

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LAW AND GOVERNMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, October 7, 2013
10:05 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN MARIAN B. TASCO

RESOLUTION 130611 - Resolution authorizing
City Council's Committee on Law and Government
to investigate and hold public hearings
reviewing the City of Philadelphia's recent
Request for Proposal seeking a single law firm
to provide legal representation to all
indigent clients when a conflict of interest
requires appointment of outside counsel.

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNCILMAN GREENLEE: Good morning, everybody. This is the Committee on Law and Government. We're going to get started right on time because I know a lot of people have time issues and we have a lot of people that want to weigh in on this important issue.

For the record, with us now we have Councilman Kenney, Vice-Chair of the Committee; Councilman O'Brien; and myself, Bill Greenlee, and I know other members will be joining us.

Ms. Marconi, will you please read the title of the resolution before us today.

THE CLERK: Resolution 130611, resolution authorizing City Council's Committee on Law and Government to investigate and hold public hearings reviewing the City of Philadelphia's recent Request for Proposal seeking a single law firm to provide legal representation to all indigent clients when a conflict of interest requires

1 10/7/13 - LAW & GOV'T - RES. 130611

2 appointment of outside counsel.

3 COUNCILMAN GREENLEE: Thank
4 you.

5 Before we -- who are our first
6 two witnesses, please.

7 THE CLERK: Jeffrey Lindy and
8 Kathleen Wilkinson.

9 COUNCILMAN GREENLEE: If they
10 could come forward at the table, and in
11 the meantime, Councilman O'Brien would
12 like to make an opening statement.

13 Councilman.

14 COUNCILMAN O'BRIEN: Thank you,
15 Mr. Chairman, Councilman Kenney. I very
16 much appreciate you calling this
17 important hearing.

18 Last month I introduced, along
19 with Chairman Greenlee, Bass, and Kenney,
20 the resolution calling for today's
21 investigative hearing into the City's
22 recent request for proposal seeking a
23 single law firm to provide legal
24 representation to all indigent clients
25 when a conflict of interest requires

1 10/7/13 - LAW & GOV'T - RES. 130611
2 appointment of outside counsel.

3 The right to counsel is a
4 fundamental safeguard guaranteed under
5 the Bill of Rights to all persons accused
6 of crimes that are unable to afford a
7 lawyer. In 2013, we celebrate the 50th
8 anniversary of the landmark case of
9 Gideon versus Wainwright. Fifty years
10 ago the United States Supreme Court
11 recognized the fundamental role that
12 legal representation plays in a fair
13 criminal justice system. Today, in this
14 venue, we work to preserve those same
15 rights.

16 In Philadelphia, the Defenders
17 Association provides free legal services
18 to criminal and juvenile clients who are
19 financially unable to obtain counsel. In
20 some cases the Defenders Association is
21 precluded from providing that legal
22 representation due to a conflict of
23 interest. When this occurs, the Courts
24 appoint private attorneys to represent
25 the accused. These attorneys are

1 10/7/13 - LAW & GOV'T - RES. 130611
2 referred to as conflict counsel or
3 court-appointed counsel.

4 Each year the Philadelphia
5 Court of Common Pleas makes more than
6 22,000 conflict counsel appointments in
7 Philadelphia's Family, Criminal,
8 Municipal, Orphans, and Traffic Courts at
9 a cost to the City of between \$8 to \$10
10 million.

11 In November of 2012, the
12 Mayor's Office, intending to assume the
13 appointment power from the Courts, posted
14 a request for proposal seeking a private
15 entity to provide legal representation to
16 indigent clients where the Defenders
17 Association is prohibited from providing
18 representation due to a conflict of
19 interest. It appears that a contract
20 will soon be executed between the City
21 and a private entity, and this gives me
22 great concern.

23 It's important to note this is
24 not a hearing about the personality of
25 the bidders. Investigatory hearings are

1 10/7/13 - LAW & GOV'T - RES. 130611

2 not a requisite for good policy. My 35
3 years of public service has taught me
4 that open dialogue, transparency, and
5 returning phone calls are mandates of
6 good public policy. And when I see
7 razzmatazz and merry-go-around, the
8 alarms of bad policy ring piercingly
9 loud, and the more I drill down, the more
10 I believe this process has been tainted
11 by collusion and a lack of transparency.

12 The questions are many, and the
13 answers are few. Therefore, I have no
14 other choice but to call for this hearing
15 today.

16 We've assembled an impressive
17 roster of local and national witnesses
18 who are committed and respected within
19 the indigent defense community for our
20 hearing today. Unfortunately, despite
21 the efforts of myself and Chairman
22 Greenlee, we cannot secure a witness to
23 testify on behalf of the First Judicial
24 District.

25 Finally, my staff and I have

1 10/7/13 - LAW & GOV'T - RES. 130611
2 built our careers in the criminal justice
3 conversation. Our shared goal in
4 different venues has always been justice.
5 We are collectively uncertain if justice
6 will be served with this new court
7 appointment setup, and we have so many
8 questions. Today we hope we'll find some
9 answers.

10 Thank you, Mr. Chairman.

11 COUNCILMAN GREENLEE: Thank
12 you, Councilman.

13 Being no other comments, before
14 the witnesses start, just general ground
15 rules. I think we have the written
16 testimony of everybody that is listed at
17 least on our record to appear. That
18 testimony has been distributed to the
19 members of the Committee last week. So
20 I'm just asking people, just in the
21 interest of time, you don't have to read
22 your statement. What we're looking for
23 basically is focused on two things. One,
24 your basic opinion of the proposal as put
25 forth, and particularly if that

1 10/7/13 - LAW & GOV'T - RES. 130611
2 proposal -- if you do not agree with
3 that, what do you think would be the
4 better way to go. Okay?

5 So with that, Mr. Lindy, please
6 identify yourself for the record and
7 proceed.

8 MR. LINDY: Thank you.
9 Chairman Greenlee, Councilman O'Brien,
10 Councilman Kenney, good morning. I'm
11 Jeff Lindy. I did tweak my comments a
12 little bit this morning. I tightened
13 them up. I have a couple extra copies if
14 you guys would like them, but it's
15 essentially the exact same thing that you
16 already have.

17 COUNCILMAN GREENLEE: That's
18 fine.

19 MR. LINDY: I wasn't sure if we
20 were going to be reading or just
21 extemporizing --

22 COUNCILMAN GREENLEE: No. If
23 we read everybody's testimony, sir, we'd
24 be here until at least about 8 o'clock
25 tonight.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. LINDY: So, look, in terms
3 of -- I'm a lawyer, so I'll directly
4 answer your questions. The idea stinks.
5 It's wrongheaded, and it's a lousy idea
6 and it's not going to work. And I say
7 this as somebody --

8 COUNCILMAN GREENLEE: Can you
9 be more direct, please.

10 MR. LINDY: I'm saying this to
11 somebody who is very fond of Mayor
12 Nutter. I've known him for years, since
13 he was first on Council. I supported
14 him. I'll continue to support him. This
15 is not a good idea. Good people can make
16 bad decisions, and I think that this is
17 one of those bad decisions.

18 In terms of my pedigree as to
19 why I'm here talking, I'm an attorney. I
20 run a small practice with my friend and
21 colleague Alan Tauber. We're Lindy and
22 Tauber. We concentrate in federal and
23 state criminal defense and some business
24 litigation.

25 As part of my federal practice,

1 10/7/13 - LAW & GOV'T - RES. 130611

2 though, I am on the CJA panel, and I'll
3 talk about that very -- maybe not so
4 briefly, but cut me off or ask me
5 questions obviously whenever you want to.

6 CJA stands for Criminal Justice
7 Act, and in federal court, the process by
8 which indigent criminal defendants are
9 represented is governed wholly by the
10 CJA, by the Criminal Justice Act. It's
11 Title 18 of the United States Code,
12 Section 3006, capital A. It's a law just
13 like Congress passes any law. And then
14 the regulations, if you will, the
15 mechanics of the law, are governed by the
16 federal judiciary, and they are governed
17 in a policy that's known -- policy
18 statement that's known as the Guidelines,
19 the CJA Guidelines.

20 The Guidelines are administered
21 by a national body of federal judges, and
22 the Guidelines have to be followed in
23 every federal district around the
24 country. So figuratively and literally,
25 a court-appointed attorney in the federal

1 10/7/13 - LAW & GOV'T - RES. 130611
2 system is operating with the blessing of
3 life-tenured, presidentially appointed
4 judges. It gives us a platform to stand
5 on that really means something. And Lord
6 knows, it doesn't mean we win, because we
7 don't usually. I mean, the life of a
8 criminal defense attorney is that you're
9 usually not winning, but it does mean
10 that the playing field is leveled. And
11 the federal judges, with very minor
12 exceptions -- and I've been doing this
13 since 1992 -- with very minor exceptions,
14 the federal judges take that level
15 playing field seriously.

16 Now, the CJA calls for every
17 district to have an Attorney
18 Representative. So we have 200 attorneys
19 on the panel. I'm the Attorney
20 Representative. That means that I was
21 nominated or recommended by the Chief
22 Federal Defender, and then I have to be
23 approved by the Chief District Judge. So
24 since 2006, we've had -- I think we're on
25 our fourth Chief Judge, and every Chief

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Judge since 2006 has appointed me as the
3 Attorney Representative.

4 As the Attorney Representative
5 on the panel, I work with the federal
6 defenders. I work with the U.S.
7 Attorneys' Office. I work with the
8 federal bench, and I work with people
9 down in Washington, and all together, all
10 of these institutions, struggle mightily
11 to make sure that the playing field is
12 level. And that means to make sure that
13 there's enough money, although we have
14 unfortunately very little input, us
15 lawyers, have very little input on that,
16 to make sure that the lawyers are
17 trained -- and we do have a lot of input
18 on that -- to make sure that the federal
19 prosecutors are conscious as to what our
20 obligations are, and they are to make
21 sure the federal judges are conscious of
22 that as well.

23 As a former federal prosecutor
24 and a former Assistant District Attorney
25 up in Brooklyn, New York, it's extremely

1 10/7/13 - LAW & GOV'T - RES. 130611

2 important for me to have a level playing
3 field. Not only as a defense attorney do
4 I want a level playing field for my
5 clients, but as a citizen, and when I was
6 a prosecutor, I wanted a level playing
7 field to make sure the commissions stick.
8 I did rape and child abuse cases up in
9 Brooklyn, and the last thing you want is
10 to call up your victim or your victim's
11 mom two years later and say, Hey, we need
12 you back in court.

13 Well, why?

14 Well, the conviction was
15 overturned.

16 Why?

17 Well, there's a lawyer who
18 didn't do his job well or her job well.

19 So in terms of finality of
20 sentencing, in terms of finality for the
21 victim, and from a defense attorney's
22 perspective in terms of being able to
23 vigorously and zealously represent your
24 client, you want a level playing field.

25 Now, the federal system and the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 state system are very different, and this
3 is -- there's some things we can do about
4 it, some things we can't.

5 In 2010, the federal fiscal
6 year in 2010, there was close to \$5
7 million allocated for about 580 cases.
8 Now, I know that what the Administration
9 is talking about is \$9.5 million for
10 22,000 cases. That's an impossible
11 scenario. You cannot render -- under the
12 Sixth Amendment, you cannot render
13 effective assistance when you're spending
14 \$9.5 million on 22,000 cases, and all you
15 got to do is look at the federal system
16 where they spent close to \$5 million in
17 2010, Fiscal Year 2010, for 580 cases.

18 Now, the federal cases have
19 more time involved. They certainly do.
20 The average, 80 hours a case, much more
21 than the state system. But you're
22 talking about 38 percent more cases in
23 the state system, and you're going to
24 just double the amount. So that doesn't
25 work.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 So then the question becomes,
3 Well, if there's not enough money -- and
4 as lawyers, we don't deal with the money,
5 you guys deal with the money or the
6 judges or the federal judiciary in my
7 world of federal practice deals with the
8 money. But as lawyers, what do we want
9 to do? How can we deal with very, very
10 scant resources and how can we
11 effectively represent our clients given
12 the realities? Well, the way you do
13 that, first of all, is to make sure that
14 your court-appointed practice is only
15 part of your practice.

16 Lawyers are like anybody else.
17 There are successful lawyers, there are
18 non-successful lawyers, there are lawyers
19 in between. And your classic, if you
20 will, the best kind of court-appointed
21 lawyer is going to be a man or a woman
22 who has a private practice, and the
23 private practice -- maybe you're not a
24 Rockefeller but the private practice is
25 good. You're supporting your family,

1 10/7/13 - LAW & GOV'T - RES. 130611

2 paying your mortgage, keeping your kids
3 in school. And you also take some
4 court-appointed cases. You don't do the
5 court-appointed cases as a means of
6 making a living.

7 Now, on the federal system, by
8 the way, if you do have a heavy docket of
9 court-appointed cases, you can do okay.
10 We're paid 125 an hour. With the
11 sequestration, with the budget shutdown,
12 that's now gone to 110 an hour and,
13 frankly, right now nobody is being paid
14 because the court-appointed lawyers
15 aren't being paid any more than the
16 federal defenders or the U.S. attorneys
17 are being paid. But even at 110 an
18 hour -- my hourly billing rate for a
19 private client is 425, but in the real
20 world, if you're going to bill all your
21 clients at 110 an hour, that's a
22 respectable living. That's okay.

23 So on the federal level, you
24 can actually do that. On the state
25 level, if you're going to -- with the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 lack of resources -- and I understand
3 they're not available. We can't make
4 more money. I get that. Okay? But the
5 last thing you want is to have attorneys
6 who are making or trying to make a living
7 on federal court-appointed cases. It
8 can't be done. And what's going to
9 happen in that scenario is that you're
10 going to have attorneys cutting the
11 corner. You're going to have attorneys
12 not going up to the prison to visit their
13 clients. You're going to have an
14 attorney not returning mom or dad's phone
15 call. And you know what? You got to
16 return mom and dad's phone call. I mean,
17 that's just a central part of
18 representing their son. And you sure
19 have to see the son, and you sure have to
20 visit him in prison, and you sure have to
21 fight like the dickens on his behalf.
22 And you also have to investigate a case.
23 You got to go to a crime scene. I don't
24 care how simple the case is. You learn
25 that first year as a DA or first year as

1 10/7/13 - LAW & GOV'T - RES. 130611

2 a public defender, you got to visit the
3 crime scene. You're not going to be
4 doing that stuff when you are handling a
5 heavy diet of court-appointed cases.
6 Okay?

7 The system, as I understand it,
8 the system which is currently in place is
9 to give a contract to an attorney who is
10 going to have a law firm that is going to
11 handle court-appointed cases. A couple
12 problems with that. Number one, that law
13 firm is not going to be any different
14 than the Defender Association in terms of
15 conflict. So you get a multi-defendant
16 case, say three, four-defendant drug
17 case, two or three-defendant homicide
18 conspiracy case, a RICO case involving
19 organized crime. Any case that's more
20 than two defendants, the Defender will
21 get one court-appointed client. This law
22 firm that's bidding on this RFP will get
23 the second court-appointed client. Then
24 what are they going to do for the third,
25 fourth, fifth, and sixth clients? You

1 10/7/13 - LAW & GOV'T - RES. 130611
2 can't go back to the same law firm, for
3 the same reason you can't with the
4 Defenders. It's a conflict of interest.
5 You can't represent multiple clients in
6 the same case.

7 So I have been at meetings with
8 the Mayor's Chief of Staff, and there has
9 not been presented any that I have heard,
10 not been presented any strategy for
11 dealing with defendants three, four,
12 five, six, however many there are. So
13 that's number one.

14 Number two, when you have the
15 private -- and I run my own practice.
16 It's myself, it's my partner. We have
17 some of-counsel attorneys. We have a
18 secretary. I know a little bit about
19 running a small law firm. It's the same
20 principles as a big law firm. You have
21 an overhead. The sooner you pay off the
22 overhead with the money that's coming in,
23 the sooner you can get profits, and you
24 can distribute profits to people who are
25 getting profits. All right?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 When you have an RFP, there is
3 a set amount of money, 9.5 million I read
4 in the paper this morning. You can't
5 increase the income. What do big firms
6 do? Big firms gobble up small firms.
7 You know the big firms in Philadelphia.
8 They'll gobble up a small firm. They'll
9 go up to New York and buy a small firm.
10 They'll go out to Kansas City and get a
11 firm. They'll expand. I mean, we've all
12 been reading about it for the last 15
13 years. Even with the recession, the
14 nature of law firms, big law firms, is to
15 expand. That's how you make money. You
16 bring in more money. You can't do that
17 if you're the law firm operating with the
18 RFP. It's 9.5 million or it's 10 million
19 or it's -- whatever it is, you can't get
20 more money. So how do you maximize your
21 profits? It's a for-profit firm. It's
22 not a 501(c)(3). It's not the Defender
23 Association. It's a for-profit firm.
24 And I don't care what anybody says about
25 altruism. If they're being altruistic,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 don't have a for-profit firm. Say, I'm
3 going to bid on this, but I'm going to be
4 a 501(c)(3). You're not going to hear
5 anybody say that. It's a for-profit
6 firm.

7 So how do you maximize your
8 profits on a capped fee? You start doing
9 less work. And I don't care who is
10 administering that. That is what's going
11 to happen, period. And anybody who says
12 anything to the contrary is disingenuous.
13 Anybody who says anything to the contrary
14 has not studied history. Anybody who
15 says anything to the contrary is somebody
16 who wants to get that contract. And that
17 is wrongheaded, and the people who are
18 going to -- I'm not going to suffer. I
19 got a nice practice, knock on wood. My
20 clients aren't going to suffer. My
21 federal court-appointed clients aren't
22 going to suffer. I do pro bono work on
23 the state level. They're not going to
24 suffer. My private clients are not going
25 to suffer. Indigent City criminal

1 10/7/13 - LAW & GOV'T - RES. 130611

2 defendants are going to suffer. These

3 are people -- and I'm not saying they

4 haven't committed crimes, but these are

5 people from poor backgrounds, mental

6 health issues, with drug dependency

7 issues, with alcoholism issues, from

8 dysfunctional families, by and large.

9 These are the people who already have

10 nothing going for them and who are

11 probably going to end up in jail. These

12 are the people who are going to suffer,

13 and it's -- I see no way around that.

14 Do I like the way the federal

15 system is administered? Yes, I do. Is

16 it perfect? No. Is there a big

17 difference between the federal system and

18 the state system? Of course there is.

19 There's more money. Less cases and more

20 money in the federal system. Right? But

21 are there principles that can be applied

22 and that can make the system work better

23 in the state? Yes. This is not that

24 idea.

25 COUNCILMAN GREENLEE: Thank

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you, Mr. Lindy.

3 Before we have questions, I'd
4 like to hear from Ms. Wilkinson also.
5 And, Ms. Wilkinson, if you could just
6 basically concentrate on what your
7 involvement or the Bar Association's
8 involvement has been in this process,
9 what recommendations maybe you made, and
10 what has been or hasn't been adopted, to
11 your knowledge, that would be great.
12 Thank you.

