

Dear County and City partners and public defense colleagues:

Recently (January 31 online, February 3 in print) the New York *Times* published a dramatic story about the national crisis of excessive public defense caseloads, entitled “One Lawyer, 194 Felony Cases, and No Time”. The article depicted a reality that is depressingly accurate, and that makes a mockery of our nation’s commitment to due process of law, the principle of equal justice, and the Sixth Amendment Right to Counsel as forever honored in the famous case of *Gideon v. Wainwright*.

Nowhere in the article was there reference to any ameliorative action being undertaken by any state or locality. This struck me as both odd, and profoundly wrong; for we here in New York are all participating in a bold, state-funded and locally-implemented plan to provide appropriate caseloads and adequate support services for the public defenders, both institutional and private, who shoulder the burden of providing the effective assistance of counsel to their impoverished clients that the Constitution requires.

To publicize what we are doing in New York, I wrote a letter to the Editor. It is attached. The *Times* chose not to print it. Instead, it published a letter which ended with the admonition that “State and local governments should stop abdicating their constitutional and ethical responsibilities.” Neither state nor local government officials in New York need this admonition with respect to public criminal defense. With the inclusion of Aid to Localities funding of \$100 million in the recently filed Executive Budget, the State is making good on the second year of the five-year statutory plan to bring every public criminal defense provider in the state into compliance with the ILS caseload standards by 2023. And every county and New York City is working with ILS to utilize the new state funding for the specific purposes identified in Executive Law §832 (4): Caseload Relief, Counsel at Arraignment, and the provision of adequate non-attorney services such as investigators, social workers and expert witnesses.

What every state and local official in New York *does* deserve is our thanks and praise for their commitment to this historic and Constitution-affirming reform. Within the word constraints imposed by the newspaper, that is what I tried to convey in my letter, and that is what I do here.

Thanks to one and all,

Bill