

# THE POWER OF COMMUNITY

2018 annual report



ORLEANS PUBLIC DEFENDERS





## OUR MISSION

To fight for our clients by providing excellent client-centered representation, reform the system and partner with the **COMMUNITY.**

# FROM THE CHIEF

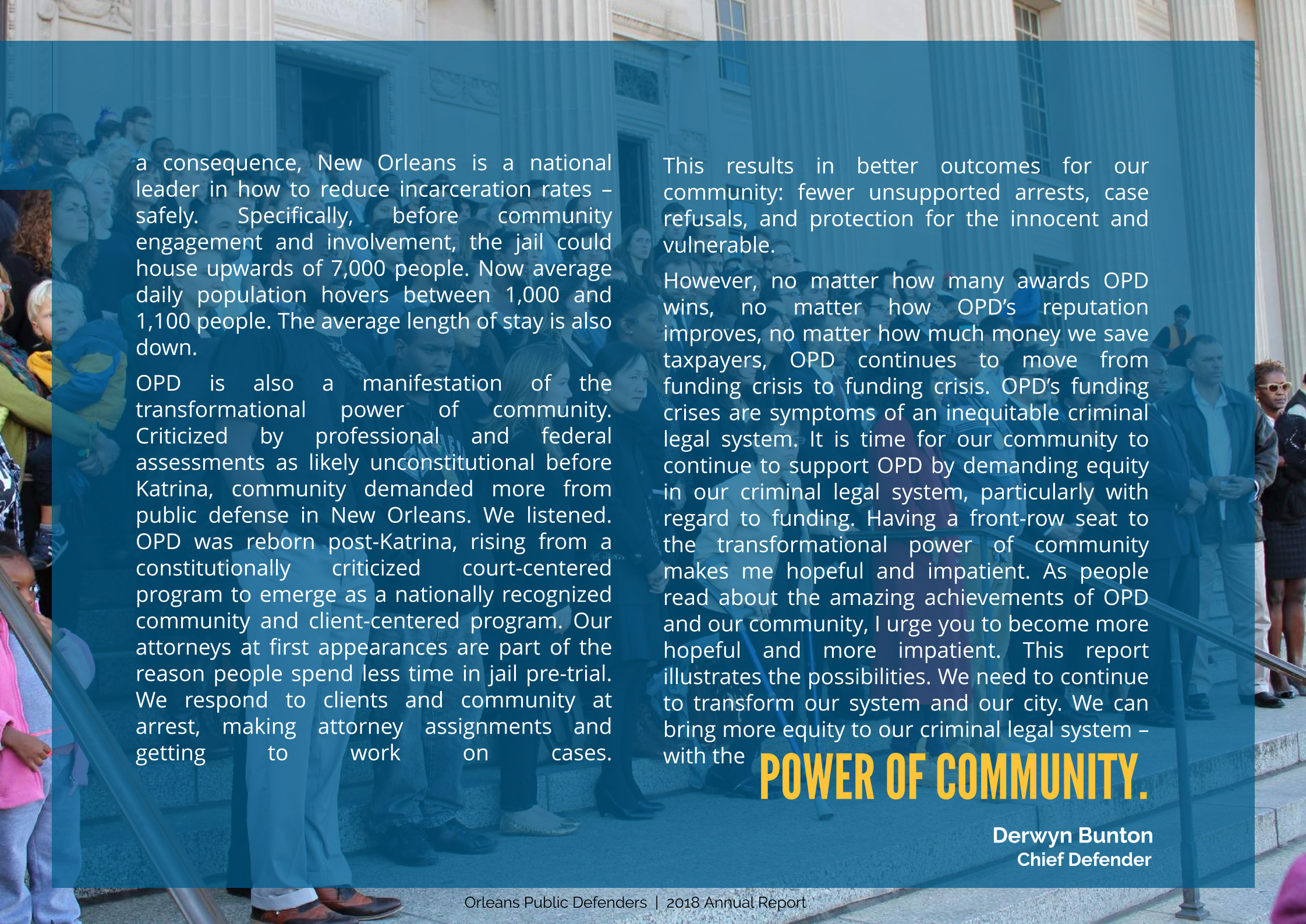
## Growing up, I believed in and depended upon community

– a network of family, found family, and friends – to inspire, support and motivate me to do better and be better. My community removed barriers and helped me maintain focus toward my goals of going to college and law school. Some of my early heroes were the men who ran our community center – who also happened to coach football, baseball, and lead us on neighborhood field trips. In fact, one of those men died rescuing a child from drowning during one of our neighborhood’s annual fishing trips. My community was powerful. It showed me – an otherwise poor kid with few resources – more possibilities. Perhaps more important, community taught me that together, we can be transformational.

