose.”

This fund, known as the *Veterans, Health, and Community Reinvestment Fund*, designates a fixed percentage of revenue generated from recreational marijuana sales to support legal services provided by MSPD.

Reinvestment Fund Resources

FY25 Reinvestment Funds Allocation

In FY25, MSPD expended over \$5 million through the Reinvestment Fund. These funds supported the Holistic Defense Services (HDS) program, enabled the contracting of private attorneys for conflict and overload cases, and went towards other expenses and equipment.



FY26 Reinvestment Funds Allocation

In FY26, MSPD received nearly \$15 million from the Reinvestment Fund to continue serving low-income Missourians. Of that amount, over \$9 million will be dedicated to sustaining the initiatives launched in FY25.

In addition, targeted funding has been allocated for key projects, including:

- \$2 million for IT infrastructure and cybersecurity improvements
- \$3 million to expand case contracting in underserved areas
- \$581,520 to support 10 new positions within the Holistic Defense Services (HDS) program

Future Initiative: Maximizing Impact with Reinvestment Funds

In FY27, MSPD will be requesting an appropriation to use the Reinvestment Funds already designated for MSPD to support several key initiatives.

Achieving Pay Parity

Competitive salaries are critical to attracting and retaining qualified legal professionals.

Fully Funding Holistic Defense Services

Expanding HDS will ensure all offices have access to vital support services.

Modernizing the Case Management System

Upgrading MSPD's technology will improve efficiency, data accuracy, and case oversight.

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