



Maryland Defenders Union
Local 423, AFSCME Council 3
marylanddefendersunion@gmail.com



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February 8, 2022

RE: SB 255- State Personnel Management System - Office of the Public Defender –
Placement and Collective Bargaining

Sponsored by: Senator Pamela Beidle

Bill Hearing: Senate Finance Committee
Thursday February 10, 2022

FAVORABLE

Dear Chair Kelley, Vice-Chair Feldman, and Members of the Finance Committee:

I am an attorney with the Maryland Office of the Public Defender and I am writing to ask for your support for Senate Bill 255, which will extend collective bargaining rights to the attorneys, social workers and core staff at OPD. I have worked as an Assistant Public Defender for nearly nine years. I represent clients charged with felony offenses in the Baltimore County Circuit Court. I feel privileged to have found a career that is both challenging and rewarding. Yet, serving year after year in a persistently underfunded agency, I know it is critical that we have the tools to demand adequate resources and for our voices to be heard in Annapolis.

We need a union in order to get the basic resources that we need to represent our clients. If I had fewer cases, I wouldn't work less, I would do a better job for each of my clients. I regularly carry a caseload of 70 felony cases. The majority of my clients face over twenty years in prison. I have five clients facing life sentences—colleagues of mine have twice that number. In addition to my regular caseload, I am asked to handle bail review hearings, violation of probation hearings and preliminary hearings.

We have an inadequate number of attorneys to carry out the mandate of *Gideon v. Wainwright*, that anyone charged with a crime is entitled to have a competent legal representative at their side. Due to the volume of cases, an individual arrested and charged with a felony in Baltimore County who applies for a public defender will wait six weeks—sometimes in jail—before an attorney is appointed to their case.

We represent some of the most vulnerable people in Maryland. We represent clients with serious mental illness who are patients at psychiatric facilities. We represent young adults aging out of the foster care system who lack familial support. We represent clients with developmental and intellectual disabilities. We represent people struggling with addiction. We represent survivors of domestic abuse and trauma. We meet all of these individuals at a moment of crisis.

We lack the basic resources we need to do our job. Our support staff are far too few and underpaid. The single secretary assigned to my unit is asked to handle assignments from multiple attorneys. In the evenings, he works a second job at Autozone to provide for his kids. I frequently must reach into my own pocket to pay for supplies and expenses needed to represent my clients. I bring in my own binders, folders, staples, even office furniture. If my client needs a suit to wear for trial, I need to provide it. When our office hosts an annual conference, we are asked to pay our own way. When I've sought out training programs with national organizations outside of our agency, I'm repeatedly told no funding is available for me to attend. When our colleagues throw the towel in and quit, we're handed their caseload and told there are no pins authorized to hire a replacement.

It is critical that we have the right to organize and bargain collectively so that we can advocate for the tools and resources we need to fulfill our constitutional mandate. I urge you to vote YES on SB 255.

Rachel Bennett
Assistant Public Defender
Maryland Office of the Public Defender
Felony Circuit Court Division