13 CHANCELLOR WILKINSON:
14 Certainly. My name is Kathleen
15 Wilkinson. I am the Chancellor of the
16 Philadelphia Bar Association, which is
17 comprised of over 10,000 members of
18 lawyers, and we represent all aspects of
19 the Bar, including we have a criminal
20 justice section.

21 After the Philadelphia Bar
22 Association learned of the RFP, I, as
23 Chancellor, appointed a Task Force,
24 because I was hearing from our members of
25 concerns with the specificity of the RFP

1 10/7/13 - LAW & GOV'T - RES. 130611

2 that had been issued by the City.

3 So on February 20, 2013, I sent
4 a detailed letter to Everett Gillison,
5 Deputy Mayor for Public Safety, outlining
6 some of the concerns that our members
7 had. And in that regard -- and I want to
8 thank all of you, Councilman Kenney and
9 Greenlee and O'Brien, for having these
10 hearings today, but over the course of
11 our involvement with this, we have
12 offered our assistance to the City.

13 The first goal of our letter
14 was to point out that since the RFP did
15 not include reference to specific
16 guidelines, we wanted to make sure that
17 the City and anyone involved in possible
18 selecting of someone to fulfill this role
19 knew what these standards were.

20 And, for instance, we point out
21 in our standards that there's many best
22 practice models. Number one, there's the
23 ABA Ten Principles on a Public Defense
24 Delivery System, which our Bar
25 Association has been in support of for

1 10/7/13 - LAW & GOV'T - RES. 130611

2 many, many years.

3 Number two, there are Juvenile
4 Defenders Association of Pennsylvania
5 Performance Guidelines for Quality and
6 Effective Juvenile Delinquency
7 Representation. And those are only some
8 of the guidelines that we referred to.

9 We also referred to the
10 American Bar Association's Standards of
11 Practice for Attorneys Representing
12 Parents in Abuse and Neglect Cases. We
13 also refer to the American Council of
14 Chief Defenders' statement on caseloads
15 and workloads. And we also refer to the
16 American Bar Association's Standards of
17 Practice for Lawyers Who Represent
18 Children in Abuse and Neglect Cases.

19 So you have several issues
20 here. Number one, you have the part of
21 the RFP dealing with indigent
22 representation of defendants in criminal
23 matters. Number two, you have
24 representation of either parents or
25 children in dependency matters, very

1 10/7/13 - LAW & GOV'T - RES. 130611

2 distinct practice areas.

3 So I appointed people to the
4 Task Force who were able to advise me on
5 this. And in our letter, we also pointed
6 out that another issue is not only that
7 we need to make sure that should any
8 proposal go forward, that whoever is
9 selected comply with all these standards,
10 but we have to be mindful of the fact
11 that there's not a lot of money in the
12 budget unfortunately for indigent defense
13 in Pennsylvania, and whatever pot of
14 money is available is not going to be
15 adequate to even comply with the basic
16 guidelines.

17 If you look, for instance, on
18 some of the figures that have been
19 provided, we are woefully inadequate here
20 in Philadelphia with what is needed in
21 order to provide adequate defense. If
22 you look at my letter from February, you
23 will see that what potentially remains if
24 hypothetically there's \$8 million
25 available, with the volume of cases that

1 10/7/13 - LAW & GOV'T - RES. 130611

2 need to be handled, with the number of
3 social workers that need to be retained,
4 any firm if it's an outside firm, whether
5 it's a not-for-profit model or a
6 for-profit model, would have to do things
7 similar to what the Public Defender does;
8 in other words, retain investigators,
9 retain social workers, have paralegals.
10 So you're not only looking for adequate
11 representation by counsel, you need to
12 have built into the system all these
13 other components. In the area of
14 juvenile justice, you need to have
15 special people who are skilled in working
16 with children. A lot of these children
17 need help, need other help beyond just
18 getting back on track.

19 So these are all concerns as
20 well, which I don't know whether or not
21 City Council can fix all the many
22 concerns, but the budget is not even
23 adequate to take care of the problem.
24 That's an existing problem, no matter who
25 were to handle these matters.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 So we had suggested to the City
3 that perhaps either they could issue a
4 new RFP, maybe think of different ways to
5 handle the issue, or at least to offer
6 our services, and the City has been
7 cooperative in that regard. We did have
8 several meetings with Everett Gillison
9 and Shelley Smith and other
10 representatives of the City. We reviewed
11 the contents of my letter, which I made
12 part of my comments this morning, dated
13 February 20, 2013. We provided copies of
14 all of these standards. And the bottom
15 line is that time did not permit the
16 reissuance of an RFP, but at least we
17 knew that as far as the Philadelphia Bar
18 Association was concerned, that we have
19 pointed out the many, many issues that
20 are inherent in the current problem, not
21 the least of which is the funding
22 problem.

23 And I just want to, without
24 repeating what's in my testimony, if you
25 look at the conclusions that I've reached

1 10/7/13 - LAW & GOV'T - RES. 130611
2 in my testimony -- and before we get
3 there, I highlighted in my testimony that
4 in 1997, the Philadelphia Bar Association
5 was made aware that the ABA standards
6 that we urged back in 1997 for the First
7 Judicial District to follow would only
8 allow for compensation of a rate of not
9 less than 500 per case per year. That's
10 almost 16 years ago, \$500, and even then
11 that was not a lot of money. And over 15
12 years later, anecdotally these standards
13 have not been met, as far as we are
14 aware.

15 So we believe the City has to
16 ensure not only for fair and adequate
17 representation, but also what is the
18 quality of the defense going to be for
19 the amount of money available, number
20 one.

21 Number two, how are you going
22 to control potential conflicts of
23 interest if you have, say,
24 hypothetically, part-time lawyers working
25 and at the same time maybe they're

1 10/7/13 - LAW & GOV'T - RES. 130611
2 handling a full-time caseload as well on
3 the side. That diminishes the amount of
4 time that that lawyer has to handle under
5 the RFP.

6 So in conclusion, we are urging
7 not only that all the best practices be
8 followed, but that there be followup,
9 that there be standards, that they weigh
10 the competencies of whoever is selected,
11 that whoever would be selected has the
12 criteria to handle cases.

13 For instance, if you look at
14 the ABA Guidelines, it talks about
15 certain amount of experience and other
16 qualifications. I, for example, being a
17 civil lawyer, although I've practiced for
18 30 years, I don't have the experience to
19 handle these type of matters.

20 So there's a whole host of
21 things that have to be looked into, and
22 the bottom line in my conclusions is that
23 we are all as Philadelphians directly
24 impacted by crime. We're all directly
25 impacted, whether we are witnesses or our

1 10/7/13 - LAW & GOV'T - RES. 130611
2 family members are affected, and we need
3 to make sure that the system treats all
4 fairly. And indigent defense is very
5 important. It is a right granted 50
6 years ago exactly today, and we need to
7 make sure these standards are followed
8 and we need to make sure that any
9 representation avoids conflicts. And we
10 are more than happy to continue to assist
11 the City in moving forward, but that is
12 why I am here today, because when we
13 heard about it initially back in
14 February, we felt that the Philadelphia
15 Bar Association had to speak out and at
16 least point out that we have expertise
17 and we're willing to help.

18 COUNCILMAN GREENLEE: Thank
19 you, Ms. Wilkinson.

20 First, the record will please
21 reflect that Councilwoman Tasco, a member
22 of the Committee, is present.

23 And, Ms. Wilkinson, I have to
24 say on another issue just very quickly, I
25 just want to thank you publicly for your

1 10/7/13 - LAW & GOV'T - RES. 130611
2 involvement and the Bar Association on
3 another issue, the stolen deeds. You
4 jumped right in there. I know you have
5 the committee. We've met already, and I
6 appreciate that very much.

7 CHANCELLOR WILKINSON: Thank
8 you very much, another issue very
9 important to lawyers in Philadelphia, the
10 fraudulent deed issue, and we look
11 forward to continue to work with you,
12 Councilman Greenlee.

13 COUNCILMAN GREENLEE: Thank you
14 very much.

15 CHANCELLOR WILKINSON: You're
16 welcome.

17 COUNCILMAN GREENLEE: If I
18 could just start out with a couple
19 questions. I have a feeling Councilman
20 O'Brien may have one or two.

21 COUNCILMAN O'BRIEN: Maybe.

22 COUNCILMAN GREENLEE:
23 Ms. Wilkinson, I know Mr. Lindy made his
24 opinion pretty clear what he thought of
25 the plan. You talk about your

1 10/7/13 - LAW & GOV'T - RES. 130611
2 discussions with Mr. Gillison, Ms. Smith,
3 and other members of the Administration.
4 Are you comfortable with the
5 recommendations you made that they have
6 been included in the RFP, or what is your
7 opinion about that?

8 CHANCELLOR WILKINSON: I don't
9 have an opinion in regard to what is
10 happening right now, because I don't have
11 any firsthand information that any
12 proposal has been accepted. I don't have
13 any firsthand information that any
14 proposal has been signed. But what I can
15 say is this, that in the event there is
16 to be a proposal signed or accepted, a
17 contract accepted, it must comply with
18 all of the guidelines that are set forth
19 in my letter. There also must be -- make
20 sure that whoever is selected has the
21 skills and tools necessary in compliance
22 with the Ten ABA Principles that are set
23 forth, that there are standards in place
24 and quality checks every step of the way.
25 If it's a one-year contract, what is

1 10/7/13 - LAW & GOV'T - RES. 130611
2 going to be done to ensure followthrough
3 if representation is needed for years two
4 and years three and years four. In
5 looking at the potpourri of information
6 that we refer to in my letter, many of
7 these matters don't end in a year.

8 So on behalf of the Bar
9 Association, our concern is spelling it
10 out; avoiding conflicts; if you're going
11 to have a for-profit model, ensuring that
12 you're going to have quality
13 representation. If people are doing work
14 on the side, you have to make sure to
15 avoid the appearance of any conflicts
16 whatsoever.

17 COUNCILMAN GREENLEE: So as far
18 as the one-year issue -- and I know
19 that's been brought up a lot in
20 discussion before this hearing, and this
21 is, from what I understand, a one-year
22 contract with renewals after that. What
23 is your -- do you have an opinion on that
24 or a concern that it is a one-year
25 contract?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 CHANCELLOR WILKINSON: Well, in
3 our letter, I believe that we did express
4 the view that, at least by reference to
5 our materials, that many matters do not
6 end in a year. So certainly we would
7 have a concern that if a matter didn't
8 end within a year, what would be done in
9 year two. Would, for instance, the same,
10 whoever is awarded the contract, would
11 they be encouraged to apply again? Would
12 they have any maybe notice requirement?
13 Let's say, on the other hand, whoever
14 hypothetically were to be selected wasn't
15 doing a good job, then it might not be in
16 the interest of the City or our citizens
17 to keep said firm.

18 So I think what the bottom line
19 is what has to be kept in mind is
20 transition. If there's going to be
21 transition, because most matters don't
22 end in a year, then there has to be care
23 exercised, and at the same time, making
24 sure whoever is selected, you have
25 options not to continue with that person

1 10/7/13 - LAW & GOV'T - RES. 130611
2 or persons should they not be adequate to
3 handle the matters.

4 COUNCILMAN GREENLEE: Thank
5 you. And just one other question from
6 me. This is for both of you. To the
7 best of your knowledge, are you aware of
8 any program around the country that is
9 operating as it appears that this
10 contract will be?

11 MR. LINDY: Operating and
12 working or just operating? I don't know
13 any that's working.

14 COUNCILMAN GREENLEE: Well,
15 I'll ask it both ways. Operating and, if
16 so, working, in your opinion, properly.

17 MR. LINDY: No.

18 COUNCILMAN GREENLEE: I had a
19 feeling you were going to say that.

20 Ms. Wilkinson.

21 CHANCELLOR WILKINSON: I can't
22 really answer that question. I know in
23 my letter that we did reference that in
24 New York there may have been some
25 programs in New York that have had some

1 10/7/13 - LAW & GOV'T - RES. 130611
2 success. I understand that you have
3 other witnesses this afternoon. I am
4 here to speak on behalf of the
5 Philadelphia Bar Association, but I think
6 that perhaps Ellen Greenlee or some of
7 the other witnesses with more expertise
8 in that area can answer that for you.

9 COUNCILMAN GREENLEE: Okay.
10 That's fine.

11 MR. LINDY: In New York they
12 have the -- and I know this because I was
13 a DA in New York. They have the 18B
14 panel, and the 18B is like the CJA. 18B
15 is a statute in New York. And so the
16 attorneys are appointed under 18B.
17 That's a statutory scheme.

18 COUNCILMAN GREENLEE: So
19 they're appointed; it's not a private law
20 firm?

21 MR. LINDY: It's an absurdity.
22 It's like taking the Defender Association
23 of Philadelphia and privatizing it. You
24 can't do it. This can't work. And I'm
25 not trying to be extreme here. All

1 10/7/13 - LAW & GOV'T - RES. 130611

2 right? I don't have a dog in this fight.

3 I do mostly federal practice. When I'm

4 in state court, it's only for paying

5 clients. I'm not trying to be extreme or

6 make any headlines, but there's got to be

7 some semblance of sanity here. It's

8 wrong. You can't take poor people and

9 have them represented by a for-profit

10 firm like this. It's bad, and, frankly,

11 I think it's embarrassing for the City of

12 Philadelphia that I was born and raised

13 in.

14 COUNCILMAN GREENLEE: Thank

15 you, sir. Appreciate your comments.

16 (Appause.)

17 COUNCILMAN GREENLEE:

18 Councilman O'Brien.

19 COUNCILMAN O'BRIEN: Thank you.

20 I understand that there's

21 hearings going on in Harrisburg about the

22 funding of the Public Defenders

23 Association. I understand the District

24 Attorneys Association has been up there

25 and testified in full support of

1 10/7/13 - LAW & GOV'T - RES. 130611
2 appropriate funding. So your testimony
3 is welcomed about a level playing field.
4 I think all interested are for criminal
5 justice.

6 Mr. Lindy, in amplifying your
7 testimony, do you believe that the
8 federal model could be transferable to
9 the Commonwealth of Pennsylvania,
10 specifically the City of Philadelphia?

11 MR. LINDY: Aspects of it could
12 be, but you can't get away from the fact
13 that there are less federal prosecutions
14 and there's more money. So you can't get
15 away from that fact.

16 Could there be a system that
17 has the imprimatur, that has the supports
18 of the judiciary? Yes. Okay. There
19 could be. And that means a lot. It
20 really does. When you're a
21 court-appointed attorney and you're
22 walking into court and you know that the
23 judge has -- either the judge personally,
24 he or she is either personally or through
25 the body that governs the judiciary that

1 10/7/13 - LAW & GOV'T - RES. 130611
2 they sit on, has approved you and has
3 approved your funds and if you need extra
4 funds for an expert, you're going to be
5 able to talk to that judge or talk to
6 somebody within the system, that does
7 strengthen -- that makes you feel better
8 about going into court.

9 I don't know any -- and, you
10 know, we have a collegial Bar, and
11 certainly the Criminal Bar, prosecutors
12 and defense attorneys, by and large, is
13 collegial, and really good friends of
14 mine are DAs, really, really close old
15 friends of mine are federal prosecutors.
16 I don't know anybody who prosecutes who
17 doesn't want a strong court-appointed
18 system.

19 Now, when it comes down to an
20 individual case, they may be upset that
21 I'm a little too zealous, but that's the
22 adversarial system at work. But in terms
23 of a policy, I don't know of any
24 prosecutor -- I've been doing this for a
25 long time -- that wants anything other

1 10/7/13 - LAW & GOV'T - RES. 130611

2 than a level playing field.

3 So when you have that system
4 that has the imprimatur of the Court,
5 that helps, and that's something that you
6 have in the federal system. You have the
7 federal system set up whereby when you
8 need money for an investigator, when you
9 need money for an expert, a mental health
10 expert -- obviously comes as no surprise
11 that many indigent criminal defendants
12 have mental health issues or substance
13 abuse issues. When you need a mental
14 health expert, you're applying ex parte.
15 You don't have to tell the prosecutor.
16 It's part of your case. So you're
17 applying for that and you get those
18 funds. I'm not going into my pocket. I
19 don't have to front the money. I'm
20 getting the funds from the Court. So
21 that's extremely important. That can be
22 duplicated.

23 There is almost a double-check
24 system between the Defender Association
25 and the Courts in accepting applications.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Last year -- I'm on the selection
3 committee also, because I'm the CJA panel
4 rep. Last year we had over 80
5 applications for nine openings. So it's
6 competitive. Why is it competitive on
7 the federal system? Well, one reason is
8 because the pay is 125 an hour. It's
9 been reduced to 110. It will go back to
10 125. That's okay. Why else is it
11 competitive? People want to practice in
12 federal court. Why else is it
13 competitive? Because the economy has
14 been bad, so a lot of attorneys want to
15 get into these federal cases.

16 But the fact remains that there
17 were over 80 applications for nine spots.
18 The defenders, the CJA selection
19 committee, and then the Court reviewed
20 that. Again, there's less volume, I
21 would imagine, on an annual basis.
22 There's probably more applications for
23 the state system, but having this many
24 layered system where you're actually
25 vetting and then approving a

1 10/7/13 - LAW & GOV'T - RES. 130611
2 court-appointed counsel, I think that
3 helps.

4 So the answer to your question
5 is, yes, there are aspects of the federal
6 system that could absolutely translate to
7 state. The fundamental overarching
8 problem, again, is that there are less
9 federal cases and you have more money
10 allocated, and that's just -- that's the
11 way our society works between the federal
12 and the state systems. That you can't
13 change.

14 CHANCELLOR WILKINSON: And if I
15 may, I know that question wasn't directed
16 to me, but I wanted to just point out a
17 couple guiding principles from the ABA
18 which also fit in with this discussion.

19 Number one -- and this is
20 entitled "ABA Ten Principles of a Public
21 Defense Delivery System." The public
22 defense -- I'm sorry. Let me start over.

23 The public defense function,
24 including the selection, funding, and
25 payment of defense counsel, is

1 10/7/13 - LAW & GOV'T - RES. 130611

2 independent.

3 Number two, where the caseload
4 is sufficiently high, the public defense
5 delivery system consists of both a
6 defender office and the active
7 participation of the private Bar.

8 So that's not ruled out. It's
9 how you handle it.

10 I'm going to skip down to
11 number six. Defense counsel's ability,
12 training, and expertise match the
13 complexity of the case.

14 Number seven, the same attorney
15 continuously represents the client until
16 completion of the case.

17 Number eight -- point you were
18 just asking, Councilman O'Brien -- there
19 is parity between defense counsel and the
20 prosecution with respect to resources,
21 and defense counsel is included as an
22 equal partner in the justice system.

23 Number nine, defense counsel is
24 provided with and required to attend
25 continuing legal education.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 And, number ten, defense
3 counsel is supervised and systematically
4 reviewed for quality and efficiency
5 according to nationally and locally
6 adopted standards.

