

Newspaper Editorials

- A. *The Times-Picayune* (New Orleans). "Indigent Defenseless." (3/15/2004). "A good public defense system isn't just good for defendants; it's in everyone's interest. When the wrong person is convicted for a crime, the real perpetrator goes free."
- B. *The Shreveport Times*. "Justice For All is a Long Way Off." (4/22/2004). "If the public defender's office is overworked, understaffed and underfunded, then constitutional rights are being violated."
- C. *The Advocate* (Baton Rouge). "Best for Everyone to Do the Trial Right." (5/10/2004). "Justice is not cheap. The defense of a criminal case -- particularly a death-penalty case -- is a cost that typically must be borne by taxpayers. Perhaps it is some consolation to know that getting it right the first time saves money. Investment at the front end can prevent expensive future litigation."
- D. *The American Press* (Lake Charles). "Indigent Defense Woefully Under funded." (6/24/2004). "It's not easy to lure attorneys into the work of public defense when you offering them loads of work, lots of stress, little reward and low pay."
- E. *The Shreveport Times*. "Public Defenders Need Income." (8/5/2004). "Louisiana may find itself in a situation such as Georgia where that ineffective and downright negligent system operated in a "meet 'em, greet 'em and plead 'em' manner, a reference to the attorneys who often didn't see their clients until court appearance. Rather than mounting defense, the attorneys would often negotiate a plea agreement. Faced with lawsuits -- one looms in Louisiana primarily focused on the overwhelmed Calcasieu district court -- Georgia reworked its funding system. It still relies on court costs, but it also added \$10 to \$15 to each civil suit fee that will help the state raise \$100 million for indigent defense. And unlike traffic tickets, the numbers of civil suits tend to hold steady year to year."
- F. *The Shreveport Times*. "Indigent Defense Reform Overdue." (9/16/2004). "Adequate representation by competent legal counsel is a basic right of all American citizens. It's not a right that people should have to sign away when they cross into the state of Louisiana."
- G. *The Shreveport Times*. "Calcasieu Lawsuit Should Rush Reform." (9/28/2004). "The same sort of court oversight that forced changes in the state's juvenile corrections and in numerous school districts could be headed for the state's underfunded indigent's defender system. The constricting pressure of a court order is not the best way to fix a problem that has been too long neglected."
- H. *The Times-Picayune* (New Orleans). "To Be Poor An Accused." (10/11/2004). "While poor people who are accused of crimes might not make it onto a list of the state's most popular causes, justice demands that they be provided with lawyers who will work tirelessly on their behalf."

