



*Fighting for justice since 1973*

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To the Honorable Board of Supervisors for the County of Los Angeles:

California Attorneys for Criminal Justice (CACJ) as the State Affiliate of the National Association of Criminal Defense Lawyers (NACDL) through a proclamation unanimously approved by its Board of Governors' Executive Committee, strongly condemns the practice of appointing as Public Defender of any county, interim or permanent, a lawyer who does not have the experience or qualifications to perform the work of the lawyer members of that office.

Our concern is not and should not be considered a personal affront to the interim appointee, however, based on her lack of qualifications and experience in criminal defense, we strongly oppose continuing Ms. Tinkham in the current position of Interim Public Defender. The Los Angeles Public Defender's Office, whose motto is "Defending Life and Liberty," is the oldest Public Defender's Office in the world. It is an office that has carried forward the highest principles of public defense as first articulated by Clara Shortridge Foltz in the Albany Law Journal in 1893 and as recognized as a principle of Constitutional law in *Gideon v. Wainwright* in 1963.

We do not intend disrespect to Nicole Davis Tinkham or to her abilities as an administrator. Furthermore, to the extent that Ms. Tinkham is permitted to continue to have involvement in the administration of the Los Angeles Public Defender's Office, we wish her well and offer our support for any policies that are consistent with our commitment to the life and liberty of the indigent accused.

The fundamental flaw in the Board's actions, for which we request immediate retraction, is that the head Public Defender in Los Angeles, or any other county in the State, must be an accomplished and qualified criminal defense lawyer and this appointee is not. The day to day and broader systemic decisions of a Public Defender must reflect a profound appreciation for the nuances of criminal defense and public defense in particular. As the budget of the courts and the District Attorney attest, justice is a core value of our society and it is expensive. Efficiency is admirable but never when it shortcuts justice or abridges the rights of individuals. To run an efficient office that meets the solemn commitment of the Los Angeles Office to "Defending Life and Liberty" is the goal — but efficiency can never be at the expense of defending life and liberty.



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“Defending Life and Liberty” is not just the motto of the Los Angeles Public Defender’s Office, it is the challenge in the courts every day. No one should be considered for Interim Public Defender if they do not have the accomplishments and abilities to qualify for something more than an entry level Deputy. To be qualified to be a senior member of the office, let alone its head, a lawyer should be qualified to handle capital cases, misdemeanor and felony trials, appeals and writs, as well as mental health and other important jobs in which the lawyers of the office actually stand up for the life and liberty of their clients. An administrator who does not have intimate knowledge of the challenges faced by the deputies and the nuances of criminal law, the intricacies of evidentiary laws, voluminous scientific issues impacting the accused which may be the pathway to freedom and protection against wrongful convictions, as well as simply being intimately familiar with what is important in each area of defending life and liberty cannot preside over policy.

We, therefore, respectfully request that the Los Angeles Board of Supervisors immediately rescind its appointment of Nicole Davis Tinkham as Interim Public Defender and appoint a qualified criminal defense lawyer in that position.

Respectfully submitted,

Steve Rease  
President  
California Attorneys for Criminal Justice