



December 28, 2016

An Open Letter to District Attorney Leon Cannizzaro, Jr:

We are the National Association for Public Defense (NAPD), an association of 15,000 attorneys and public defense professionals working in 103 organizations across the country – including here at the Orleans Public Defender’s Office (OPD). Our purpose is to provide a focused voice in support of the constitutional right to counsel, and to bring meaningful access to justice for individuals living in poverty.

Circumstances in Orleans Parish require us to speak out against your decision to use the full force of the criminal justice system to target an investigator at the OPD for doing her job. It is an attack on public defense itself, designed to erode the quality of representation provided to the most vulnerable and oppressed people in New Orleans. NAPD calls on you to do the right thing – which is to dismiss this Indictment and resolve this matter professionally in conversation with the head of OPD. We also write to encourage the citizens of New Orleans to contact your Office immediately and demand the same -- before it’s too late.

In 2014, Taryn Blume was an investigator with OPD. Every day, she worked with the lawyers and other professionals at OPD to insure her clients enjoyed the same rights guaranteed to everyone in this country by our Constitution -- the rights to liberty and justice for all; to due process of law and a fair trial; and to a lawyer who defends you when the government accuses you of a crime and seeks to take away your freedom. Her job as an investigator required her to seek out the relevant facts and evidence in her clients’ cases, wherever those might be. Taryn did her job honestly, and doggedly, as the law required her to do.

In one particular case, Taryn uncovered records at the Housing Authority of New Orleans (HANO) that your Office previously said did not exist. For that, she must have drawn your ire. Shortly after the trial in that case concluded, you sought and obtained an Indictment against her alleging she got those records by falsely representing herself as a member of the Orleans District Attorney’s Office. Two years later, you are still pursuing that prosecution, with the trial scheduled to begin next week.

To be clear, the accusation against Ms. Blume appears frivolous to us. Taryn has repeatedly denied the allegation, and as Public Defenders, we are familiar with being mistaken or misunderstood by others as a “DA” – even by some of our closest friends. We have all introduced ourselves to witnesses with our business cards and an announcement that we represent the defendant in a criminal case, only to hear later that the witness thought we were “with the State.” Beyond those realities of our work, there is simply no reason Ms. Blume would have done what you have accused her of doing. We understand the records in question were available for review upon request to any citizen of New Orleans, including those working at OPD. That fact

alone begs the question, "Why would Ms. Blume needlessly 'impersonate a peace officer' to get records that were available to her just by asking for them?" The answer is, she would not, and she did not.

Public defenders are accustomed to being unpopular. We represent people who are often scorned in their communities and publicly disparaged by the media and people in power. Some are guilty as charged, others are not. But a bedrock principle of our criminal justice system is that every citizen accused by the government of a crime starts with the benefit of the doubt – with a presumption that they are in fact innocent. That right becomes meaningless if we do not uphold the equally important right of every citizen-accused defense team who fights for her cause; who digs for evidence of her innocence; who exposes the government when it hides that evidence. The legitimacy of our criminal justice system depends upon defense lawyers and defense investigators doing their jobs, and doing them well, without fear of reprisal from a prosecutor acting more like a bully than the champion of truth and justice he is supposed to be.

Do the right thing, Mr. Cannizzaro. Dismiss this Indictment against Ms. Blume.

Sincerely,



Mark Stephens
Chair, NAPD Steering Committee



Ernie Lewis
Executive Director

