BDS opened its doors in 1996 as the first borough-specific public defender office in New York City, with 38 employees working around donated conference room tables out of office space recently vacated by the New York Telephone Co. That first year we lived rent-free, while the building was being renovated around us, and handled 10,000 cases.

Today, BDS is one of the largest defender offices in the country, representing tens of thousands of clients in criminal, family, immigration and civil cases annually. Our staff of 300 includes 180 attorneys and 120 social workers, investigators, paralegals, re-entry specialists, jail liaisons, community organizers and policy specialists as well as dedicated advocates for youth, veterans and parents. Our specialized defense approach allows us to provide targeted services for clients with mental illness or developmental disabilities, adolescent clients, trafficking victims and veterans.

Despite our growth over the past 20 years, we have kept true to our original model: to fight in court to ensure that everyone’s legal rights to due process and human dignity are enforced and respected. This requires our attorneys to be strong advocates, unafraid to stand up to judges and prosecutors in defense of our clients.

The core of what we do is and will always be simple, even as the world around us changes.

Our two decades of experience have shown us that providing the best legal representation in our clients’ cases requires not only superior advocacy in the courtroom, but also advocacy at the community, city, state and federal levels. As public defenders, we have a first-hand view of how legislative and policy decisions have led to mass incarceration, debtor’s prisons, separation of families, excess deportations and the destruction of low-income communities targeted by harsh enforcement policies.

BDS is now a leading defender office in the fight against unjust and unfair laws. We also educate the public and policymakers about criminal, family and immigration issues through community organizing, publishing op-eds in local newspapers and strategic litigation to challenge unjust policies.

It is my pleasure to present this annual report/calendar, which shows the breadth and scope of our work, highlights our achievements, contains artwork donated by clients and professional artists and describes our clients and their lives. We hope it will be a reminder throughout the year of our clients and BDS’ important work.
CELEBRATING 20 YEARS OF SERVICE
1996 - 2016

JANUARY 2017

20 YEARS OF BDS
LEGAL REPRESENTATION 425,880

“Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny.”

MARTIN LUTHER KING JR., LETTER FROM THE BIRMINGHAM JAIL
Everyone is entitled to a zealous defense regardless of their ability to pay.

SPECIALIZED UNITS
BDS created specialized units to provide specialized legal defense and other services to targeted clients with special needs. These units also provide broader advocacy through both Brooklyn Specialty Courts and to the community.

- **BROOKLYN ADOLESCENT REPRESENTATION TEAM**
  - providing wrap around services to our younger and most vulnerable clients

- **FAMILY/CRIMINAL INTEGRATED UNIT**
  - providing coordinated legal representation to clients with concurrent cases in Family and Criminal Court

- **INTEGRATED DOMESTIC VIOLENCE UNIT**
  - providing representation to clients in the IDV Court with related family and criminal cases

- **MENTAL HEALTH UNIT**
  - providing specialized representation to clients in the Mental Health Treatment Court and at Competency Evaluations

- **TRAFFICKING UNIT**
  - providing collateral legal and support services to victims of trafficking who find themselves facing criminal charges

- **VETERANS UNIT**
  - assisting veterans with criminal justice involvement to access the services to which they are entitled

“In matters of truth and justice, there is no difference between large and small problems, for issues concerning the treatment of people are all the same.”

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**CRIMINAL DEFENSE**

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**FEBRUARY 2017**

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- **2015**
  - **98,288** court appearances
  - **3,169** felony investigations
  - **39,078** cases
  - **1,003** social work interventions
  - **2,729** paralegal actions

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- **2016**
  - **98,288** court appearances
  - **3,169** felony investigations
  - **39,078** cases
  - **1,003** social work interventions
  - **2,729** paralegal actions

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“..."
TIPPING THE SCALES
#PUBLICDEFENSEDAY
NATIONAL PUBLIC DEFENSE DAY
CELEBRATING 20 YEARS OF SERVICE
1996 - 2016

“In the end we must remember that no amount of rules or their enforcement will defeat those who struggle with justice on their side.”
Nelson Mandela