7 There's other great points in
8 here too. I could read them all to you,
9 but these in particular kind of flow with
10 your last question.

11 COUNCILMAN O'BRIEN: I guess my
12 next question gets to process. I have my
13 impression of bringing the private sector
14 into the criminal justice system as
15 tainted by Luzerne County's Kids for Cash
16 and the privatization of prisons in
17 Delaware County where three individuals
18 were denied their medications and they
19 died in prison.

20 The process I believe -- and
21 I'd like you to comment on this -- we
22 should have one discussion on creating a
23 process that provides for adequate
24 representation and then look at the cost
25 of that system separately. We all have

1 10/7/13 - LAW & GOV'T - RES. 130611
2 that dual responsibility, but this model
3 should not be driven by how much money we
4 want to appropriate for appropriate
5 representation. Would you like to
6 comment on that?

7 MR. LINDY: So if I heard you
8 correctly, Councilman, you're talking
9 about taking a dual track to analyzing
10 this issue, and the one track is what are
11 the best practices, so to speak, with
12 court-appointed representation and the
13 second track is discussing funding. And
14 if I understand you correctly, you want
15 to take the first track first, you want
16 to talk about that, and then go to the
17 funding.

18 I think that's proper. I mean,
19 it seems to me that that's a very logical
20 way to approach this. And if you're
21 talking about best practices, there are
22 academics around the nation who write
23 about this. The CJA, again, the Criminal
24 Justice Act, is administered in
25 Washington and we have volumes on best

1 10/7/13 - LAW & GOV'T - RES. 130611
2 practices where we have not only
3 academics but attorneys and then federal
4 judges who have drafted volumes on best
5 practices for representing indigents.
6 That's within the federal system, so then
7 you'd have to tweak things to make it
8 work in the state system. I think that
9 makes a lot of sense to do it like that.

10 CHANCELLOR WILKINSON: From the
11 Bar Association's standpoint, my letter
12 from February 20, 2013 makes very clear
13 that we are very, very concerned about
14 the funding, because with too low a level
15 of funding, despite everyone's best
16 intentions, you could have the best RFP
17 in the world, the best contract in the
18 world, with all the bells and whistles,
19 but if you only have a tiny bit of money
20 to deal with, what does that mean for the
21 quality? And we do not believe that
22 high-quality legal representation
23 services augmented by the necessary
24 ancillary services can be provided with
25 the amount of funds currently envisioned,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 which we believe averages out to
3 approximately \$450 per case. That's \$450
4 per case. And that's assuming that we
5 have maybe \$10 million available and
6 22,000 cases. And this seems to show not
7 only an inherent flaw in the system, but
8 the RFP doesn't have enough money in it
9 because there simply is not enough money
10 in the budget. And how, query, does that
11 satisfy the right to counsel, a due
12 process of law when our own Sixth
13 Amendment of the Constitution, which has
14 been in effect since 1791 when
15 Philadelphia was the capital of our
16 country at that time, the Sixth Amendment
17 provides, in pertinent part, quote, "in
18 all criminal prosecutions, the accused
19 shall enjoy the right to have the
20 assistance of counsel for his defense."
21 So, query, how effective, what enjoyment
22 of those rights does one have without
23 enough money?

24 COUNCILMAN O'BRIEN: My ADHD is
25 kicking in and I would like to spend two

1 10/7/13 - LAW & GOV'T - RES. 130611
2 hours drilling down inside that budget as
3 you separate homicides and felonies and
4 misdemeanors and dependency. So my mind
5 is tracking along with your testimony,
6 but, Mr. Lindy, could you please inform
7 us the review process that exists in the
8 federal system and why that's so
9 important. Can you please explain what
10 the review process is on the federal
11 level.

12 MR. LINDY: The review of
13 attorneys getting on?

14 COUNCILMAN O'BRIEN: Yes. And
15 when they're on there, are they reviewed
16 and how do they reapply?

17 MR. LINDY: So to apply --
18 well, anybody can apply. There's an
19 application. You get the application
20 from the federal defenders. However, you
21 have to have federal experience. There's
22 a bit of a Catch 22 and we're trying to
23 work through that issue, which is it's
24 very hard, particularly in this day and
25 age, for young attorneys to get federal

1 10/7/13 - LAW & GOV'T - RES. 130611
2 experience. But you have to have federal
3 trial experience, and that's in your
4 application.

5 That application goes to the
6 federal defenders, and there is a CJA
7 selection committee. The Chief Federal
8 Defender is on the committee. I'm on the
9 committee as part of -- because I'm the
10 panel representative for the district,
11 and then there are five different senior
12 attorneys who are also on the committee.

13 We review the applications. We
14 do our due diligence, calling people in
15 the community, do you know this guy. And
16 between the committee, there's very few
17 applicants who nobody knows. But we do
18 our due diligence, and then we will
19 recommend up to the Board of Judges who
20 we think should be accepted for that
21 year. The Board of Judges then reviews
22 the application, reviews our
23 recommendation, and the Board of Judges
24 of the Federal District Court judges have
25 to approve that. The appointment is for

1 10/7/13 - LAW & GOV'T - RES. 130611
2 three years. At the end of three years,
3 you have to reapply. It's not as an
4 extensive an application as the initial
5 application. It's a renewal application,
6 but you have to renew every three years.
7 And when you renew, you have to list all
8 of the cases that you have been appointed
9 to, because the committee or the judges
10 on the Board of Judges may want to
11 contact those judges that you've been in
12 front of. Hey, I hear that Lindy was in
13 front of you two years ago, how was he,
14 you know. And so it's -- like I said,
15 it's a rigorous process.

16 COUNCILMAN O'BRIEN: Can you
17 comment on -- and I'm not defending the
18 existing system and I'm not saying that
19 it can't be improved. What is the
20 application process in the City of
21 Philadelphia and is there a review
22 process?

23 MR. LINDY: From what -- I did
24 court appointments in the City a long
25 time ago. I think the system is the same

1 10/7/13 - LAW & GOV'T - RES. 130611

2 where there is a Philadelphia Bar

3 Committee, which is chaired -- I believe

4 it's still chaired by a very, very good

5 attorney. The applications come through

6 that committee. I don't think -- I'm not

7 sure about this -- I don't think anybody

8 from the City's judiciary has to sign off

9 on it. I don't think so. But I do know

10 the person -- or I know the person who

11 used to run the Philadelphia Bar

12 Committee. I think he's still there, a

13 very, very competent attorney, and the

14 Philadelphia Bar, as you know, and I'm a

15 member of the Philadelphia Bar, does a

16 very good job whenever it takes on any

17 task. But I don't -- I may be wrong, but

18 I don't think there's any judicial

19 oversight in terms of who comes on.

20 COUNCILMAN O'BRIEN:

21 Ms. Wilkinson, you created the Task

22 Force.

23 CHANCELLOR WILKINSON: I'm

24 sorry. I can't hear you.

25 COUNCILMAN O'BRIEN: You

1 10/7/13 - LAW & GOV'T - RES. 130611

2 created the Task Force.

3 CHANCELLOR WILKINSON: Yes, I
4 did.

5 COUNCILMAN O'BRIEN: So they
6 did not reach out to you; you reached out
7 to them?

8 CHANCELLOR WILKINSON: I
9 reached out to our members. I was
10 hearing --

11 COUNCILMAN O'BRIEN: I mean to
12 the City.

13 CHANCELLOR WILKINSON: I'm
14 sorry?

15 COUNCILMAN O'BRIEN: You
16 created your own task force within the
17 Bar Association.

18 CHANCELLOR WILKINSON: Yes, I
19 did.

20 COUNCILMAN O'BRIEN: But it was
21 your effort to reach out to the City to
22 participate in the conversation?

23 CHANCELLOR WILKINSON: That's
24 correct. We learned of the RFP through
25 our members. We also read about it,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 because there was some media coverage,
3 and many of the members came to me and
4 said, We have concerns about this, and
5 that's why I created the Task Force. I
6 felt that it was incumbent upon us as a
7 bar association to look into this, to see
8 if we could offer any of our expertise,
9 and I gathered around me people very
10 skilled in this area who helped me. We
11 studied the issue. We prepared the
12 letter under my signature, and we did
13 participate in some meetings with the
14 City's office, with Everett Gillison.

15 COUNCILMAN O'BRIEN: I'm not
16 sure if Councilman Greenlee asked this
17 question, but does the Bar Association
18 support a for-profit model?

19 CHANCELLOR WILKINSON: We don't
20 take a position in our letter. What we
21 say in our letter is that whoever is
22 awarded this, whether it's for-profit or
23 not-for-profit, that you have to be very
24 careful to avoid any potential conflict
25 of interest, and by conflict of interest,

1 10/7/13 - LAW & GOV'T - RES. 130611

2 that could be within the representation,
3 whether or not if they have a private
4 practice. They may have representations
5 there that may conflict with the
6 representations under this program.

7 There may be other inherent conflicts,
8 and, in fact, probably there should be
9 further study of the issue, because the
10 for-profit model probably creates
11 additional issues which we haven't even
12 contemplated yet.

13 But we don't take a position
14 yay or nay. We simply say you have to be
15 very careful and study it very, very
16 closely.

17 COUNCILMAN O'BRIEN: But as far
18 as you know, this model is not being used
19 anywhere in the country?

20 CHANCELLOR WILKINSON: Well, I
21 did say in my letter we heard in New
22 York, and Mr. Lindy just addressed that.
23 I think others who may be witnesses later
24 today may be able to answer that
25 question. I think Phyllis Subin has a

1 10/7/13 - LAW & GOV'T - RES. 130611

2 lot of experience and knows whether or
3 not a for-profit model has worked
4 successfully elsewhere in the country.

5 COUNCILMAN O'BRIEN: Thank you.

6 COUNCILMAN GREENLEE:

7 Ms. Wilkinson, just one last question,
8 because I know you both have time issues
9 and we have a lot of people here. In
10 your letter of February 20th, I think you
11 talked about offering to draft or help
12 draft a questionnaire for providers. Was
13 that assistance ever asked? Were you
14 involved in this questionnaire?

15 CHANCELLOR WILKINSON: We did
16 not end up preparing a questionnaire.

17 COUNCILMAN GREENLEE: Were you
18 asked?

19 CHANCELLOR WILKINSON: We were
20 not specifically asked. If we had been
21 asked, we would have been willing to do
22 so.

23 COUNCILMAN GREENLEE: Thank
24 you. Thank you very much.

25 COUNCILWOMAN TASC0: Did you

1 10/7/13 - LAW & GOV'T - RES. 130611

2 offer?

3 CHANCELLOR WILKINSON: In our
4 letter we did, February 20th letter.

5 COUNCILMAN GREENLEE: In their
6 letter of February they did.

7 COUNCILWOMAN TASC0: Did you
8 get a response?

9 CHANCELLOR WILKINSON: We had a
10 meeting with Everett Gillison. I don't
11 recall that that specific question came
12 up during that meeting, but I can say
13 this, I was not requested to have a
14 questionnaire prepared.

15 COUNCILMAN GREENLEE: Thank
16 you. Thank you both. I appreciate your
17 time and your expertise.

18 CHANCELLOR WILKINSON: Thank
19 you.

20 COUNCILMAN GREENLEE: We could
21 be here asking a lot more questions, but
22 we'd be here for a long time. So thank
23 you very much.

24 MR. LINDY: Thanks for having
25 us.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 CHANCELLOR WILKINSON: Thank
3 you.

4 COUNCILMAN GREENLEE:

5 Ms. Marconi, who do we have next?

6 THE CLERK: Everett Gillison.

7 COUNCILMAN GREENLEE: And
8 whoever else in the Administration that
9 would like to come forward.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN GREENLEE: Good
13 morning to you all. Mr. Gillison, as I
14 stated I think before you got here, we
15 have everybody's testimony. We certainly
16 have yours. It's been distributed to
17 members of the Committee, and maybe if
18 you'd just like to summarize some
19 statements, I think we might have a few
20 questions for you. And you heard the
21 first couple witnesses, if you'd like to
22 comment at all on that.

23 So please identify yourself and
24 proceed.

25 MR. GILLISON: For the record,

1 10/7/13 - LAW & GOV'T - RES. 130611

2 my name is Everett Gillison. I'm the
3 Deputy Mayor for Public Safety, also
4 Chief of Staff to Mayor Nutter.

5 You have my testimony. There's
6 a couple of things that I think that I
7 need to highlight.

8 The Administration became
9 involved in the process of identifying a
10 new method of selecting conflict counsel
11 only after the First Judicial District
12 during Fiscal Year '13 budget discussions
13 approached the City and advised that it
14 would no longer be appointing conflict
15 counsel and that the executive branch of
16 government would have to fulfill that
17 responsibility. As a result of that
18 conversation, the City needed to
19 determine the most effective method of
20 providing the best representation to the
21 most vulnerable population in the City,
22 and to do so, we issued the request for
23 proposal.

24 The City was not wedded to any
25 particular model of service delivery.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Rather, we invited respondents to the RFP
3 to submit their creative proposals. What
4 we did seek was good, effective, quality
5 representation, and throughout the
6 response period, we worked with the
7 Philadelphia Bar Association's Conflict
8 Counsel Task Force to hear the Bar
9 Association's concern and provide
10 assurances that those concerns would be
11 considered and, where possible, addressed
12 as the submissions were evaluated.

13 For the most part, I think that
14 from what I have heard during this
15 process -- and the process is almost a
16 year at this point -- this is not
17 something that we came to lightly, but
18 what I can say is that without a doubt,
19 this is a -- I understand the,
20 quote/unquote, fear that is out in the
21 Bar. I've tried to answer that fear,
22 both openly, honestly, and without
23 question. There are certain things that,
24 as I've told people over and over, I
25 don't hear anyone actually saying that

1 10/7/13 - LAW & GOV'T - RES. 130611

2 less resources is a good thing. I don't
3 think we're saying less resources is a
4 good thing, but what we're talking about
5 here is trying to provide additional
6 services for people who need them at the
7 most important time of their lives when
8 they do need them, and we're looking at a
9 model of delivery that will provide for
10 the City some understanding for what we
11 need to do in order to meet what we feel
12 and what I feel personally is a
13 constitutional mandate while at the same
14 time recognizing that I don't have the
15 ability to just give money to the extent
16 that we always do, as both this Council
17 committee and Council as a whole knows
18 that we spend quite a lot of time in
19 budget hearings trying to balance various
20 interests, and this, I believe, is a
21 matter that will end up being a very good
22 thing for the legal community and for
23 poor people in general.

24 But I'll be glad to answer any
25 questions.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 COUNCILMAN GREENLEE: Thank
3 you, Mr. Gillison. A few things. I know
4 other members would have questions.
5 First, the issue that Mr. Lindy brought
6 up I thought was very interesting as far
7 as the further conflict issue, that if
8 you have a private law firm, which is
9 basically -- would you agree that that's
10 what you would call this, that you're
11 bringing --

12 MR. GILLISON: I don't know --
13 I know that there's a couple things that
14 I can and cannot say. One is, we had
15 five submissions and responses to our
16 RFP. We have not issued a notice to
17 proceed or a selection. Therefore, I'm
18 not going to suggest one way or the
19 other.

20 In the hypothetical, if a
21 private law firm should win the matter, I
22 understand that it would have the same
23 matters and the same responsibilities as
24 the Defender's Office would, and, quite
25 frankly, I've said the same thing on many

1 10/7/13 - LAW & GOV'T - RES. 130611

2 occasions over the past year.

3 I'm trying to figure out how to
4 provide more services for people, and if
5 there is a third or fourth conflict, then
6 we would use the same model that we
7 currently have in order to appoint those
8 court-appointed counsel. So it's really
9 not that much of a stretch to see that
10 we're providing more services, quite
11 frankly, to the second person in. And
12 what we've looked at over the number of
13 years of the data, that will probably
14 take about 60 to 70 or maybe sometimes 80
15 percent of the matters. But conflict
16 counsel and private attorneys -- I want
17 to make sure that everybody
18 understands -- conflict counsel currently
19 are private lawyers.

20 COUNCILMAN GREENLEE: I
21 understand.

22 MR. GILLISON: For-profit
23 lawyers, because everybody seems to be
24 all atwitter about the for-profit nature,
25 should that be where we go. All of these

1 10/7/13 - LAW & GOV'T - RES. 130611
2 matters are going to be held by people
3 who are currently working and also would
4 continue to work and would continue to be
5 needed as we go forward.

6 COUNCILMAN GREENLEE: Okay.
7 When you talk about people are atwitter,
8 I think part of the reason, I have to
9 say, is that I don't think a lot of
10 people understood and, in all fairness,
11 were included in this process. I'll talk
12 first of City Council.

13 Council President Clarke wrote
14 a letter on July 15th to the Mayor with a
15 copy to you, and he told me as of Friday
16 afternoon he's not received a response.
17 Do you not think City Council should
18 be -- I know we don't -- because you made
19 it a one-year contract, we're not
20 officially involved in this, and that's
21 another concern, I think, but just -- I
22 mean, are you aware of that letter? Why
23 wouldn't there have been a response to
24 the Council President?

25 MR. GILLISON: If I did not --

1 10/7/13 - LAW & GOV'T - RES. 130611

2 I mean, I don't know that I got it, and
3 if that's a failure in my office, that
4 would be on me, and I take responsibility
5 for that, because I try, as you know --
6 people know my telephone number and also
7 people know where to -- whenever they
8 write a letter, I try to get back as
9 quickly as I can.

10 But let's be clear about the
11 issue. The Law Department -- this is a
12 professional services contract. We put
13 up on eContracts all opportunities. I
14 think the first time this went out was in
15 November of last year. We extended it
16 because of getting information back from
17 the public that said that they wanted
18 additional time to respond. We responded
19 and we -- there were literally many,
20 many, many discussions, both in the news
21 media and newspapers, on KYW and any
22 other kinds of matters talking about this
23 and asking questions about it. To the
24 extent that we continued to fairly and
25 transparently answer those questions,

1 10/7/13 - LAW & GOV'T - RES. 130611

2 this is just another request for proposal
3 in order to handle a situation that was
4 brought to us. Quite frankly,
5 if there -- once we are able to get
6 through what I call a very interesting
7 transition period and as we go forward, I
8 think that bringing City Council in,
9 saying that we have something that either
10 will work or that it won't work is
11 something that is a strength of any
12 proposal that comes through that way, and
13 I think that's why we do things this way.

14 So I don't think that, quite
15 frankly, just reaching out and talking
16 about what we're doing -- we reached out
17 and we talked about this literally with
18 just about everybody who wanted to weigh
19 in on this over the last year, and that's
20 where we are.

21 COUNCILMAN GREENLEE: Okay.
22 When you say it's another professional
23 contract, this is a little different.
24 Isn't this more encompassing and
25 widespread than a lot of the other

1 10/7/13 - LAW & GOV'T - RES. 130611

2 professional contracts that you do?

