

A stylized, high-contrast graphic of the Statue of Liberty, rendered in white and red against a dark blue background. The statue is shown from the waist up, holding a torch in her right hand and a tablet in her left. The crown has seven spikes. The overall style is graphic and modern.

JUSTICE

THERE'S NO JUSTICE WITHOUT US

NATIONAL ASSOCIATION FOR PUBLIC DEFENSE

THE YEAR OF 2018

This annual report is dedicated to our friend and colleague Jeff Adachi, who will never cease to inspire us, whose example still leads us forward, and whose **RESISTANCE TO INJUSTICE WILL ALWAYS BE REMEMBERED.**



© Jeff Adachi Leads Bay Area Protest (courtesy of Jeff Adachi, used with permission)

DEDICATION

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INTRODUCTION

This annual report summarizes NAPD's 5th year of existence. NAPD started as a group of 40 members sitting around a single conference table in Dayton, OH. This group of leaders imagined an association focusing only on public defense; one that provides relevant resources to lawyers and public defense professionals, one that serves both heads of offices and line advocates, one that cultivates a new generation of justice leaders, and one that would unite and inspire a national community for public defense.

Five years later, just shy of 20,000 members in 24 statewide programs, more than 110 county-based programs and with hundreds of individual members, NAPD is settling in. The initial vision has become reality. No longer an experiment, NAPD is on firm footing with an impressive archive of deliverables, a sustainable financial structure, an outpouring of contributions from its members, exciting ideas for the future, and foundational principles to ensure that we stay the course from that original vision.

NAPD is proud to be a member-led, member-driven association that reflects the priorities and needs of public defenders and all public defender professionals. NAPD remains coordinated by only a handful of part-time staff, each who has a deep connection (or other work) in the delivery of public defense services. Its Steering Committee and other committees/

work-groups are led by public defense practitioners from across the country, in various professions, with different kinds of office structures, and different passion projects.

In many ways, NAPD operates like a typical public defender office – dynamic, creative, at times chaotic. NAPD is not an association that plods along a path towards some target identified long ago; we triage, we prioritize, we back-burner projects (even worthy ones) when more pressing opportunities arise. We are short on time, we are overflowing with ideas. We are fighting a dozen battles at once. This is as we intended it to be.

When something bubbles up – be it legislation or indignation – and any one of our 20,000 members wants to organize a response – brief or sustained – NAPD fosters that initiative, and facilitates the

to weigh in. NAPD strives to create a national community that is consonant with public defender culture, and who has its finger tightly on the pulse of public defense's beating heart. We quarrel; we sometimes can't reach consensus; but far more often we stand powerfully united.

Critically, we are talking to each other. NAPD is the conduit for conversations that have bounced off solid walls for decades, but now move freely across jurisdictional boundaries, and make an impact. Together, we boost each other up the

and media commentary. With our partners, we participated in projects about our most critical issues: workloads, juvenile defense, risk assessments, rural justice, mental health and implicit and institutional bias.

NAPD is affordable, on-point, and in touch. We pride ourselves on our grassroots organization, our belief in the value of every member, and our ability to nimbly keep up in fast-changing times. We are proud to be able to speak frankly about the issues as we perceive them, and to honestly

WE'RE THE DEFENDERS, AND THERE'S NO JUSTICE WITHOUT US.

ladder, offer advice, share tips, review work-product, pull together research and data, and realize that despite devilish details, the major issues in public defense are issues common to us all. Together, the fight is more effective, and more fun.

In 2018, we significantly expanded the resources and opportunities for collaboration for investigators and social workers/sentencing advocates in public defense. We brought national attention to local systems through amicus support, technical assistance, National Public Defense Week, letters of support, mentorship,

articulate our clients' perspective as they perceive failures in the system. Sometimes simple truths cannot be stated plainly, given the rampant political interference and inherent racial injustice that plague our systems. We believe that there is real value in being able to acknowledge simple truths, humbly and honestly, and without fear of personal retribution or retribution passed down to our clients.

We remain, 20,000 strong, beholden almost exclusively to our members. We are the National Association for Public Defense; five years in, **we're here to stay.**



AMICUS COMMITTEE

The Amicus Committee has continued to be a resource for public defender offices and other legal and advocacy organizations trying to advance fair outcomes for clients and good bits of caselaw. Articulating from our unique perspective as public defenders, we took positions in the following cases in 2018:

Case: *O'Donnell v. Harris County*

Court: Fifth Circuit

Filed: October 31, 2018

Author and Pro Bono Counsel: Bradley Robertson

Issue: Whether the bail system that detains 40 percent of all those arrested only on misdemeanor charges, many of whom are indigent and cannot pay the amount needed for release on secured money bail is constitutional?

Case: *California v. Humphrey*

Court: Supreme Court of California

Filed: October 8, 2018

Author and Pro Bono Counsel: Kimberly Ingram, Bradley Arant Boult Cummings

Issue: Whether pretrial detention should be limited to those situations when absolutely necessary. Specifically, whether money-bail is an ineffective or counterproductive to 'achieving the legitimate goals in maximizing release, maximizing court appearance, and minimizing public risk'?

Case: *United States v. Ollisha Nicole Easley*

Court: 10th Circuit

Filed: August 29, 2018

Author and Pro Bono Counsel: Patricia Roberts, William & Mary Appellate and Supreme Court Clinic; Tillman Breckenridge, Bailey & Glasser LLP

Issue: Should a defendant's race be a factor that is taken into account in the totality of the circumstances when determining whether an individual would feel free to terminate an encounter with law enforcement?

