



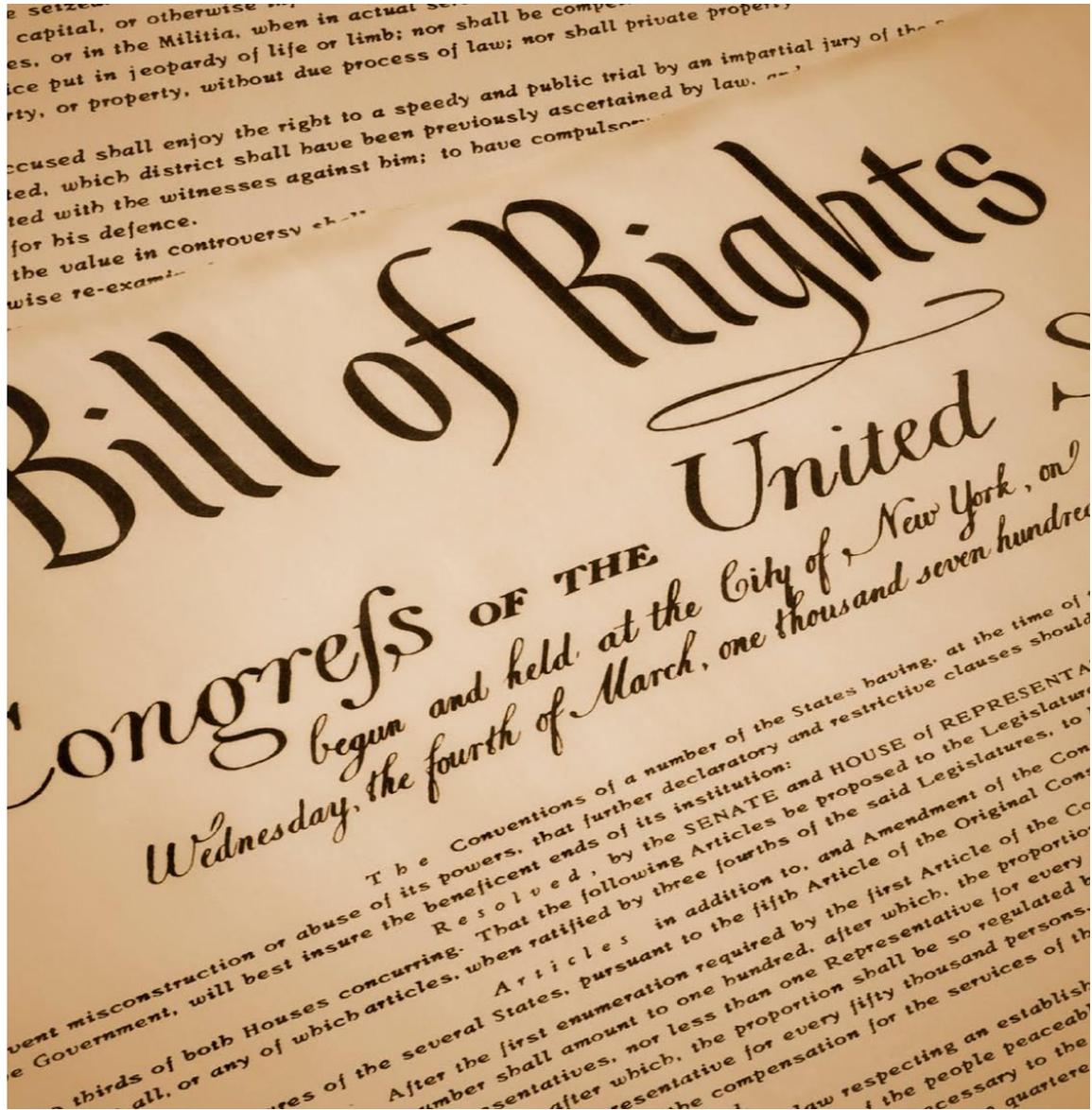
S A D O

State Appellate Defender Office

Jonathan Sacks, Director

Marilena David, Deputy Director

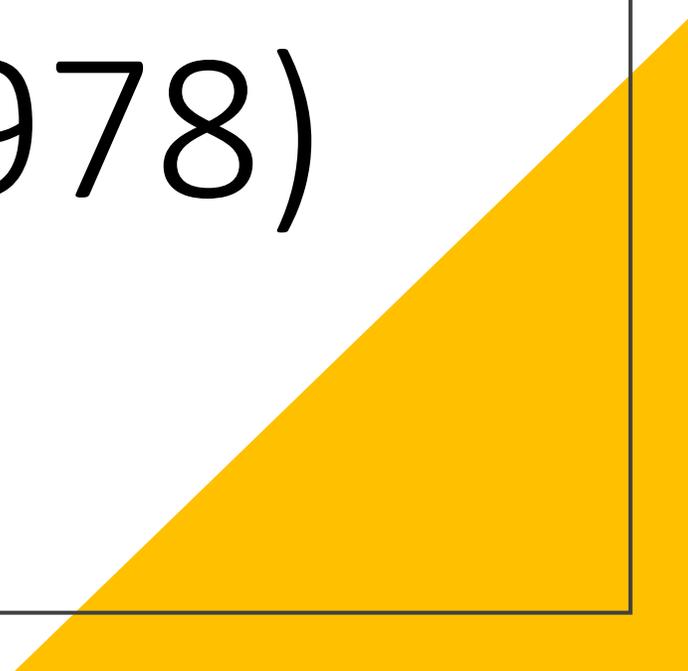
House Appropriations Subcommittee on Judiciary | March 1, 2022



The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel.

Powell v Alabama (1932)

Michigan Appellate
Defender Act
MCL 780.711 (1978)

A yellow right-angled triangle is positioned in the bottom right corner of the slide, pointing towards the top left.

SADO

Public Defenders

Criminal Defense
Resource Center

Michigan Appellate
Assigned Counsel System

Juvenile
Lifer Unit

Wrongful
Conviction Unit

Project
Reentry

56
employees

Maintain Juvenile Lifer Unit Funding

Represent clients serving unconstitutional life sentences for offenses committed as youth.

Shift this funding to General Fund

Reduce pressure on the MAACS roster.

Add Administrative Support

Reduce administrative pressure from SADO expansion and growth.

Permanent Wrongful Conviction Unit

Establish permanent unit to identify and exonerate actually innocent individuals.