3 MR. GILLISON: The Defender's

4 Office contract is a professional

5 services contract. The contract that we

6 have with the juvenile -- I'm sorry; the

7 Justice Support Center is a professional

8 services contract. All of these

9 contracts are done and dealt with, and

10 this was done in the exact same way. I

11 did not want to be accused of doing

12 anything different. We put it out the

13 exact same way we normally put things

14 out. We asked for submissions, and we've

15 been working to basically close this

16 matter out.

17 So, no, I would not think this

18 is anything different. This is really

19 the same thing.

20 COUNCILMAN GREENLEE: Okay. I

21 mean, I think we have to disagree on

22 that.

23 MR. GILLISON: I understand.

24 COUNCILMAN GREENLEE: I just

25 think this is a major change. When

1 10/7/13 - LAW & GOV'T - RES. 130611
2 you're talking about the Defenders
3 contract, that's been around for a while,
4 as you know. You were with the Defender
5 for a long time. Some of these other
6 things, I think, have been in place.
7 There may be some changes, but this is, I
8 would -- I don't think it's exaggerating
9 to say it's a pretty substantial change
10 in the way people are going to be
11 represented.

12 MR. GILLISON: Well, it's a
13 change in the way that the delivery model
14 will be given for the next person in. It
15 will probably not change for three, four,
16 and five, but it will change for the next
17 person in. And, quite frankly, what I'm
18 worried about is the fact of what I did
19 learn in my close to 30 years as a
20 defender is that when you have an
21 institution that can come in and you can
22 actually have an institution that will be
23 provided for services, one of the things
24 you will see in the RFP is that I asked
25 to make sure that whoever was going to

1 10/7/13 - LAW & GOV'T - RES. 130611
2 put in for a response had to actually
3 deal with getting the things that the
4 Defender's Office currently has that
5 private counsel does not have available
6 to it. They really don't have the social
7 workers. They don't have as many
8 paralegals. They don't have the
9 back-channel office staff. They don't
10 have the access to a couple of things
11 that they really need to have, and I
12 think that that is something that having
13 an opportunity to fix that with the next
14 party in is what I think is what we
15 should be doing.

16 If I had the ability to provide
17 all of those services for all private
18 attorneys that were court-appointed
19 counsel for numbers three, four, five,
20 six, seven, and ad infinitum, I would be
21 glad to do so. However, I do not, and
22 right now the opportunity before me is to
23 try to make sure that I'm raising the
24 level of practice for people and the
25 ability to have the services that need to

1 10/7/13 - LAW & GOV'T - RES. 130611

2 be had for the next party. That's what
3 this is talking about. That's what this
4 is trying to address. And as I'm sure I
5 will be able at some point to come back
6 to Council, I'd be glad to sit down
7 during our budget negotiations and talk
8 to you about additional funding if we can
9 get additional funding. You know that
10 I'm a big parity proponent. I've been
11 trying to figure out a way even in down
12 economic times to deal with parity.

13 All of those issues are before
14 us, but what I'm trying to focus on right
15 now is something that was handed to me.
16 I'm trying to make sure that we handle it
17 in the appropriate way, and we're going
18 to go forward.

19 COUNCILMAN GREENLEE: Okay.
20 One last question. I know other members
21 have questions. In trying to decide --
22 and I know you said you don't feel you
23 can talk about the contract itself, but
24 it seems to be kind of out there what
25 this proposal is, and it also seems to be

1 10/7/13 - LAW & GOV'T - RES. 130611
2 out there -- and that's why we asked the
3 question of the first two witnesses, has
4 this model been done anywhere. So have
5 you -- have you looked at other cities?

6 MR. GILLISON: Yes.

7 COUNCILMAN GREENLEE: And --
8 I'm trying to put this so you might be
9 able to answer my question. Not being a
10 lawyer, I don't know how to talk around
11 this.

12 MR. GILLISON: Let me just --
13 I've looked at -- we have looked at other
14 areas. I have been part of a long
15 tradition of trying to make sure that we
16 raise the level of practice. The one
17 thing that I can tell you over and over
18 again that what I'm trying to do here is
19 give additional resources to people who
20 need them who happen to be poor, and
21 that's the overriding issue for me.

22 Now, I know that I don't have
23 all the money that I -- the City doesn't
24 have all the money that it perhaps needs
25 to have, but I can tweak for the people

1 10/7/13 - LAW & GOV'T - RES. 130611

2 that I'm trying to deal with, which is
3 the next party, and I think that the next
4 party is going to take up quite a lot of
5 the delta between what we currently are
6 doing, and perhaps it won't do
7 everything, but that's why I'm trying to
8 reserve some dollars to make sure that I
9 can still afford to get to additional
10 court-appointed counsel when needed.

11 But I'm trying to bring not
12 only light, but I'm trying to bring
13 additional resources to people who need
14 them, and whatever model that we choose
15 as a result of this RFP, I think that we
16 will all at the end think that we'll have
17 gotten more social workers, more
18 investigators, more paralegals, more back
19 office, and be able to raise that ability
20 for poor folks to go to someone when they
21 really need them, and that next party
22 will be treated much like the Defenders
23 treat theirs, with oversight, training,
24 and responsibilities built in. We will
25 raise that level of practice at that next

1 10/7/13 - LAW & GOV'T - RES. 130611
2 level. And then I'll be back to City
3 Council and I'll be able to say this is
4 what we're doing, this is how we're doing
5 it, and if we need to have a track record
6 to talk about how we have impacted, we'll
7 have something to be able to sit down and
8 say, And this is why I think that we need
9 to do something for the long term,
10 because we got it right.

11 Right now I'm going out on it
12 saying that we know that we have to do
13 something. We have to make a change.
14 We're willing to literally go through
15 this in order to make sure that we
16 provide the services, and at the end of
17 the day, I think that we'll be back
18 talking about long-term contracts, and
19 I'll be glad to answer all those
20 questions when I seek an ordinance from
21 Council. But at the first part, what I
22 want to do is make sure that I just get
23 this thing started and started quickly.

24 COUNCILMAN GREENLEE: If I
25 could just try this and then I'll yield.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 The issue of the private law firm, you
3 said that hasn't been decided yet. Are
4 you aware -- I'm sure you must have
5 looked at this -- of any place where that
6 system that has been described so far has
7 worked anywhere, the private law firm?

8 MR. GILLISON: Right now we
9 have the equivalent of many hundreds of
10 private law firms that are doing the
11 work. What we're trying to do is to say
12 that individual -- we'd have one law firm
13 that would take up the bulk of the
14 appointments. Has there ever been that
15 kind of hybrid model done anywhere else
16 in the country? No, not on that -- not
17 just on that model. What normally
18 happens is that there is a responsibility
19 between either, as it is in Pittsburgh,
20 somewhere out of the Office of Conflict
21 Counsel will be part of the judiciary.
22 Sometimes in the State of Delaware it's a
23 state function. Therefore, the State of
24 Delaware actually has an Office of
25 Conflict Counsel.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 When I first started this about
3 over a year ago when we saw that this was
4 coming, I was hoping that there would be
5 several different kinds of models, but I
6 can tell you that after having studied
7 and worked with people in the Bar
8 Association who did, I think, a yeoman's
9 job of assisting us in culling through
10 and asking the right questions of the
11 right individuals and going through, that
12 I'm very comfortable with where we are
13 seemingly heading and I think that we'll
14 get the result that we need.

15 COUNCILMAN GREENLEE: Okay.

16 All right. I have more, but let me
17 yield.

18 Councilwoman Tasco.

19 COUNCILWOMAN TASCO: Well, here
20 comes the layperson. I have no knowledge
21 of this. I'm not a lawyer. But right
22 now the Public Defender's Office provides
23 counseling to indigent clients.

24 MR. GILLISON: That's correct.

25 COUNCILWOMAN TASCO: And if

1 10/7/13 - LAW & GOV'T - RES. 130611

2 there are two clients in the same case,
3 you appoint an outside attorney --

4 MR. GILLISON: That's correct.

5 COUNCILWOMAN TASC0: -- for
6 that person.

7 MR. GILLISON: A private
8 lawyer.

9 COUNCILWOMAN TASC0: How many
10 of these cases on average do you believe
11 exist?

12 MR. GILLISON: If you're
13 talking in the criminal context, over the
14 last three years somewhere between 3,500
15 and 4,000 cases happen on a yearly basis.

16 COUNCILWOMAN TASC0: Okay. So
17 now we're going to -- so you have a
18 cadre, a pool of attorneys who provide
19 this service. How many of those do you
20 have in the pot?

21 MR. GILLISON: The Court would
22 be able to be in a better position to
23 answer, but I believe that depending on
24 the slice that you have, because there's
25 different attorneys that will do

1 10/7/13 - LAW & GOV'T - RES. 130611
2 different kinds of cases. So there may
3 be some duplicity here, but there's
4 about -- well, it was getting low. In
5 the homicide context, it was getting to
6 be as low as 20 lawyers that was
7 available, 20 to 30 lawyers that were
8 qualified to do the work. In the felony
9 situation, I think that was double. I
10 think it was up to 40 to 80, somewhere in
11 that range. In the misdemeanor, I don't
12 know what it is offhand, but I'm sure I
13 can find that out and provide the
14 information to the Chair, if you'd like.

15 COUNCILWOMAN TASC0: So two
16 clients go before a judge. One is
17 represented by the Public Defender's
18 Office, the other has no representation,
19 so the Court will appoint an attorney for
20 that person, and that comes from a
21 private law firm.

22 MR. GILLISON: That's correct.

23 COUNCILWOMAN TASC0: So you're
24 proposing in your contract to have one
25 law firm represent all of these clients?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. GILLISON: The idea would
3 be to have a model, and what I asked for
4 was a response to see what would be the
5 best way in order to have that next
6 party. And so the answer to your
7 question is yes. Who would actually then
8 be able to supervise and oversee the
9 response when the Defender has a
10 conflict, and much like a defender
11 office, to be able to have a -- whether
12 you want to call it a law firm or whether
13 you want to call it a non-profit law
14 firm, you would have an institution that
15 actually has relationships with its
16 employees, who would be public service
17 attorneys, much like DAs, much like the
18 City Solicitor, and the Defender, who
19 actually are going to be assigned to do
20 the cases.

21 They would have -- that firm or
22 that entity would be required to have
23 oversight over those parties to make sure
24 we have better quality, that they'd be
25 able to come in and prove what their

1 10/7/13 - LAW & GOV'T - RES. 130611

2 quality is as they're going forward.

3 In the criminal context, it's
4 pretty easy to kind of put together
5 whether it would be a non-profit or a
6 for-profit, because, quite frankly,
7 that's the way the system is now. If a
8 law firm, Morgan Lewis, decided to come
9 in and take an appointment, they would
10 actually have -- that person can come
11 over and they can represent the person
12 standing next to the Defender. This is
13 really no different, except this entire
14 entity is going to be charged with having
15 oversight over the lawyers that are
16 affiliating with it to provide the
17 service. It's the third, fourth, and
18 fifth that this proposal is not really
19 aimed at trying to handle because, quite
20 frankly, I'm trying to make sure that I
21 raise the level to where we are right
22 now, providing additional services as we
23 go forward.

24 COUNCILWOMAN TASC0: So the law
25 firm would not necessarily hire these

1 10/7/13 - LAW & GOV'T - RES. 130611

2 lawyers. They would be the oversight --

3 MR. GILLISON: They would be --

4 COUNCILWOMAN TASC0: Wait. Let
5 me ask you the question. The Court would
6 no longer say XYZ law firm is the
7 representative for the client, but the
8 law firm that you're going to have this
9 contract with will provide the service?

10 MR. GILLISON: Will provide
11 those services, much like --

12 COUNCILWOMAN TASC0: So the
13 cadre of lawyers who are still
14 independent attorneys working in their
15 own businesses or are they all going to
16 come to this one law firm and work?

17 MR. GILLISON: Depending on
18 the --

19 COUNCILWOMAN TASC0: So you're
20 setting up a non-profit independent law
21 firm?

22 MR. GILLISON: It doesn't have
23 to be non-profit.

24 COUNCILWOMAN TASC0:
25 For-profit.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. GILLISON: It can be
3 for-profit. But it's either non-profit
4 or for-profit. The idea is -- and to
5 answer your question, the answer is,
6 we're going to try and work out the
7 matter so that the second party in would
8 be represented by this entity and then
9 any third, fourth, and fifth would
10 continue getting the same appointment
11 situation that we currently have.

12 The idea, more than anything
13 else, is to try to make sure that we give
14 additional resources to that second
15 party, and we're working out -- we hope
16 to work out once everything has been
17 resolved, we hope to work out the
18 particulars of how those parties are.
19 There are some proposals, quite frankly,
20 I can tell you, where all the parties
21 were hired and they were all in-house.
22 So they didn't have or nor were they
23 allowed to have outside practices. That
24 was one of the models. There is a model
25 that was all the attorneys are just

1 10/7/13 - LAW & GOV'T - RES. 130611

2 contracted. So all the lawyers sat
3 outside of the matter. They all maintain
4 their own independent practices, but they
5 gave a certain number of hours to the
6 services so that they were going to get a
7 floor on the amount of money that they
8 would get. So as a contract lawyer with
9 that office, I would say I'll give you
10 100 hours a week just to do this work.
11 I'm still going to be able to have my
12 other practice, but I'm going to give you
13 100 hours a week.

14 Then there was a model that
15 came out that actually had a little bit
16 of both where it was, there's a certain
17 number of lawyers that are just
18 restricted to being completely in-house,
19 but they allow for the lawyers to
20 actually maintain other contracted
21 services and they allow for them to have
22 continued practice, however not in the
23 area that they're getting their court
24 appointments. So if I was a criminal
25 lawyer, I couldn't get other criminal

1 10/7/13 - LAW & GOV'T - RES. 130611
2 appointments. But if I'm a criminal
3 lawyer and if I wanted to have a small
4 practice on the outside in order to
5 supplement some income with a private --
6 if I want to do slip and fall cases, I'll
7 still be able to do that, but that would
8 not impact against what I'm doing in my
9 matter.

10 So we had a response of all
11 different kinds, and when we make our
12 decision, we'll be able to announce
13 exactly which way we're going.

14 COUNCILWOMAN TASC0: So what is
15 the budget for this?

16 MR. GILLISON: We're still in
17 negotiations at this time. The amount of
18 money that we spent last year on this
19 service and the amount of money that we
20 have spent over the last three years has
21 varied anywhere between \$8 million and
22 about \$10.5 million.

23 COUNCILWOMAN TASC0: Now, you
24 know, I don't believe everything I read
25 in the newspaper, but --

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. GILLISON: Really? You and
3 I are on the same boat there?

4 COUNCILWOMAN TASC0: Maybe on
5 this issue. It says it names this lawyer
6 who has admitted that he is talking to
7 the City, and he says that his firm is
8 going to get 9.5 million, less than the
9 City now pays a year in conflict counsel
10 cases. And then if you're doing -- if
11 you have about \$9 million you think,
12 right? So you give this guy \$10 million.
13 How is he going to provide or she going
14 to provide all the services that you want
15 to provide in terms of social workers and
16 all of that with the same budget that you
17 have now that you're using to pay for the
18 general counsels that you hire? How do
19 you -- they don't have the ability to
20 hire the supportive staff that they need,
21 that you say they need. This law firm is
22 going to be able to do that and as well
23 are you going to cut down on the number
24 of counsels that you provide?

25 MR. GILLISON: No. I think

1 10/7/13 - LAW & GOV'T - RES. 130611

2 that the economies of scale is where you
3 actually end up providing additional
4 resources, and, quite frankly, if you
5 look at the model --

6 COUNCILWOMAN TASC0: In
7 addition to the 9 million?

8 MR. GILLISON: No, no.

9 COUNCILWOMAN TASC0: So they're
10 going to provide --

11 MR. GILLISON: So, in other
12 words, if you have, Councilwoman Tasco --
13 imagine if you say that you're going to
14 hire a social worker that's going to be
15 assisting in your firm, and you would
16 have that person's salary, who is then on
17 your staff to do work, and then you look
18 at the amount of cases that you have and
19 that person will be able to carry a
20 caseload. Much like paralegals, much
21 like social workers and investigators,
22 you carry a particular caseload. You
23 actually -- the question of how this is
24 done, I guess for me -- I saw it in my
25 everyday workday of how an economy of

1 10/7/13 - LAW & GOV'T - RES. 130611
2 scale produces better results, and I
3 guess that's why I'm proudly a member or
4 a former member of the Defender
5 Association of Philadelphia. We provided
6 great services. We provided services
7 that literally would cost the City almost
8 double or triple if it were not handled
9 in that way. And what I think that we're
10 trying to do is to get something that
11 will give additional resources to people
12 much on the same level that the Defender
13 Association provides, but for definitely
14 a smaller number. The Defender's Office
15 does anywhere between 25,000 to 50,000
16 cases at a set amount of money. The
17 amount of conflicts we have in the
18 criminal area alone is 3,000. Where we
19 are looking to see if this model will
20 work and work best is what we have not
21 only learned over the year, is in our
22 dependent area. Dependency is completely
23 and totally in need of additional
24 resources. I don't think anybody would
25 tell you that it does not. What I'm

1 10/7/13 - LAW & GOV'T - RES. 130611

2 trying to do is provide that where
3 dependent counsel and people who are
4 working in that area who are doing this,
5 I want to have this firm be able to say
6 or this entity be able to say that
7 they're going to staff the courtrooms,
8 they're going to have social workers that
9 are going to be available, they're going
10 to have investigators that are going to
11 be available, and they're going to be
12 able to work with these folks through all
13 of the myriad of problems that they have
14 and to be able to provide great
15 resources. Right now, quite frankly, we
16 as a city and, quite frankly, we as a
17 state do not provide the kind of
18 resources that we're supposed to provide.

19 But I'm not trying to boil the
20 ocean here. I'm trying to make sure that
21 I get additional and make something
22 better where right now we don't have
23 those things going in.

24 COUNCILWOMAN TASC0: Thank you.

25 COUNCILMAN GREENLEE: Before I

1 10/7/13 - LAW & GOV'T - RES. 130611

2 recognize -- thank you, Councilwoman.

3 Just one basic question here.

4 And, again, agreeing with Councilwoman
5 Tasco, with all due respect to the media
6 that's present, I know we can't believe
7 everything that's there, but it has been
8 mentioned certainly more than once that
9 we're on the edge of having this contract
10 signed. I even saw, I think, last week
11 where they thought it was going to be
12 done last week. Will you comment how
13 close we are to a signed contract on
14 this?

15 MR. GILLISON: I have always
16 hoped that we would have had one done by
17 now.

18 COUNCILMAN GREENLEE: Okay.
19 Given that there are going to be
20 issues -- I know Councilman O'Brien is
21 going to raise some -- and you already
22 heard two witnesses, one definitively had
23 a problem with the proposal, the other
24 one, Ms. Wilkinson, certainly said had
25 some concerns. After this hearing, would

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you be willing to at least think about
3 delaying any kind of decision given what
4 we're going to have, I think, is fairly
5 expert opinions here?