- I. *The Advocate* (Baton Rouge). “Public Defender Flaws Hurt Accused, Victims.” (10/21/2004). “Thanks to cop TV shows, legal representation upon arrest is the one constitutional right that most Americans know by heart: If you cannot afford an attorney, one will be provided for you. ... critics locally and nationally, say the state has failed its duty.”
- J. *The American Press* (Lake Charles). “Speedy Trial Guarantee a Farce in Calcasieu.” (10/31/2004). “Those who believe the need for a public defender could never penetrate their middleclass household should remember that virtually every person reading this editorial would need a public defender if accused of a crime. Exempt are those who have connections and those with tens of thousands in the bank that can be withdrawn for suitable representation...We should be ashamed that our problem has reached such extremes that we need outside firms and attorneys to fix it. We should be ashamed that we have ignored the constitutional rights of our citizens for this long.”
- K. *The Times-Picayune* (New Orleans). “Representing the Poor.” (11/30/2004). “Providing lawyers for the defense of the poor makes the adversarial system fair.”
- L. *The Shreveport Times*. “Prosecutor Protests Too Much.” (12/8/2004). “[District Attorney Doug Moreau’s] suggestion that taxpayers should not bear the burden of ensuring adequate legal representation for poor people accused of crime is unethical.”
- M. *The Times-Picayune* (New Orleans). “Demanding Defenders” (4/5/2005). “Some lawmakers seem to think a sufficient indigent defense system would mean Louisiana is "soft on crime." But that's hardly true. When innocent people go to jail, they lose years of their lives. Meanwhile, actual criminals go free.
- N. *The Town Talk* (Alexandria). “Time for State to Rethink its Defense of the Poor.” (4/6/2005). “But the state Supreme Court's ruling, the impending state commission report and the potential for further lawsuits by the National [Association of Criminal Defense Lawyers] should prompt legislators to resolve this critical issue. It's a matter of justice.”
- O. *The Daily Comet* (Thibadoux). “Defense is Vital to Criminal Justice System.” (4/7/2005). “We are glad the Supreme Court stepped in and insisted that defendants in Louisiana receive the funding necessary for them to do their jobs. Now we’ll all be better off if the Legislature steps up and does its part – the part that should have been done long ago. A good nest egg to start the statewide funding might be the millions of dollars that currently go into the urban and rural legislators’ slush funds, doled out by the governor. Certainly, indigent defense is a much more worthwhile expense.”
- P. *The Washington Post* (Washington, DC). “Louisiana’s Wise Words.” (4/12/2005). “Louisiana's system for funding indigent defense is perhaps the country's most bizarre. The bulk of money in each parish, or county, comes from court fees, in most cases local traffic enforcement. So some jurisdictions simply run out of money to pay attorneys. In the case before the state's supreme court, one parish wished to try two accused murderers but couldn't drum up money to pay a lawyer to represent them.”

- Q. *The Daily Advertiser* (Lafayette). "Plan for Reform of Indigent Defender Program Offered." (4/22/2005). "National experts have told the task force that the state would have to pay about \$55 million per year to fund a reasonable indigent defense system. In these troubled economic times, reform will not happen quickly, but if Louisiana is going to uphold the right of all citizens to a fair trial, it must happen. In connection with the Supreme Court ruling on adequate representation, Justice Jeffrey P. Victory of Shreveport wrote that the duty of funding a working indigent defense system falls "squarely on the shoulders of the Legislature. ... The Legislature may be in breach of that duty."
- R. *The Shreveport Times*. "La. Gives Indigent Defense Low Priority." (4/27/2005). "So for now, there's enough money to buy the insurance commissioner a new truck; to pay for unplayed rounds of golf; to build reservoirs across the state; to fund a professional football team; to build a convention center hotel; to flirt with additional sugar mill construction; and to suggest the promise of pay raises for state officials, but there isn't enough money to guarantee the constitutional rights of Louisiana citizens. There ought to be a law against this kind of prolonged legislative neglect."
- S. *The Shreveport Times*. "Lesson Judges' Role in Indigent Defense System." (5/5/2004). "Practically speaking, judges work hard to keep the justice system from gridlock. It is in the best interests of plaintiffs, defendants, crime victims and the public at large to keep the wheels moving. But that concern could push judges to expedience that ensures speedier courts but not necessarily adequate justice."
- T. *The Shreveport Times*. "Don't Allow Justice to Derail." (5/8/2005). "Throwing up roadblocks serves no purpose but to delay fixes to the system. And that serves neither defendant, victim nor taxpayer."
- U. *The Advocate* (Baton Rouge). "Indigent Defense Reform is Costly." (5/9/2005). "The state now budgets \$9.7 million for indigent defense. But Louisiana, alone in the nation, depends on local governments to pay most of the cost for indigent defense. Funding - and quality - differ sharply from place to place."
- V. *The News Star* (Monroe). "Indigent Defenders Overloaded, Under funded: If You Cannot Afford an Attorney, One Will be Provided to You -- By a System that Can't Afford It." (6/5/2005). "According to local IDB attorneys, they have it better than most other public defenders in the state, but with the marked increase in the number of new cases this year, the situation points to a larger crisis for the statewide indigent defense system in which there simply is not enough money to pay enough public defenders."
- W. *The Shreveport Times*. "Scare Tactics Out of Order: Prosecutors Off Base in Opposing Indigent Defense Reform Bill." (6/6/2005). "Jackson's bill is not the bogeyman some would have us believe, but a step in providing a most crucial constitutional guarantee, the

right of anyone -- no matter how low on the social and economic ladder -- to adequate legal representation.”