Case: *Grubbs v. Brown*

Court: 2nd Circuit

Filed: July 20, 2018

Author and Pro Bono Counsel: Freshfields, Bruckhaus Deringer

Issue: Whether defendants should be held in contempt for violating court order proscribing presence and use of video cameras in Staten Island jail attorney-client conference rooms due to unconstitutional invasion of attorney-client communication and relationship?

Case: *N.C. v. Marcus Reymond Robinson* (91-CRS-23143),
N.C. v. Christina Shea Walters (98-CRS-34832, 35044),
N.C. v. Tilmon Charles Golphin (97-CRS-4312, 47314,
47315), and *N.C. v. Quintel Augustine* (01-CRS-65079)
Court: North Carolina Supreme Court
Filed: July 12, 2018
Author and Pro Bono Counsel: Janet Moore, National
Association for Public Defense
Issue: Were the death sentences properly vacated because
of racial bias in the jury process?

Case: *Kentucky v. Bredhold*
Court: Appeal from Fayette Circuit Court to Kentucky
Supreme Court
Filed: June 25, 2018
Author and Pro Bono Counsel: Amy E. Halbrook,
Professor, Salmon P. Chase College of Law
Issue: Does the death penalty constitute cruel and unusual
punishment when imposed on youths aged 18-20?
Co-Amici: Kentucky Association of Criminal Defense
Lawyers (KACDL)

Case: *Tyreke H. v. Illinois*
Court: Petition for cert (U.S. Supreme Court)
Filed: May 18, 2018
Author and Pro Bono Counsel: Brad Robertson; Bradley
Arant Boulton Cummings LLP
Issue: Whether it is presumptively unreasonable for
officers to use a checkpoint to conduct a targeted seizure
of a person who may have witnessed, but is not a suspect
in, a reported crime.

Case: *Perreault v. Smith*
Court: SCOTUS petition for certiorari to the Sixth Circuit
Court of Appeals
Filed: February 26, 2018
Author and Pro Bono Counsel: David Silbert and Andrew
Bruno, Kecker & Van Nest, San Francisco, CA
Issue: What language is required for an unequivocal
invocation of the Fifth Amendment right to counsel?

Looking ahead, NAPD is currently at work - partnering with Ben Cohen and The Promise of Justice Initiative in New Orleans to file an amicus brief in the United States Supreme Court for *McKinney v. Arizona*, in support of a petition for writ of certiorari. In *McKinney*, the Arizona Supreme Court re-weighed the mitigating and aggravating evidence in *McKinney's* capital case decades after *McKinney's* original sentencing—and more than 15 years after *Ring v. Arizona*—and concluded that the death penalty was warranted. The Arizona Supreme Court's decision presents two questions: First, whether the Supreme Court's decision in *Ring* applies to the Arizona Supreme Court's reconsideration of *McKinney's* sentence, requiring *McKinney* to be resentenced by a jury. Second, whether the Arizona Supreme Court violated *Eddings v. Oklahoma*, which requires consideration of all relevant mitigating evidence in capital sentencing, by failing to conduct a sentencing proceeding examining evidence that *McKinney* suffered from Post-Traumatic Stress Disorder. The amicus brief focuses on the Arizona Supreme Court's failure to consider mitigating evidence of PTSD in *McKinney's* case, including the importance of jury consideration of this kind of evidence.

As we continue to grow our list of amicus authors and pro bono counsel, we are excited to support public defenders and the issues that face our collective clients on the issues that matter the most.

