



June 12, 2023
Hon. Eric Adams
Mayor, City of New York
City Hall
New York, NY 10038

Re: FY24 Funding for Public Defenders and Right to Counsel (Housing)

Dear Mayor Eric Adams:

We are writing to urge you to work with us to address the funding crisis our legal services providers are facing by better funding their programs in the Fiscal Year 2024 budget. Our local criminal defense and Right to Counsel (housing) providers – groups that provide constitutionally and legally mandated representation in a myriad of courts including criminal and housing – are in need, at a minimum, of a baseline increase to ensure free legal services are attainable for the millions of New Yorkers represented annually by these providers and programs.

As the budget process heads into the final stretch, it’s imperative that we take a hard look at the significant harm that insufficient funding levels, wage inequality and rising costs have caused. If unaddressed this year, New Yorkers will be further disconnected from critical services, reinforcing bias in the legal system and eroding public safety.

The City Council is requesting \$195 million be allocated to legal service providers as a first step in addressing the economic crisis facing these critical programs.

Criminal Defense Fiscal Year 2024 Budget Request

New York’s leading public defenders - The Legal Aid Society, Brooklyn Defender Services, The Bronx Defenders, Neighborhood Defender Service of Harlem, New York County Defender Services, and the Queens Defenders - are requesting funds from the City for Fiscal Year 2024 to:

- increase salaries to properly compensate staff for their critical work, allow people to meet their living expenses without being forced to work [multiple jobs](#) and combat ongoing attrition, which you have cited as an issue that needs a [“major investment”](#) to address, so

that cases are not transferred from one attorney to another, which is contributing to court delay;

- meet existing discovery needs, including hiring additional staff and investing in technology improvements to collect, store, organize and share the evidence on cases;
- provide additional funding to cover fixed cost increases such as health care, rent, and OTPS;
- allocate more funding for homicide representation so that defenders can keep pace with the increase in homicide cases, which far exceed original projections and funding.

Housing Right to Counsel Providers' Fiscal Year 2024 Budget Request

For the City's Fiscal budget, RTC providers' request would:

- allow service providers to continue with the current caseload level, which has [increased significantly since 2021](#) and led to RTC providers — who, even if fully staffed, are only contracted to represent roughly a third of all tenants facing eviction — being forced to decline more than 10,000 housing court cases since January of 2022;
- fund salary increases for staff to address [unprecedented attrition](#) and to attract prospective hires;
- provide additional funding to cover fixed cost increases such as health care, rent, and OTPS.

Overhauling the City's Fraught Contracting and Payment Process

In addition to funding, the City must overhaul the contracting and payment process. The instability and insecurity that comes from very late contract registration, payments delayed months or years, and lack of regular cost of living increases hinders the ability of criminal and civil defense providers to retain and attract staff, maintain suitable workspace, invest in technology infrastructure and ensure the continuity of these consequential legal services. This is an issue that both you and Comptroller Brad Lander have [recognized](#) as a high priority. While the reforms needed are wide-ranging, the City must:

- Create timeframes for review and accountability at each step in the contracting and registration process;
- establish new protocols that increase the contract advance to more than 25 percent as necessary, rather than forcing these organizations to front costs with resources not available;
- allow nonprofits to use their budget to pay for the interest payments on bank loans caused solely by the City's delay.

Our city prides itself on being a leader in the fight against injustice and human rights for all. Supporting a baseline budget increase for criminal defense and Right to Counsel providers, in addition to changes to contract flexibility, is an opportunity to ensure that low-income New Yorkers in need of legal representation have that access.

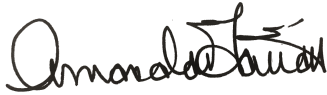
Sincerely,



Councilmember Shaun Abreu
New York City Council, District 7



Council Member Shekar Krishnan
New York City Council, District 25



Council Member Amanda Farías
New York City Council, District 18



Council Member Crystal Hudson
New York City Council, District 35



Council Member Julie Menin
New York City Council, District 5



Council Member Kristin Richardson Jordan
New York City Council, District 9



Council Member Christopher Marte
New York City Council, District 1



Council Member Sandy Nurse
New York City Council, District 37



Council Member Carmen De La Rosa
New York City Council, District 10



Council Member Charles Barron
New York City Council, District 42



Council Member Chi Ossé
New York City Council, District 36



Council Member Julie Won
New York City Council, District 26



Council Member Carlina Rivera
New York City Council, District 2



Council Member Marjorie Velázquez
New York City Council, District 13



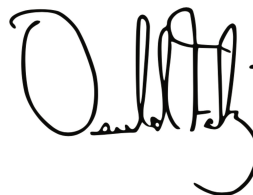
Council Member Erik Bottcher
New York City Council, District 3



Council Member Kevin Riley
New York City Council, District 3



Council Member Lincoln Restler
New York City Council, District 3



Council Member Oswald Feliz
New York City Council, District 17



Council Member Alexa Avilés
New York City Council, District 26



Council Member Shanana Hanif
New York City Council, District 39



Council Member Pierina Sanchez
New York City Council, District 14



Council Member Tiffany Cabán
New York City Council, District



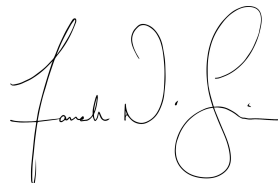
Council Member Jennifer Gutiérrez
New York City Council, District 34



Council Member Eric Dinowitz
New York City Council, District 11



Council Member Althea Stevens
New York City Council, District 14



Council Member Farah Louis
New York City Council, District 45