



National Legal Aid & Defender Association

Honorable Ted Deutch
United States House of Representatives
1024 Longworth House Office Building
Washington, DC 20515

EQUAL JUSTICE.
OF THE PEOPLE.
FOR THE PEOPLE.

Dear Congressman Deutch:

On behalf of the National Legal Aid & Defender Association (NLADA), and the American Council of Chief Defenders (ACCD), we are writing to express our appreciation to you for introducing the National Center for the Right to Counsel Act, and to offer our strong endorsement of this historic bill. The Center has the potential to remedy many of the systemic failures of our public defense systems, failures that place the liberty of Americans in jeopardy and deny justice to people unable to afford counsel.

The National Legal Aid & Defender Association, founded in 1911, is America's oldest and largest nonprofit association devoted to ensuring delivery of legal services to all. NLADA's advocacy for a National Center is long-standing, beginning with a 1977 proposal of the concept as part of a package of federal options to improve indigent defense services. The American Council of Chief Defenders, created in 1999, is an independent section of the National Legal Aid & Defender Association, comprised of leaders of state and county organizations that provide legal services to indigent defendants in criminal proceedings.

This year as we mark the 50th Anniversary of the Supreme Court's decision in *Gideon v. Wainwright*, we have the opportunity to revisit this direly needed resource, and to affirm the fundamental nature of the right to counsel to individuals presumed innocent in criminal proceedings. After the Supreme Court's decisions in *Gideon* and subsequent cases, no national coordination or planning was implemented to ensure that the right proclaimed was realized. As a result, the current national landscape of the provision of counsel is an amalgam of divergent approaches with no oversight or meaningful quality controls. In an age of technology, no entity, not even the Federal Government, can accurately collect the most basic data regarding right to counsel services – including simply indentifying providers.

The persistent problems plaguing individuals and justice systems across the country as a result of Sixth Amendment violations have been well documented and thoroughly discussed. While the federal government does allocate significant money to state and local justice systems through Byrne-JAG funding, there exists a significant lack of balance. A 2012 Government Accountability Office Report found that of the over \$500 million federal dollars granted to state and local criminal justice systems annually, only one tenth of 1 percent of this money was spent on public defense services. Local defender offices and their funders must bear the

additional financial burden of providing for counsel in the cases generated as a result of this federal support for law enforcement and prosecution.

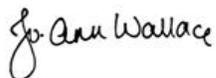
This bill will begin to address the federal government's key role in protecting these constitutional safeguards by significantly improving access to and quality of counsel for all. Further, it will improve the fundamental fairness, effectiveness, integrity and accountability of criminal justice systems.

Such pernicious problems are not just of concern to advocates of individual rights, but also to anyone hoping for efficiency or quality within a core civic function. Scarce resources are consistently wasted and misdirected because of a lack of basic structure. With no accountability or oversight, states and municipalities are increasingly facing lawsuits in state and federal court for violations of this fundamental right. Further, wrongful convictions, court inefficiencies, and costly unnecessary pre-trial detention are exacerbated by these problems. This bill would take a tremendous amount of pressure off strained state and local governments through the sort of coordination that only a national entity can provide.

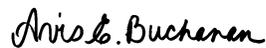
The National Center for the Right to Counsel Act will provide much needed support, training and quality standards to local jurisdictions. The Act will, for the first time, identify and make publicly available information regarding all public defense providers. It will provide support to supplement, not supplant, a state's role in providing safeguards of liberty.

We are grateful for your leadership and your efforts to realize *Gideon's* mandate through this legislation. The National Legal Aid & Defender Association and the American Council of Chief Defenders are pleased to endorse the National Center for the Right to Counsel Act and look forward to assisting in the work to advance this cause and this important legislation.

Sincerely,



Jo-Ann Wallace
President & Chief Executive Officer
NLADA



Avis Buchanan
Chair, American Council of Chief
Defenders