



April 1, 2020

On behalf of Gideon's Promise, I want to thank the many people who have stepped up over the past couple weeks to help our country weather this terrible storm. Thank you to the nation's health care workers who risk their lives to care for those who are sick. Thank you to the people who staff our country's grocery stores and pharmacies; to the people who keep our factories operating so we have supplies and to the farmers and laborers who ensure we have food; to the men and women who deliver the mail and online orders and to the sanitation workers who keep our homes from filling up with refuse. All of these people put their health at risk when they leave their homes each day. Thank you to our teachers who work around the clock to find ways to keep our children educated through remote learning.

We share the nation's gratitude for these workers who have been indispensable during these trying times. But I feel especially compelled to say thank you to a group of heroes who have not been widely recognized for their efforts during this crisis: public defenders.

As COVID-19 poses a threat to the well-being of us all, nowhere is the danger greater than in our jails, prisons, and immigration detention facilities. These institutions have quickly become death traps for incarcerated people. They are warehoused and deemed expendable. As the nation scrambles to take care of the lives it values, incarcerated people have been largely forgotten.

Our prisons are filled with people who made mistakes in life but still deserve humane treatment. Our jails are overflowing with people who have been charged, but not convicted of a crime – presumed innocent and only detained because they cannot afford to pay bail. They are clearly not considered dangerous, for if they could scrape together the money to pay their bonds, no one would object to them going home. Men, women, and children whose only crime was a desire to seek a better life in America suffer in overcrowded immigration detention facilities.

Our ultimate commitment to our democratic ideals is reflected in how we treat society's most marginalized members. Thank goodness for our public defenders, who serve as a constant reminder of these ideals when some are tempted to abandon them.

As the rest of the country figures out how to navigate life under shelter-in-place orders, public defenders are shining a light on the perilous conditions of our penal institutions and reminding us of the human toll of maintaining the status quo. Across the country courts have shut their doors. Videotaped proceedings make it easier to disregard the humanity of those warehoused in jails. As systems push on, ignoring those incarcerated, these advocates share individual stories of the human beings who are otherwise forgotten. They force us to acknowledge the dangerous health risk of overcrowded facilities, not only to those housed there, but to the staff and vendors who work there. They point out that as employees come and go from these institutions, the well-

being of the communities where they live are tied to the conditions inside. They remind us that we are indeed all in this together.

From California to Virginia; from New York to Louisiana; all across the nation public defenders are pushing criminal legal systems to respond more humanely. They are filing thousands of motions in individual cases, seeking release of people who pose no threat to society. They are demanding courts to tailor systemic responses to the crisis to ensure the safety of those incarcerated as well as of the broader community. They are engaging in written and oral health emergency.

Public defenders are leading the charge to release people who pose no safety risk to society. They are pushing law enforcement to fashion sounder arrest policies and prosecutors to make more sensible charging decisions in light of this threat.

We should all be thankful for the professionals who respond with compassion. There are many. Increasingly, judges are declining to detain people pretrial who otherwise would have been given hefty money bonds and granting release of pretrial detainees who pose no threat to society. Many prosecutors are refusing to charge minor infractions, and some are joining the chorus of defenders seeking more aggressive decarceration efforts. But behind each of these more civilized responses to the COVID-19 crisis are public defenders leading the charge.

In many other places prosecutors and judges are engaging in business as usual, unwilling to consider how the present exigency demands a more humane approach to the way they operate. Still, behind these reckless actors is another army of public defenders who refuse to quit fighting. Over time, some of these decision-makers will relent. We will see more victories in the criminal justice arena. When they do, it will be because of the persistence and dedication of the public defenders who advocate to treat every person with dignity.

The efforts of our public defenders have undoubtedly saved countless lives and preserved invaluable resources. But, more importantly, they are keeping us from abandoning our souls completely. By forcing all of us to treat the most marginalized among us with dignity, public defenders are pushing us to realize our most fundamental ideals. Wherever there is a humane response to the COVID-19 crisis, there are public defenders on the front lines pushing us to act with compassion. Wherever there continues to be inhumane treatment of those incarcerated, they are on the front lines resisting. Public defenders are the conscience of the criminal justice system. They make us all better.

Thank you, public defenders. You are essential!

A handwritten signature in black ink that reads "Jonathan Rapping". The signature is written in a cursive, flowing style with a large initial 'J'.

PRESIDENT JONATHAN RAPPING