

MIRS

Group: Public Defense System Failing

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Michigan's public defense system is failing and needs drastic reform, a coalition of organizations and individuals said today.

Michigan Campaign for Justice made the announcement in front of a poster-sized report card grading the state's public defense system in 11 areas. The final tally: one "C," five "D"s and five "F"s.

Laura **SAGER**, the campaign's director, said the system is not meeting those 11 minimum national standards and is failing the state's residents as well by wasting tax dollars.

The current system, coalition members said, is inefficient, not cost-effective, does not increase public safety and does not guarantee Michigan residents' constitutional right to effective defense representation.

Currently, the public defense system is administered and funded by each of Michigan's 83 counties. The coalition is pushing for legislation that would put the onus of funding and administration back on the state, as well as implementation and enforcement of minimum national standards.

"The representation you get shouldn't depend on your money or what side of the county line you happen to live on," Sager said.

Additionally, the coalition wants quality assurance and workload controls put in place, as public defenders are asked to shoulder larger caseloads to the detriment of their individual clients.

Public defenders are "under-resourced and overworked," said John **SHEA** of the Criminal Defense Attorneys of Michigan. "The system is expensive, ineffective and inefficient," he added.

It is this inability to devote time and attention to each indigent client, as well as a lack of resources to hire experts and investigators, which results in more wrongful convictions and a higher "quantum of punishment" -- a longer sentence than their privately represented peers -- when sentences are doled out.

Currently counties spend about \$80 million a year providing public defense. That figure goes up about \$3 million each year. But that money comes from dwindling property tax revenues, and the programs are not consistent from county to county.

The amount of money it would cost to administer the comprehensive program at the state level hasn't yet been determined, but proponents of the reform say it could have a domino-like positive

impact on the state's bottom line by keeping more offenders out of the state's bursting prisons.

What that savings could amount to has yet to be determined, Sager said, but the coalition expects it to be significant.