

Letter: Cuomo can create model for defense

To the editor
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The editorial "Defense for the poor," Sept. 27, makes critically important points about public defense services in New York.

The right to counsel in New York is undermined by a lack of resources and oversight. High caseloads deprive clients of their lawyers' time and attention; lack of investigative and other tools prevent lawyers from identifying the holes in the cases against their clients. Defenders and their clients are without a voice in an adversarial system that is out of balance.

Nearly 50 years ago, two of the founding members of the Committee for an Independent Public Defense Commission, which I chair and whose membership includes nearly 30 past New York State Bar Association presidents and other committed bar leaders, helped craft the legislation that created today's system of public defense services. They are not today what was intended. For more than a decade, the committee has called for fundamental restructuring.

The Hurrell-Herring vs. New York lawsuit provides a unique opportunity for Gov. Andrew Cuomo to help turn New York's broken, county-by-county patchwork of public defense services into a model statewide system. His leadership in relation to marriage equality, minimum wage, gun control and protections of people with special needs demonstrates that he has the capacity, the political acumen, and the resolve to create a model public defense system for the nation. We need his leadership again.

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