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FOR IMMEDIATE RELEASE

April 26, 2018

Wayne County to improve right to counsel services for indigent defendants with State grants
Evans Administration secures \$17 million in the wake of report from Sixth Amendment Center

DETROIT – A new report released today by the Sixth Amendment Center (6AC) has identified deficiencies in indigent legal services in Wayne County. The report further concludes the State Defender Office of the Metropolitan Justice Center of Southeast Michigan requires greater funding to ensure all residents receive their Constitutional right to counsel.

“For sixteen years, the State Defender Office (SDO) in Wayne County received the same funding despite increased caseloads, and increased overhead expenses assessed by the SDO’s governing board,” stated 6AC Executive Director David Carroll. “Public defense attorneys are prevented from providing effective representation because they lack sufficient time, resources, and support staff to properly prepare cases.”

In response to these revelations, and reform efforts organized by the Michigan Indigent Defense Commission (MIDC), Wayne County has secured two grants awarding state funds to bolster indigent legal services. One MIDC grant for \$17,275,171 million will go toward addressing the main findings of the Sixth Amendment Center. A second MIDC grant of \$901,371 will fund a team of experts to specifically determine how to best elevate Wayne County’s indigent defense delivery system in the future. MIDC approves grants to improve representation in *every* community in the State and while Wayne County represents over 30% of all felony cases, \$18 million in State grants will be less than 22% of the amounts granted statewide.

“The addition of state funding will make it possible to address the serious problems identified in the 6AC report, and the standards adopted by the MIDC,” said Dawn Van Hoek, a consultant for Wayne County and former director of Michigan’s appellate defense system. “It is essential that indigent defense become a higher priority, not only to ensure justice for citizens, but to avoid costly mistakes.”

The MIDC was created in 2013 by Governor Rick Snyder’s administration to ensure equal access to justice across the state through the implementation, enforcement, and modification of minimum standards, rules, and procedures consistent with constitutional safeguards.

“Although the findings of the report are troublesome, the process of standards-based assessment, deliberation and financial grants shows that the MIDC is effectively working with

local funding units to rectify decades-old problems in the delivery of the constitutional right to counsel,” says state MIDC Director Loren Khogali.

Planned Improvements Include More Staff, Better Facilities

The report recommends adding 75 additional personnel to adequately staff a public defender office handling 25% of the county’s felony caseload, including attorneys, investigators, and social workers.

Finally, the proposed new criminal justice complex, if approved and funded by the Wayne County Commission, will provide meeting spaces for lawyers and indigent clients that meet or exceed standards established by the Michigan Indigent Defense Commission. The new facility will consolidate three existing County jails into a single state-of-the-art corrections facility as well as house the criminal court, juvenile detention facility, and the sheriff and prosecutor’s offices in new buildings, on one campus. If approved, construction would begin in the fall and the project is scheduled to be completed in 2022.

“From better courtrooms to a safer jail facility to improved meeting spaces for lawyers and clients, the new criminal justice center helps to improve conditions for defendants housed in our jails as well as the law enforcement officers and lawyers who will work at the complex,” said Wayne County Executive Warren C. Evans.

In addition to the grant funding, Wayne County is projected to allocate \$7.4 million to pay for its statutorily-determined local share for indigent legal services in fiscal year 2019. This amount is the maximum funding required to satisfy the County’s obligation to indigent legal services.

The Right to Counsel in Wayne County, Michigan: Evaluation of the State Defender Office of the Metropolitan Justice Center of Southeastern Michigan is available for download at:

<https://www.dropbox.com/s/vfc3jjqxsuykhvz/WAYNE%20COUNTY%20REPORT%20APRIL%202018.pdf?dl=0>

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