

	<p>LIBERATING AND EMPOWERING ALL DEFENDANTS (LEAD): <small>EMPOWERING CLIENTS OF ERIE COUNTY TO MAKE A CHANGE IN THEIR OWN LIVES WHILE ENCOUNTERING THE CRIMINAL JUSTICE SYSTEM</small></p>	<p>By: Amy Trabert, LMSW and Anna Linde, LMSW The Assigned Counsel Program of Erie County Buffalo, NY</p>
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Presentation Objectives

- 1) Identify all components of holistic defense including the holistic defense pillars.
- 2) Gain knowledge on positive outcomes for holistic defense supported by past and present data
- 3) Apply learned material to their specific agency or organization to create a more equitable program for those in the criminal defense field
- 4) Attendees will understand the relevance and importance of this intervention in applying to their own work on multiple levels through collaboration with professionals.

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The Assigned Counsel Program of Erie County

- City of Buffalo- downtown
- Cover over 40 different municipalities
- Overflow of Legal Aid Bureau
- Population: 950, 683



(United States Census Bureau, 2021)

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Introduction to Holistic Defense

<https://www.linkedin.com/feed/update/urn:li:activity:6896648310686654464?updateEntityUrn=urn%3A%3A%3A%28V2%2Curn%3A%3Aactivity%3A6896648310686654464%29>

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Mass Incarceration Facts

Around 2.3 million people in the United States are incarcerated. The United States has one of the highest incarceration rates in the world (Sawyer and Wagner, 2020).

Countries around the world that have higher crime rates still maintain a lower rate of incarceration than the United States (Sawyer and Wagner, 2020).

The United States, within the past four decades, has seen an increase of mass incarceration by five hundred percent (Nellis, 2021).

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Mass Incarceration in Erie County

Discrimination in Inequitable Practices

Although there has been bail reform interventions to help prevent mass incarceration, mass incarceration continues to impact African Americans at a high rate in Erie County.

In Erie County, those that identified as African American or Black American are fourteen percent of the population, however over forty percent are incarcerated.

Due to COVID-19, many individuals are being incarcerated for longer than before not due to the severity in charge, but rather to trials exceeding normal timeframes.

(Vera Institute of Justice, 2021)

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What is LEAD?

- Started in January 2021
- Working with individuals in the criminal justice system- what does that look like for Erie County
- Evidence informed intervention for clients
- Incorporates components of holistic defense
- 1 Program director, 1 social work supervisor, 5 LMSWs.
- Goal: Stop Mass incarceration and prevent recidivism

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Our Mission and Vision

Mission- The mission of Liberating and Empowering All Defendants (LEAD) is to assess client readiness and create an environment to empower a client to connect with appropriate community services. These assessments are done through a strengths-based approach to prevent mass incarceration and reduce recidivism while a client is facing the criminal justice system.

Vision- To provide helpful and trauma informed services to bring equity to clients of The Assigned Counsel Program.

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Holistic Defense Components and Background Defense Background

Pillars of Holistic Defense:

Seamless access to services that meet legal and social support needs
Holistic defense begins with a commitment to addressing clients' most pressing legal and social support needs. Because the universe of these needs will vary from community to community, a holistic defender office must begin by identifying the full range of client needs.

Dynamic, interdisciplinary communication
The interdisciplinary team alone is not what drives the success of holistic defense — it is the team's culture of open, frequent, and meaningful communication.

Advocates with an interdisciplinary skillset
A holistic defender goes beyond the zealous advocacy of the committed public defender with an enhanced set of skills that are both client-centered and interdisciplinary.

A robust understanding of, and connection to, the community served
Holistic defense recognizes that an advocate who is better able to relate to their client, by having spent time in their neighborhood and with members of their community, will be more likely to provide authentic and effective representation.

(Bronx Defenders, 2015)

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Outcomes of Holistic Defense through Literature

- reduces the likelihood of a custodial sentence by 16% and expected sentence length by 24%.
 - Over the ten-year study period, holistic defense in the Bronx resulted in nearly 1.1 million fewer days of custodial punishment.
 - strengthening indigent defense apparently offers considerable potential to reduce incarceration without harming public safety.
- *those with holistic lawyers are less likely to be detained pretrial, less likely to receive custodial sentences, more likely to receive shorter sentences, and no more or less likely to accumulate new arrests — including violent arrests — up through ten years post arraignment.
- (Anderson et al., 2019)

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Outcomes of Holistic Defense Continued

There has been research that shows recidivism could be reduced with holistic defense (Dirks-Linhorst & Linhorst, 2010; Buchanan and Orme, 2019; Burns et al., 2013; Collins et al., 2017).

Research in the United States on public defender offices with holistic defense saw that clients received less new charges for misdemeanors than clients in these offices who did not obtain holistic defense services (Buchanan and Orme, 2019).

There is a large portion of empirical evidence to support that a holistic defense program will address the issue of mass incarceration. There have been many different types of cities small and large where holistic defense was successful in addressing the problem. These cities were in states such as Tennessee, Maryland, Minnesota, and Kentucky (Buchanan and Orme 2019; Hisle et al., 2012; Ostrom and Bowman, 2020).

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How did we do it?

- Research- evidenced based interventions
- Talking with colleagues, other holistic defense-based programs
- Bronx Defenders, Muskegon County
- Support from all staff
- Training videos, advertisement of the program

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Assessment Components, Follow Up

Evidence Based Tools Used in The Assessment

- ACE Questionnaire
- DSM-V Pathological Gambling Diagnostic Assessment
- Trafficking Victim Identification Tool (TVIT) Assessment
- CAGE Substance Abuse Screening Tool
- Women's Experiences with Battering (WEB) Assessment- 95 percent validity

Assessment Format: Contact Info/ Demographics , Referral information and Attorney, Client Interests/ Community Interests, Family History and Relationships ,Culture/ Belief , Employment/ Education, Legal History , Medical/ Mental Health, Trauma, Suicide and Self Harm, Goals, Recommendations

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Why is LEAD Different?

- Evidence based assessments separate us from other programs
- Assesses for all needs!
- Working with clients after their court case is complete to make sure they are stabilized in order to decrease recidivism

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Outcomes and Results for LEAD

- Over 900 client referrals since January 2021
- Mostly qualitative at this point- working towards outcomes based on charges through new data system
- Form site Anonymous surveys from clients- value in what they think
- Results due to the intervention
- Things clients have said

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Questions?

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