FY 2023
Budget
Priorities

Public Defender Division

Overturning Wrongful Convictions

2,955

Exonerations
since 1989

26,593

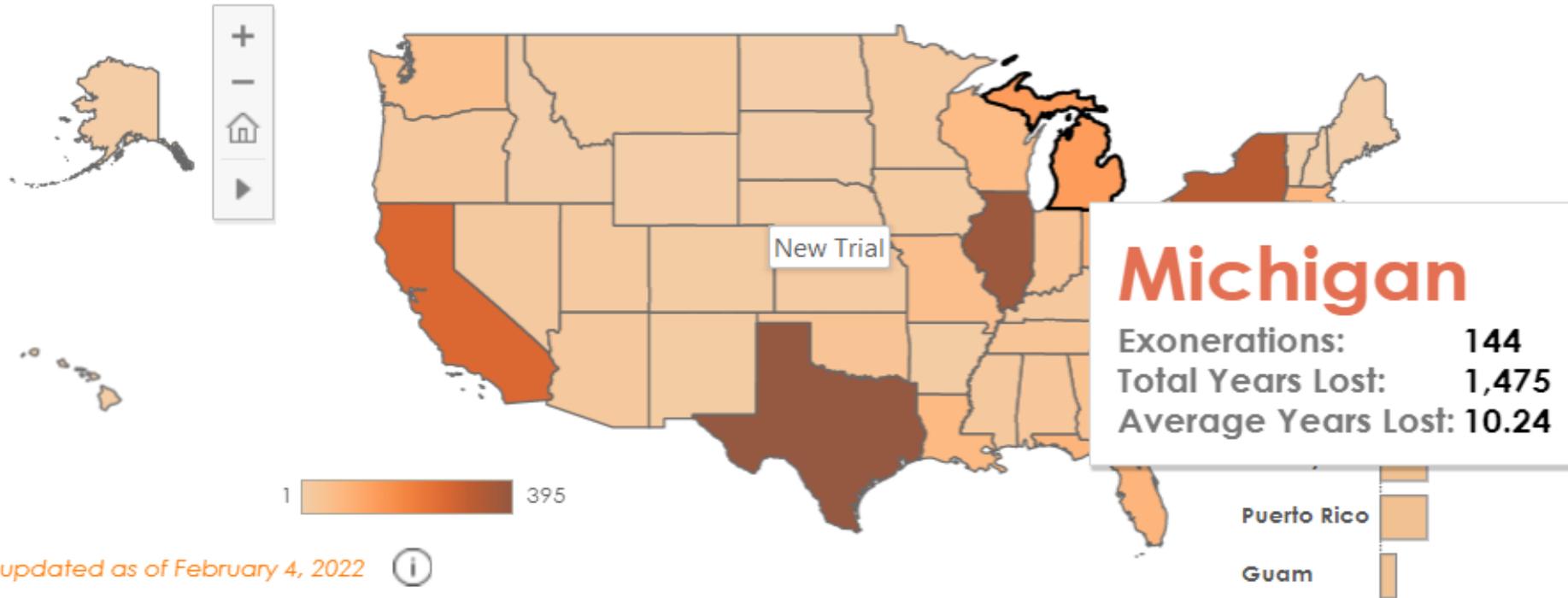
Years Lost -
Total

9.0

Years Lost -
Avg./Case

Exonerations by State

Fed / Non-Fed (All) ▼



Data updated as of February 4, 2022 ⓘ

20 innocent clients
exonerated in recent years

Konrad Montgomery
Incarcerated 3 years





Human and Financial Cost of Sentencing Errors



2021
Sentencing
Corrections

201 years reduced in
2021



\$8 million dollars
saved in 2021

||| Andre Brown





We won this fight!

The Court of Appeals remanded for resentencing before a different judge where the trial court abandoned impartiality and showed an unwillingness to follow the law.

Congrats to SADO Assistant Defender Adrienne Young.

For Ms. Dixon-Bey

New
Sentence



We won this fight!

On remand from the Michigan Supreme Court, the Court of Appeals granted Mr. Hughes a new trial, finding ineffective assistance of counsel for failure to object to a meritorious 4th amendment violation.

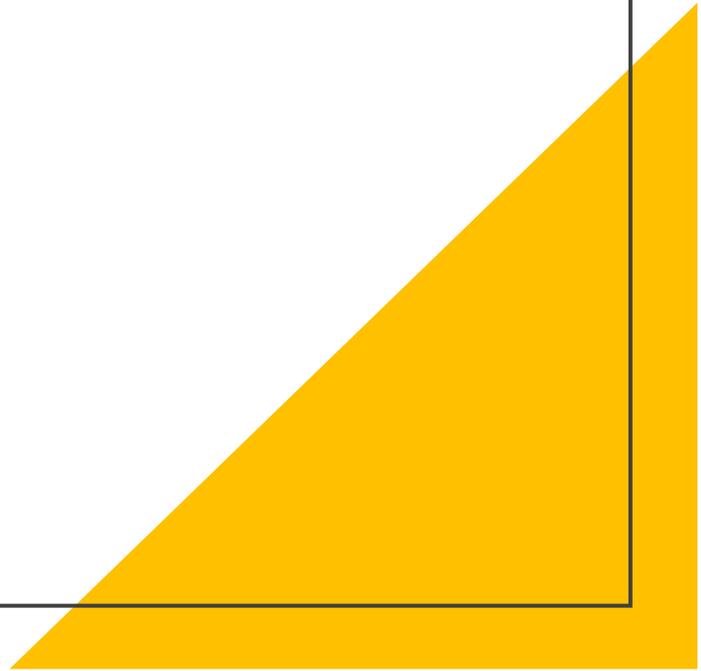
Congrats to SADO attorney Jason Eggert.

For Mr. Hughes

New Trial

MAACS

Michigan Appellate Assigned Counsel System



MAACS



150 private roster
attorneys



3,000 clients per
year



75% of appeals
pending in
appellate courts

December 2021

MAACS and
SADO Receive
Grant to Launch
Juvenile Defense
Project

“This is a real game changer for juvenile indigent defense in Michigan. It will expand a successful formula for private assigned appellate counsel and could lay the foundation for further reform.”

