

the Legal Rights Center

Criminal Defense Restorative Justice Legal Education



2015 ANNUAL PROGRAMS REPORT

STAFF PHOTOS



Community Advocates – 2015: (left to right) Leo Espinoza, Pauline Thomas, and Edward Yellowhammer



Community Defense Program Attorneys – 2015: (left to right) Michael McLaughlin (Robins Kaplan Fellow), Graciela Gonzalez (volunteer), Richard LeRoy, Andrew Gordon (Associate Director and Robins Kaplan Fellow), Sarah Davis, and Hersch Izek

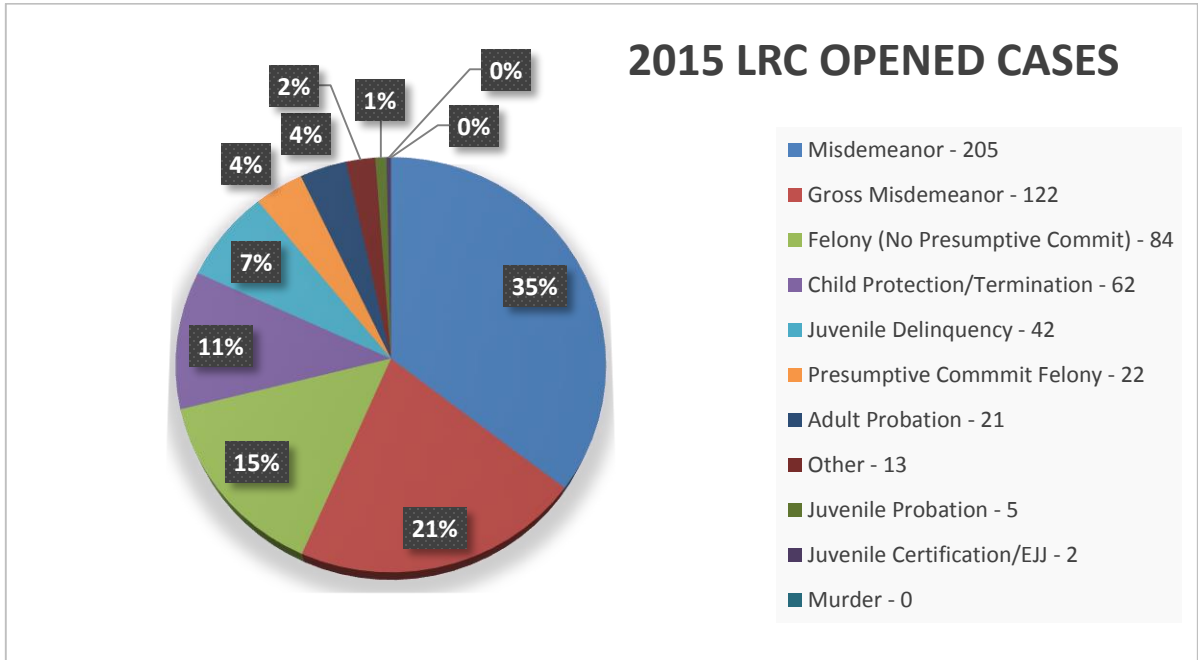


Youth: Education, Advocacy and Restorative Services Program Staff – 2015: (left to right) Edward Yellowhammer, Veronica Gonzalez de Becerril, Evan Gelles (Robina Fellow), Alexandra Slezak (AmeriCorps Promise Fellow), Pablo Cerdera (AmeriCorps Promise Fellow), Chelsea Schmitz, and Sarah Davis (Program Director)

Community Defense Program

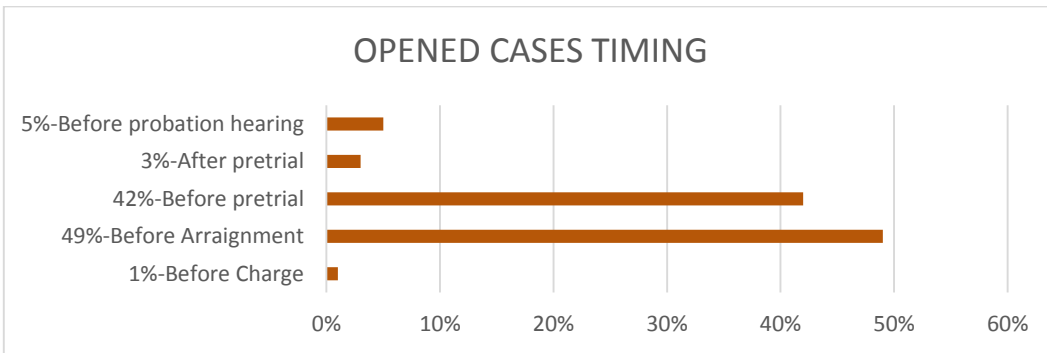
Attorney Representation of LRC Clients

The LRC opened 578 attorney representation cases in 2015.