CRIMINAL DEFENSE 2015

FELONY cases
5,784

MISDEMEANOR cases
24,654

VIOLATIONS/INFRACTIONS cases
8,640

DRUG POSSESSION 7
ASSAULT 3

AGGRAVATED UNLICENSED OPERATION OF MOTOR VEHICLE 3
MARIJUANA POSSESSION 5
DISORDERLY CONDUCT
OPEN CONTAINER

drug
possession
violations
infractions
misdemeanor
felony

24K 22K 20K 18K 16K 14K 12K 10K 8K 6K 4K 2K

MARCH 2017

NATIONAL PUBLIC DEFENSE DAY
CELEBRATING 20 YEARS OF SERVICE
1996 - 2016

FAMILY DEFENSE
Every parent has a right to keep their family together.

“Incarceration can lead to feelings of isolation and worthlessness in an environment that provides few resources for bettering one’s self.

This is one client’s expression of incarceration.”

Kelsey De Avila, LMSW
Jail Services Coordinator

“...I have always found that mercy bears richer fruits than strict justice.”

ABRAHAM LINCOLN

APRIL 2017

8,304 clients served
9,854 children out of foster care

2007-2015

CHILDREN OUT OF FOSTER CARE FY08 - FY16
Ms. Vilma Ortega is an accomplished artist and the devoted mother of a delightful daughter, Azulmar. Ms. Ortega worked very hard to be with her daughter when she was faced with child welfare involvement, overcoming many challenging obstacles. They were able to live together, where they continue to thrive and do arts and crafts regularly. Ms. Ortega’s lawyer and social worker at BDS’ Family Defense Practice are fortunate to have some of her artwork on their walls.

Ms. Ortega did an interview with the publication Child Welfare Watch (CWW) to share some lessons from her experience with the system.

Over 1,000 children leave foster care safely each year

More than 50% of our clients’ children never enter foster care

Since our founding, NYC’s foster care population has decreased by 40% (16,665 to 9,957)

Over 90% of our clients are Black or Latino

“Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is an organized conspiracy to oppress, rob and degrade them, neither persons nor property will be safe.”

FREDERICK DOUGLASS
Mr. Zamora is a 41 year-old native of Ecuador, and the father of 5 US citizen children and the step-father of 1 US citizen child. He initially entered the US in 1999 when he was about 24 years old for a better life for his family. While in the US, he maintained steady employment and met his current partner. In 2004, he was arrested and subsequently convicted of two DUl offenses. Following his second conviction, he completed an alcohol program and was then detained by immigration, where he was granted voluntary departure. Following his departure from the US, his partner struggled being a single parent and so Mr. Zamora returned to the U.S., feeling like he had to help his family. Since re-entering the US, he maintained his sobriety, was steadily employed, and was a loving father and partner to his family. He became actively involved in his children’s education, which was particularly important given that three of his children receive special education services. Mr. Zamora is now facing deportation. And BDS is currently representing Mr. Zamora.

IMMIGRATION PRACTICE

BDS takes an innovative approach to the representation of immigrants.

COLLATERAL CONSEQUENCES CONSULTATIONS
Our Padilla attorneys consult with BDS’ criminal defense attorneys and their noncitizen clients on the immigration consequences of criminal justice system contact and help them to avoid or minimize negative immigration consequences in thousands of cases every year. We advocate against our clients’ immigration detention, defend them in immigration removal proceedings, and provide assistance applying for immigration benefits in coordination with our Youth and Communities Project.

DETAINED DEPORTATION DEFENSE
BDS is a New York Immigrant Family Unity Project (NYIFUP) provider – the first government-funded universal representation project in the U.S. for detained immigrants facing deportation. In 2016, BDS NYIFUP attorneys won a major victory in the Second Circuit Court of Appeals (Lora v. Shanahan) that has allowed dozens of our clients to be reunited with their families and created a new legal standard for immigration detention.

IMMIGRATION LEGAL SERVICES
BDS provides a full range of immigration legal services to our immigrant clients, helping clients apply for citizenship, green cards, visas for domestic violence or trafficking victims, and other immigration benefits.
CIVIL JUSTICE PRACTICE

BDS aims to reduce the civil collateral consequences for low-income clients who have had interaction with the criminal, family or immigration justice systems.