– Chief Justice Bridget Mary McCormack

MAACS Improvement Needs



Attorney incentives and funding



Workload standards



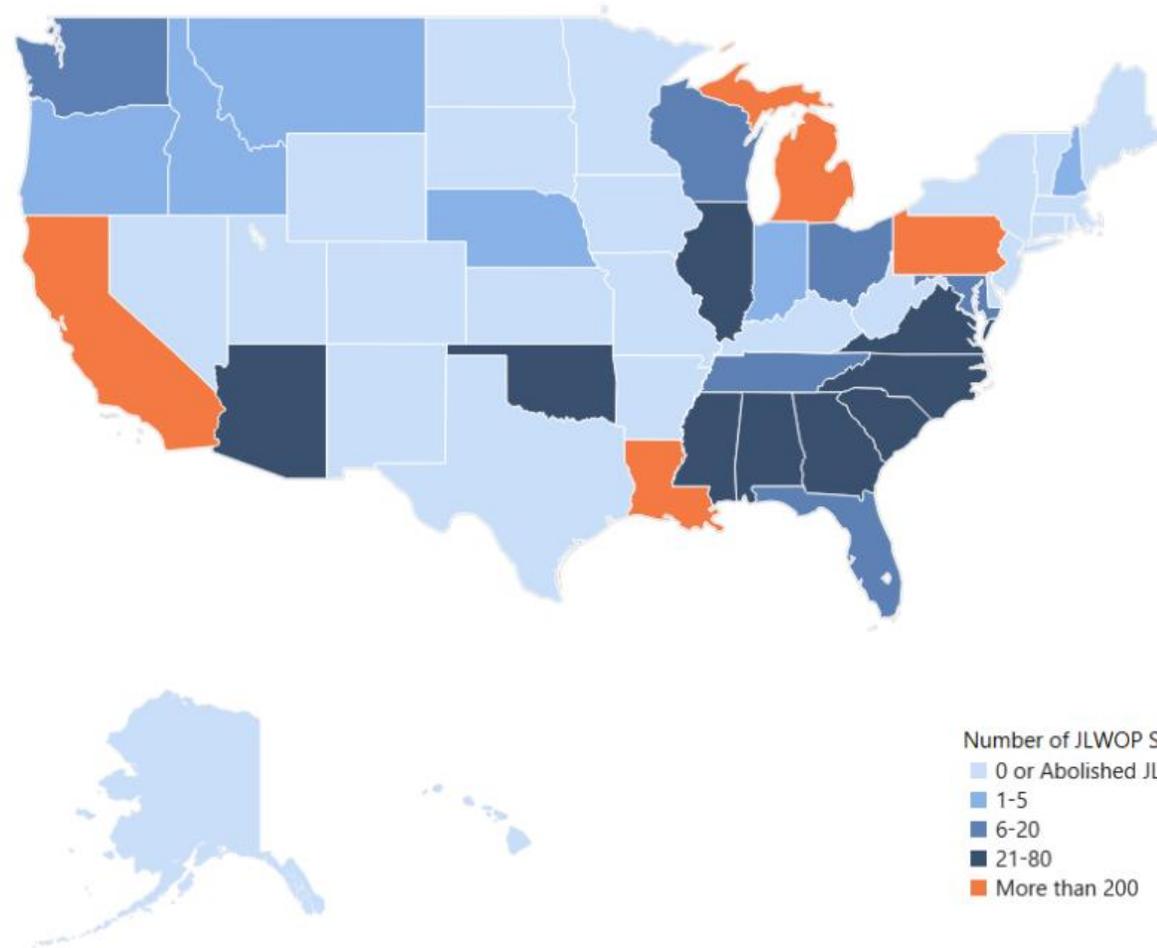
Quality control

Juvenile Lifer Unit

“[M]andatory life without parole for those under the age of 18 at the time of their crimes violates the Eighth Amendment's prohibition on ‘cruel and unusual punishments.’”

Miller v Alabama (2012)