6 MR. GILLISON: I have no
7 problem listening to whatever. I mean,
8 quite frankly, I have -- I'll start by
9 saying I have no problem with the fact
10 that any time City Council has a hearing,
11 you know that we are listening. You know
12 that we take the information that we
13 hear. We adjust. If we believe that
14 there's a way for us to make things
15 better, I'm always willing to do that.
16 But I can tell you that I've been at this
17 now for pretty much -- I know what all
18 the concerns are. There's a lot that I
19 feel are completely and totally
20 unfounded. I think that it's just -- I
21 have been around and I got gray hair for
22 a reason. I've been around for quite a
23 long time. I know that every time the
24 City has tried to answer a conflict
25 counsel question over the last 25 years,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 it has been batted down by a number of
3 various interests at different times, and
4 everyone screams for change until change
5 comes and then everybody screams not to
6 change.

7 Quite frankly, we're going
8 to -- this is something that change has
9 already occurred. What I'm trying to do
10 now is make it better, and that's where
11 we're going.

12 COUNCILMAN GREENLEE: Okay.

13 Councilman O'Brien. Thank you.

14 COUNCILMAN O'BRIEN: I just
15 hope that I'm not defendant number three,
16 four or five, because all we're hearing
17 about is client number one or client
18 number two. I'm not hearing anything
19 about three, four or five.

20 I will take exception, and I'm
21 not trying to be confrontational, but I
22 personally made phone calls to you,
23 Mr. Gillison, that were not returned. I
24 made several e-mails to you, and I was
25 not -- they were not recognized. We had

1 10/7/13 - LAW & GOV'T - RES. 130611

2 personal meetings. I used back-door
3 channels. I used every method possible
4 to try to find out what these proposals
5 were, who the people were that responded
6 to the request for proposals. I'm
7 hearing piecemeal what you want to tell
8 us was in those requests for proposals,
9 but I have yet to see that proposal. We
10 hear principles and standards out the
11 wazoo. We have expert testimonies that
12 are here before you and after you. You
13 talk about founded and unfounded
14 problems.

15 Tell me, tell me, one, why this
16 is a one-year contract.

17 MR. GILLISON: Because that's
18 the rules. Those are the rules that we
19 operate under.

20 COUNCILMAN O'BRIEN: Your
21 rules?

22 MR. GILLISON: No. It's under
23 the City Charter.

24 COUNCILMAN O'BRIEN: Well,
25 under the City Charter -- you can take a

1 10/7/13 - LAW & GOV'T - RES. 130611
2 narrow interpretation of that. I take a
3 different interpretation of that. I
4 believe this is a multi-year contract,
5 should be treated as such, and if it were
6 treated as such, then those requests for
7 proposals would have been before us so we
8 wouldn't have to sit here in a
9 confrontational way and try to pull this
10 information from you.

11 Having said that, I will answer
12 a question that Councilwoman Tasco asked
13 of you. You said there's 3,000 cases. I
14 can tell you there were 2,400 juvenile
15 cases, 3,260 felony cases, 2,350
16 misdemeanor cases, and that doesn't count
17 capital cases or homicides. It also does
18 not take into consideration dependency at
19 all, which I believe makes up 60 percent
20 or more of this caseload, and I believe
21 that is critically important.

22 I hear that this contract and
23 it's been reported in newspapers all over
24 the place -- you're talking about five
25 proposals that you're considering, and

1 10/7/13 - LAW & GOV'T - RES. 130611
2 you're pulling out weaknesses and
3 strengths from each one. We're told the
4 decision has been made. We're told that
5 this contract would have been signed. I
6 asked specifically if this contract was
7 going to be signed before this hearing,
8 and I was told no. My fear is that this
9 contract will be signed as soon as you
10 walk out that door and none of our
11 questions and none of our founded,
12 founded concerns are going to be
13 responded to.

14 Tell me, Mr. Gillison, what did
15 you see as the problem and how did we get
16 to this point? What are your founded
17 concerns so we could start working from
18 that?

19 MR. GILLISON: Councilman, I
20 want to make sure that we're actually
21 operating on the same point. This
22 problem, as has been described, was not
23 one that we went out to deal with. As I
24 said in my testimony -- and it's on Page
25 2 -- we became involved in this process

1 10/7/13 - LAW & GOV'T - RES. 130611
2 of identifying a new method of selecting
3 conflict counsel only after the FJD
4 during Fiscal Year '13 budget discussions
5 approached the City and advised that it
6 would no longer be appointing conflict
7 counsel and that the executive branch of
8 government would have to fulfill that
9 responsibility.

10 So I didn't --

11 COUNCILMAN O'BRIEN: And what
12 was the reason for that?

13 MR. GILLISON: They didn't want
14 to do it anymore. You have to ask the
15 judge. I mean, I don't know. I know
16 that I will look at it this way: To me
17 it was a situation where they recognized
18 they wanted to do something different,
19 and we have the responsibility as the
20 executive in order to provide the answer
21 to how we're going to provide the
22 service. And so I went immediately and
23 started looking for how should we provide
24 the service.

25 Now, I did it in a very public

1 10/7/13 - LAW & GOV'T - RES. 130611

2 way. I did it in a transparent way, and
3 I put it up on eContracts, like we do all
4 of our professional services contracts.
5 So this was not me as the executive and
6 the representative of the Mayor going out
7 saying despite what I've been trying to
8 do for six years of how can we get
9 additional dollars for a situation, but
10 how do we actually help improve the
11 situation that we currently are in. I
12 wasn't in that mode. I was in the mode
13 where I had a meeting with the FJD. They
14 informed me that they felt there was a
15 situation that they had. I said, fine.
16 I understood.

17 COUNCILMAN O'BRIEN: What was
18 that situation, Mr. Gillison?

19 MR. GILLISON: They did not
20 want to do this anymore. They did not
21 want to be responsible.

22 COUNCILMAN O'BRIEN: What was
23 the reason?

24 MR. GILLISON: I don't know.
25 Ask Judge Herron.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 COUNCILMAN O'BRIEN: I did. I
3 just want to know if you're going to tell
4 me the same thing that Judge Herron told
5 me.

6 MR. GILLISON: All I'm saying
7 is, you should ask Judge Herron. I can
8 tell you from my point of view he
9 actually asked me whether or not did I
10 understand what he was going to end up
11 having to do. I said I did, and that I
12 would then look at this as an opportunity
13 to see if we could provide an additional
14 way to do things in a different way.

15 So for me, I'm trying to
16 resolve an issue as we are going forward,
17 and I think that ultimately all of us are
18 trying to do the same thing, provide
19 better services in the situation we're
20 in. But I'm not going to -- I can't --
21 so I disagree that you're saying what was
22 the issue. The issue was, the Court said
23 that they wanted to do something
24 different. They asked the executive to
25 take over, and we ended up saying we

1 10/7/13 - LAW & GOV'T - RES. 130611

2 would.

3 COUNCILMAN O'BRIEN: That's not
4 a disagreement. That was a question. It
5 wasn't a disagreement. I'm not
6 disagreeing with you. You haven't told
7 me anything to disagree with.

8 MR. GILLISON: I didn't think
9 there would be anything. I don't think
10 that this is confrontational either, so I
11 would disagree with the fact that we're
12 being confrontational. We're not.

13 COUNCILMAN O'BRIEN: No. We
14 heard that attorneys doing conflict cases
15 were not being paid. The City was not
16 paying on a timely basis, if at all. Is
17 that correct?

18 MR. GILLISON: No. Well, I
19 don't know about timely. I can tell you
20 that there's a whole lot of things that
21 we are trying to do to improve the
22 payment and the speed of the payment, but
23 I don't think that that was the genesis
24 for whatever the Court wanted to do.

25 COUNCILMAN O'BRIEN: If that

1 10/7/13 - LAW & GOV'T - RES. 130611
2 were the issue, why didn't we just put an
3 RFP out for IT so that there would be
4 more prompt pay?

5 MR. RESNICK: Councilman,
6 excuse me. What I think you're talking
7 about is when the transition was made
8 from the Court actually doing it when it
9 came over to the City. During that
10 transition, when they were doing -- the
11 Court was providing the City the vouchers
12 and we had to ramp up staff to process
13 those vouchers and pay, there was a
14 backlog of those vouchers, so payment was
15 slow, admittedly, but that was during the
16 transition. That was not the reason
17 behind why the judge came to us and said,
18 You take it over.

19 COUNCILMAN O'BRIEN: So let me
20 just say, from what I've been able to
21 glean -- again, I would welcome, I have
22 always welcomed your due diligence, which
23 I have not been given. But having said
24 that, this glitch has existed before the
25 transition period, and as if the payment

1 10/7/13 - LAW & GOV'T - RES. 130611
2 or timely payment wasn't enough of an
3 issue, I asked the First Judicial
4 District what their problem was.
5 Historically, the City of Philadelphia
6 before this Administration told the
7 Courts to use what they call a slush
8 fund. It's not a traditional slush fund
9 as we've heard, but that the Courts
10 should use their monies to pay for
11 conflict counsel. As that conversation
12 proceeded, the Courts were asked to pay a
13 bigger and bigger, bigger share of that
14 conflict counsel.

15 Their issue was that paying for
16 conflict counsel by the Courts' monies
17 was in fact a conflict, because they
18 would be rationing the services that an
19 individual lawyer would be able to
20 appropriate for an adequate defense for
21 the indigent. So I see this as a totally
22 different story.

23 Under the Public Defender's
24 Act, there is one thing that's very
25 clear, the Court appoints and the City

1 10/7/13 - LAW & GOV'T - RES. 130611
2 pays. What do you see as the City's
3 responsibility here?

4 MR. GILLISON: What do I see
5 the City's responsibility for what?

6 COUNCILMAN O'BRIEN: In this
7 discussion. What is the responsibility?
8 I have to start at ground zero because I
9 have no information. I don't know how
10 you got to a for-profit entity.

11 MR. GILLISON: And, again, I'm
12 not going to answer that particular
13 question at this time, but the issue is
14 right now we have a request for proposal
15 for an entity to provide services. We
16 will end up having that entity under --
17 and through various performance measures,
18 we will evaluate like we evaluate all of
19 the attorneys that provide services to
20 the City, and we will go forward.

21 COUNCILMAN O'BRIEN: You're
22 telling me that it is confidential, that
23 you cannot tell me what you believe the
24 City's function is in this conversation?

25 MR. GILLISON: I didn't say --

1 10/7/13 - LAW & GOV'T - RES. 130611

2 the City's function is the same function
3 the City Solicitor has and that the
4 Office of the Public Safety has since
5 I've been here.

6 COUNCILMAN O'BRIEN: Not under
7 the Public Defender's Act. I beg to
8 differ it's not.

9 MR. GILLISON: Okay,
10 Councilman. I guess I'm missing your
11 question. I'm sorry.

12 COUNCILMAN O'BRIEN: Well, my
13 question is, if this was not a one-year
14 contract, we wouldn't be sitting here
15 going toe-to-toe trying to pull
16 information out about a contract or how a
17 request for proposal process was set up
18 or what the function of the City is in
19 representing the most vulnerable in the
20 judicial system.

21 MR. GILLISON: We are supposed
22 to provide dollars so that the
23 constitutional mandate of having a right
24 to counsel is actually maintained, and we
25 actually have dollars set aside in order

1 10/7/13 - LAW & GOV'T - RES. 130611
2 to perform that service. We are now
3 trying to provide and only provide for
4 the method of delivering those services.
5 Those are the services that have been
6 done. I know that the Director of Public
7 Safety sat with you for, I think, over an
8 hour discussing this last week. I
9 thought that your questions were answered
10 during that time, but if there's
11 additional information that you might
12 have, I'll be glad to respond to it. But
13 I don't understand -- the City provides
14 money. We provide money.

15 COUNCILMAN O'BRIEN: Because
16 the information that was imparted to me,
17 as you will hear in the testimony today,
18 was wrong or substantially different than
19 what we're going to hear today.

20 The one question that I did
21 ask, Mr. Gillison -- and, again, that was
22 an in-person communication -- was to
23 withdraw from this process so we could
24 review all component parts, not in
25 secret, but come up with a proposal,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 respecting your level of due diligence,
3 and create a model that makes sense. My
4 view is, under the Public Defender's Act,
5 is that the Court appoints and the City
6 pays, but there's nothing in that Public
7 Defender's Act that says the City creates
8 the model. That's where I think we all
9 have a problem with this. And the
10 problem is amplified because even today,
11 you refuse to answer the questions about
12 this model. You're hiding behind saying
13 that this is a contract and we can't talk
14 to you about that. If it fails after a
15 year, we will come back.

16 Let me move on. You said that
17 you're appropriating \$9.5 million to the
18 Alva contract.

19 MR. GILLISON: No, I'm not
20 saying that.

21 COUNCILMAN O'BRIEN: Well,
22 that's what I'm hearing. The total was
23 10 million. So, again, you're starting
24 out with a premise, in my view, that
25 you're going to ask this for-profit firm

1 10/7/13 - LAW & GOV'T - RES. 130611
2 to, right out of the box, do more with
3 less. Can you respond to that?

4 MR. GILLISON: No, I'm not
5 going to respond to that.

6 COUNCILMAN O'BRIEN: You're not
7 going to respond to that? Let me move
8 on, then.

9 What cities -- you said you've
10 called around the country and you've
11 looked for models. What cities
12 specifically, Mr. Gillison, what cities
13 specifically uses a for-profit model?

14 MR. GILLISON: Again, I think I
15 answered that before. I said I don't
16 know whether there are any.

17 COUNCILMAN O'BRIEN: I must
18 have missed it. Can you tell me where it
19 is, please.

20 MR. GILLISON: I said there are
21 many different models, but I do not
22 believe there are any --

23 COUNCILMAN O'BRIEN: No. You
24 said there was a for-profit model that
25 was used in other cities.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. GILLISON: I do not believe
3 that there are any specifically that have
4 just a for-profit model, except for the
5 fact that today we have for-profit models
6 that are in the hundreds that provide the
7 service. So I don't think that the one
8 law firm versus hundreds of law firms all
9 being for-profit really makes that much
10 of a difference. They're all for-profit
11 that provide the service, that that's the
12 way it is in this city right now.
13 They're all for-profit.

14 So I'm only trying to provide
15 additional services through a mechanism
16 of an entity, whether it's for-profit or
17 not, that will end up providing
18 additional services to the various
19 parties that are doing the work who might
20 be for-profit or who may end up being all
21 in-house or there may be a hybrid of
22 both.

23 So let's be clear. A
24 for-profit entity, right now that's the
25 way it is in this city. For-profit

1 10/7/13 - LAW & GOV'T - RES. 130611

2 entities provide the service, period.

3 COUNCILMAN O'BRIEN: Not under

4 one roof. Let me ask you --

5 MR. GILLISON: Does that really

6 make a difference to you?

7 COUNCILMAN O'BRIEN: I think it

8 does. I think it does.

9 MR. GILLISON: Well, then we

10 disagree. We disagree.

11 COUNCILMAN O'BRIEN: Let me ask

12 you, what steps would conflict counsel

13 take if it were under one roof to make

14 sure that support staff, secretaries,

15 social workers, paid for by City funds

16 are not doing work for private clients?

17 MR. GILLISON: We will end up

18 handling that if and when the decision is

19 made.

20 COUNCILMAN O'BRIEN: We're told

21 that the decision is made, but let me

22 move on.

23 What steps has conflict counsel

24 taken to ensure that criminal defense

25 investigators paid for the City are not

1 10/7/13 - LAW & GOV'T - RES. 130611

2 doing work for private clients?

3 MR. GILLISON: Again, I
4 don't -- I think a lot of your questions
5 are questions that somehow are --

6 COUNCILMAN O'BRIEN: Not
7 founded?

8 MR. GILLISON: Yes. I think
9 they're quite not founded.

10 COUNCILMAN O'BRIEN: But the
11 private firms who have their own private
12 work that come and do indigent
13 representation, this is the difference.
14 Now, let me ask you another question.
15 What steps has conflict counsel taken to
16 ensure the computer infrastructure paid
17 for by the City funds to be used for
18 indigent defense; examples, Westlaw, are
19 not doing work for private clients?

20 MR. GILLISON: I think all of
21 these things will end up at one way or
22 another depending on the entity be part
23 and parcel of the contract.

24 COUNCILMAN O'BRIEN: How do you
25 audit that?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. GILLISON: I'm sorry?

3 COUNCILMAN O'BRIEN: You wrote
4 the contract. You're saying that you --

5 MR. GILLISON: There is no
6 contract yet, sir. I said we're
7 negotiating a contract now.

8 COUNCILMAN O'BRIEN: Well, the
9 problem is that we don't know any of the
10 answers.

11 What steps has conflict counsel
12 taken to ensure that other financial
13 expenditures, malpractice insurance,
14 health insurance, retirement plans, paid
15 by funds are not being used to subsidize
16 work for private clients?

17 MR. GILLISON: And I think that
18 all of that will end up being part and
19 parcel of what we do and how we put the
20 contract together once it's ultimately
21 done.

22 COUNCILMAN O'BRIEN: This is
23 the difference between having someone who
24 is in a private firm doing indigent
25 representation. These questions are

1 10/7/13 - LAW & GOV'T - RES. 130611
2 plain and simple and clear. We have a
3 right to know, not just us as members of
4 City Council but as citizens of
5 Philadelphia. Where are our taxpayers'
6 dollars going and are they going to be
7 commingled, and what process is in place
8 that is going to audit that?

9 We are told through various
10 news media accounts that this contract is
11 going to be signed imminently, and you
12 yourself have said that you thought this
13 contract should have been signed already.

14 MR. GILLISON: That's correct.

15 COUNCILMAN O'BRIEN: But we
16 have all these questions, and you're
17 telling us that we don't have a right to
18 know until after the contract is done.

19 MR. GILLISON: That's correct.
20 That's the way it's done in this --

21 COUNCILMAN O'BRIEN: That's the
22 way it's done? That's not the way I've
23 ever operated, and I have real problems
24 understanding this process. I am all for
25 an inclusive process so that we and the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 citizens of Philadelphia, from the
3 Philadelphia Bar Association to people
4 that are already handling these cases, I
5 believe that we have -- they coined the
6 term the "Philly lawyer." I think that
7 you ask people in the Bar Association, in
8 the City of Philadelphia they're proud of
9 that designation, a Philly lawyer, and I
10 believe that we should be able to
11 construct a model that perhaps doesn't
12 exist in the country, but it's a model
13 that the rest of the country would love
14 to emulate and support. This is about
15 providing adequate representation.

16 Can I ask you, we were told
17 that, with Mr. Resnick, that there are
18 attorneys that have already signed up to
19 do this work. Can you tell us who those
20 attorneys are?

21 MR. GILLISON: No, I can't.

22 COUNCILMAN GREENLEE:

23 Mr. Gillison --

24 MR. GILLISON: There's no
25 contract. There's no contract right now,

1 10/7/13 - LAW & GOV'T - RES. 130611

2 so I'm not going to answer that question.