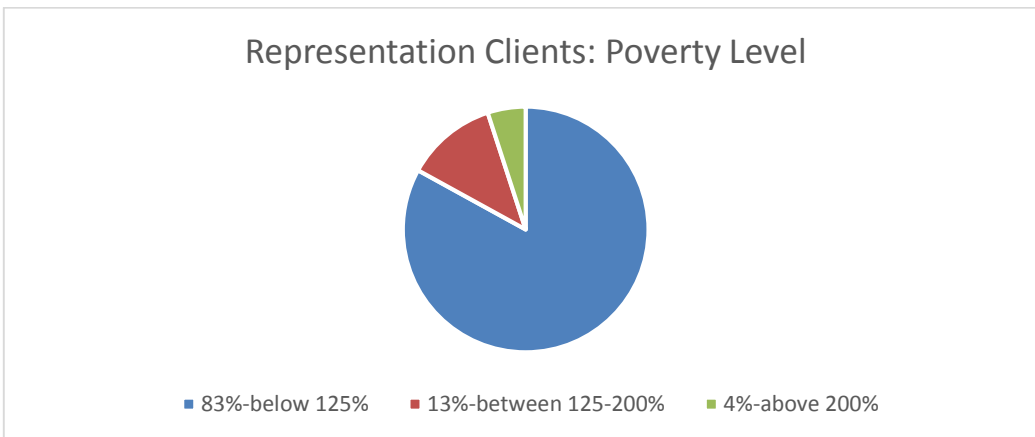


Compared to the prior year, felony cases were slightly down, misdemeanors substantially down, and gross misdemeanors substantially up. All reflect general trends in which fewer cases are charged but more offenses have been elevated to gross misdemeanors.

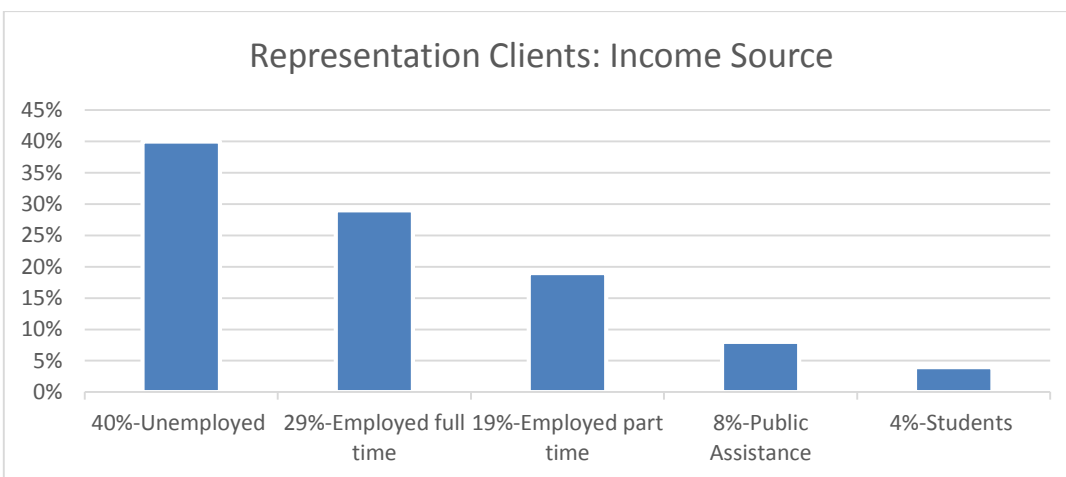
The LRC does not get cases assigned at court. All clients choose the LRC, applying for attorney representation. The LRC prefers to begin learning about the case as early in the court process as possible, so as to better develop a working relationship with the client and begin assisting with social or medical needs. As the chart on the next page indicates, 50% of LRC clients began their representation prior to arraignment, the point at which a defendant's court case begins and public defenders are usually appointed. (5% of our clients were represented post-conviction – at the point of an alleged probation violation.)



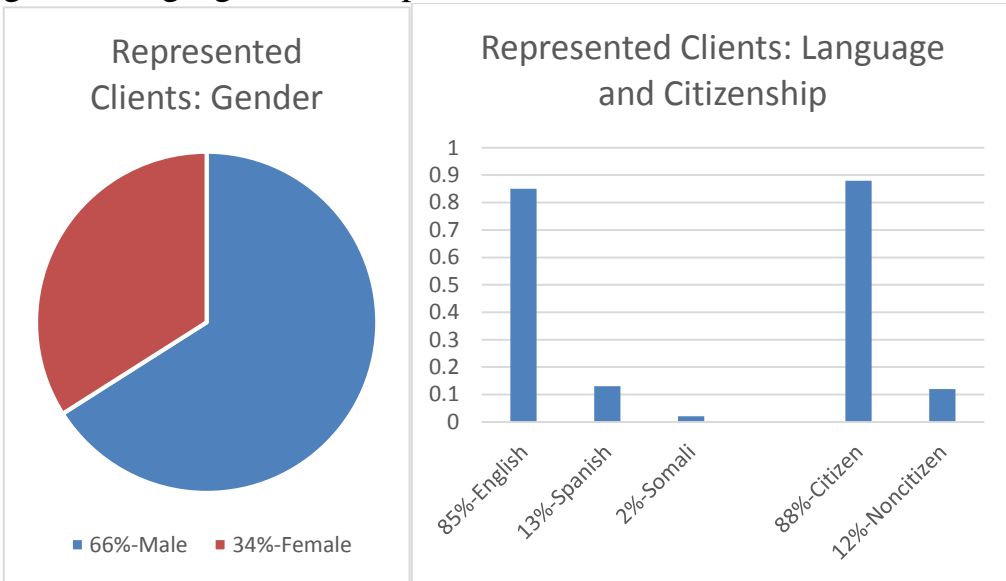
LRC clients must qualify using the same standard as public defense eligibility: inability to afford private counsel. As half of the clients come to the LRC before stepping foot in court, self-disclosure of financial information enables screening for eligibility.



