

EARLY  
REPRESENTATIONSAVING MONEY,  
PROTECTING  
RIGHTS

Lack of early representation puts defendants at a disadvantage that is often difficult and costly to correct later. Providing immediate representation to arrestees benefits not only individuals, but counties and communities as well.

---

**MODEL PROGRAM:  
BEXAR COUNTY REPRESENTATION AT  
MAGISTRATION**

The Bexar County Public Defender Office's (BCPDO) representation of arrestees with mental illness at magistration is one of the first of its kind in Texas. Representing this vulnerable population early in the process is critical to facilitating treatment and release. Prompt diversion reduces jail costs and recidivism, improving outcomes for persons with mental illness.

Within its first year, BCPDO saw a 150% increase in defendants released on personal bonds. BCPDO clients were released on mental health personal bonds 20% more often than unrepresented defendants. As County Judge Nelson Wolff noted, "This is one more positive step toward properly caring for the mentally ill population who all too often end up in the criminal justice system."

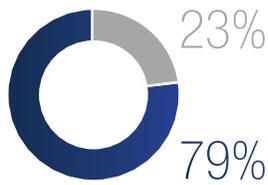
//////

**TIDC funds indigent  
defense innovation  
in Texas counties.**

TIDC has funded representation at magistration in Bexar County.

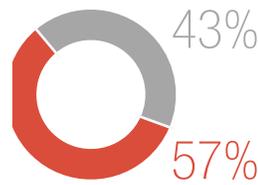
Programs that measure and ensure the quality of representation are priority areas for funding.

**REPRESENTED**



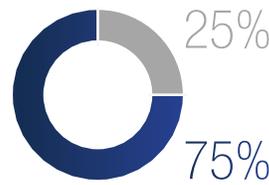
■ Released  
■ Detained

**UNREPRESENTED**



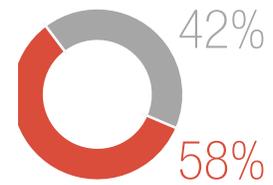
■ Released  
■ Detained

**REPRESENTED**



■ Compliance  
■ Noncompliance

**UNREPRESENTED**



■ Compliance  
■ Noncompliance

*In Bexar County, defendants represented by public defenders at magistration were more likely to be released on mental health bonds and were more likely to comply with conditions of release (appearing for court, participating in treatment, and not committing new crime).*

**MODEL PROGRAM: FIRST DEFENSE LEGAL AID**

First Defense Legal Aid (FDLA) provides arrestees in the Chicago Police Department with a “free lawyer, 24 hours a day, 365 days a year.” Through a 24-hour hotline, arrestees can reach an FDLA volunteer attorney or law student who will meet them at the police station. Attorneys can help protect against self-incrimination and prevent unnecessary detention of those unable to post bail. Since its inception, arrestees’ requests for stationhouse representation have increased 15%. FDLA’s success led to Cook County incorporating early representation into its public defender office. Cook County Chief Judge Timothy Evans helped institutionalize stationhouse representation to “ensure that constitutional rights are protected from the earliest point of contact with the criminal justice system.”

1%

of arrestees had a lawyer present while in Chicago police custody in 2013.

80%

of arrestees waive their *Miranda* rights after being arrested.

\$13M

potential savings if everyone in Cook County Jail had access to an attorney within 24 hours of arrest.

**TIDC INNOVATION SERIES**

For more information on early representation and other innovative practices, go to:

[tidc.texas.gov/innovation](http://tidc.texas.gov/innovation)

Or call us—you may qualify for grant funding:

512-936-6994