3 MR. RESNICK: And that's not
4 exactly what I told you, Councilman.

5 COUNCILMAN O'BRIEN: Pardon me?

6 MR. RESNICK: That's not
7 exactly what I told you. I didn't tell
8 you there were lawyers that were signed
9 up. I told you that each proposal that
10 was submitted had names of attorneys who
11 were going to be or that were approached
12 to do this work. I told you that before
13 this contract was signed, we were going
14 to get committals from the individuals
15 who we would sign the contract with.

16 And just to your point about --

17 COUNCILMAN O'BRIEN: Are there
18 attorneys then that have signed up?

19 MR. RESNICK: I beg your
20 pardon?

21 COUNCILMAN O'BRIEN: What
22 you're saying is, there is the contract.

23 MR. GILLISON: No, there's not.

24 COUNCILMAN O'BRIEN: There is
25 an individual and you're waiting to see

1 10/7/13 - LAW & GOV'T - RES. 130611
2 who those attorneys are.

3 MR. RESNICK: I told you when
4 we met that what we would be doing was
5 getting letters of commitment from the
6 attorneys that were going to --

7 COUNCILMAN O'BRIEN: Have you
8 gotten letters?

9 MR. RESNICK: No. There's no
10 contract.

11 COUNCILMAN O'BRIEN: I think
12 this is legalese and razzmatazz and
13 merry-go-around here, because this is not
14 consistent with the conversations that
15 I've had.

16 I also will reiterate that this
17 is not the forum that I believe provides
18 the best result in a public policy
19 decision of this magnitude.

20 What you're also saying -- and,
21 Mr. Gillison, again, I'll go back to not
22 wanting to be the third, fourth or fifth
23 client. What sense does this make to
24 have a private law firm and then still
25 have a wheel for the third, fourth, and

1 10/7/13 - LAW & GOV'T - RES. 130611

2 fifth clients?

3 MR. GILLISON: Because the
4 bottom line is that that's where we are
5 at the present time. I don't know of any
6 other way in order to handle the third,
7 fourth, and fifth conflict issue, and I
8 think that for all of the ability for us
9 to try to raise the levels of investment,
10 we're still going to have to maintain
11 that particular part of it. It's the
12 same thing I told the Bar Association
13 when we were meeting. I said that
14 because the initial outcry was is that
15 there would be an elimination. I says,
16 Well, there will be less work for the
17 first party, but if there is other work
18 for a third, fourth, fifth and we still
19 have private persons that are going to be
20 hired by people who are in this area, all
21 of those things were going to be handled
22 and they'll be handled in the appropriate
23 way.

24 MR. RESNICK: Councilman, to
25 follow up, you've talked about the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 transparency of the process. We're
3 talking about the Bar Association. And I
4 haven't heard it yet during this hearing,
5 but when we formed the committee to
6 review the proposals that came in from
7 the RFP, the Bar when met asked if they
8 could be part of that process. We said
9 yes. We asked the Bar to give us names
10 of individuals who would sit on the
11 review committee. They did so. The
12 Chair of the Bar Association was part of
13 that review committee. The past Chair of
14 the criminal justice section was part of
15 the review committee.

16 So those people -- and maybe I
17 didn't hear it yet because they all
18 signed confidentiality agreements, so
19 they wouldn't want to talk about it, but
20 we're not going to get into the substance
21 of what was discussed at those meetings,
22 just the fact that they were present at
23 those meetings, they were there when we
24 reviewed those proposals, they were there
25 when they heard the oral presentations.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 They got to ask questions. They gave us
3 their recommendations.

4 So as far as transparency, the
5 Bar was fully involved in the process of
6 selecting these -- or reviewing these
7 proposals.

8 COUNCILMAN O'BRIEN: Well, I
9 think you're going to hear today that
10 this was not a task force but a task
11 farce, but I will also -- and I say that
12 with -- but the answer that we're going
13 to get here, Mr. Gillison, is very
14 simple. No matter how many questions we
15 ask, your only answer is going to be
16 because that's where you are. That's
17 what you just said.

18 MR. GILLISON: Because that's
19 where I am?

20 COUNCILMAN O'BRIEN: You just
21 said -- I asked you questions and you
22 said because that's where I am on this
23 process and --

24 MR. GILLISON: The process --

25 COUNCILMAN O'BRIEN: -- we

1 10/7/13 - LAW & GOV'T - RES. 130611

2 don't have a right to know any of the
3 details --

4 MR. GILLISON: The process is
5 always --

6 COUNCILMAN O'BRIEN: -- because
7 there is no contract. But every time we
8 pick up a periodical, we're told that the
9 contract is going to be signed and the
10 principals are already named and they're
11 out there talking to lawyers and
12 recruiting them for this private law
13 firm.

14 Again, it's not my preference
15 to do this in this forum. My preference
16 is to find a model that works for the
17 indigent in the City of Philadelphia, and
18 I'll turn it over to my colleague
19 Councilman Greenlee.

20 COUNCILMAN GREENLEE: Thank
21 you, Councilman.

22 Mr. Gillison, let me just go
23 back to one other thing I think you said.
24 I think when it was asked why can't you
25 talk about the contract more, I think you

1 10/7/13 - LAW & GOV'T - RES. 130611

2 said that's the way it's always been
3 done, right?

4 MR. GILLISON: That's the way
5 that -- whenever you're doing a request
6 for proposal, there are certain rules and
7 regulations that you have to put forward
8 and to follow. I have studiously adhered
9 to that as I've gone forward in this
10 position. We have tried to be as
11 transparent and overly transparent as
12 possible. This is not something that is
13 done, quote/unquote, in secret. So I
14 disagree with that statement. This is a
15 process that has been extremely
16 inclusive, it has been extremely
17 collegial, and it has been extremely
18 eye-opening as far as the level of
19 support that is needed and the additional
20 support that is needed in this area.

21 However, as I said before, I'm
22 not trying to solve all the problems of
23 the world at once with one RFP. What I
24 am trying to do is to solve a pressing
25 issue that we have before us. That issue

1 10/7/13 - LAW & GOV'T - RES. 130611
2 is that we have to find a way to provide
3 additional resources in this area to the
4 next client on the bar that happens to
5 not be afforded the Defender as an
6 attorney. We will end up trying to find
7 ways of dealing with the remaining parts.
8 I know that I'll probably be back before
9 City Council when we're talking about
10 parity issues and trying to put more
11 money into both -- for parity for both
12 the Defender's Office, the City
13 Solicitors, for even the District
14 Attorney when it talks about the levels
15 of funding that need to happen in this
16 area. It's something this Administration
17 has been trying to figure out a way to
18 do, and I'm hoping at the point that we
19 now have some additional support from
20 Council when that happens, that we'll be
21 able to put additional dollars in for
22 parity when I make that request coming
23 up.

24 But all of these things are
25 things that have to be done. I can't do

1 10/7/13 - LAW & GOV'T - RES. 130611

2 them all at once. I have to do them one
3 at a time. And as we do this, I'm going
4 to make sure that I resolute in making
5 sure that we move the bar on this and
6 move it forward. That's where I am.

7 COUNCILMAN GREENLEE: Okay. I
8 mean, I guess my concern is -- and I'm
9 far from an expert on this matter, but
10 since this has gotten more publicity, you
11 said it's been out there for a while, but
12 certainly in the last month or so it
13 seems to be talked about a lot more.

14 We hear from various
15 entities -- and, again, we're going to
16 hear from a lot. You heard from two or
17 at least some that had concerns. I'm not
18 hearing from anybody except maybe
19 possibly the folks that are getting the
20 contract, if there is a contract and if
21 it's signed and all that, that seem to
22 agree with this model. And that just as
23 a layperson, that concerns me, you know.
24 If there are other people who think this
25 is a good idea, we're not hearing from

1 10/7/13 - LAW & GOV'T - RES. 130611

2 them. Obviously you think this is the
3 way -- even though you won't say that, I
4 got to believe this contract is close.
5 You even said you would have liked to
6 have had it signed already.

7 So we know where you're going,
8 Mr. Gillison, and that's your right to do
9 and we know we can't stop this, but I
10 have to tell you, I hear from people,
11 lawyers and people involved in the system
12 and they all say -- they may not go as
13 far as Mr. Lindy did, but they certainly
14 raise serious concerns, and thus that
15 raises serious concerns with us, because
16 they're our constituents that are going
17 to get represented there. And, again, I
18 would just ask that maybe -- it seems to
19 me that -- I don't know all the
20 conversations you've had. You said
21 they've been transparent. I know that's
22 a word that the Administration uses a
23 lot, and I guess that's a relative term
24 sometimes. Some people that think
25 something is transparent maybe isn't. I

1 10/7/13 - LAW & GOV'T - RES. 130611
2 don't know, or isn't as much as it should
3 be.

4 But it just seems like this,
5 given what we're hearing, I think if it's
6 taken this long, maybe it should take a
7 little bit longer and just have a little
8 bit more discussion. I just throw that
9 out there. We can't make you do it, but
10 I just throw that out there,
11 respectfully, to say that I think this
12 ain't ready.

13 MR. GILLISON: I understand.

14 COUNCILMAN GREENLEE: I'll
15 leave it at that.

16 MR. GILLISON: I understand.
17 Thank you very much, and I would -- I
18 hear you, Councilman. Obviously I make
19 myself available. I make Director
20 Resnick available if there are any
21 particular other questions that you might
22 have. Sometimes you have to pretty much
23 know where you're going and get where you
24 need to go in order to push it forward
25 and then you end up becoming the lead for

1 10/7/13 - LAW & GOV'T - RES. 130611
2 the nation when you choose right. You
3 just have to be comfortable in the
4 process. And I'm very comfortable with
5 not only the process that has gone
6 forward, but the amount of work that's
7 going on. And the one thing that I don't
8 think anybody is going to do is challenge
9 my integrity when it comes to trying to
10 make sure that people who are poor get
11 additional resources. I have spent my
12 entire career doing that, and I'm not
13 going to allow that to be put into
14 jeopardy.

15 COUNCILMAN GREENLEE: I haven't
16 heard your integrity. I think there's
17 people who strongly disagree with you.

18 MR. GILLISON: One of the great
19 things about being a defender is that
20 people hollered at you and hollered at me
21 for over 28 to 30 years and you just get
22 used to the fact that you have to be
23 right.

24 COUNCILMAN GREENLEE:
25 Councilpeople get that too. That's one

1 10/7/13 - LAW & GOV'T - RES. 130611

2 thing we share.

3 MR. GILLISON: I understand.

4 And, again, I think that what we'll do
5 and what we'll come out with at a certain
6 point, just like sometimes you and I have
7 had to do on other issues, sometimes we
8 just agree to disagree, and then when we
9 get additional facts, then we come back
10 together and we continue talking. We
11 continue seeing how it is. Sometimes
12 you'll say, Well, did you think about
13 this, and I'll say, You know what, I'll
14 think about that, see what I can do, and
15 I get back to you. But I think that at
16 the end, what we're trying to do is make
17 sure that we're improving, and I think
18 that whatever we choose will be an
19 improvement given the process that we've
20 gone through, and I will be judged on
21 that like everybody else.

22 COUNCILMAN GREENLEE: Okay. I
23 just hope you think about maybe some of
24 the other things that might be said
25 today. Maybe you've heard them, maybe

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you haven't.

3 MR. GILLISON: Not a problem.

4 COUNCILMAN GREENLEE: Thank

5 you.

6 Councilman O'Brien.

7 COUNCILMAN O'BRIEN: I take
8 exception to the issue that you are
9 personally being maligned in this
10 process. I don't think that this process
11 should be about you. It should not be
12 about me. It should not be about
13 Council. It should be about the
14 indigent. I take personal exception to
15 the fact that you're going to make this
16 about a personal reflection on you and
17 your work on behalf of the indigent as a
18 public defender.

19 I will try to get back to a
20 substantive question.

21 The standards recommended for
22 full-time lawyers should not be assigned
23 more than 100 felony cases, 400
24 misdemeanor cases, 200 juvenile cases,
25 and 110 dependency cases. Will this firm

1 10/7/13 - LAW & GOV'T - RES. 130611

2 meet those standards?

3 MR. GILLISON: I think all
4 standards are the same that -- those are
5 standards that we all shoot for and those
6 are standards that are things that the
7 ABA has always told us that we should try
8 to get to, but I'm not going to say with
9 any definition. Those were things that
10 we put in the process that we put as
11 aspirational and that we would hope that
12 everything would be able to happen and go
13 forward, but, again, I'm not going to sit
14 back and in the pursuit of doing
15 something perfect not do anything at all.

16 I know what we are trying to
17 do. I know what performance measures we
18 will have in place. Those will be part
19 of the considerations that we have when
20 we're going forward, but much like I'm
21 not going to sit back and say to the
22 Defender's Office these are the same
23 standards that we have, what happens when
24 we don't meet them, what's the penalty,
25 what do we do. We just have to work

1 10/7/13 - LAW & GOV'T - RES. 130611

2 through. That's why good public service
3 lawyers have to take the job, knowing
4 that they're going to do what they need
5 to do in order to make sure the job gets
6 done.

7 There's hundreds of lawyers out
8 there that do that. They don't have
9 anywhere close to meeting those
10 standards, but they do the job and they
11 do it well. I'm trying to make sure that
12 we try and answer the question by way of
13 saying this is another way that we'll try
14 and see if we can get to that standard of
15 review, that we'll be able to have and
16 meet those standards. But will I be able
17 to sit here right now and say any entity
18 would always be able to meet every last
19 one of those standards? I can't say
20 that. Neither can anybody else. Those
21 are things that we use as aspirational,
22 like all standards. They're
23 aspirational, and that's where we need to
24 go.

25 COUNCILMAN O'BRIEN: You're

1 10/7/13 - LAW & GOV'T - RES. 130611
2 saying they're aspirational. I don't
3 want to replace a bad system with a worse
4 system. When this is compared to the
5 numbers that Alva, the winning bidder,
6 the total number of court-appointed cases
7 for 2010-2011 -- I just did this simple
8 math -- 2,400 juvenile cases, 3,260
9 felony cases, 2,350 misdemeanor cases.
10 That comes up to 14 felony attorneys with
11 233 cases each, five misdemeanor
12 attorneys with 470 cases each, five
13 juvenile attorneys with 480 cases each.
14 These are the numbers from the Alva
15 proposal. Where's the aspirational
16 quality in this?

17 MR. GILLISON: I'm not --

18 COUNCILMAN O'BRIEN: Is that
19 acceptable? Is that the standard that
20 we're going to accept?

21 MR. GILLISON: Again, I'm
22 not -- all I'm saying to you is what I've
23 said from the beginning. We are trying
24 to make sure that we improve what we're
25 doing. If at the end, Councilman, if we

1 10/7/13 - LAW & GOV'T - RES. 130611
2 review it after a year and it doesn't
3 meet what we want to do, we don't review
4 it after three years. Does it meet what
5 it needs to meet? We'll see what
6 happens. But we're going to end up, I
7 believe, with a better position than we
8 are currently go forward.

9 COUNCILMAN O'BRIEN: I think
10 what you're saying is you will.

11 Let me ask you about homicides.
12 Will there be two attorneys assigned per
13 homicide?

14 MR. GILLISON: It depends on
15 the homicide.

16 COUNCILMAN O'BRIEN: The firm
17 will be responsible for 70 to 80 percent
18 of the homicides in the City. How many
19 homicide attorneys will the firm employ?

20 MR. GILLISON: I'm not at
21 liberty to answer that question right now
22 because I don't know who the firm is. I
23 have not signed a contract yet.

24 COUNCILMAN O'BRIEN: You're
25 telling me that you don't know this is

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Alva?

3 MR. GILLISON: Say it again.

4 COUNCILMAN O'BRIEN: You're
5 telling me it's not Alva?

6 MR. GILLISON: No. I'm telling
7 you that I have not signed a contract
8 yet. That's what I'm telling you.

9 COUNCILMAN O'BRIEN: I know you
10 haven't. That's why you say you don't
11 have to answer our questions, but we're
12 told and I believe with 100 percent
13 certainty, if not more, that it's going
14 to be Alva.

15 The Defender Association spends
16 \$2 million a year to handle 20 percent of
17 the homicides. How much of the \$10
18 million contract is going to defend
19 homicides?

20 MR. GILLISON: I don't know at
21 this present time, sir. I'll be glad to
22 get back to you.

23 COUNCILMAN O'BRIEN: I'm
24 growing in my confidence with this
25 for-profit law firm.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 What steps has conflict counsel
3 taken to ensure that attorneys handling
4 conflict homicides are in line with the
5 accepted standards in handling homicide
6 cases?

7 MR. GILLISON: I'm sure that
8 all that will be --

9 COUNCILMAN O'BRIEN: I'm sorry
10 that you think these are unfounded
11 questions.

12 MR. GILLISON: I think that
13 most of these questions are -- and I'll
14 state again. I believe that most of
15 these questions are specific to the
16 negotiations that are currently going on
17 and that most of these questions will be
18 answered upon us making a selection. I
19 think at that time, I'll be glad to
20 provide the Chair with an answer to each
21 of those things and I'll be glad to sit
22 down and much like I said --

23 COUNCILMAN O'BRIEN: Is that
24 after you sign the contract,
25 Mr. Gillison?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. GILLISON: That will
3 probably be the best time for us, after
4 we sign the contract.

5 COUNCILMAN O'BRIEN: What steps
6 has conflict counsel taken to ensure that
7 attorneys handling non-homicides are in
8 line with accepted standards?

9 MR. GILLISON: Say it again.

10 COUNCILMAN O'BRIEN: What steps
11 has conflict counsel taken to ensure that
12 attorneys handling non-homicide cases are
13 in line with accepted standards?

14 MR. GILLISON: I think that
15 will be part of the contract.

16 COUNCILMAN GREENLEE: Mr.
17 Gillison, let me just interrupt. I guess
18 I don't understand why you can't answer
19 those questions. Forget Mr. Alva,
20 whoever the person might be, although
21 where I don't believe everything the
22 media says, I don't think they're all
23 wrong. So I think we're pretty close to
24 Mr. Alva, but whatever.

25 I don't understand, why can't

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you answer those questions? They seem
3 like -- even if you say it's not in this
4 contract, that those are the kind of
5 things we're going to do. I guess I
6 don't understand why you can't answer.