This annual report is dedicated to the realization and acknowledgement that community is the transformational force behind the success of the Orleans Public Defenders Office (OPD) and New Orleans at large. Over the last decade, our community has engaged in myriad ways for the betterment of our city. Reforms in our criminal legal system highlight how the power of community makes us more equitable, more just, and safer.

Our jail is smaller because community came together and demanded two things. First, 1,438 beds is the limit. Second, community demanded that we, as criminal legal system leaders, implement policies and legislative changes to reduce the number of our friends, neighbors, and loved ones housed in jail, while at the same time, keeping us safe. Our system listened. As





a consequence, New Orleans is a national leader in how to reduce incarceration rates – safely. Specifically, before community engagement and involvement, the jail could house upwards of 7,000 people. Now average daily population hovers between 1,000 and 1,100 people. The average length of stay is also down.

OPD is also a manifestation of the transformational power of community. Criticized by professional and federal assessments as likely unconstitutional before Katrina, community demanded more from public defense in New Orleans. We listened. OPD was reborn post-Katrina, rising from a constitutionally criticized court-centered program to emerge as a nationally recognized community and client-centered program. Our attorneys at first appearances are part of the reason people spend less time in jail pre-trial. We respond to clients and community at arrest, making attorney assignments and getting to work on cases.

This results in better outcomes for our community: fewer unsupported arrests, case refusals, and protection for the innocent and vulnerable.

However, no matter how many awards OPD wins, no matter how OPD's reputation improves, no matter how much money we save taxpayers, OPD continues to move from funding crisis to funding crisis. OPD's funding crises are symptoms of an inequitable criminal legal system. It is time for our community to continue to support OPD by demanding equity in our criminal legal system, particularly with regard to funding. Having a front-row seat to the transformational power of community makes me hopeful and impatient. As people read about the amazing achievements of OPD and our community, I urge you to become more hopeful and more impatient. This report illustrates the possibilities. We need to continue to transform our system and our city. We can bring more equity to our criminal legal system – with the

**POWER OF COMMUNITY.**

**Derwyn Bunton**  
Chief Defender

**In 2018,**  
**over 20,000 people relied on a public defender.**

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## **Cases Represented**

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**24,939**

**felonies**

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**8,765**

**misdemeanors**

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**13,588**

**investigations made**

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**859**

**parents rights represented**

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**186**

**children represented**

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**422**

**humans facing a life sentence**

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**280**

**client services referrals**

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**943**

**social work and advocate interventions**

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**1,352**

**Dignity. Justice. Hope.**



## 10 Years or Life

Producer Eve Abrams told the story of our client Prince Albert who is serving a 10 year sentence for drug possession. Because of a decades-long addiction after an injury while serving in the Navy, Mr. Albert fell victim to New Orleans' aggressive habitual offender law. Faced with the possibility of life without parole, he pled to 10 years.

Hear Prince Albert's story on Reveal. [revealnews.org](http://revealnews.org)



## Commitment to Reform

With our eyes on lasting change, we joined the 2nd Annual Lobby Day with Louisianans for Prison Alternatives and rallied at the Louisiana State Capitol to call on legislators to protect and finish the criminal justice reform. Inspired by those impacted by mass incarceration and our own collective energy, we demanded no rollbacks on justice reinvestment and a commitment to reform.



# Louisiana Ends Non-Unanimous Juries

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Jim Crow was finally put to bed as Louisianans overwhelmingly passed Amendment 2, ending the racist and unjust non-unanimous jury law. We joined grassroots advocates, lawmakers, religious leaders, political activists and community members to say no more. We knocked on doors, we told the stories of too many of our clients locked away because two people had doubts. Now, no more.

## Fighting for Second Chances

Armed with the recent La. Supreme Court ruling in John Esteen's name, Staff Attorneys Stas Moroz and Annick Jordan, and Client Advocate Robert Jones tirelessly advocated for dozens of people to be released from life sentences under the particularly harsh habitual offender laws of the 90s. Instead of the cell walls of Angola, these men are all home with their families and focused on their futures. One even started a custom leather belt business!



l-r: Staff Attorney Stas Moroz, Clarence Tolbert, John Long, Reentry Social Work Case Manager Brian Larce, John Esteen, Gregory Finney, Odessa Robinson, Patrick Ashley, Russell Harris, Client Advocate Robert Jones. Not pictured Staff Attorney Annick Jordan.