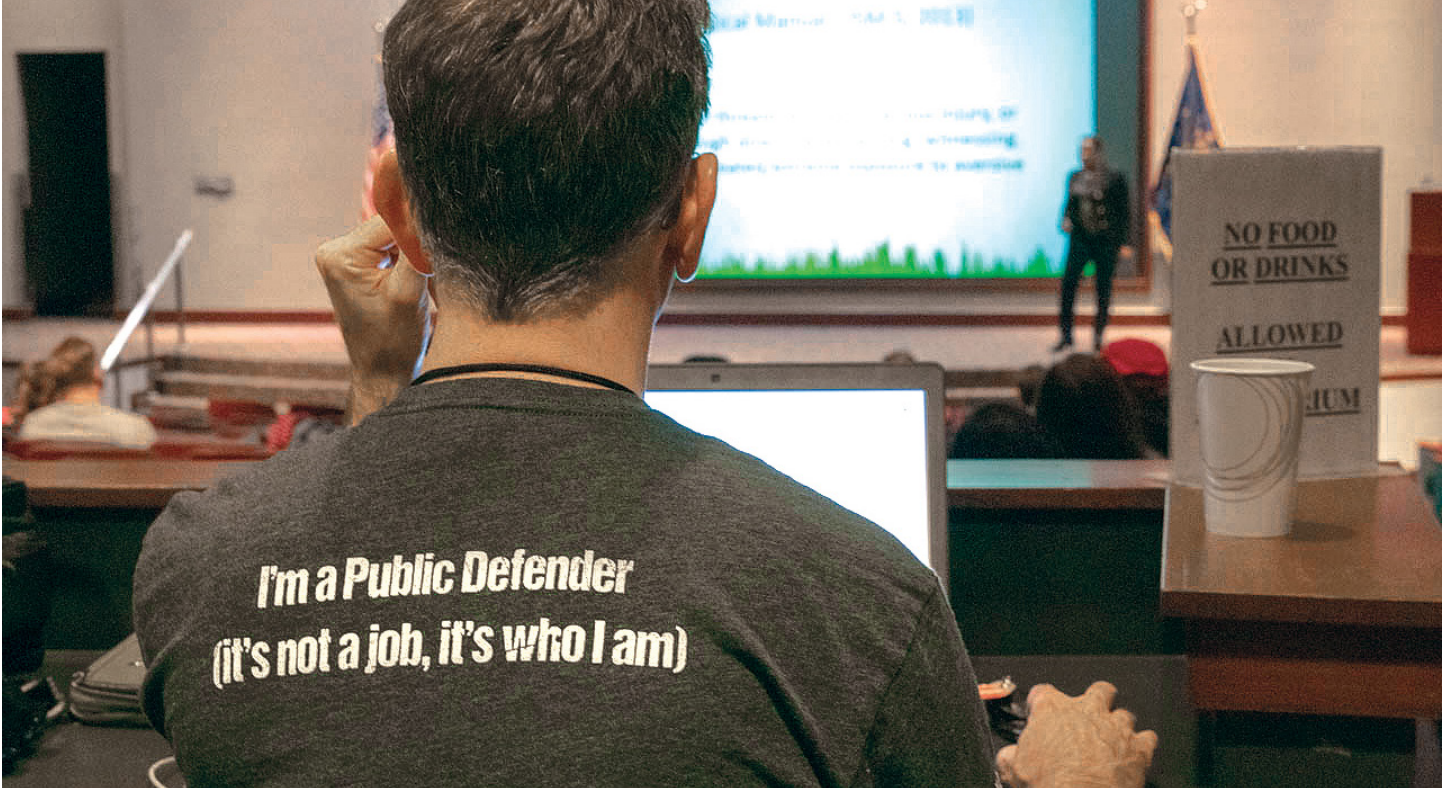
EDUCATION COMMITTEE

During 2018, NAPD conducted 32 webinars on highly relevant topics, for all professions working in public defense, with trainers from among the nation's top faculty. With the 2018 webinars, the Webinar Archive at NAPD grew to over 225 high quality webinars – all available for members, for free, any time of day or night. In 2018, increased staff capacity allowed for upgrades to the webinars, creating a more effective learning experience. The NAPD Death Penalty Subcommittee Members continued to provide webinars specific to capital litigation. There are now more than 30 capital webinars in the Archives.

At the behest of Kate Mason, the Education Committee also created a Reading Criminal Records Project. The project links any member of NAPD with, at a minimum, a link regarding how to obtain criminal history information in any state or federal jurisdiction. The analysis of multi-jurisdictional interaction with the criminal justice system is complicated by differences in the classification of crimes and the lack of standard classifications or disposition descriptions across the country. Defenders have volunteered to help by linking members to a lawyer who can help interpret the other jurisdictions' criminal history. This allows the requesting lawyer to provide accurate advice to the client about the impact of another jurisdiction's criminal dispositions on a pending case. More than 30 states are participating in this project.

The NAPD Education Committee also created a State CLE Project which will formally launch in 2019. While NAPD has not historically provided CLE for its webinars or trainings, we recognize that there is a hunger for relevant CLE, particularly among assigned counsel members, or staff in systems without a Training Director or locally available training program. In 2018, NAPD laid the groundwork for CLE to be offered on a limited number of selected webinars across the majority of states where we have programmatic members.

Finally, NAPD has responded to the thirst for live conferences. NAPD held an Executive Leadership Institute (ELI) for heads of offices, supervisors and managers, and offered for the first time a Train-the-Trainers program, with tracks for training directors and leadership staff who make



other presentations. More than 125 leaders attended this annual event in Frankfort, KY.

In addition to ELI, NAPD held two training for Investigators and Social Workers and Sentencing Advocates. These week-long trainings were held in Denver, CO (March 2018) and Indianapolis, IN (November 2018). Both of these conferences sold out and future conferences are being offered in 2019 in Biloxi, MS and Seattle, WA. More than 400 faculty and trainees came together for training

that speaks directly to the unique challenges of being an investigator or social worker/sentencing advocate in public defense. The innovative dual-track program allowed trainees to select the presentations most applicable to their job duties and interests, while significant focus on networking allowed the beginning of enduring cross-system relationships and support. Both the investigative and social worker communities within NAPD have dedicated listservs that allow members to share resources and serve their clients better.

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It is extremely helpful to look outside of your state for resources and to hear other people's experiences to share stories, inspire each other, and commiserate.

EMILY SWINTOSKY, INVESTIGATOR,
Kentucky Department of Public Advocacy

I went to some classes where I thought I might know what they were going to talk about, or I thought I already knew quite a lot about the topic, but then learned so much, unexpectedly.

APRIL RUSH, INVESTIGATOR,
Kentucky Department of Public Advocacy

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RACIAL JUSTICE COMMITTEE

In October, NAPD celebrated its 5th anniversary by creating an opportunity for members to come together for a one day Racial Justice Training.

Racial justice – across the nearly infinite ways that advocates can seek reform – seemed an apt focus point for NAPD on its 5th birthday. More than 150 defenders spent a full day in training, learning more about the history of racial bias in the criminal courts system, reflecting on implicit bias, gaining practical skills to litigate for racial justice at various stages of proceedings, and brainstorming together about the best ways that NAPD can support the intense interest in racial justice conversations, work and skills at trial.

The Racial Justice Committee supported this training and is committed to sustaining support for members who are struggling to do everything from talk about to litigate on racial issues. *We were thrilled with the diversity of our faculty and the attendees and for all the energy around this movement.*



“

The Racial Justice Conference, my first NAPD conference, was phenomenal, practical and so well-organized! Participants came away with an ideological understanding of the role race plays in our work as public defenders as well as concrete steps on how to use their advocacy skills in the fight for racial justice. Bravo NAPD!