- **HOUSING & BENEFITS TEAM**
  provides aid to stabilize the living situation of our Brooklyn clients by representing clients in administrative proceedings, eviction proceedings, affirmative actions seeking repairs as well as advocate on their behalf for access to public benefits.

- **EDUCATION & EMPLOYMENT TEAM**
  seeks to improve opportunities for young Brooklyn residents by advocating for their educational rights in formal proceedings against the Department of Education, as well as informally and in collaboration with school officials. The Employment Unit advocates for BDS’ public defense clients facing barriers to employment due to past and pending criminal justice involvement.

- **IDV & FAMILY DEFENSE TEAM**
  provides specialized representation to clients with multiple court involvement.

- **REENTRY SERVICES TEAM**
  provides collateral legal services and support during incarceration and the reentry process in order to facilitate successful transition from incarceration to community.

... “We punish people with criminal records long after they pay their debt to society and we all suffer for it. Even simply being accused of a crime is just a beginning of perpetual punishment.

A cycle of legalized discrimination, poverty and re-incarceration, a cycle kept in motion by 47,000 laws and regulation nation-wide that restrict critical rights and opportunities.

After contact with the criminal justice system millions of Americans are denied employment and housing, denied college educations, excluded from public benefits, separated from their children, deported despite being legal residents, and deprived of the right to vote.”

Bryan Stevenson

“Ideology is a disease of the soul. The opposite of poverty isn’t wealth.
The opposite of poverty is justice.”

Wesley Caines, MPS
Reentry Specialist
Even for low-level offenses and misdemeanors, the aftermath of one individual’s experience with the criminal justice system ripples out to entire families and neighborhoods, and gets passed down from generation to generation. The result: more poverty, more crime, more incarceration.

Judy, a 58 year-old grandmother charged with a misdemeanor is fired after her arrest and barred from her lifelong profession as a home health aide. Unable to find work, she’s faced with eviction and unable to support her family.
**ADVOCACY**

BDS uses its expertise and experience to inform criminal justice, child welfare, and immigration policies and to advocate for clients.

**Legislative Victories:** BDS collaborated with legislators, community organizations, and defense attorneys across the state to successfully pass a bill in both the Senate and Assembly to ensure equitable and high-quality indigent defense services throughout the state and another bill to exclude common workers’ tools from a weapons possession statute that had been improperly used to criminalize tens of thousands of working New Yorkers.

**Testimony:** Last year, the New York City Council invited BDS to testify at more than twenty public hearings about the experiences of our clients in criminal, civil, immigration, and family courts. Our advocacy team also regularly advocates for more fair and humane policies with the New York City Department of Correction, Board of Correction and Police Department. Our efforts and insights have improved city-wide policies and legislation that impact low-income court-involved New Yorkers.

**Community Involvement:** BDS attorneys and staff speak at community events, at law schools, universities, national conferences, local bar associations, citywide forums, career fairs, and advocacy coalition meetings, on issues that affect our clients.

**SPECIAL LITIGATION**

BDS strives to ensure pro bono partnerships leverage resources and provide critical support for our clients in and out of the courtroom.

**PRO BONO**

BDS strives to ensure pro bono partnerships leverage resources and provide critical support for our clients in and out of the courtroom.

- **23** partner law firms
- **75** volunteers
- **1,300 +** volunteer hours

**Sept 2017**

Bail money revolves back to the Fund. Funds are reinvested to help another individual and their family.

Misdemeanor charged. Bail set.

**Bail**

Fund posts bail as soon as possible after arrest.

People should not plead guilty just because they are poor.

Bail money revolves back to the Fund. Funds are reinvested to help another individual and their family.

Bail set.

Access to resources.

Fund clients will have access to re-entry support, such as social workers, immigration attorneys, education and employment lawyers and housing and benefits experts.

Individuals return home, and keep their jobs and housing.

People should remain productive and stable while cases are pending.

Misdemeanor charged.

The Brooklyn Community Bail Fund is a successful project incubated at Brooklyn Defender Services.

**BCBF** pays bail for New Yorkers who cannot afford even modest amounts, and who would otherwise be jailed or plead guilty just to go home. The Fund leverages its results to advocate for common sense reforms in New York City and nationally to end unfair uses of bail and other criminal justice policies that harm struggling individuals, families and communities.