# Commitment to Community

## United in our Rights

Together with the Juror Project and New Orleans Councilmember Jason Williams, we launched United in Our Rights, a Know Your Rights Community Forum series. Through presentation and discussion, we inform and educate community members on their rights against unlawful stop-and-search, arrest and how public defenders protect those rights within the criminal legal system. We presented to community members at the Algiers Library with District C Councilmember Kristin Palmer and Dillard University with District D Councilmember Jared Brossett. The Dillard students had the extraordinary honor to hear from one of the original freedom fighters himself - Jerome Smith.



Jason Williams and Jerome Smith

## Secondline to the Polls

We partnered with the Greater New Orleans Martinet Society and other organizations to get out the vote in October with a candidate forum and secondline to the polls.





**MALCOLM JOHNSON**

“I was thrown to the wolves my entire life. I was broken. I was hungry. I was lost. I had to grow up too fast and figure out how to take care of my siblings. That led me down the wrong path as a kid.”

A drug-fueled suicide attempt and a misdemeanor arrest landed him in jail. But he soon met Client Advocate Edna Shlomi. He had been in rehab, but relapsed after he couldn't find stable housing. Edna would look for him under the bridge to make sure he was ok and get him to court.

He's now home and four years sober. “I don't want that life anymore. I have grandkids I want to raise. And I really just don't want to disappoint Edna.”

**“There is no better high than freedom and sobriety.”**

# Strategic Innovation for Community Defense

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## Ben Levick-Sullivan Investigator Fellowship

Now in its fifth year, our Ben Levick-Sullivan Investigator Fellowship expanded to two fellows, adding double the investigators to our community-centered defense. Brandon Burke and Naamit Tubul joined a renowned class of former fellows that have brought extraordinary dedication to the defense of each client. A critical part of our defense, they leave no stone unturned, no evidence left ungathered and no story left untold.

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## NLADA AmeriCorps VISTA



OPD was chosen as one of ten pilot sites for an innovative new program with the National Legal Aid and Defender Association and AmeriCorps. The Defending Communities in Service VISTA program was created as a way to build capacity and establish sustainability for public defenders across the country through evidence-based practices, data management and community partnerships. Tanisha Pierrette and Wan Qi Kong joined OPD this year as the inaugural VISTAs.

## DIRECT IMPACT

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Patrick is a warrior. A childhood house fire caused extensive burns across much of his body. The unbearable pain coupled with lasting trauma, undiagnosed mental health issues and normal adolescent growing pains created the perfect storm for misbehavior as a young teen. His parents kicked him out of the house at 15. Very quickly he was homeless. "I was all over the place."

Soon after, he was arrested for stealing a bike. He got probation but also the help of former Client Advocate Virginia Ryan and Client Services Supervisor Ginger Parsons. Patrick always wanted better for himself, but struggled to stabilize. Together with his team from CrescentCare and Central City Mental Health Clinic, they were able to help him finally heal.

Patrick no longer looks tired and defeated. He walks through the life happy, excited for what's next. He has a supportive job, a house to call his own and a kitchen to cook French toast.

# PATRICK JOSEPH



# OPD Hosts the Players Coalition New Orleans Saints

OPD had the honor to host a powerful Listen and Learn conference with the Players Coalition and New Orleans Saints players Benjamin Watson, Demario Davis and Cam Jordan, as well as Saints owner Gayle Benson, President Dennis Lauscha and NFL Commissioner Roger Goodell.

Reform leaders and community advocates guided participants through the extraordinary and ordinary injustices of the criminal legal system from discriminatory bail practices, wrongful convictions, harmful habitual offender statutes and the powerful grip mass incarceration holds on our communities.