7 MR. GILLISON: Those are the
8 things that we are trying to do. Those
9 are performance measures that we are
10 building in. It's kind of like doing
11 your contract negotiations in public. We
12 don't do that, period, and as a result --

13 COUNCILMAN GREENLEE: We know
14 that.

15 MR. GILLISON: That's right.
16 We don't do it in public. We do a lot of
17 it in private, and when we do it in
18 private, we end up making sure that we
19 honor what we're saying to people. So we
20 do all of that, and that's the way all
21 contracts are conformed in this city.
22 This hasn't been something that is just
23 new to this particular contract. This is
24 something that we do constantly. So I
25 think to be asked questions -- and with

1 10/7/13 - LAW & GOV'T - RES. 130611
2 all due respect to the Councilman, he can
3 ask me these questions. He knows that
4 I'm not going to be able to answer them
5 and I'm going --

6 COUNCILMAN O'BRIEN: I do not.
7 I take full exception to that.

8 MR. GILLISON: And I'm not
9 going to be able -- well, I started my
10 discussion by saying there are certain
11 things I'm not going to be able to do. I
12 tried to be able to provide Mr. Resnick
13 to you to answer the questions in
14 private. If you didn't like what those
15 were, I understand. I'll be glad to
16 answer the questions later. But I'm not
17 going to sit back and have this -- just
18 here answering these kinds of questions.

19 All of the things that you're
20 talking about are things that we're
21 taking into consideration as we are
22 conforming a contract. And once we end
23 up having the contract, I'll be glad to
24 sit back. I'll be glad to talk to you
25 about how we negotiated terms. I'll be

1 10/7/13 - LAW & GOV'T - RES. 130611

2 glad to do that in private. I'll be glad
3 to do it in public, if need be.

4 But the bottom line is is at
5 the end of the day, this is a contract
6 like we have all other kinds of contracts
7 for performance and professional
8 services. We do the same thing. I'm not
9 going to treat this contract any
10 differently, because, quite frankly, it
11 really isn't that much different.

12 COUNCILMAN GREENLEE: I think
13 we disagree with that.

14 MR. GILLISON: It changes one
15 thing in the system. It allows for the
16 person who is the first party not to have
17 the Defender, have someone else that's
18 coming in who is an institution. Other
19 than that, things are going to pretty
20 much be the way they are until I find a
21 different way to find out how to provide
22 additional sources for those. And I will
23 continue to work to make sure that I look
24 for those resources to help those parties
25 as well.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 But I'm not going to sit down
3 and say I'm negotiating a contract when
4 I'm negotiating terms in public. That's
5 just not the way it is, and I'm not going
6 to do that, and that's where we are.

7 COUNCILMAN O'BRIEN: Well, one,
8 I will take personal exception to your
9 reference that I know that you can't
10 answer these questions. I as a City
11 Councilman, I as a citizen of
12 Philadelphia have the right to ask these
13 questions, and you have a responsibility,
14 Mr. Gillison, to answer these questions.
15 If you sign this contract without
16 answering these questions, then you have
17 not done your due diligence, and for 25
18 or 30 years that you maintain you've had
19 the best interest of the indigent
20 population in your heart and as your
21 mission, I believe you're letting them
22 down.

23 Let me ask you this --

24 MR. GILLISON: I disagree.

25 COUNCILMAN O'BRIEN: -- what is

1 10/7/13 - LAW & GOV'T - RES. 130611

2 the quality of these attorneys --

3 MR. GILLISON: I disagree.

4 COUNCILMAN O'BRIEN: Well,
5 that's fine. You want to make this about
6 you? I'm not going to let you make it
7 about you. I'm going to keep asking
8 questions that I believe we have a right
9 to know. And we would have, we would be
10 involved in an inclusive, transparent
11 conversation if this weren't a one-year
12 contract.

13 What is the quality of these
14 attorneys? Have they been vetted through
15 the judges and colleagues and former
16 clients, these attorneys that are going
17 to part of this negotiation? I'm not
18 going to call it a contract because
19 you're totally -- and when I talked to
20 Mr. Resnick, I will clarify this. Every
21 question I asked him, he said to ask you.
22 Now I'm asking you, and you're saying you
23 can't answer it.

24 So tell me, how are you going
25 to qualify these attorneys?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. GILLISON: The attorneys
3 that are anticipated -- I don't think I
4 saw any of the proposals that didn't have
5 attorneys that were either, A, currently
6 doing the job or, B, had worked in this
7 position before. So most of the
8 attorneys have already possessed all of
9 the requisite background and all the
10 requisite experience that needed to do
11 this work. So the people who are --

12 COUNCILMAN O'BRIEN: So maybe
13 I'm confused in the razzmatazz and
14 merry-go-round. So you know who the
15 attorneys are, but you can't tell us who
16 they are. Okay. You're not going to
17 tell us who they are?

18 MR. GILLISON: No.

19 COUNCILMAN O'BRIEN: And,
20 again, I asked Mr. Resnick one thing.
21 You answer one thing. He answers another
22 thing.

23 Is there a preclusion from any
24 disciplinary -- if these individuals have
25 disciplinary records, are they precluded

1 10/7/13 - LAW & GOV'T - RES. 130611
2 from participating in this law firm?

3 MR. GILLISON: No.

4 COUNCILMAN O'BRIEN: I just
5 want to read -- and this is where, again,
6 you may consider this founded or
7 unfounded. Here is an open letter I'll
8 read into the record and then I'll submit
9 it. It's to the Honorable City Council
10 from David Rudenstein, Esquire, RE: The
11 Proposal for Daniel-Paul Alva, Esquire.

12 "Several days back, I forwarded
13 a letter to Mr. Alva indicating my
14 interest in receiving an offer to
15 participate in any contract that may be
16 awarded to him for the representation of
17 indigent defendants. I sent a letter to
18 Mr. Alva indicating same.

19 I have been asked by others if
20 I have made a firm commitment to
21 Mr. Alva. The term "commitment" can be
22 interpreted differently by different
23 folks. Thus, and in lieu of others
24 possibly misinterpreting my position, and
25 instead of testifying before City

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Council, I am sending this missive along
3 to clearly state my position.

4 A number of months back, Scott
5 DiClaudio, Esquire spoke to me about a
6 proposal that he and Mr. Alva were hoping
7 to make. At that time, Mr. Alva had not
8 signed any contract with the City. I
9 told Mr. DiClaudio that I would have
10 interest and that I would consider an
11 offer if he and Mr. Alva made one to me.
12 I also said that they could put forth my
13 name as an attorney who might have an
14 interest in participating. Later,
15 Mr. Alva made a presentation to the City
16 and my name was included amongst ten
17 attorneys who would be in his homicide
18 unit. As an aside, I am at the Bar for
19 just over 33 years. I have an extensive
20 experience in homicide trials, homicide
21 appeals, and homicide Post-Conviction
22 Relief Act (PCRA), including capital
23 cases. I have participated in more than
24 500 homicide representations. I have
25 lectured at the PBI and the LaSalle

1 10/7/13 - LAW & GOV'T - RES. 130611
2 University Law Alumni Society and was the
3 only attorney, who took homicide court
4 appointments, to sit on the original HAS
5 Committee, which was constituted in an
6 attempt to reform the appointment
7 selection process.

8 Some time has gone by and we
9 are all aware that there is no signed
10 contract between Mr. Alva and the City as
11 yet. My position, thus, remains the
12 same. It is an offer to be made -- if an
13 offer was to be made to me, I would
14 consider it. However, I have made no
15 commitment to accept such an offer and no
16 offer has been made.

17 Obviously, I cannot make a
18 commitment without knowing the terms of
19 the offer that Mr. Alva is in a position
20 to make to me. I am not criticizing
21 Mr. Alva in any way. However, I do not
22 wish third parties to assume that I have
23 made a firm commitment when offer and
24 acceptance has not come to fruition as
25 yet. Lastly, while I have no personal

1 10/7/13 - LAW & GOV'T - RES. 130611
2 knowledge of who may have signed a
3 contract with Mr. Alva, I do not have any
4 personal knowledge that any such contract
5 or contracts have been signed. Only
6 Mr. Alva and the other attorneys could
7 address that. I hope that I have
8 answered questions and concerns that have
9 been put to me by different factions."

10 How do we know that the other
11 attorneys on the list have the same
12 concerns?

13 MR. GILLISON: Again, I think
14 that one of the things that is replete in
15 that letter -- obviously the letter I
16 haven't seen nor have I heard of or even
17 would I be part of it, but the bottom
18 line for me is, he keeps saying that
19 there's no contract that has been signed.
20 He's right. No contract has been signed.
21 There is nothing that -- and unless and
22 until we make that decision, that is when
23 a lot of things will be triggered.

24 Whatever entity is chosen will
25 have certain rules and responsibilities

1 10/7/13 - LAW & GOV'T - RES. 130611

2 under the contract, and we will go
3 forward from there. That's pretty much
4 all I can say.

5 COUNCILMAN O'BRIEN: Well, I'm
6 very disappointed, Mr. Gillison, that my
7 attempts to reach out to you were not
8 responded to, that this is not a
9 transparent or inclusive process. Every
10 step along the way where I'm given
11 assurances that people have been asked to
12 participate and have in fact had their
13 reputation used in this conversation in
14 public have not been verified.

15 It is clear that you have made
16 a decision that you're going to do it
17 your way. It is my hope that the First
18 Judicial District intercepts your way and
19 decides in the interest of the First
20 Judicial District what this process
21 should be.

22 Thank you for your non-answers.

23 COUNCILMAN GREENLEE: Thank
24 you, Councilman.

25 Just let me put on the record,

1 10/7/13 - LAW & GOV'T - RES. 130611

2 I think Councilman O'Brien said it very
3 early, that we did ask the First Judicial
4 District to testify and they declined.

5 One last question. I apologize
6 to everybody here. I know you all have
7 busy schedules, but I think it is
8 important to get some questions on the
9 record.

10 Just one more question,
11 Mr. Gillison. On the one-year contract,
12 you said that's the way it's always been
13 done, but does it have to be a one-year
14 contract? And the reason I ask that is,
15 I'm thinking particularly, as been
16 mentioned before, about the homicide
17 cases. I guess a lot of them go well
18 more than a year, right? So what kind of
19 happens in a case like that where it's a
20 year contract? How do you envision that
21 being handled?

22 MR. GILLISON: There's not too
23 many cases, Councilman, that resolve
24 themselves in a year, and under the Rules
25 of Professional Responsibility, if it's a

1 10/7/13 - LAW & GOV'T - RES. 130611

2 law firm, if it's a non-profit, if it's
3 whatever, whoever is assigned, whoever
4 gets the case has a responsibility to
5 take that case to the fruition. So I'm
6 not really worried about after one year
7 if the person has not gone to trial, that
8 who would end up getting the case. They
9 would be responsible, whoever would be
10 assigned, would be responsible for
11 providing the services.

12 So on that issue, I can allay
13 your fears that it's not like they were
14 in the middle of the case, would actually
15 then go to someone else. If we've paid
16 out on the contract, I'm sure you will
17 hear that once you get into a case,
18 you're in the case until the case -- even
19 if it comes back year after year, you're
20 in the case and you're supposed to stay
21 part of that case for a long time. So
22 that's not an issue I think that we need
23 to really worry about.

24 COUNCILMAN GREENLEE: I
25 appreciate that answer. But getting back

1 10/7/13 - LAW & GOV'T - RES. 130611

2 to my question, did it have to be a
3 one-year contract? Does it have to be --

4 MR. GILLISON: Professional --

5 COUNCILMAN GREENLEE: -- or
6 could it be your choice to make it a
7 longer contract?

8 MR. GILLISON: Professional
9 services contracts are for one year.

10 COUNCILMAN GREENLEE: They have
11 to be by law, you're saying?

12 MR. GILLISON: Yeah. That's
13 what I was informed. And if I do
14 something else or do something different
15 than that, then at that time I will be in
16 front of City Council seeking your
17 approval to go forward. And I think that
18 like everything else, this is a new
19 venture. I agree with you when you say
20 it's new, and I think that -- I want to
21 make sure that we have the right things
22 in place, and if everything works out, I
23 will probably be in front of you asking
24 you for further discussions and further
25 hearings at that time. I think that will

1 10/7/13 - LAW & GOV'T - RES. 130611
2 be an appropriate time to have these
3 discussions, because I'd be able to
4 answer all of the questions that you're
5 asking, having had a track record
6 established of the person going forward
7 or entity going forward, whatever way it
8 is. But bottom line is, that's what
9 we're trying to get done.

10 COUNCILMAN GREENLEE: I
11 understand, sir, but I think the lack of
12 a track record of what looks to be the
13 contract I think is the concern, but we
14 can go back and forth.

15 MR. GILLISON: I understand.
16 Look, I get the idea that it's always a
17 concern. I understand that, and that's
18 why I always say that one of the things
19 that you have to provide when you're in
20 that area is that you have to provide
21 steady leadership as we're going forward,
22 taking places -- taking people to
23 different areas, and sometimes that
24 leadership goes to the next level, and
25 that's where I am and that's where we

1 10/7/13 - LAW & GOV'T - RES. 130611
2 are. So I'll be glad to provide any
3 other additional information to the Chair
4 at the appropriate time.

5 Thank you.

6 COUNCILMAN GREENLEE: Thank
7 you. Thank you for your time.

8 Ms. Marconi, who do we have
9 next?

10 THE CLERK: Phyllis Subin and
11 Mark Houldin.

12 COUNCILMAN GREENLEE: Again, we
13 have, I think, both your written
14 testimonies, so if you'd just like to
15 summarize and we can address whatever
16 discussion or issues we can.

17 (Witnesses approached witness
18 table.)

19 MS. SUBIN: Good afternoon,
20 Mr. Chairman, Councilman. My name is
21 Phyllis Subin. I'm the Executive
22 Director of the Pennsylvania Coalition
23 for Justice, which is a group that has
24 come together to advocate for systemic
25 indigent defense reform of the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 Pennsylvania indigent defense system. I
3 was a member of the Advisory Task Force
4 that for four years studied under a
5 Senate joint resolution, Pennsylvania
6 Indigent Defense Legal Services, and
7 filed a report called The Constitutional
8 Default: Services to Indigent Criminal
9 Defendants in Pennsylvania.

10 Very quickly, I spent 23 years
11 with the Defender Association of
12 Philadelphia as a trial and an appellate
13 lawyer. I was the first Director of
14 Training and for 14 years was responsible
15 for training, hiring, and supervising all
16 new attorneys, summer law interns, and
17 putting together our certified continuing
18 legal education program.

19 I left the Philadelphia
20 Defender Office to teach full time at the
21 University of New Mexico School of Law,
22 and while teaching there, I was appointed
23 by the Governor of New Mexico to run a
24 statewide indigent defense delivery
25 system. That system was 100 percent

1 10/7/13 - LAW & GOV'T - RES. 130611
2 funded by the State Legislature of New
3 Mexico. We were in the state general
4 fund appropriation budget. We consisted
5 at that point of ten district staff
6 offices of public defenders for the trial
7 level; four statewide units - capital,
8 mental health, appellate, and post
9 conviction; and we ran the conflict of
10 interest contract system for the State of
11 New Mexico. So we had both hats on, if
12 you will. We had both the conflict
13 office requirements as well as the staff
14 public defender offices, and in the
15 middle was statewide administration. So
16 we had over 300 state staff employees.

17 I have traveled throughout the
18 United States studying indigent defense
19 delivery systems all over the United
20 States and writing reports on those
21 systems as well as my participation in
22 Pennsylvania.

23 Let me address -- I think
24 there's a big bear in the room, and the
25 bear in the room is in the 50th

1 10/7/13 - LAW & GOV'T - RES. 130611
2 anniversary year of Gideon versus
3 Wainwright, which mandates the state to
4 pay, Pennsylvania remains the only state
5 that provides no funds for indigent
6 defense legal services, and that really
7 is an abomination. And we have to step
8 forward, Council and the City and others
9 that care about the quality of indigent
10 defense in the Commonwealth, and step
11 forward and say the state needs to play a
12 role in funding what is a state
13 requirement.

14 We are currently for the
15 Coalition for Justice putting forward in
16 the Pennsylvania State Senate Senate Bill
17 979, which would establish under a
18 first-time-ever state appropriation, a
19 center for indigent defense training,
20 development, and resources for public
21 defenders, for assigned counsel, for
22 contract public defenders. It would, in
23 effect, establish one of the elements
24 that Mr. Lindy talked about in terms of
25 the Criminal Justice Act system that has

1 10/7/13 - LAW & GOV'T - RES. 130611
2 out of Washington, DC a broad-based
3 funding entity. And I have done training
4 for that entity because I also chair the
5 National Alliance of Indigent Defense
6 Educators, which is a section of the
7 National Legal Aid and Defender
8 Association made up of training directors
9 from all across the United States.

10 So I think it's important -- I
11 mean, if this contract goes through,
12 which Mr. Gillison seems to indicate it
13 probably will, you will have the Defender
14 Association of Philadelphia, you will
15 have a contract conflict defender office
16 for-profit doing the conflict initial
17 appointments, and you will have an
18 assigned counsel system doing tertiary,
19 et cetera, appointments. You will be
20 running three systems in the City of
21 Philadelphia. And the Defender
22 Association does a terrific job in
23 training its lawyers and providing those
24 lawyers resources, but hopefully this
25 Pennsylvania Center for Indigent Defense

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Representation, if we can get it funded
3 by the state for a million dollars, will
4 hopefully start to provide some of the
5 resources that our lawyers need, with a
6 full Internet-based resource center that
7 if you are a validated staff public
8 defender, assigned counsel or contract
9 lawyer, you can in fact access some of
10 those materials.

11 So we're working on that, but I
12 certainly would ask this City Council and
13 this city to support us in the
14 Legislature. I understand how daunting
15 that may be in the current political
16 environment and the current economic
17 environment, but we have got to start
18 somewhere. And what you're dealing with
19 in this room is the fact that in the 21st
20 century, the City and County of
21 Philadelphia alone cannot sustain
22 economically and in a funding base the
23 kind of resources that are necessary for
24 the delivery of effective assistance of
25 counsel. I mean, that's just the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 reality. And so we need to start coming
3 together and fighting in Harrisburg to
4 get done what needs to be done.

5 So with that aside, my written
6 testimony addresses all of the national
7 standards that would apply to this office
8 that is contemplated. I think that there
9 are a number of recommendations that I've
10 made that might really help with the
11 quality control. To the best of my
12 knowledge, having been a Pennsylvania
13 lawyer and a Philadelphia lawyer for
14 many, many years, there has never been a
15 comprehensive study of how you could
16 possibly organize the conflict needs of
17 representation for poor people and for
18 poor children certainly in the
19 delinquency system outside of the
20 Defender Association of Philadelphia,
21 which is nationally recognized for its
22 expertise. So one of my concrete
23 suggestions is that you, separate from
24 the City, authorize a study.

25 I have worked extensively with

1 10/7/13 - LAW & GOV'T - RES. 130611
2 the Sixth Amendment Center out of Boston
3 doing assessments all over the United
4 States. They are the ones that are just
5 finishing the assessment of the State of
6 Delaware that is just being released.
7 But we've been all over, from Montana to
8 Washington, DC to New York State looking
9 at indigent defense delivery systems.

10 I think we need to get that
11 study funded and done so we really have a
12 sense from the national experts of what
13 are the ways and possibilities that we
14 can proceed in Philadelphia County that
15 will meet the needs of the court system
16 and most certainly the poor adults and
17 children who are served by the criminal
18 and delinquency justice system. So I
19 make that recommendation to you.