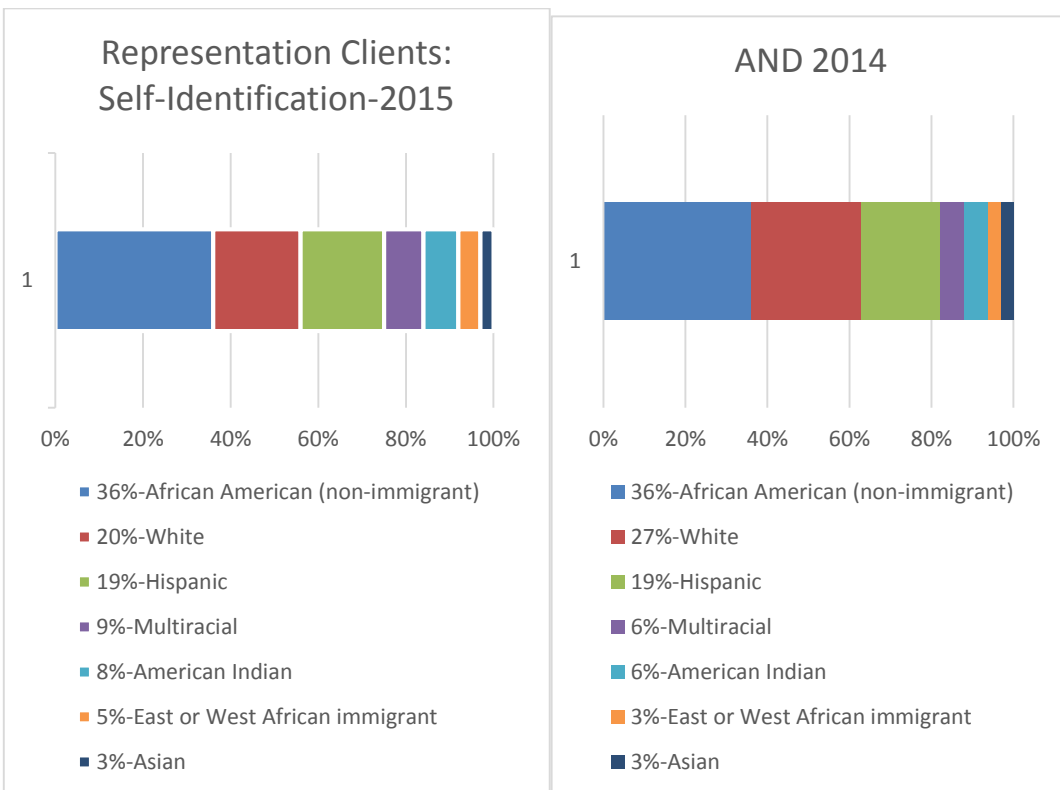
Arguments for increasing the minimum wage appear to be corroborated by the fact that 29% of LRC clients worked full-time yet only 4% had household income above 200% of “poverty” (as it is officially categorized).



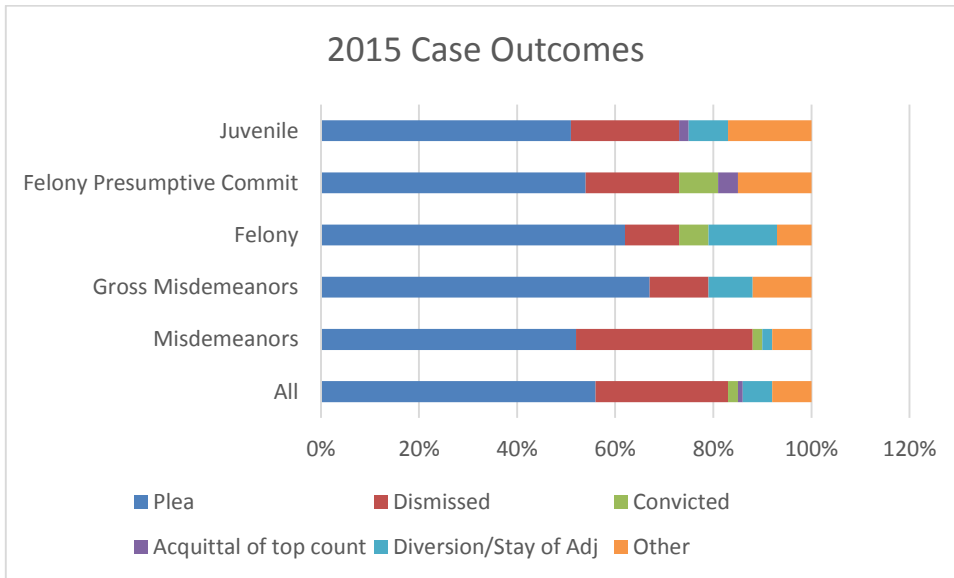
The LRC also receives self-disclosed client demographic information for: gender, language, citizenship, and race.