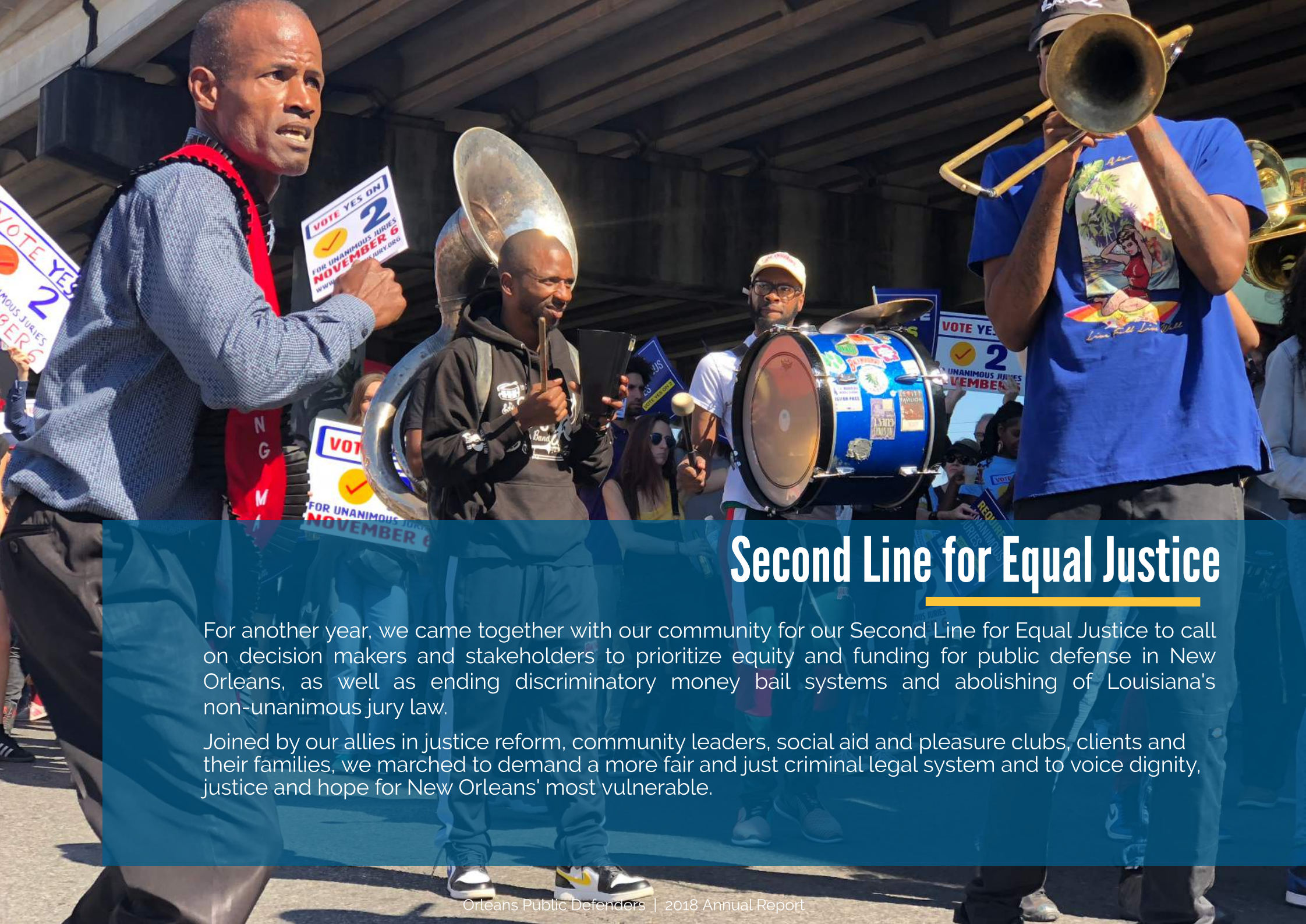
"When I got to the league and started to spend time in the criminal justice reform space, I realized that people are going to jail simply because they can't pay the bill," said Davis on the need for cash bail reform. "They're spending seven, eight months in jail, sometimes years in jail, without even having a court date because the system is so backed up."

It is our collective fight for equal justice. We're focused on growing momentum for criminal justice reform by inviting people like the Players Coalition to witness - and speak up on - our collective fight for equality and justice. We are all a part of the community, after all.

