

New Mexico CRIMINAL DEFENSE LAWYERS ASSOCIATION

PO Box 8324 Santa Fe, NM 87504 505.992.0050 www.nmcdla.org

President
Barbara Mandel
Las Cruces

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May 19, 2015

President-Elect Matthew Coyte Albuquerque Jeff Primm State Board of Finance 181 Bataan Building Santa Fe, NM 87505

Vice President Margaret Strickland Las Cruces

Re: Grant Request by Law Offices of the Public Defender

Secretary Molly Schmidt Nowara Albuquerque Dear Mr. Primm,

Treasurer Angelica Hall Albuquerque I am writing on behalf of the New Mexico Criminal Defense Lawyers Association (NMCDLA) to urge the Board of Finance to support the grant requested by the Law Offices of the Public Defender. Our membership of over 500 attorneys includes a wide spectrum of lawyers practicing both privately and publicly in the area of criminal defense. We are therefore acutely aware of the problems facing contract counsel and staff public defenders in their quest to provide constitutionally adequate representation to clients charged with crimes in New Mexico.

Executive Director Cathy Ansheles Santa Fe

The problems associated with an underfunded indigent defense system have wide-reaching implications beyond those of the individual who receives potentially inadequate representation. Jails throughout our state are overcrowded, often with people who are not convicted but rather waiting for trials for non-violent or misdemeanor offenses. As a result, expensive and well-publicized litigation has plagued local jails and their communities in recent years. Unnecessary delays in the administration of justice causes backlogs in an already overburdened system, and often denies justice for both victims and the accused. On the other hand, a healthy and vibrant indigent defense system can prevent many of the problems affecting our justice system. As a result, the whole community can benefit.

Legislative Coordinator Rikki-Lee Chavez Albuquerque

I am shocked at the disparity of funding for indigent defense between the federal and state systems. When Congress threatened to cut funding for federal public defenders, judges from around the country testified on our behalf and funding was restored. Members of Congress realized that an indigent defense system must be adequately funded, or there can be no justice. Persons charged with state crimes deserve the same quality defense as those charged with federal crimes.

Finally, it is important to note, the crisis facing indigent defense today has been long in the making. For many years, members of NMCDLA have donated their time for indigent defendants. This often happens in the context of



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Legislative Coordinator Rikki-Lee Chavez Albuquerque overworked and underpaid staff attorneys or contract counsel working for their clients without adequate compensation, or, in many cases, for no compensation at all. It is on their shoulders this system has been allowed to weigh, but we have reached a point where they can no longer support the load without a grant to complete this financial year. With this in mind, our organization strongly urges you to approve the request of the Law Office of the Public Defender.

Sincerely,

Barbara A. Mandel President, NMCDLA

cc: Matthew Coyte, President-Elect Cathy Ansheles, Executive Director

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