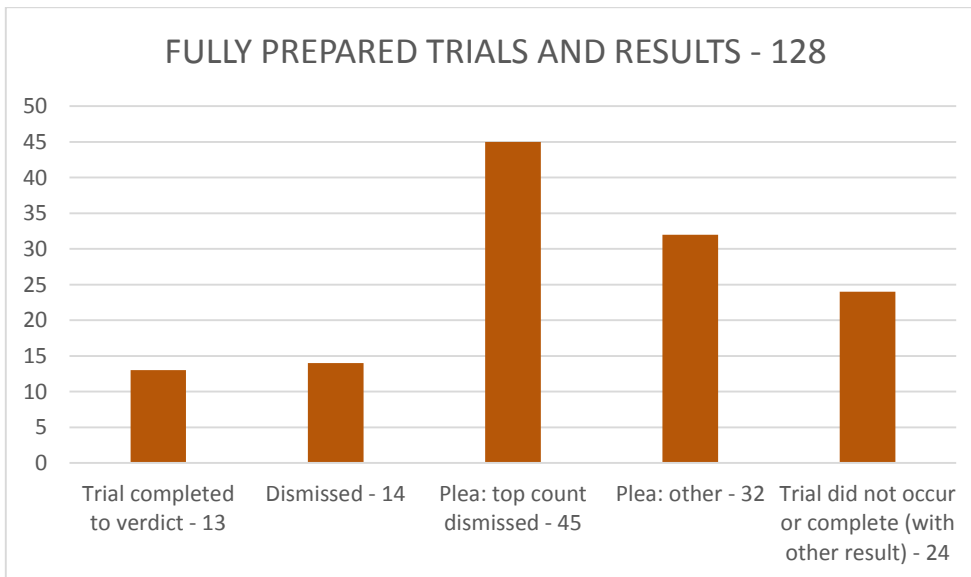
In regard to racial identification, the LRC in 2015 increased the proportion of our attorney representation services benefiting African immigrants, American Indians, and those identifying as multiracial.



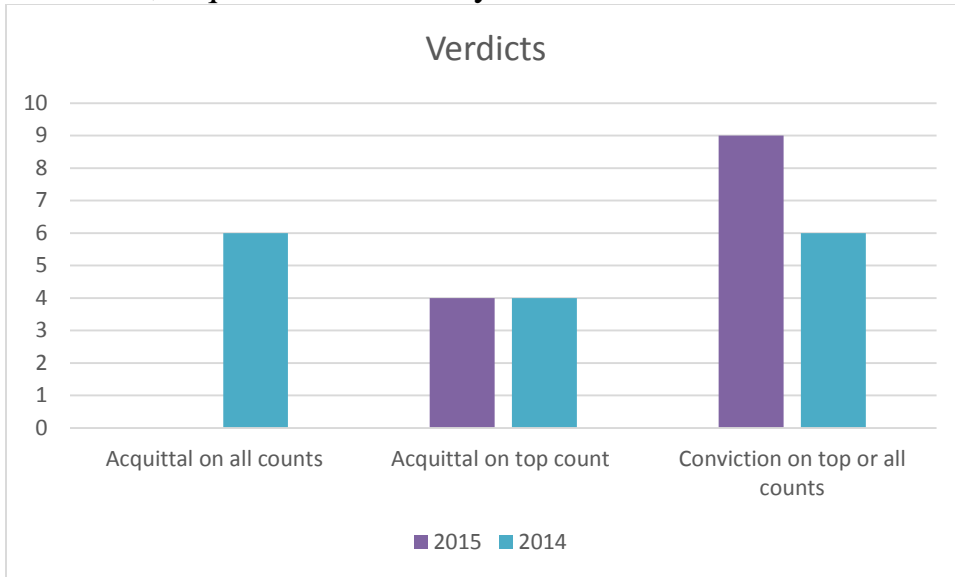
Only 58% of LRC represented cases ended with a conviction from plea or trial, and 27% ended with a dismissal. The LRC also had strong success in negotiating diversion (often involving referral to a problem-solving court) and Stays of Adjudication, both of which allow for later dismissal without a conviction.