**“Standing for justice, for what is right, is something we should all be involved in.”**

**- Benjamin Watson**



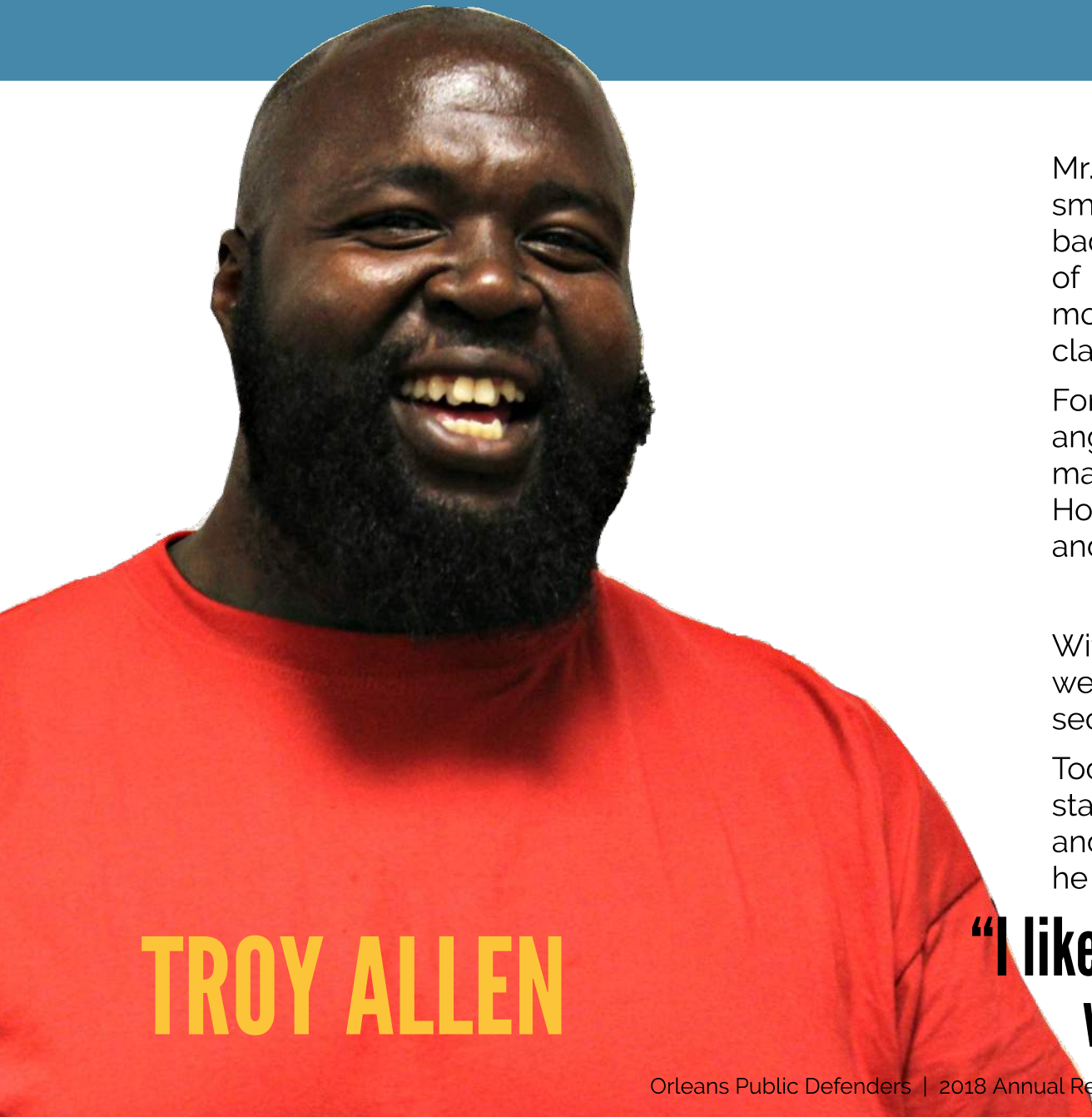


## Second Line for Equal Justice

For another year, we came together with our community for our Second Line for Equal Justice to call on decision makers and stakeholders to prioritize equity and funding for public defense in New Orleans, as well as ending discriminatory money bail systems and abolishing of Louisiana's non-unanimous jury law.

Joined by our allies in justice reform, community leaders, social aid and pleasure clubs, clients and their families, we marched to demand a more fair and just criminal legal system and to voice dignity, justice and hope for New Orleans' most vulnerable.

## DIRECT IMPACT



**TROY ALLEN**

Mr. Allen gives great hugs. He has an infectious smile, and when he laughs, his entire head rears back with joy. Mr. Allen is a far-cry from the person of his youth. Driven by poverty and homelessness, most of his life has been ruled by heroin and the claws of addiction.

For 27 years he cycled in and out of jail. Trauma, anger and addiction his constant in a system that made clear it didn't care about him getting better. However, he quickly bonded with his OPD attorney and client advocate.

With their support, he was able to focus on his well-being, get treatment, care and more housing security, although not permanent.

Today, he is 15 months sober and committed to a stable, successful future. He feels more complete and focused and looks forward to putting the plans he has for himself in motion.

**“I like to make things better than they were and I’m working on myself.”**





## Clyde Merritt Award

Established seven years ago to honor one of New Orleans' most staunch advocates for equal justice, the Clyde Merritt Award recognizes exceptional commitment for the cause of public defense in New Orleans.

