

The background features a large, light blue watermark of the seal of the National Center for State Courts. The seal is circular with a sunburst border. Inside the circle, there is a tree with roots and branches. Below the tree, the Latin motto "NULLI VENDEMUS NULLI NEGABIMUS" is written. The words "National Center for State Courts" are written around the inner edge of the seal.

# **Holistic Defense: An Emerging Model of Public Defense Representation**

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# Project Overview

- NIJ-funded multi-site evaluation of holistic defense programs
- Goals:
  - Develop and refine definition of holistic defense
  - Examine variation in holistic defense practices
  - Empirically evaluate outcomes and cost-effectiveness of holistic defense

# Part I

What is holistic defense?

# Four Pillars of Holistic Defense

## Bronx Defenders

1. Seamless access to services that meet clients' legal and social support needs.
2. Dynamic, interdisciplinary communication.
3. Advocates with an interdisciplinary skill set.
4. A robust understanding of, and connection to, the community served.

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# Ten Principles of Community Oriented Defense

Brennan Center for Justice

1. Create a Client-Centered Practice
2. Meet Clients' Needs
3. Partner with the Community
4. Fix Systemic Problems
5. Educate the Public
6. Collaborate
7. Address Civil Legal Needs
8. Pursue a Multidisciplinary Approach
9. Seek Necessary Support
10. Engage with Fellow COD Members

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# Six Cornerstones of Comprehensive Representation

ABA Task Force on Comprehensive Defense Representation

1. Training and Education
2. Client Interview and Initial Assessment
3. Investigation
4. Advise and Refer the Client Where Appropriate
5. Plea Negotiations with the Prosecutor and Post Trial Sentencing
6. Proactively Preparing for Reentry



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# Goals of Holistic Representation

- Moderate criminal penalties
- Address collateral consequences
- Address underlying needs
- Solve systemic problems
- Prevent future justice system involvement

# Domains of Holistic Representation

- High-quality representation in the criminal case
- Enhanced consideration of collateral issues
- Provision of social services
- Community programs
- Systemic advocacy

# Characteristics of Holistic Practice

- Criminal defense team
  - Defense attorney
  - Civil attorneys
  - Social workers
  - Investigators
- Enhanced information
  - Needs assessment
  - Formal and informal sharing of information among defense team members
- Connection to and understanding of community
  - Physical proximity
  - Understanding of needs and issues facing defendants
  - Attorneys and staff with appropriate language skills
  - Partnerships with outside agencies (e.g., law school, social work school)
  - Informal connections to programs



# Part II

## Evaluating Holistic Defense

“Without data, you’re just another person with an opinion.”

# Evaluation Methods and Questions

- **Process Evaluation**

*Was the program implemented in accordance with its design?*

- **Impact/Outcome Evaluation**

*Does the program produce the intended changes in social conditions?*

- **Cost-Benefit Analysis**

*In monetary terms, do the program's benefits outweigh its costs?*

# Hypotheses: Early Intervention and Enhanced Client Information

- H1: Reduced time from arrest to client contact
- H2: Increased use of early screening to identify client needs
- H3: Increase in social service referrals
- H4: Higher rate of pretrial release

# Hypotheses:

## Use of Correctional Resources

- H5: Reduction in prison and jail commitments
- H6: Increased use of alternatives to incarceration

# Hypotheses:

## Future Criminal Activity

- H7: Reduced likelihood of future criminal acts (probation violations, new arrest, new conviction)

Is holistic defense  
“just good lawyering”?