- X. *The News Star* (Monroe). Public Defenders Key to Fair Court. (6/13/2005). “When indigent defendants are left without adequate defense, courts are forced to slow down the process of administering justice.”
- Y. *The Shreveport Times*. “Justice Delayed in Court System” (6/15/2005). “Memo to the DAs: It may be inconvenient to have potentially more independent and better funded opposition in the courtroom, but it's the law and currently Louisiana is in violation of it. In Louisiana, the reality is that 90 percent of a district attorney's courtroom opposition is indigent. Furthermore, public defenders are out-funded by a ratio of 3 to 1. And that doesn't take into account the assistance DAs rightly receive from law enforcement in the process of building a case.”
- Z. *The Shreveport Times*. “Justice Means Legal Counsel -- for Everybody” (6/29/2005). “That Louisiana would take a position advocating limitations on indigent defense is no surprise. But it hasn't helped the state's dismal reputation for failing to provide adequate legal counsel to indigent defendants. It may sound complicated, but the principle of justice for all is simple. The legal director of the American Civil Liberties Union observed, “In a nation that believes in equal justice under the law, people should be punished because they deserve it, not because they are too poor to afford a lawyer.” Who could disagree with that? Louisiana did.” [In reference to the State’s Amicus brief in *Halpert* on the side of the State of Michigan].
- AA. *The Town Talk* (Alexandria). “Time for La. to Ensure that Poor Get Legal Help” (8/28/05). “With liberty and justice for all.” That's a pledge Americans make because we are a country that is governed by the people and for the people. Each of us is charged with the responsibility of making sure our government lives up to that pledge. But in Louisiana, we aren't doing so well with that pledge when it comes to indigent defense.”
- BB. *The New Orleans City Business*. “Misplaced Prisoners Deserve Legal Help, Speedy Trial.” (1/15/06). “After the hurricane, it's easy to blow off the plight of prisoners. After all, they did break the law in most cases. But every American has the right to a speedy and fair trial and to legal representation. Prisoner rights should not be abandoned simply because they are a low priority in the recovery. These rights are the essence of American freedom. They must be preserved, even in the wake of Katrina.”
- CC. *The Times-Picayune* (New Orleans). “Crisis in the court” (2/14/06). “Before the storm, the shortcomings of the public defender program fell hardest on poor defendants who had trouble getting good representation in court. But now the program's travails threaten the entire criminal justice system.”
- DD. *The Daily Town Talk* (Alexandria). “Our View” (2/27/06). “Currently, because public defenders are overburdened by the case load, little fair or swift justice is being meted out. There are numerous examples of reversals, retrials, years of continuations and

wrongful convictions plaguing our courts. This is wrong -- period. It's time for Louisiana to provide funding to ensure justice is served, regardless of an individual's ability to pay for legal counsel.”

EE. *The Shreveport Times*. “LA.’s Indigent Defense Program Needs Reform.” (3/1/06). “Now a court in New Orleans is contemplating the release of nearly 4,000 prisoners whose defense the public defender office isn't equipped to handle. The immediate cause of this inability to handle cases is Hurricane Katrina. But the underlying cause is the dysfunctional nature of the indigent defense system itself. ... A healthy indigent defense system should have been able to weather the Katrina-induced chaos.”

FF. *The Times-Picayune* (New Orleans). “Jail without representation” (3/20/06). “The justice system needs to be swift, fair and efficient. When innocent people are convicted and guilty people go free, victims are denied justice. Public safety suffers. Building a functional criminal justice system is crucial to New Orleans' future. And improving indigent defense needs to be part of the agenda.”