This year, we honored two community organizations working to protect poor people and free them from pretrial incarceration simply because they couldn't afford bail.

Women With a Vision and Southerners on New Ground lead the fight to keep families together and mothers with their children. They have profoundly affected the lives of many of our clients and enabled them maintain jobs, homes and remain connected to their community.

**Community bail funds represent the power citizens have to save one another from an unjust, unfair and unequal money bail system. The New Orleans community has stood up ready to advocate for its most vulnerable and disenfranchised.**



## Leaders in Law

For the fourth time, OPD was honored by *New Orleans CityBusiness* as part of the Leadership in Law selection. The award recognizes New Orleans professionals for their accomplishments and contributions to the field of law. 2018 honored Juvenile Division Supervisor Nzinga Hill for her zealous representation of parents facing the loss of their parental rights. Nzinga fights to support and empower parents and keep families together.

# FUNDING EQUAL JUSTICE

FY2018

expenditures  
**\$8,291,338** | revenues  
**\$8,032,866**

total budget from fines & fees

**34%**

highest operating cost

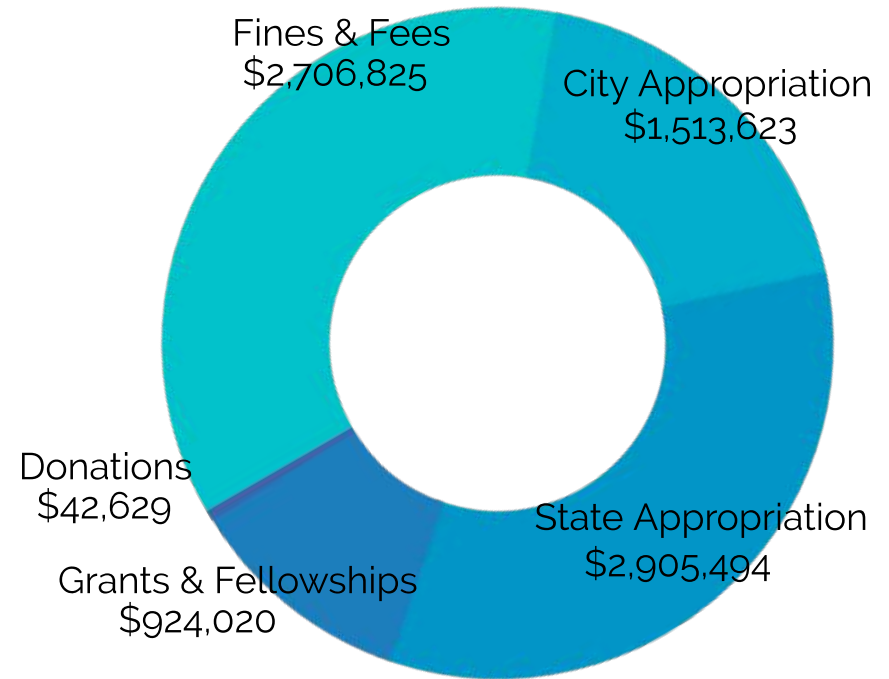
**\$294,000**  
in rent

OPD is the only criminal justice entity not afforded city-funded office space

greatest disparity

**\$1,513,623** vs  
**\$6,078,029**

2018 City of New Orleans appropriations for OPD and the District Attorney



**USER-PAY JUSTICE DOESN'T WORK.**  
**FUNDING INEQUITY ERODES FAIRNESS AND JUSTICE.**  
**OUR COMMUNITY DESERVES BETTER.**

# EQUAL JUSTICE SUPPORTERS

## 2018 fellowships and grants

City of New Orleans

Gideon's Promise

Greater New Orleans Foundation

John D. and Catherine T. MacArthur Foundation

Kendall Vick Public Law Foundation

Levick-Sullivan Family

W.K. Kellogg Foundation

George Washington University Law School

Georgetown University Law Center

Stanford Law School

Yale Law School

While support for OPD and equal justice continues to grow, disparities and service restrictions inhibit our ability to provide full representation to the thousands of poor people caught in the criminal legal system.

Inadequate, unreliable and unstable funding and resource disparity remain the greatest threat to equal justice in New Orleans.

However, thanks to the generosity of grant funders and donors - a particular thank you to the Ben Watson Foundation - as well as utilizing fellowships in every division of our practice, we are able to support our community defense and give dignity, justice and hope to our clients and community. **Equal justice takes a village.**





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