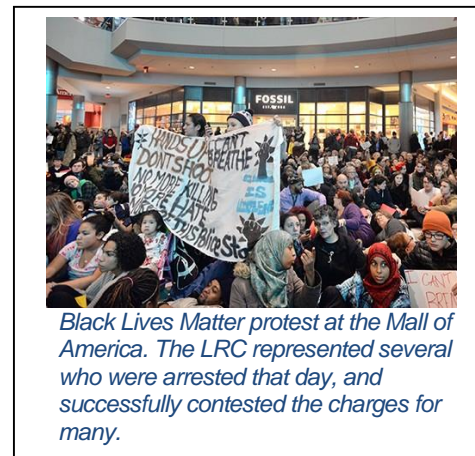
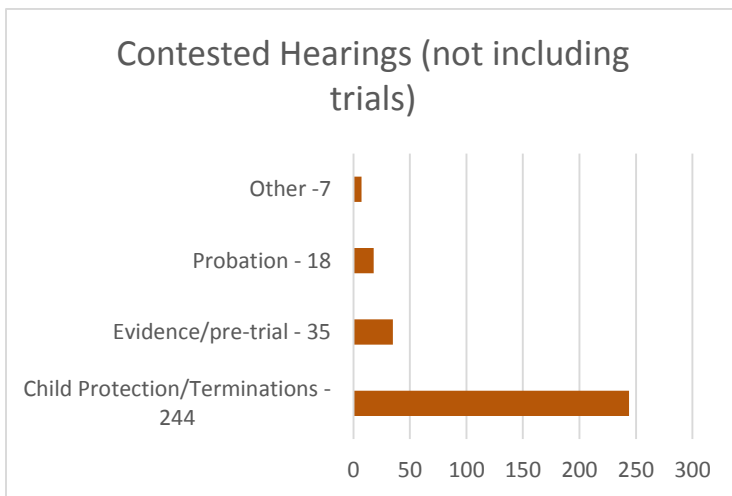
In 77 of the cases which ended in a plea bargain (over 20% of the total), a trial had been fully prepared, often strengthening the negotiating position of LRC clients.



Many trials prepared for do not end up concluding. More cases were dismissed during or shortly before a trial than proceeded to jury verdict. If not for such dismissals, acquittals would likely have resulted.

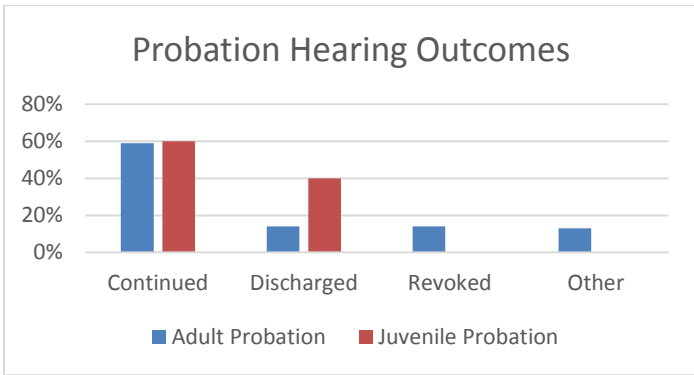


2014 happened to be an extraordinary year for trial results, which the LRC could not replicate in 2015.



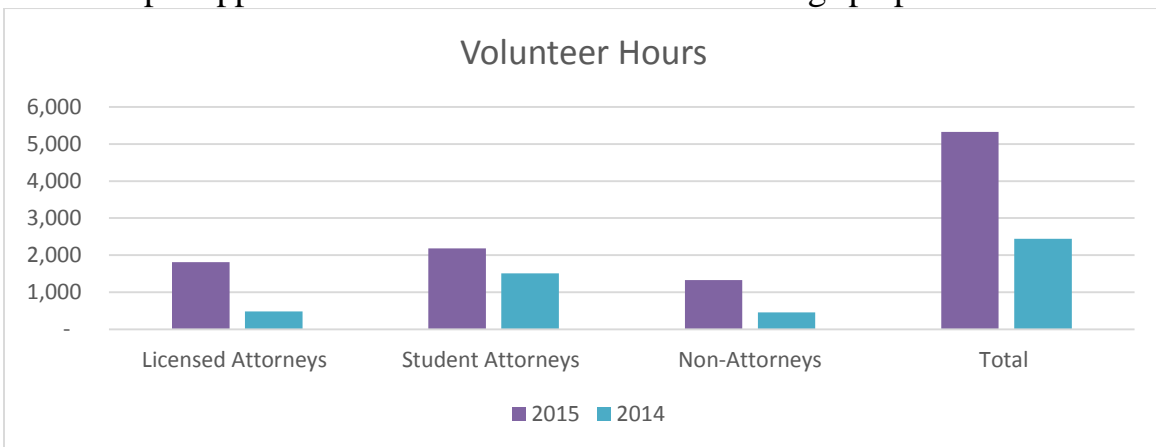
Favorable results for LRC clients also came about through the hard work of contesting evidence in pre-trial hearings.

The LRC represented clients for other types of formal hearings before a judge, including for contested issues surrounding alleged probation violations, and in the course of representing noncustodial parents in Child Protection and Termination of Parental Rights cases (through a contract with the Hennepin County Public Defender).

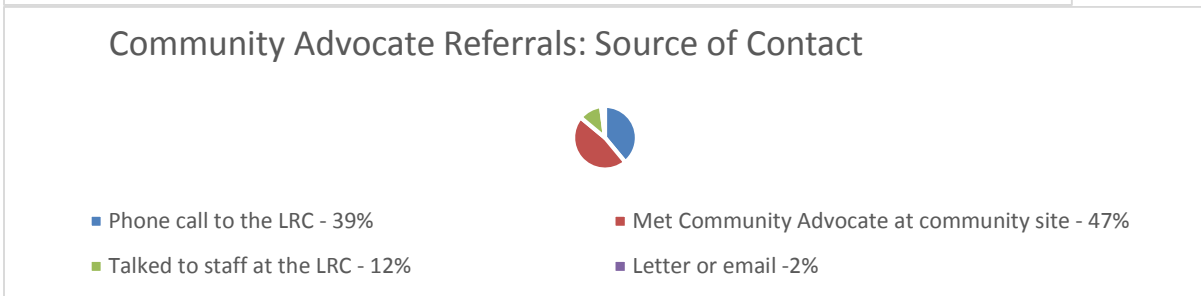


It is difficult to provide quality measures for representation in probation cases. Notably, revocations in 2015 were rare.