Juvenile Life-Without-Parole Sentences in the United States



Pennsylvania: 525

Michigan: 364

Louisiana: 300

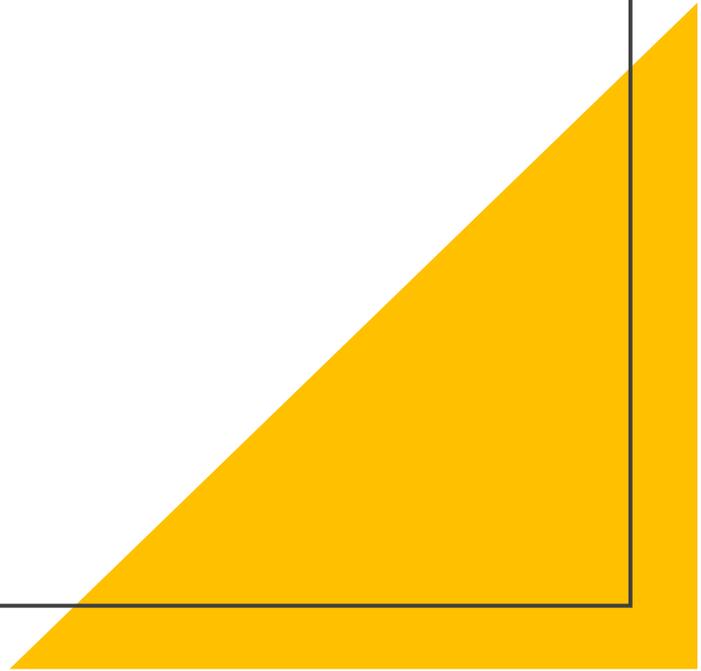
California: 310

193
Clients

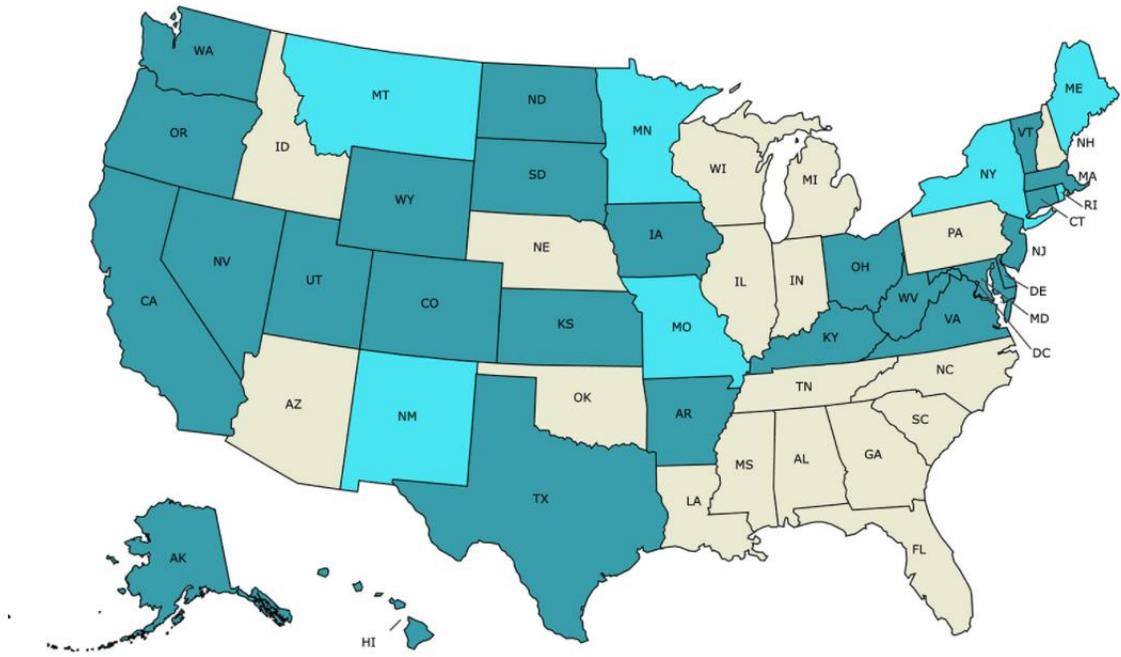
6
Attorneys

4
Mitigation Specialists

1
Reentry Coordinator



32 STATES AND DC BAN OR HAVE NO ONE SERVING LIFE WITHOUT PAROLE FOR CHILDREN



The **CAMPAIGN** for the
FAIR SENTENCING
of **YOUTH**

-  25 STATES AND DC BAN JUVENILE LIFE WITHOUT PAROLE (JLWOP)
-  7 STATES HAVE NO ONE SERVING JLWOP



Results

132 clients resentenced to term of years

6 clients resentenced to life without parole*

31.7 year average minimum sentence

69 clients back in community

34 clients awaiting contested resentencing

2016-2021 Outcomes

1,819 years
reduced

\$65.5 million
dollars saved

Average of \$13
million per year

2016-2021 Outcomes

“The Michigan Department of Corrections reports 242 of the state’s 364 juvenile-lifers have been resentenced to a term of years and of those, 151 have been released. Among those who were released, only one has reoffended, the MDOC reported.”



