

Two Challenges and Responses for indigent defense:

1. **Mental Illness as Crime**

Decline in number of inpatient mental health treatment centers since 1970

Growth in number of prisons since late 1970s

Leads to more indigent mentally ill acting out on streets and being arrested

De facto policy shift to incarceration, rather than treatment, of mentally ill.

Result: Current Public Defender clients often exhibit psychiatric issues.

Cases become more complex

Expense of retaining mental health experts is great

2. **Increased criminal legislation and criminal penalties**

(or “Who’s Afraid of Willie Horton? Everyone.”)

Penalties are so high that there is no incentive to resolve cases without trial

At 26th and California this year:

Pleas of Guilty are down

Trials are up 19% (1081 trials – 170 juries)

Specialty Courts are burgeoning, demanding additional resources and training for Assistant Public Defenders

Four Responses

1. Mitigation workers to temper mandated high sentences
2. Increased training for our litigators
3. Training in DNA, cell tower and computer technology for our trial support personnel
4. Technology upgrades for courtroom litigation, records storage,

Thanks to ICJIA for assistance with successful responses 1 and 3.