In a little over a year, BCBF expanded its operations to partner with all public defender agencies in Brooklyn and Manhattan. In September 2016, the Bail Fund paid bail for its 1,000th client.
Mr. Pastoressa is an accomplished street artist who was incarcerated on Rikers Island for nearly six years awaiting his day in court. Despite strong evidence that he acted in self-defense, Mr. Pastoressa eventually pled guilty to a manslaughter charge because he could no longer bear the trauma of the physical and psychological violence and sexual assault that he suffered at the hands of Rikers guards and other prisoners. He is now in an upstate prison. Mr. Pastoressa painted this shirt by hand with homemade dyes while he was incarcerated on Rikers. Throughout his incarceration he was denied access to art supplies.

Artwork BY JAIRO PASTORESSA

“Justice is truth in action.”

BENJAMIN DISRAELI
Young New Yorkers (YNY) provides arts-based diversion programs to court-involved young people. The ultimate goal is to empower participants to transform the criminal justice system through their own creative voices. Whether for one day or eight weeks, each program culminates in an exhibition of the participants’ artworks, giving members of the criminal justice system an opportunity to re-meet these extraordinary young people beyond their rap sheets.

“Brooklyn Defender Services is proud to sponsor the Young New Yorkers program and we are pleased that young clients throughout Brooklyn charged with minor offenses receive an opportunity to improve their lives.”

Lisa Schreibersdorf, Esq.
Executive Director,
Brooklyn Defender Services
“Service to others is the rent you pay for your room here on earth.”

SHIRLEY CHISOLM
IN FY2016

BDS’ EXECUTIVE DIRECTOR, LISA SCHREIBERSDORF WAS ELECTED PRESIDENT OF THE CHIEF DEFENDERS ASSOCIATION OF NEW YORK.

The Chief Defenders Association of New York is an association of public defender chiefs who lead indigent defense organizations across New York State.

LAUREN SHAPIRO, DIRECTOR OF THE FAMILY DEFENSE PRACTICE RECEIVED THE ELLA B. FAMILY JUSTICE AWARD.

The Ella B. Family Justice Award recognizes efforts to advance high quality representation for low-income parents and caregivers threatened with the temporary or permanent loss of their children to state custody.

BDS in the news....

The New York Times
- Five Black Teenagers, Innocent, Face a Lifetime of Guilt
- The Bail Trap
- A Night in Brooklyn Criminal Court
- In Brooklyn Gun Cases, Suspicion Turns to the Police

The Washington Post
- I got arrested for putting my feet up on the subway. I was lucky I was white.

THE HUFFINGTON POST
- Community Bail Fund For Poor Defendants To Launch In Brooklyn
- Don’t Blame Family Ties for Violence at Rikers Island
- Our Bail System Is Leaving Innocent People To Die In Jail Because They’re Poor

BUSINESS INSIDER
- An ’unbelievably stupid’ New York law about knives could be changed very soon

GOTHAM GAZETTE
- De Blasio Administration Backs Council Push for Increased Tampon Access

DAILY NEWS
- The unfair attack on fare evasion: Rather than pulling out all stops to collect every last dime from the indigent, the city should make it easier for low-income New Yorkers to ride subways and buses

THE BDS SOCIAL WORK TEAM RECEIVED THE SOCIAL WORK IMAGE AWARD OF THE NATIONAL ASSOCIATION OF SOCIAL WORKERS – NEW YORK CITY CHAPTER.

The award (while traditionally given to an individual) acknowledges the unique contributions of social workers helping to advance the profession each year and was presented to BDS’ Social Work Team in recognition of their work.

BDS PARTNERED WITH BROOKLYN LAW SCHOOL ON A CRIMINAL AND POLICE RECORDS ACCURACY PROJECT

BDS’ Brooklyn Law School interns commit to helping Brooklyn residents clean up RAP sheet errors that can get in the way of securing housing, employment or other essentials of life.

NYC Jails Fail to Identify Prisoners With Cognitive Problems
- Immigrants’ Fates Depend on Access to Lawyers
- For Some Prisoners, Finishing a Sentence Doesn’t Mean Getting Out

Stop and Seize: When the NYPD Takes Your Car