GG. *The Shreveport Times*. “Gideon plus 43: Indigent defense still awaits a fix” (3/21/06). “If the public defense system was broken before August 2005, it now is submerged as well. Speedy trials for suspected criminals, never a top-tier public priority, has lost even the modest momentum it was gaining. But like so many other areas, from education to health care, hurricanes can be used as an excuse for status quo but should be used as an opportunity to set things right... With 23 exonerations of felony convictions over the past 15 years, the overloaded system with harried counsel and few resources means justice isn't always assured. Also consider that justice delayed is justice denied, not just for the defendant but for victims of crime... Last weekend marked the 43rd anniversary of the landmark case of Clarence Earl Gideon in which the U.S. Supreme Court ruled poor defendants are entitled to counsel. Almost a half-century later, the nation, and especially Louisiana, continues to struggle with this basic American right. Perhaps a hurricane, as with so many other social and governmental issues, will blow in lasting winds of change.”

HH. *The Times-Picayune* (New Orleans). “The Case of the Disappearing Lawyers.” (3/24/06). “Louisiana has never met its constitutional obligation to provide effective counsel for defendants who can't afford to pay for it. But, post-Katrina, the poor might as well be living in a police state.”

II. *The Times-Picayune* (New Orleans). “Stop this resurgence” (4/2/06). “Unfortunately, the criminal justice system was in poor shape even before the storm. The city has always been blessed with individual police officers, prosecutors, public defenders and judges who do great work. But as a whole, the justice system has done a bad job of identifying suspects, enlisting witnesses, preserving evidence, exonerating the innocent and trying and punishing the guilty.”

JJ. *The Daily Advertiser* (Lafayette, LA). “Katrina aggravates Indigent Defender Program problems” (4/20/06). “Louisiana's Indigent Defender Program was created to guarantee

that those in the criminal justice system who cannot afford to pay for lawyers are granted the constitutional right to legal representation. For too long, however, the program has been so inadequately funded that a shortage of indigent defenders makes it impossible to assure competent representation.”

KK. *Daily Town Talk* (Alexandria, LA). “Our View” (4/20/06). “Each person charged with a crime deserves a vigorous and qualified defense. Most poor defendants in Louisiana didn't get that prior to Hurricanes Katrina and Rita. Since then, especially in South Louisiana, that has only gotten worse.”

LL. *The Times-Picayune* (New Orleans). “Progress on Indigent Defense” (5/22/06). “Repairing New Orleans' criminal justice system is just as vital to the city's recovery as fixing sewers and streetlights. Public defenders are crucial to the functioning of that justice system, because most people who are charged with crimes in New Orleans cannot afford lawyers. The justice system relies on adversarial proceedings to separate the innocent from the guilty. But that theory only works in practice if both sides have skilled representation.”

MM. *The Times-Picayune* (New Orleans). “The criminal justice mess” (5/29/06). “The shortage of jail beds at Orleans Parish Prison is only the latest sign of a crisis enveloping New Orleans' criminal justice system.... As Judge Johnson points out, the city shouldn't use limited jail space -- and spend limited money -- to house those suspected of the least serious crimes. But he contends that the city was doing just that. "I'm not exaggerating," Judge Johnson says. "There were people in jail for spitting on the sidewalk.””

NN. *Daily Town Talk* (Alexandria, LA). “Our View: Let defendants go before trial? Yes, it's the law” (7/29/06). “The only way our court system can remain fair is to make sure everyone has competent legal representation. Overburdened, underpaid, understaffed public defender offices -- in Central Louisiana and elsewhere -- cannot provide that fair representation.”

OO. *The Times-Picayune* (New Orleans). “Defendant Deluge” (8/7/06). Criminal District Judge Arthur Hunter's threat to begin releasing people awaiting trial on Aug. 29 -- the first anniversary of Hurricane Katrina -- certainly drives home his frustration with New Orleans' criminal justice system, which has foundered since the storm.