CHANTÁ D. PARKER, PUBLIC DEFENDER,
Neighborhood Defender Services of Harlem, Harlem, NY

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STEERING COMMITTEE

NAPD continues to be an organization committed solely to public defense, and to embrace the value of client-centered and holistic representation. NAPD accepted nine new Steering Committee members at the end of 2018, all of whom are leaders steeped in both the day-to-day and long-term strategic work of public defense delivery and reform.

WE WELCOME:

- Geoff Burkhart, *Texas Indigent Defense Commission*
- Herb Duzant, *Federal Defender, District of Nevada*
- Patrice Fulcher, *Maryland Office of the Public Defender*
- Kate Mason, *Augusta Circuit Public Defender (Georgia)*
- Aisha McWeay, *Still She Rises (Tulsa, OK)*
- Elizabeth Miller, *Ohio State Office of the Public Defender*
- Martesha Johnson, *Metropolitan Defender's Office (Nashville, TN)*
- Justine Olderman, *Bronx Defenders, Bronx, NY*
- Lorinda Youngcourt, *Federal Defenders, Eastern Washington and Idaho District*

NAPD acknowledges the contribution of several outgoing Steering Committee members, each of whom will return to their public defense advocacy and remain a cherished part of the NAPD community.

WE THANK:

- Alex Bassos, *The Justice Collaborative*
- Janene McCabe, *Colorado Office of the Public Defender*
- Janet Moore, *University of Cincinnati Law School*
- Teri Moore, *Federal Defender, District of New Jersey*
- Ndume Olatushani, *exoneree, Nashville, TN*



Paul DeWolfe, Chair
Maryland Office of
the Public Defender,
Baltimore, MD



Derwyn Bunton, Vice
Chair, Orleans Public
Defenders,
New Orleans, LA



Jeff Adachi
San Francisco County
Public Defender,
San Francisco, CA



Michael Barrett
Missouri State Public
Defender System,
St. Louis, MO



Anthony Benedetto
Committee for Public
Counsel Services,
Boston, MA



Nancy Bennett
Committee for
Public Counsel
Services, Boston, MA



Keir Bradford-Grey
Philadelphia
Defender's Association,
Philadelphia, PA



Geoff Burkhart
Texas Indigent
Defense Commission,
Austin, TX



Amy Campanelli
Law Offices of the
Cook County Public
Defender, Chicago, IL



Dawn Deaner
Choosing Justice
Initiative,
Nashville, TN



Herbert Duzant
Federal Defender,
District of Nevada



Patrice Fulcher
Maryland Office of
the Public Defender,
Baltimore, MD



Stephen F. Hanlon
General Counsel,
NAPD,
St. Louis, MO



Emily Hughes
University of Iowa
College of Law,
Iowa City, IA



Martesha Johnson
Nashville-Davidson
Public Defender,
Nashville, TN



Rick Jones
Neighborhood
Defender Services,
Harlem, NY



Joanna E. Landau
Utah Indigent Defense
Commission,
Salt Lake City, UT



Norman Leftstein
Special Advisor,
McKinney School of
Law, Indianapolis, IN



Justine M. Luongo
Legal Aid Society,
New York, NY



Carlos Martinez
Miami-Dade (11th
Circuit) Public
Defender, Miami, FL



Kate Mason
Augusta Circuit,
Georgia Public
Defender Council



Aisha McWeay
Still She Rises,
Tulsa, OK



Elizabeth Miller
Ohio Office of the
Public Defender,
Columbus, OH



Ed Monahan
Kentucky
Department of Public
Advocacy (retired),
Frankfort, KY



Justine Olderman
Bronx Defenders
Bronx, NY



Mark Stephens
Knox County Public
Defenders
Community Law
Office, Knoxville, TN



William Ward
Minnesota Board of
Public Defense,
Minneapolis, MN



Doug Wilson
Colorado Office of
the Public
Defender, (retired)
Denver, CO



Timothy Young
Ohio Office of the
Public Defender,
Columbus, OH



Lorinda Youngcourt
Federal Defender's
Office, Spokane, WA



NAPD couldn't ask for better leadership. Every member of our Steering Committee has risen to this position through their achievements in their local justice system and their proven commitment to the vision of NAPD. We were proud to improve our diversity this year, welcoming leaders who bring a wealth of knowledge, talent and perspective to our movement to build a national community to improve public defense in every jurisdiction.

PAUL DEWOLFE, CHAIR, NAPD STEERING COMMITTEE & PUBLIC DEFENDER,
Maryland Office of the Public Defender



SYSTEMS BUILDERS COMMITTEE

NAPD, through its Systems Builders Committee, works to strengthen the quality of public defense delivery systems throughout the country. The Systems Builders Committee is comprised of current and retired defender leaders, public defender board and/or commission members, and system advocates representing a range of experiences and perspectives on public defense issues.

Our mission is to assist leaders who are building excellent, client-centered public defense programs, through training, consultation, collaboration, and on-site technical assistance.

In 2018, the Committee formalized its offer to lend “Assistance for Merit-Based Selection of a Public Defense Leader.” In addition, it launched a free and confidential Mentors Program for Leaders, Supervisors and Managers, and promoted its “Virtual Cup of Coffee” opportunity, for anyone who just needs to chat, brainstorm, vent or commiserate!

In April, the Committee released its Assessment of the Texas Office of Capital and Forensic Writs after extended research, outreach and site visits to that office. That assessment has laid the groundwork for office improvements and legislative advocacy.



