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# QUEENS COUNTY BAR ASSOCIATION

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August 22, 2016

Mr. Jamison Blair, ACCO  
Office of the Criminal Justice Coordinator  
1 Centre Street, #1012 North  
New York, New York 10007

Re: Request for Proposals  
Legal Representation for the Indigent in Homicide Cases

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Dear Mr. Blair:

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Joseph F. DeFelice  
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Arthur N. Terranova  
*Executive Director*

The Queens County Bar Association is opposed to the current RFP by the Office of the Mayor of the City of New York dealing with homicide cases. Homicide is the most severe of criminal offenses with extreme consequences for those convicted.

Members of the Assigned Counsel Plan have demonstrated their commitment, experience and skill over many felony trials taken to verdict and have tried numerous homicide cases in their careers. Their training and expertise far exceeds that set forth in the General Requirements of Defense Services to the Indigent Defendants set forth in 22 NYCRR 613.5. It is the position of the Association that to jettison this established and proven system in favor of a low bid provider will result in indigent homicide defendants receiving inadequate representation.

These cases involve coordination with various experts such as forensic pathologists, visits to the Office of the Medical Examiner to view and examine evidence, psychiatrist, fingerprinting, DNA, weapons, etc. Many of these cases proceed for 2 or 3 years before the prosecution moves them to trial. They involve sentences which can lead to life imprisonment and involve a great deal of pressure for all involved.

*OVER 139 YEARS OF DEDICATED SERVICE*

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If the motive behind the proposal is budget based, a better solution would be for the City to allow the members of the 18b panel to bill these cases on an annual basis rather than at the conclusion of the case.

An indigent person accused of the most serious of all crimes deserves, and is entitled to, better treatment than the treatment the Mayor is now proposing to visit upon them.

The 18b Homicide Panel should remain in place. This is one area in which the Mayor and the people of the City of New York cannot afford to make change. The right of an indigent person accused of homicide, to competent, experienced counsel overrides the trend of using legal services as a commodity.

Very truly yours,

Gregory J. Brown