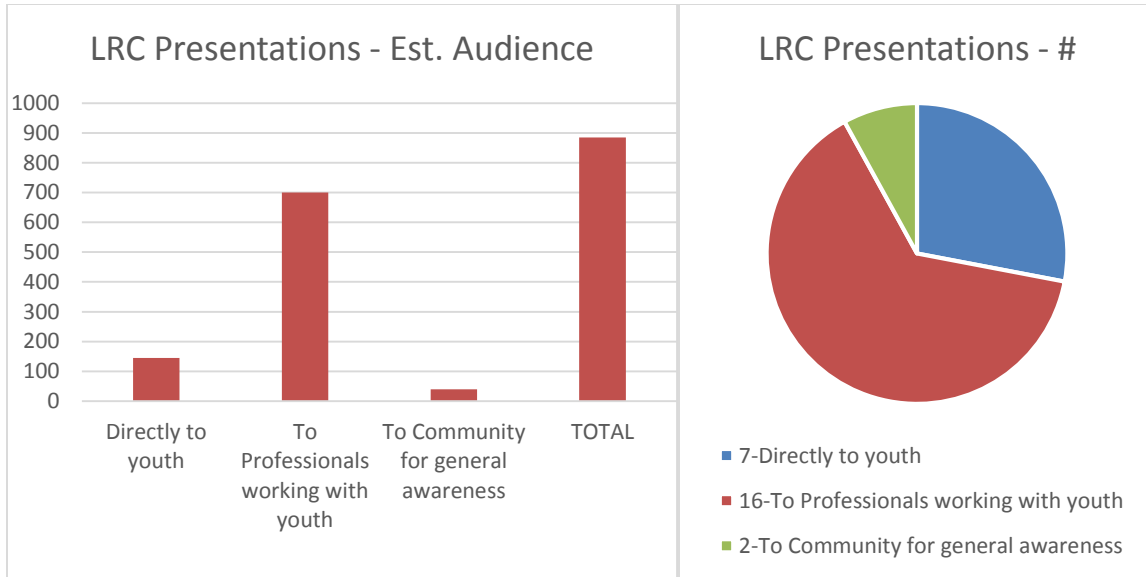
The LRC and its clients benefit enormously from the outstanding contributions of volunteers. In all categories, more hours were donated in 2015 than in 2014, which helps support all of the trials and contested hearings prepared for.



Beyond representation, the LRC helps direct many towards solving legal or social problems. Most clients access the LRC through meeting with Community Advocates at community sites.



Youth: Education, Advocacy & Restorative Services



SAMPLING OF PRESENTATIONS

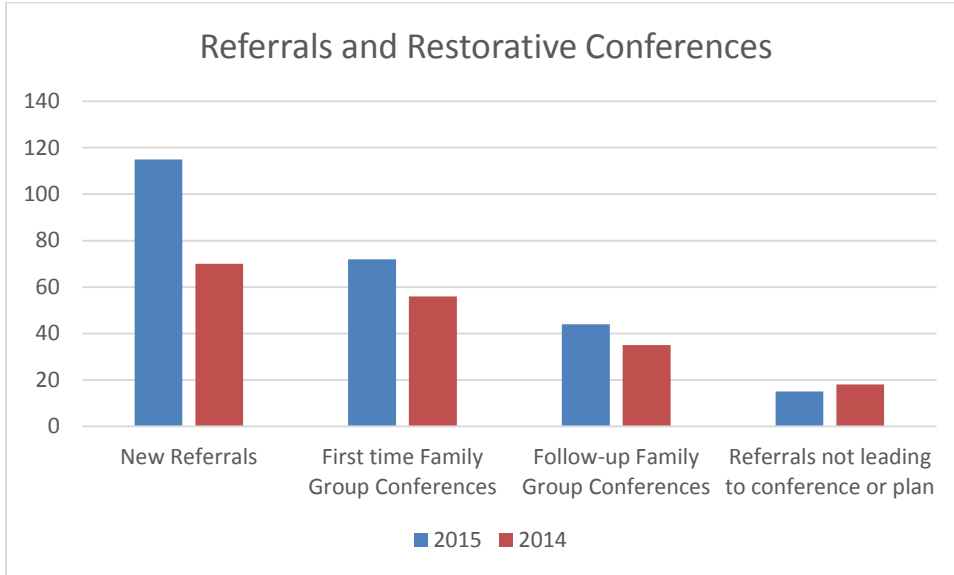
<u>Audience</u>	<u>Subject</u>
Little Earth, Edina High School (Black Student's Union)	Surviving an encounter with the Police (Youth)
UMN Adolescent Health Institute	Restorative practices (FGCs) and why we advocate for their use
SRO's (police) assigned to MPS	Diversion
Downtown Business Bureau	Diversion
Solutions Not Suspensions Week of Action	School to Prison Pipeline
Restorative Justice Providers Group	School to Prison Pipeline & Juvenile Justice Policy
MEA Teachers Conference	Juvenile court, collateral consequences, & restorative alternatives
YMCA (Midway), Prairie Seeds Academy	Your Rights as a Youth
Loring-Nicollet Alternate High School	Your Rights as a Youth (w/ focus on Sexual Harassment)
MPS Check & Connect	School to Prison Pipeline & restorative alternatives
Pillsbury House	Your Rights as a Youth
Richfield Police Multicultural Advisory Committee	Juvenile Justice, Disparities & Collateral Consequences
Legal Aid	RJ Practices to Close School to Prison Pipeline
MnEEP SNS Working Conference	School to Prison Pipeline