Stumped? Frustrated? Need to brainstorm? Some advice?
Just to vent? Or want to help? You need....

A Virtual Cup of Coffee with a Colleague



Virtual Coffee is a project of the NAPD Systems Builders Committee.
Email William.Ward@mnpd.us or ernie.lewis@gmail.com to get together.



“

I am proud of our staff and their dedicated work and it is a privilege to work alongside them every single day. But we need help. We welcome outside, objective perspective and accountability, and appreciate this in-depth evaluation and roadmap to future success and greater stability. The concrete recommendations in the Assessment will benefit not only our clients, but also the courts, the criminal justice system, and the public by providing organizational mechanisms for professional, independent management, oversight, and additional resources to ensure timely and competent representation of our clients.

BEN WOLFF, DIRECTOR,
Texas Office of Capital and Forensic Writs, Lubbock, TX

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WORKLOAD COMMITTEE

In 2018, the Workload Committee began its transition from being primarily a policy making body to being primarily a professional services organization.

In 2018, the Workload Committee began its transition from being primarily a policy making body to being primarily a professional services organization. Workload Committee members have decades of experience in efforts to reduce caseloads. We want to make that substantial body of intellectual capital available to public defender organizations around the country who similarly want to fight for lower caseloads.

The Workload Committee will become primarily a teaching institute, offering on-site technical assistance to any public defender office requesting our assistance.

Our efforts will center on the following four areas:

**DATA COLLECTION/
CASE MANAGEMENT:**
Subcommittee Chair –
Nora Christenson,
Hurrell-Harring
Implementation
– Caseload Relief
Attorney, New York
Office of Indigent Legal
Services

**CASELOAD
STANDARDS:**
Subcommittee Chair –
Bob Boruchowitz,
Professor from Practice,
Director, The Defender
Initiative, Seattle
University School of Law

LITIGATION:
Subcommittee Chair –
Ben Baur,
Public Defender, Law
Offices of the New
Mexico Public Defender

COMMUNICATIONS:
Subcommittee Chair –
Jean Faria,
Capital Case
Coordinator, Louisiana
Public Defender Board

To begin this new effort, we created a virtual brochure describing our collective expertise, which we will now circulate to public defender offices around the country. We also completed a first draft of a data survey that we will send out to public defender offices around the country in early 2019.

Finally, the committee continued its work as grant administrator for the American Bar Association (ABA) grant from the Laura and John Arnold Foundation for Louisiana workloads litigation. ABA workloads studies have been completed in Missouri, Louisiana, Colorado and Rhode Island, with additional studies now being conducted in Indiana, New Mexico and Oregon.



The Louisiana Public Defender Board is committed to educating public defense providers and the public about the value of data in supervision, in advocacy for our field, and in order to address excessive workloads. NAPD has provided incredible support by bringing together leaders from every state/jurisdiction that is committed to reducing workloads for our public defenders to the benefit of our clients, so that we can chart a clear path forward.

ERIK STILLING, PH.D.,
Information Technology & Management
Officer, Louisiana Public Defender Board



MyGideon COMMITTEE

Throughout 2018, the MyGideon Committee worked toward upgrading MyGideon to a platform that supports our online academy with a learning management system. It will also feature improved search, workspaces, forums and gamification elements.

MyGideon is the heart of NAPD, and it will be getting a serious upgrade in 2019. Stay tuned!



SUPPORTING OUR MEMBERS & PUBLIC DEFENSE PROGRAMS

NAPD is a responsive organization that is in touch with its general membership, and the unique needs of programmatic members. During 2018, we were proud to undertake the following actions at the request of our members.

- Submitted a letter to Los Angeles Board of Supervisors advocating for best practices in the hiring of a public defense leader;
- Submitted a Dear Colleague Letter to Attorney General Jeff Sessions rescinding guidance on the problematic imposition of fines and fees for indigent defendants;
- Wrote a letter to Board of Supervisors in Harris County (Houston), TX in defense of the independence of the appointed public defender leader;
- Offered leader mentoring and jurisdictional assistance in more than 5 jurisdictions through the NAPD Strike Force;
- Participated in collaborative work advising on the potential good and harms of Risk Assessment instruments in the criminal court;
- Wrote a letter of support for the public release of police practice manuals in California;
- Successfully completed the “Design Survey of Publicly Appointed Counsel” project funded by the Bureau of Justice Statistics (in partnership with the Urban Institute and Indigent Defense Research Association), and including intensive outreach to determine complete rosters of publicly appointed counsel in 74 randomly-selected jurisdictions in the United States; and
- Released a set of consolidated resources and directives related to Mental Health Advocacy, in partnership with the Equitas Foundation, and as the formal work product of Equitas’ and NAPD’s March 2018 Mental Health Summit in Denver, CO, which convened more than 75 public defense leaders with extensive experience in representing mentally ill clients for a 2-day planning/work session.

MEMBERSHIP UPDATES

DURING 2018, NAPD GREW BY ABOUT 4,000 MEMBERS, adding the staff of five statewide programs (Alabama, Connecticut, Louisiana, Oregon and Wisconsin) and county-based programs in Santa Barbara, CA; Bronx County (the Bronx Defenders); Whatcom County, WA; Elko County, NV; the Far West Texas Regional Public Defender Office (Brewster, Culbertson, Hudspeth, Jeff Davis and Presidio Counties); Nevada County, CA; and the 13th Circuit Public Defender's Office (Hillsborough County, FL).

