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Massachusetts Bar forms task force to review prosecutor and public defender salaries

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The Massachusetts Bar Association has formed a task force to report on salary levels for state prosecutors and public defenders and the potential effects those pay scales have on the criminal justice system.

The salaries in Massachusetts are lower than in some other New England states, according to research undertaken by the Committee for Public Counsel Services. However, the jury is still out on how Massachusetts compares nationally or whether it in fact offers above- or below-average starting salaries compared to most other states.

According to data being collected by the state agency, assistant district attorneys in Massachusetts generally make \$37,000 as a starting salary, compared to the \$52,000 entry-level salary in New Hampshire for a comparable position, called an assistant county attorney. In Rhode Island, an assistant attorney general makes \$56,000 to start and in New York, an assistant district attorney makes \$60,000.

Newly hired assistant public defenders in Rhode Island make \$55,000, while in Massachusetts a public defender starts at \$40,000. In New York and Connecticut, they make slightly more than \$60,000 a year, the data say.

These are just a sampling of the starting salary levels the Committee for Public Counsel Services already has collected; the committee is in the process of collecting similar data from other states, said Anthony Benedetti, chief counsel for the Committee. Benedetti said his office recently has lost public defenders to New York, New Hampshire and Connecticut because the salaries are higher there.

A big concern among bar members is whether Massachusetts salaries discourage many talented lawyers from seeking working in the public sector and force existing public defenders to wonder "how they're going to pay their rent this week," said Douglas Sheff, president of the Massachusetts Bar Association.



“How much are we going to invest in making sure people are properly prosecuted and defended?” said Sheff. “We owe it to ourselves to use this commission to make it right.” The task force includes representatives from the legal and business communities as well as former elected officials and judges.

Sheff said he hopes the findings of the report, including the comparison with other states of salaries paid to prosecutors and public defenders in Massachusetts, spurs state legislators to take action.

The task force's findings should be published in the next few months, according to the Massachusetts Bar Association.

The Massachusetts Bar Association conducted similar research in 1994, “which found that an inadequate salary structure hindered the criminal justice system’s ability to operate fairly and effectively,” according to the association. The report helped prompt legislators to increase the hourly rate paid to private attorneys doing court-appointed work among other changes, said Martin Healy, chief legal counsel for the Massachusetts Bar Association.