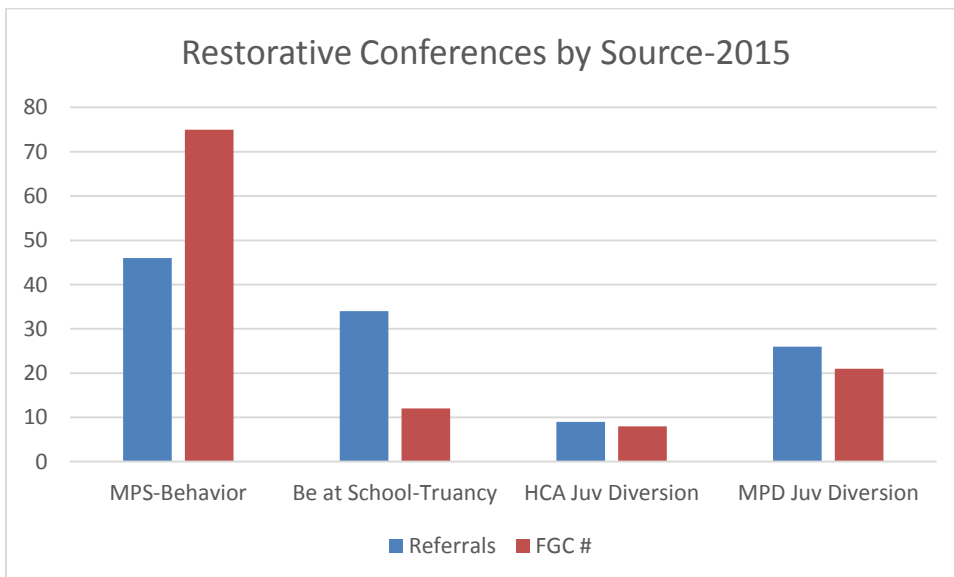
LRC speaking at the press conference introducing juvenile justice reform legislation

The LRC worked in coalitions seeking improved practices in the juvenile justice system and reduced reliance on school exclusions.

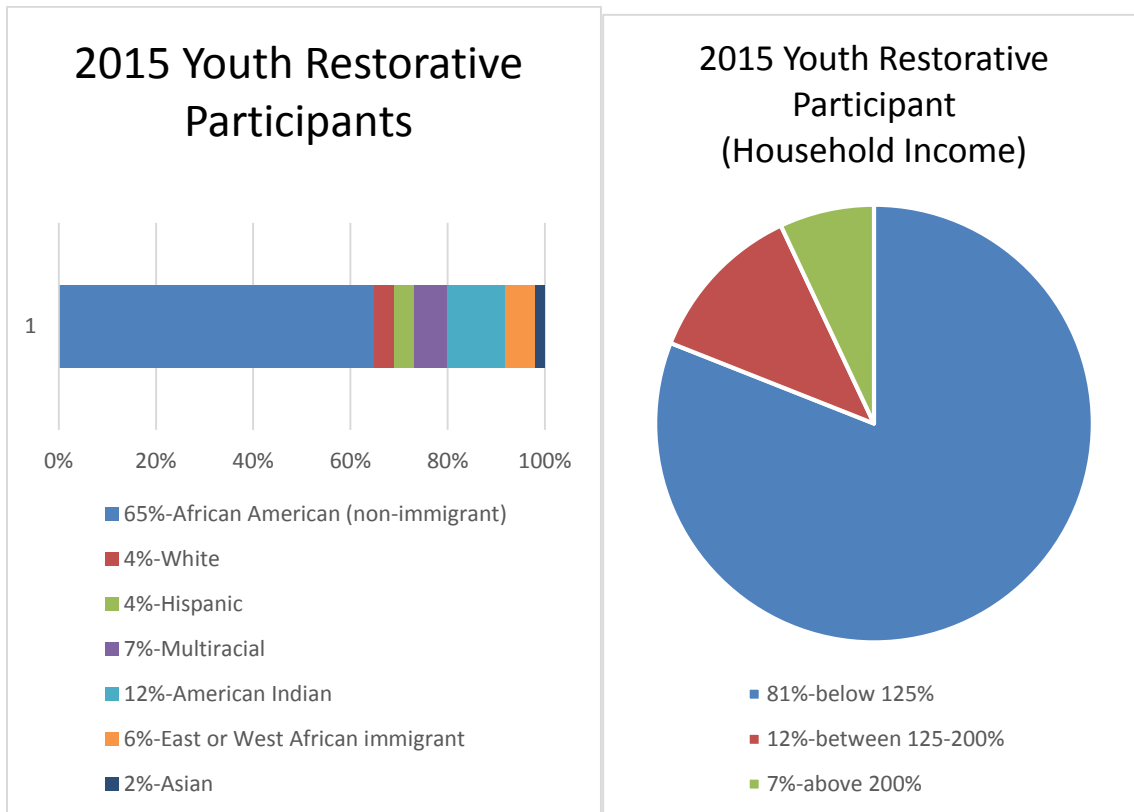
Youth: Education, Advocacy & Restorative Services