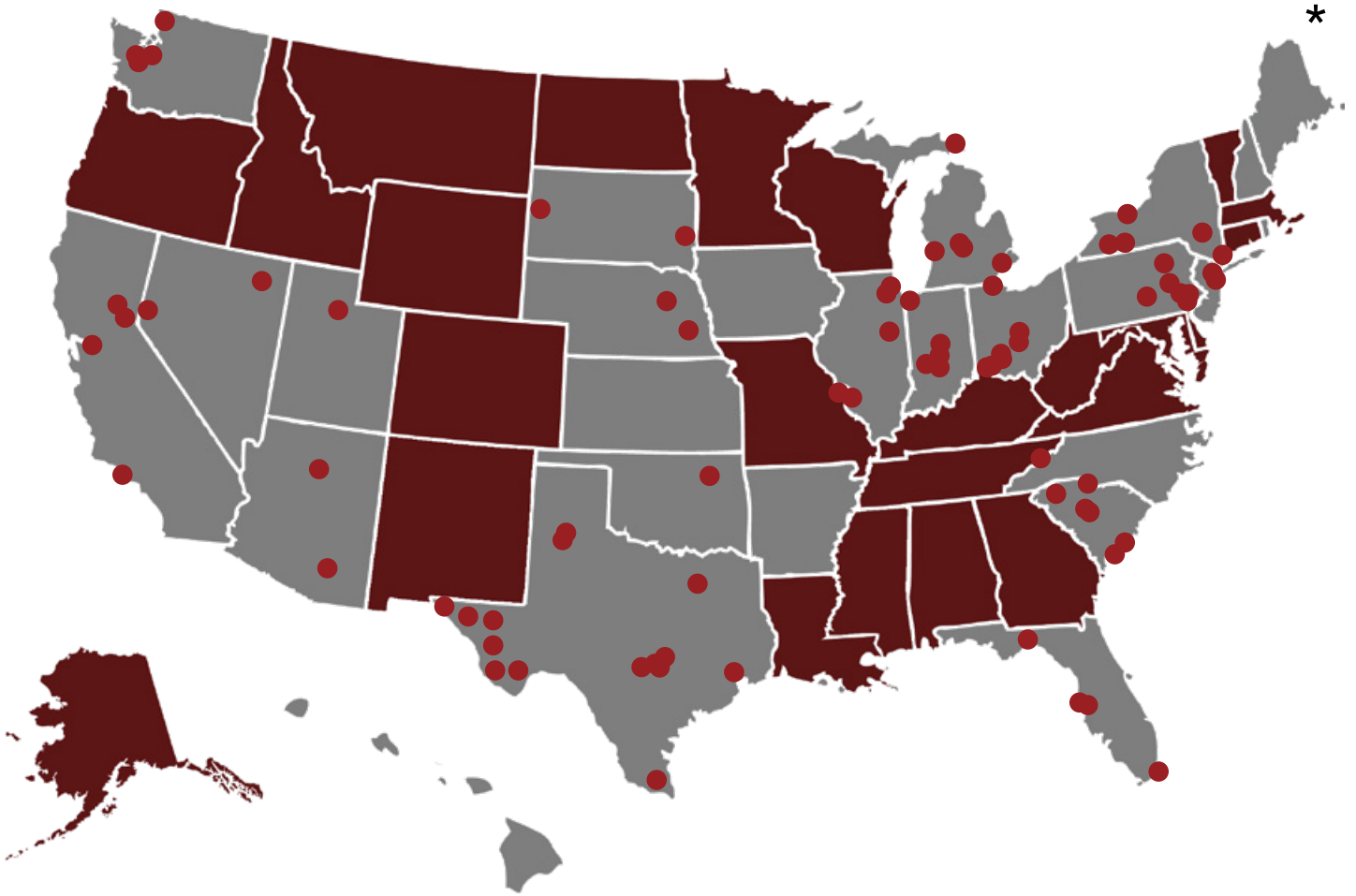
NAPD's total membership is just shy of 20,000 public defenders and public defense professionals. Dues are \$25/person annually (with a cap for larger offices). More than 99% of our membership is actively engaged in the delivery of public defense services as a lawyer, social worker, investigator, communicator, administrator, paralegal, IT professional or researcher.

“

NAPD, at just five years, is what public defense has needed since Gideon was decided. It is where those doing public defense, most of us fiercely independent, come together to find a home, share a vision, and bring about change. NAPD is a place to come together. To solve our own problems together, instead of alone. To fight together, instead of alone. To advocate together, instead of alone. To help people together, instead of alone. To change the world – together.

TIM YOUNG,
Director, Ohio State Public Defender

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States with state-wide NAPD membership



*NAPD member organizations are reflected through March 18, 2019

LIST OF WEBINARS

January 9, 2018

12:00 PM - 2:00 PM

Webinar: Finding and
Interviewing in Capital Cases

January 11, 2018

1:00 PM - 2:00 PM

Webinar: Litigating Race

January 17, 2018

12:00 PM - 2:15 PM

Webinar: Collecting and
Using Records to Change the
Narrative in Capital Cases

January 23, 2018

3:00 PM - 4:30 PM

Webinar: Fundamentals of
Zealous Capital Clemency
Representation

January 25, 2018

12:00 PM - 1:45 PM

Webinar: Challenging
Debtors' Prisons: What Public
Defenders Can Do

January 29, 2018

12:30 PM - 2:30 PM

Webinar: Implicit Bias: Its
Negative Impact on Our
Clients and Ourselves

February 26, 2018

12:00 PM - 1:00 PM

Webinar: Social Media and
Other Communication
Technology

February 27, 2018

2:00 PM - 3:15 PM

Webinar: Client Centered
Perspective on Plea
Negotiations

March 2, 2018

3:00 PM - 4:00 PM

Webinar: Fetal Alcohol
Spectrum Disorder (FASD) and
the Criminal Justice System:
From Arrest to Community
Supervision