TOP STORY

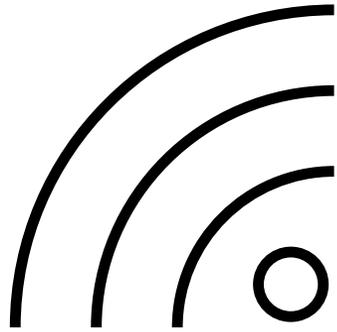
The road to redemption: Benton Harbor man navigates life after prison

With unique court ruling, Clayton is making the most of his second chance

By JULIE SWIDWA HP Staff Writer

Dec 31, 2021

Criminal Defense Resource Center



www.sado.org

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Trainings and Archive



EDUCATION AND TRAINING OF DEFENSE COUNSEL

A GUIDE TO IMPLEMENTATION OF THE MINIMUM STANDARDS FOR DELIVERY SYSTEMS

PREPARED BY THE MICHIGAN INDIGENT DEFENSE COMMISSION

SPRING 2017



Standard 1

SUPPORT

Visit our Products Page to subscribe to the Criminal Defense Resource Center and immediately connect to a wealth of invaluable resources.

2014

479
subscribers

2022

2,000+
subscribers

Staff

2 employees

FY 2023 Budget Priorities

1. Maintain Juvenile Lifer Unit Funding: \$962,900 - Represent clients serving unconstitutional life sentences for offenses committed as youth.
2. Shift this funding to the General Fund -
 - Reduce pressure on the MAACS roster
 - Representation for continued appeals and new Life Without Parole sentences

3. Administrative Support: \$445,100

SADO / MAACS merger; Juvenile Lifer Unit; Project Reentry

Budget and grants FY 2015-FY 2022: \$6.8 to \$9.9 million; 41 to 56 employees

CDRC: An increase from 479 subscribers in 2014 to 1,704 in 2022

Cybersecurity Risks – IT staffer replaces attorney

4 FTEs: Finance and Administration Support; Grant Manager; CDRC Program Officer; Attorney Backfill

4. Wrongful Conviction Unit: \$287,900

Sporadic grant funding not renewing – Five exonerations and six new trials

Based on Michigan Appellate Rules – Early screening and assignment

2 FTEs: Attorney and Investigator

BJA Evaluation: “Perhaps key to the Fast Response Project’s success is the way in which it directly contributes to SADO’s core mission: zealous and effective appellate representation.”

Questions?



Top Stories

We are Hiring Assistant Appellate Defenders

Apply March 11, 2022

Join Michigan's State Appellate Defender Office (SADO) as an Assistant Appellate Defender working statewide to address injustices and disparities in the criminal legal system based on race, class, ability, behavioral health, and other identifying characteristics and statuses. We are appointed by the trial courts to work with our clients to appeal their felony convictions. The pay ranges from \$60,000 for new attorneys to \$122,000 for senior-level attorneys. [Read More](#)

We are Hiring a Reentry and Parole Team Lead

Apply March 11, 2022

Project Reentry is a unit of SADO whose mission is to help individuals obtain sentencing relief, obtain parole, and to successfully return to and stay in the community after incarceration. Project Reentry Team members develop reentry plans for people with pending appellate cases, prepare individuals for parole, and provide post-incarceration guidance and assistance to people as they come home. The Reentry and Parole Team Lead coordinates the work of the Project Reentry team members and interns and the daily operations of the project. Reentry and parole work will at times require reimbursable travel and may require working outside of traditional workdays or hours if needed. The Team Lead will have reentry and parole caseload responsibilities focused on helping individuals within SADO's Juvenile Lifer Unit. Those who are just starting or who are mid-level could earn from \$49,000 to \$57,000 annually, depending on experience. Successful team members will earn up to \$73,000 through annual pay increases.

[Read More](#)

Do you have a conviction for failing to register under SORA?

The State Appellate Defender Office is starting a project to work with eligible people to vacate failure to register convictions under the Michigan Supreme Court's decision in *Betts* and the federal *Does* litigation. Whether a conviction can be vacated is fact-dependent. Generally, you will be eligible if the underlying sex offense took place before July 1, 2011 and you either violated the safety zones or you violated the 2011 version of SORA. [Read More](#)

QUICK LINKS

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[Self-Help Resources](#)

[Careers](#)

Upcoming Events

03.04.2022 CAP - A Look at Eye Witness ...

03.10.2022 CDAM - A is For Attorney

03.11.2022 CDAM - 2022 Annual Spring Co...

03.17.2022 NAPD - VIRTUAL - Rise. Resis...

03.22.2022 CAP - District Court Practic...

[View All Events](#)

This project was funded by the Byrne JAG grant #2010-DJ-BX-0003, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice (DOJ), and administered by the Michigan State Police (MSP). Points of view or opinions contained within this document do not necessarily represent the official position or policies of the MSP or DOJ.