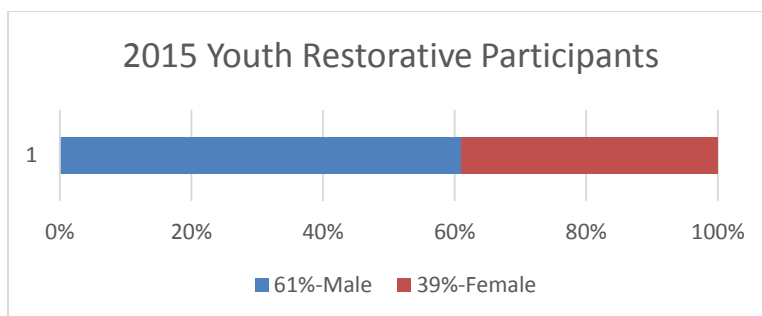
The LRC’s restorative services achieved significant growth in 2015. All projects received increased referrals and provided more restorative conferences for youth – other than Hennepin County Attorney juvenile diversions, which remained steady from 2014. Minneapolis police diversion referrals to the LRC increased substantially (as did their referrals to some other restorative providers, thanks to new protocols which LRC advocacy helped build over 2014-15.)



All of the LRC’s restorative services projects require accepting partner referrals without regard to income or other demographic considerations. Still, the beneficiaries tend to be low income and from communities facing problematic disparities in the juvenile justice and education systems.

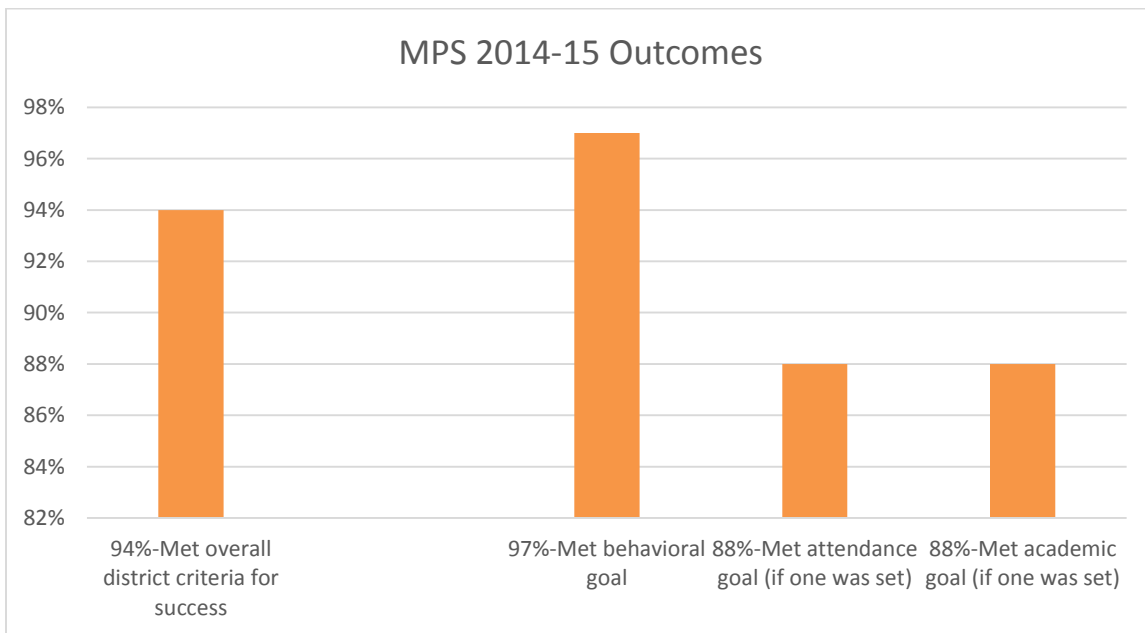


Perceptions about youth in the juvenile justice system or at risk of such tend to focus on young males. While that is the majority of LRC youth provided with restorative opportunities, a significant percentage of the beneficiaries are female.



The LRC’s restorative services program at the Minneapolis Public Schools received an extensive evaluation from the University of Minnesota, which compiled two years of data and issued findings in a December 2013 report. (See: www.legalrightscenter.org/reports.html)

For the 2014-15 school year, the LRC and MPS developed new evaluation measurements in which students who had need of improvement in attendance or academics had specific goals set alongside the behavioral goals. The district then determined what amongst all of the goals – cooperatively agreed to by student, family, school district and school – would establish that the overall restorative plan had succeeded.



The LRC received the Equity in Action Award from the Minnesota Education Equity Project in November 2014. The education, advocacy, and directly provided restorative services that led to the award advanced through all of 2015, and continues to this day.