March 19, 2018

12:00 PM - 1:45 PM

Webinar: Assisting Chief
Defenders: stimulating
increased awareness, options,
capacity

April 3, 2018

12:00 PM - 1:00 PM

Webinar: Social Media
Evidence

April 3, 2018

2:00 PM - 3:45 PM

Webinar: Empower Your
Jury by Empowering Your
Community (The Juror
Project)

May 29, 2018

12:30 PM - 2:30 PM

Webinar: Opioids: Treating an
Illness, Ending a War

June 1, 2018

2:00 PM - 3:00 PM

Webinar: Writing a Compelling
Statement of Facts

June 18, 2018

2:00 PM - 4:00 PM

Webinar: Digital Prisons:
Challenging E-Carceration

June 22, 2018

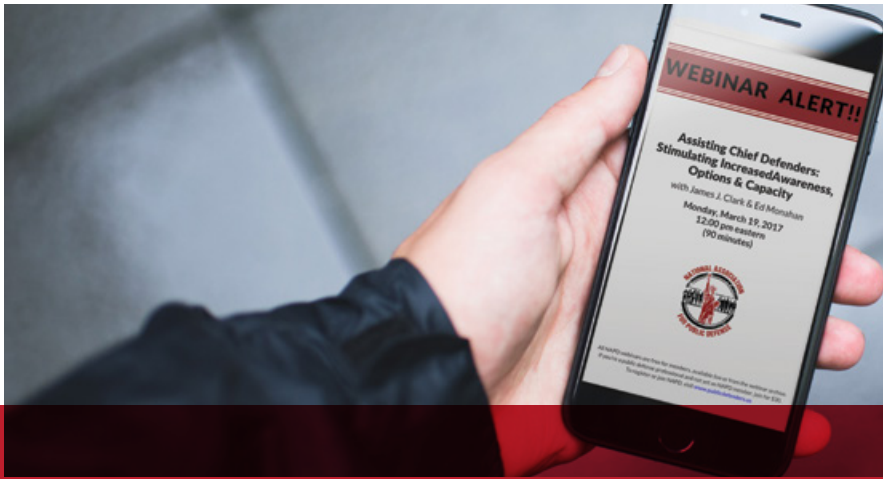
12:30 PM - 2:30 PM

Webinar: Challenging
Fingerprint Evidence

June 26, 2018

2:00 PM - 4:00 PM

Webinar: Making Creative Use
of Forensic Linguistics



June 28, 2018

12:00 PM - 1:00 PM

Webinar: Fundamentals of Effective Direct Examination

July 11, 2018

1:00 PM - 2:00 PM

Webinar: Trial Counsel's Ethical Duties to the Client in Postconviction Proceedings

July 31, 2018

12:00 PM - 1:00 PM

Webinar: Capital Case Organization and Team Communication

August 28, 2018

1:00 PM - 2:30 PM

Webinar: Seeing is Believing: Using Visual, Emotion-Based Storytelling at Sentencing/ Penalty Phase

September 17, 2018

1:30 PM - 2:30 PM

Webinar: Measures for Justice: Transparency and Data

September 21, 2018

12:00 PM - 2:30 PM

Webinar: Report Writing: The Story That Was Never Told

September 26, 2018

2:00 PM - 3:30 PM

Webinar: Your Client's Brain and the Relevancy of Graham and Miller

September 27, 2018

12:00 PM - 1:00 PM

Webinar: Witness Prep: Ethics, Exploration, and Excitement

September 28, 2018

12:00 PM - 1:00 PM

Webinar: An Embarrassment of Riches: Making Effective Use of NAPD Webinars

October 10, 2018

1:00 PM - 2:00 PM

Webinar: Opening Statements

October 30, 2018

2:00 PM - 3:00 PM

Webinar: Theories & Themes: How to Win Your Case

December 10, 2018

12:00 PM - 2:00 PM

Webinar: Across the State Line: NAPD's Education Committee Criminal History Project

December 11, 2018

1:00 PM - 2:00 PM

Webinar: Closing Arguments: Theory and Structure

December 12, 2018

2:00 PM - 3:30 PM

Webinar: I Need A Witness: The Uniform Act to Secure Witnesses From Without the State in Criminal Proceedings

December 13, 2018

2:00 PM - 3:30 PM

Webinar: Investigations: Developing the Bricks to Support Your Client's Theory of Defense

December 19, 2018

12:30 PM - 2:00 PM

Webinar: Cross Examining the Complaining Witness in the #metoo Era

BLOG POSTS

“Oh, it’s Just a Misdemeanor”

by Kate Mason,
Augusta Circuit Public Defender, Georgia

“The Passion Drain: Salaries so Low Even the Dedicated Can’t Stay,”

by Damon Preston,
Kentucky Public Advocate

“Zen and the Art of Indigent Defense,”

by Allison Mathis,
Law Offices of the New Mexico Public Defender

“Let’s Not Belittle Nikolas Cruz’ Mental Struggles and Family Trauma,”

by Sajid Khan,
San Jose Public Defender’s Office, California

“Politics and Public Defenders,”

by Alex Bunin,
Harris County Public Defender’s Office, Texas



In 2018, NAPD published over 90 blog posts on our blog. Our Facebook page maintained over 13,000 followers and we expanded our Twitter community significantly. In addition to blog posts, staff curate 10-12 highly relevant posts per day on the NAPD platforms, raising awareness and driving engagement. All blog posts are cross-posted on social media. Some of our most read pieces included:

“Why You Should Throw Small Wrenches,”

by Renate Lunn,
New York County Defender Services

“Should Indigent Defense Providers Care About Workload Studies,”

by Douglas Wilson,
Colorado State Public Defender

“Supreme Court Decides *Currier v. Virginia*”: Not So Straightforward,”

by Greg Mermelstein,
Missouri State Public Defender

“Freedom for Sale,”

by David Clark Guildford,
County Public Defender, North Carolina

“Waiting for the White Man,”

by Mary Moriarty,
Hennepin County Public Defender, Minnesota



AWARDS



At its 5 year celebration banquet, NAPD announced its first two annual awards.

THE DEFENDER OF JUSTICE AWARD, for the public defense system that best exemplifies NAPD’s mission “to provide a voice to advocate for those who cannot afford a lawyer and to provide support, training and resources in either federal, state or local justice systems” was earned by the Neighborhood Defender Services (NDS) of Harlem. You can learn more about NDS online at: www.ndsny.org

THE THURGOOD MARSHALL AWARD, created to acknowledge the NAPD member who best exemplified the NAPD Vision Statement, “eradicating injustice by fostering high quality, client-centered advocacy for those who cannot afford counsel” was awarded to Dawn Deaner. Dawn is the former Metropolitan Public Defender (Nashville) and now the Director of the Choosing Justice Initiative.



THE FUND FOR JUSTICE

In response to members and with the support of leadership across NAPD, an associated Fund for Justice was created in 2018. The NAPD Fund for Justice is a 501(c)3 organization that exists to improve public defense delivery by offering tuition scholarships for training, funds for technical assistance, and loan forgiveness.

You can learn more about the fund and make a donation at:
www.fundforjustice.org



STAFF

NAPD added three new staff members in 2018, and Training Director Jeff Sherr was able to significantly increase his commitment to NAPD upon retirement from the Department of Public Advocacy. NAPD welcomes Member Support Specialist Nicole Lesniewski, who formerly worked with the Kentucky Department of Public Advocacy; Assistant Training Director Cathy Bennett, who formerly was Training Director for Massachusetts' Committee for Public Counsel Services, and Training Support Coordinator Jon Lyon, who is a long-time public defense investigator, working from Chicago, IL. Jeanie Vela, also part of the Colorado Office of the Public Defender worked with NAPD during 2018, and was a valuable part of our ability to expand our training programs, accounting program, and training certification program.



ORGANIZATIONAL CHART*

STEERING COMMITTEE

29 member working committee

GENERAL COUNSEL

Stephen F. Hanlon (MO)

EXECUTIVE COMMITTEE

5 member leadership team of Steering Committee members

TRAINING DIRECTOR

Jeff Sherr (KY)

EXECUTIVE DIRECTOR

Ernie Lewis (KY)

ENGAGEMENT DIRECTOR

Heather H. Hall (TX)

TRAINING SUPPORT COORDINATOR

Jon Lyon (IL)

ASSISTANT TRAINING DIRECTOR

Cathy Bennett (AK)

MEMBER SUPPORT SPECIALIST

Nicole Lesniewski (MX)

DATA MANAGER

Jonathan Friley (WV)



*AS OF 2/01/19

NATIONAL ASSOCIATION



THANK YOU

FOR PUBLIC DEFENSE

NAPD thanks its members and member-leaders for the generous donation of their immense talent and precious time.

We thank Justice Works and Journal Technologies for their steadfast support of our Executive Leadership Institute.

We thank the John and Laura Arnold Foundation for their investment in data-driven, ethical workloads for public defenders.

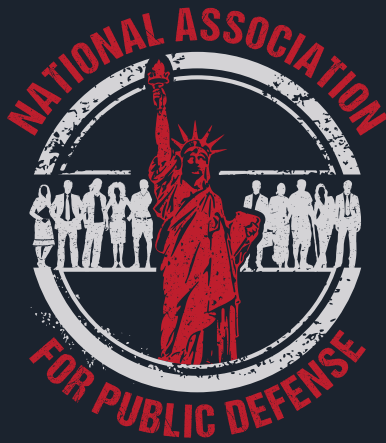
We thank the Advocacy Fund for their support of the platform that houses our MyGideon Public Defense Library.

We thank the Bureau of Justice Statistics for their commitment to defender-driven data, and for the pleasure and privilege of working with the Urban Institute and the Indigent Defense Research Association on the Design Survey for Publicly Appointed Counsel (DSPADA). Thanks also to our public defense researcher-consultants and our public defender expert panel for their work on this project.

We thank our pro bono individuals and law firms for their support so that the critical public defense perspective that is unique to NAPD is articulated through amicus support.

And finally, we thank all the organizations with the shared and overlapping goals of achieving equal access to justice for all people, and for the fundamental rights of respect and dignity for every person, no matter what circumstance brings us together.

WE ARE STRONGER TOGETHER



NATIONAL ASSOCIATION FOR PUBLIC DEFENSE

PO Box 211 | Frankfort, KY 40602 | www.publicdefenders.us

FOR MORE INFORMATION, CONTACT:

Ernie Lewis, Executive Director
ernie.lewis@gmail.com | 502-545-3142

Heather H. Hall, Engagement Director
heather@publicdefenders.us | 504-301-6956

Jeff Sherr, Training Director
jeff.sherr@publdefenders.us | 859-629-9152