



*A nonprofit organization improving justice through leadership and service to courts*

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Dear Board Members,

I am writing in support of Mary Moriarty in her role as Hennepin County’s Chief Public Defender. For more than 30 years, I’ve worked for the National Center for State Courts and directed many research and evaluation projects across many states in the area of criminal justice, including the work of prosecution, public defense, judges, and sentencing and sanctions. Let me say unequivocally that Ms. Moriarty is the most accomplished, passionate, and articulate public defender I have ever met.

I’ve had the good fortune to know Mary Moriarty for the past five years. We met when I was looking to recruit several public defender offices to participate in a national study of the effectiveness of holistic public defense. I initially contacted about 100 public defender offices around the country that had indicated they were exploring or practiced some form of holistic public defense about the possibility of being part of a national study. The Hennepin County Public Defender was among only a small handful of offices that indicated a willingness to participate. When I contacted Ms. Moriarty, she was excited about the prospect of being part of the evaluation and opening her office to a wide-ranging examination of practices and outcomes.

Overall, over the course of the study, six public defender offices agreed to participate. As time went on, three offices dropped out as they became reluctant to allow outside evaluators to speak with public defender staff, discuss public defender practices with criminal justice partners, and permit an examination of case and client outcomes. The HCPD never wavered in their commitment to participate and allow open access to office staff, office information, and available data as well as encouraging communication with criminal justice partners.

During the study, NCSC staff conducted dozens of interviews with HCPD attorneys, professional staff, prosecutors, and judges. A distinct highlight was the pride HCPD attorneys and professional staff have in working for the office, sense of mission, and respect for the leadership of Ms. Moriarty. Judges and prosecutors interviewed also indicated nothing but respect for the work of Ms. Moriarty and her office despite the sometimes adversarial nature of the relationships. Even with high caseloads and tight funding, Ms. Moriarty has been able to build an office recognized nationally for providing high quality representation for the indigent and taking seriously the tenants of holistic defense. Under Ms. Moriarty’s direction, the HCPD has emerged

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as one of the most innovative, highly-regarded public defender offices in the country. Results from the NCSC’s evaluation confirms the high quality of service and outcomes delivered to clients and the community.

The NCSC’s evaluation focused on three main elements of holistic defense. First, we assessed how various public defender offices implement holistic defense, identifying factors that impede or facilitate implementation (e.g., availability of defense team resources, access to services, and variation in attorney commitment). Second, we interviewed clients about their experience with representation by the holistic defenders at HCPD and compared the results to clients represented by more traditional public defense in adjacent counties. Third, we conducted an evaluation of outcomes related to the effectiveness of case processing practices and the quality of client outcomes that compared results achieved by HCPD with Hennepin County privately retained counsel and more traditional public defense in neighboring counties. A summary of results from the NCSC’s multi-site evaluation of holistic defense in practice is available at: <https://www.ncjrs.gov/pdffiles1/nij/grants/254549.pdf>.

Across all phases of the evaluation, HCPD uniformly excelled. Ms. Moriarty has created an office and culture committed to the client-centered nature of holistic defense. Her vision of what constitutes high quality public defense permeated our conversations with HCPD staff. In our interviews, attorneys and professional staff appear fully invested in the need to understand the client as a “whole” person to determine “how best to tell their story,” rather than only looking at the issues necessary to defend the criminal case. In addition, staff viewed identifying and addressing the client’s underlying social service needs as central to helping resolve “as many of the client’s needs as possible,” seeing the “big picture,” getting past “looking at their criminal charges in a vacuum,” and working to reach a “global resolution of issues.” Ms. Moriarty further supports her office by being active with local criminal justice system partners, particularly with efforts to improve client access to appropriate services and ways to enhance client perceptions of procedural fairness.

Ms. Moriarty’s commitment to holistic defense has produced positive benefits in terms of client trust and satisfaction. She has championed the effort to develop multidisciplinary teams within her office that allows each member to focus on their areas of expertise to serve the best interest of the client. Using social workers and investigators to assemble detailed information about client’s histories and needs frees attorneys to focus more fully on their representation in the case at hand. In 36 in-depth client interviews, NCSC examined how clients perceive holistic defense relative to more traditional defense. While we find that distrust and cynicism exist in both client samples, we also find that HCPDs practice of holistic defense has improved client trust and bolstered perceptions of procedural justice—regardless of the outcome of the client’s case.

Ms. Moriarty was fully supportive of the NCSCs efforts to conduct an empirical analysis of case and client outcomes. NCSC staff worked with the Minnesota State Court Administrative Office and Sentencing Commission to assemble a comprehensive database on case and client outcomes that would allow us to compare results achieved by HCPD with privately retained counsel in

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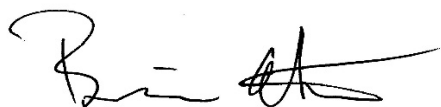
Hennepin County and more traditional public defense in Ramsey and Anoka counties. Results showed that the holistic public defenders at HCPD were more successful than private counsel in terms of effectiveness of case processing practices. Moreover, the enhanced efficiency of holistic defenders did not come at expense of clients. Hennepin County holistic public defenders are as successful as private counsel in achieving favorable outcomes for clients.

This is an impressive set of results. Simply said, Mary Moriarty runs one of the best public defender offices in the country.

Under Ms. Moriarty's vision and leadership, HCPD operates at a high level of excellence and delivers a notable level of service to their clients—despite funding and high caseload constraints. One other point I'd like to emphasize, from my long time perspective as a criminal justice researcher, is the high degree of openness and transparency Mary Moriarty brought to our evaluation. This is certainly no small thing as participation meant extra work for her and HCPD staff and was not without risk. She is one of only a few leaders I have encountered in my 30 years in the business who appear truly interested in learning what is working well in their organization, where are the opportunities for improvement, and how they can make best use of their scarce resources. The state of Minnesota, and especially Hennepin County, are very lucky to have her.

I am happy to answer any questions you might have about the evaluation and results.

Best Regards,



Brian J. Ostrom, Ph.D.  
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