20 I also make a recommendation
21 since we do not know what exactly is
22 contained in the contract, the written
23 language. When I was Chief Public
24 Defender in New Mexico, we had adopted
25 performance standards. We were working

1 10/7/13 - LAW & GOV'T - RES. 130611
2 on caseload standards, and we could put
3 those standards into the contracts,
4 because we controlled it all, to require
5 certain levels of performance and
6 adherence both for our staff lawyers and
7 for our conflict lawyers. And at this
8 point, one of the things that I would
9 recommend is that you think about whether
10 or not to contract with an attorney who
11 is an expert in the area of indigent
12 defense delivery systems and the
13 standards to do an audit of whatever the
14 contract may involve. You know, you have
15 asked the questions, Well, how do you
16 know that this is going to happen or that
17 is going to happen, and the only way I
18 know to get to that is through an
19 auditing process. I mean, my public
20 defender statewide department in New
21 Mexico, we had to go through an audit
22 every year, as does the Defender
23 Association, to justify what we were
24 doing, and we were subject to legislative
25 hearings just as the Defender Association

1 10/7/13 - LAW & GOV'T - RES. 130611

2 has to come before Council.

3 But by independently
4 contracting for a quality control and
5 auditor, it gives you some mechanisms
6 while the study is going on of the system
7 and what might be a cost effective but
8 certainly appropriate system for
9 Philadelphia conflicts. It gives you two
10 arms to try to address some of the issues
11 that were part of the dialogue that you
12 just had with Mr. Gillison.

13 One of the things that I also
14 recommend in my written testimony is that
15 when I was part of the Advisory Task
16 Force that looked at Pennsylvania
17 indigent defense delivery systems, there
18 is absolutely no uniformity anywhere in
19 the Commonwealth of Pennsylvania. I
20 mean, as a Chief Defender for a state, I
21 could impose certain types of uniformity
22 of practice and quality controls. I
23 appointed all of the district defenders
24 that were in charge of offices across the
25 state. So we had mechanisms by which to

1 10/7/13 - LAW & GOV'T - RES. 130611

2 do that.

3 There is none of that in
4 Pennsylvania. We could not find when we
5 spent four years of studying even the
6 data of the number of cases that many of
7 the counties that these county offices
8 were handling, and there certainly were
9 no written standards.

10 So I think it's important to
11 try to put together a task force for
12 Philadelphia County to look at what are
13 the performance standards that you would
14 want to have in place for the entities
15 that you're funding. You fund the
16 Defender Association. You're obviously
17 going to fund a conflict appointment law
18 firm, and you're going to fund an
19 assigned counsel program to handle the
20 third, fourth, fifth, and sixth
21 appointments.

22 So I think we need to look
23 carefully at what standards. You can't
24 apply the national standards. They are a
25 basis of consideration. But, for

1 10/7/13 - LAW & GOV'T - RES. 130611

2 instance, in misdemeanors, which were
3 cited earlier, Pennsylvania misdemeanors
4 are different from what the rest of the
5 country applies, which are the common law
6 misdemeanors, petty misdemeanors, six
7 months, grand misdemeanors, one year. We
8 follow the model penal code, and our
9 first-degree misdemeanors go up to two
10 and a half to five. That's a felony in
11 every other state.

12 So we need to look differently
13 about that. So one of my recommendations
14 is that you fund a task force to study
15 this. In all honesty, I did present this
16 to Mrs. Greenlee, the Chief Defender at
17 the Defender Association, and she was not
18 opposed to it in terms of looking at what
19 would be appropriate standards given what
20 goes on in Philadelphia County in terms
21 of everything from capital cases all the
22 way down through different types of
23 homicides, through felony cases, through
24 misdemeanor cases, and through the
25 delinquency cases. I mean, this is

1 10/7/13 - LAW & GOV'T - RES. 130611
2 something that the Juvenile Defenders
3 Association of Pennsylvania has already
4 looked at and come up with their own
5 considerations, but all of that has
6 changed with the application of lifetime
7 sex offender registration for children
8 who are 14 years and older who still stay
9 in the delinquency system. So we have a
10 number of new ball parks that the
11 Legislature has imposed upon us.

12 So those are some of the very
13 concrete suggestions that I would offer
14 as ways of trying to help deal with what
15 I think is a very critical justice system
16 issue in terms of Philadelphia County.

17 COUNCILMAN GREENLEE: Thank
18 you, Ms. Subin. And before we hear from
19 Mr. Houldin, I just want to put on
20 record -- Councilman O'Brien and I
21 noticed this very quickly -- as soon as
22 the Administration was through, even
23 though we had a discussion about we hope
24 they listened to the other people that
25 are here, they quickly marched out of

1 10/7/13 - LAW & GOV'T - RES. 130611

2 here. I don't think -- is there anybody
3 from the Administration here?

4 MR. ALEXANDER: Right here.

5 COUNCILMAN GREENLEE: Oh, I'm
6 sorry. Tumar, you don't hide very well,
7 but you're doing a real good job hiding
8 behind that pole. I'm sorry. I'm sorry.
9 I'll take that back, but I wish
10 Mr. Gillison maybe had listened to a
11 little bit more, and I'll leave it at
12 that. Thank you.

13 Mr. Houldin.

14 MR. HOULDIN: Thank you. My
15 name is Mark Houldin. I'm Defender
16 Counsel at the National Legal Aid and
17 Defender Association where I study the
18 provision of public defense in the
19 development of the right to counsel. I
20 greatly appreciate the opportunity to
21 testify before you today. I extend my
22 thanks to the Councilmembers for allowing
23 me to do so.

24 Founded in 1911, the National
25 Legal Aid and Defender Association is the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 oldest and largest national non-profit
3 membership organization devoted to
4 excellence in the delivery of public
5 defense and legal services, ensuring
6 equal access to justice for all
7 individuals. NLADA has been at the
8 forefront of establishing a number of
9 defender systems across the country.
10 Many of the early defender systems that
11 were created after Gideon were created by
12 the National Legal Aid and Defender
13 Association.

14 Prior to joining NLADA, I
15 served as a public defender in multiple
16 jurisdictions - in Florida, in Chester
17 County, Pennsylvania, and here in
18 Philadelphia at the Defender Association.

19 So I would like to say that I
20 think it's obviously fitting in the 50th
21 anniversary year of Gideon versus
22 Wainwright that the City is seeking to
23 improve the justice system and the
24 delivery of the right to counsel. There
25 are obviously, from what I have heard

1 10/7/13 - LAW & GOV'T - RES. 130611
2 today -- and I'll say, I've not been
3 involved in this process up until now.
4 There's obviously some disagreement as to
5 the, I guess, sincerity of that, but that
6 aside, I do believe that well-intentioned
7 minds can disagree about this process,
8 but I think it's critical that you all
9 having this hearing now and this
10 resolution is critical.

11 The current approach to
12 delivery in Pennsylvania, in Philadelphia
13 when there's a conflict is referred to as
14 ad hoc representation. And while we
15 often talk of delivery systems of public
16 defense, the term is not accurately
17 applied. It's not in fact a system.
18 There is no oversight, there is no
19 independence, and there are no quality
20 standards. The individuals of the
21 private Bar, who as good as they may be,
22 are not supervised in any way. There's
23 no independence from the government
24 entity. That is the first of the ABA Ten
25 Principles. So however well-intentioned

1 10/7/13 - LAW & GOV'T - RES. 130611
2 the RFP may have been or may be,
3 proceeding on the proposal as it stands
4 would be a vital mistake for Philadelphia
5 and it would retreat from rather than
6 strengthen the promise of Gideon and its
7 progeny.

8 Just a couple points I'd like
9 to make in the interest of time. One is
10 that what we're talking about here from
11 what I've seen from the RFP is a flat fee
12 or fixed fee contract system wherein the
13 amount is already fixed and provided and
14 the provider would have to provide all
15 the services asked for in that contract,
16 without any level of variance based on
17 investigations that need to be done, any
18 changes in caseload. I don't know if
19 there was forecasting done to come up
20 with that number, but even if there was,
21 there would need to be a variance built
22 in if it were to comply with national
23 standards.

24 And speaking of national
25 standards, the second point is there are

1 10/7/13 - LAW & GOV'T - RES. 130611
2 an array of national standards. They're
3 in my testimony. I'm sure they're in
4 Ms. Subin's testimony as well, the
5 foundational standards from the '70s
6 through 2000 that address these issues
7 specifically. I would urge City Council
8 and the executive to look at the model
9 contracts for the delivery of public
10 defender services that was developed by
11 the National Legal Aid and Defender
12 Association that explicitly lays out what
13 a contract of this nature should look
14 like, and it further states that when
15 this is done through an RFP, each of the
16 following guidelines should be included
17 in either a contract for public defense
18 services and it states that if contracts
19 are to be awarded through some kind of
20 bidding, RFP or other competition, they
21 should serve as a basis for the RFP or
22 bidding document. They are incredibly
23 extensive, and I'll just highlight a few
24 of what those principles in fact are.

25 They state that -- excuse me

1 10/7/13 - LAW & GOV'T - RES. 130611

2 one moment -- that to avoid conflicts of
3 interest and threats of the independence
4 of the defense function, it requires
5 standards to a company, any assigned or
6 contract counsel system to ensure
7 quality, the establishment of a plan of
8 representation, and to be overseen by a
9 board. The chief administrator of that
10 board shall not be engaged in the private
11 practice of law.

12 So while the RFP does mention
13 investigative expert, consultation, and
14 social services, again, it does not in
15 fact provide any sort of variance. These
16 critical services are not only important
17 because they are specifically required,
18 but because they can have far more impact
19 on the outcome of an individual, a
20 Philadelphian's life, in the outcome of
21 the case and the fairness of a trial than
22 can simply the appearance of an
23 individual in court.

24 I'll also state that the 1992
25 ABA Standards for Criminal Justice echoes

1 10/7/13 - LAW & GOV'T - RES. 130611
2 many of the cautions of the 1985 NLADA
3 guidelines that are cited in my testimony
4 that state that contracts should never be
5 awarded on the basis of cost alone or
6 through competitive bidding without
7 reference to quality of representation,
8 and recommending the contracting when
9 utilized should, in addition to cost, be
10 based on qualitative criteria such as
11 attorney experience, independence,
12 workload maximums, staffing ratios,
13 criminal law practice expertise,
14 training, supervision, and compensation
15 guidelines.

16 So I would just like to further
17 state that I applaud the statements that
18 have been made that there needs to be an
19 analysis of best practices and then
20 address the issue of how it's funded. As
21 Ms. Subin stated, Pennsylvania is the
22 last state in the United States that does
23 not provide funding for indigent defense.
24 Regardless of whether that problem is
25 solved and how that is addressed, the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 issue of how it's funded needs to come
3 after the issue of what is the
4 appropriate structure and what is the
5 appropriate model. The RFP or any
6 contract needs to have in it very
7 specific performance guidelines so that
8 quality can in fact be measured.

9 And the greatest concern is
10 that the current system as is is
11 problematic, and it's problematic because
12 there's no oversight. And so to create
13 another entity that's going to provide
14 representation that still does not have
15 built in those performance metrics or
16 performance measures and standards and
17 then to have the third and fourth and
18 fifth individuals who may be charged with
19 a crime subject to the same system that
20 exists now is incredibly problematic.

21 And I -- well, I'll leave it at
22 that, and I would just say that in
23 closing, that the Defender Association of
24 Philadelphia -- the homicide issue is
25 brought up, and there's very little

1 10/7/13 - LAW & GOV'T - RES. 130611
2 research that has been done on the
3 quality, empirical research, social
4 science research, on what happens when
5 you have strong representation. The
6 National Institute of Justice did fund a
7 study of that sort, which you may be
8 aware of. The RAND Corporation studied
9 the Defender Association's homicide unit
10 and found --

11 MS. SUBIN: First, is assigned
12 counsel assigned to the same homicides in
13 Philadelphia County.

14 MR. HOULDIN: That's right.
15 From 1994 --

16 COUNCILMAN O'BRIEN: Can I ask
17 you what year that study was by the NIJ?

18 MR. HOULDIN: What year? I
19 believe it was 2011 it was published. It
20 covered 1994 to 2005. It was a
21 quasi-experimental study, which is
22 incredibly difficult to find in any
23 public defense services and is very
24 unique, and it found the conviction rates
25 of clients represented by public defense

1 10/7/13 - LAW & GOV'T - RES. 130611

2 lawyers at the Defender Association was
3 19 percent lower than those represented
4 by court-appointed lawyers working alone,
5 and their expected time served in prison
6 was 24 percent lower and they were far
7 less likely to get a life sentence.

8 Now, I am not saying that to
9 sort of incite questions as to sort of
10 the stereotype of defenders getting
11 people off or shorter sentences, but in
12 fact these judges -- the judges in
13 Philadelphia were making very informed
14 decisions but based on team
15 representation approaches that include
16 mitigation specialists, which are in fact
17 a part of capital representation
18 standards. They include investigators.
19 And if you were to take the 24 percent
20 lower sentence rate served in prison, you
21 would see tremendous cost savings that
22 the Defender Association provides the
23 City of Philadelphia.

24 And so I understand that cost
25 is a concern for the executive. It's a

1 10/7/13 - LAW & GOV'T - RES. 130611
2 concern for the City. But I would stress
3 that the short-term cost that -- it may
4 be tempting to look at the amount that is
5 in a contract, but that is far from the
6 amount that the City pays and will pay if
7 the quality of reputation is poor, if
8 innocent people go to prison, if people
9 convicted on less insufficient evidence
10 go to prison, appeals, long prison
11 sentences. Those costs are significant,
12 as are the collateral consequences of
13 convictions that strong quality offices
14 help mitigate against.

15 So I thank you for your time.

16 MS. SUBIN: We do have city
17 models, county-city models that any study
18 can look at, from Seattle to Sacramento
19 to San Mateo, California to New York
20 City, and to other places that I think
21 would be informative if we were able to
22 get the kind of study that really needs
23 to be done.

24 COUNCILMAN GREENLEE: Thank you
25 both. I appreciate it. You gave some

1 10/7/13 - LAW & GOV'T - RES. 130611

2 great recommendations. And just so the
3 record is clear -- and I think you kind
4 of picked this up from our discussions --
5 it doesn't appear the Administration is
6 going to change what they're going to do
7 right now. And because it's only a year
8 contract, we don't have the right to
9 officially stop that. I disagree with
10 Mr. Gillison it has to be a one-year
11 contract, but that's maybe a discussion
12 for another time. But what this
13 Committee can do is issue a report,
14 findings, recommendations of what we can
15 do at least to move forward that we hope
16 could very well include what some of the
17 things you're talking about and at least
18 address the issues as we move down the
19 line. So your testimony is very
20 important and the testimony of everybody
21 here.

22 Councilman O'Brien, do you have
23 anything?

24 COUNCILMAN O'BRIEN: Yes.

25 COUNCILMAN GREENLEE:

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Councilman O'Brien.

3 COUNCILMAN O'BRIEN: Ms. Subin
4 and Mark, I really appreciate you
5 testifying today. Your expertise is
6 welcomed by this committee, and I do have
7 one question for you, Ms. Subin. Did you
8 present the information, testimony to
9 this Administration and what was their
10 response?

11 MS. SUBIN: Councilman O'Brien,
12 Mr. Chair, I was asked to participate
13 with the Philadelphia Bar Association
14 Task Force, and I provided them with
15 technical assistance with regard to
16 standards and other things for Chancellor
17 Wilkinson to convey, and I was able to
18 also provide copies of actual standards,
19 principles, guidelines to the City and
20 delivered them to Mr. Resnick's office.

21 COUNCILMAN O'BRIEN: Thank you.

22 Mr. Houldin, can you again
23 iterate your concerns for a for-profit
24 model, and do you think that for-profit
25 model would have quality representation

1 10/7/13 - LAW & GOV'T - RES. 130611

2 for the indigent population?

3 MR. HOULDIN: When you say "a
4 for-profit model," from what I've heard I
5 understand that to mean a contract with a
6 for-profit law firm as the primary means
7 of providing conflict counsel.

8 COUNCILMAN O'BRIEN: Yes.

9 MR. HOULDIN: Well, certainly,
10 yes, that raises a number of concerns,
11 specifically conflict of interest
12 concerns whereby an individual -- and so
13 all the national standards are clear that
14 individuals -- public defenders should be
15 full-time public defenders. The only
16 exceptions that have tended to exist have
17 been in jurisdictions that are so small
18 that there is not -- there aren't enough
19 cases to allow for full-time public
20 defenders.

21 And so -- but on top of that,
22 when you do in fact have a for-profit
23 model, as was stated on the first panel,
24 whenever there is a need for
25 investigation or other necessary

1 10/7/13 - LAW & GOV'T - RES. 130611
2 services, that money, if it's above
3 whatever the fixed fee is, is going to be
4 taken from a business that's looking to
5 make a profit. It creates an incredible
6 tension, whether it's perceived or
7 actual, between the rights of an
8 individual accused and the services that
9 are being rendered. So it is very hard
10 to imagine that such a system could
11 operate effectively. That is no
12 statement on the individuals who have
13 applied or it's been stated have applied,
14 but it does not seem to fit with the
15 goals of the City to use a for-profit law
16 firm to deliver these sorts of services.

17 COUNCILMAN O'BRIEN: Can I ask
18 one other question. Since a for-profit
19 entity, to my knowledge, has not been
20 used effectively, if at all, what would
21 your position be should this for-profit
22 firm be allowed to mine cases with the
23 indigent population for soft issue
24 injuries, slips and falls, other cases,
25 except referrals?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MS. SUBIN: Councilman, the
3 national standards would really call for
4 a full-time employment of the office's
5 lawyers in terms of indigent defense
6 representation, so that they are not
7 handling any of those cases to create
8 that -- that's the kind of tension that
9 Mr. Houldin is referring to, if you have
10 people who are engaged part time or
11 mining the indigent defense practice for
12 civil case benefit.

13 One of the things we know from
14 a number of other cities -- I mean, King
15 County, which is Seattle, had four
16 not-for-profit law firms handling the
17 broad range of indigent defense
18 representation. Even in New York City
19 that Mr. Lindy recognized earlier, there
20 are Legal Aid Society of New York, but
21 there are other contracted public
22 defender offices that are full-time
23 non-profits in Harlem, in Bronx, in
24 Brooklyn, in Staten Island. And, yes,
25 there are what he called the 18B, which

1 10/7/13 - LAW & GOV'T - RES. 130611
2 are basically the other conflict panel,
3 but they have resources such as training
4 and other support services that have not
5 traditionally been provided in
6 Philadelphia's pure assigned counsel
7 program, which is one of the points that
8 was highlighted in the RAND study in
9 terms of the additional type of resources
10 that were really needed for any lawyer
11 that took death penalty case assignments.

12 COUNCILMAN O'BRIEN: I'm the
13 second oldest in my family and I don't
14 think I'm special. I just don't
15 understand why the Administration is
16 focused on the second defendant rather
17 than the third, fourth or fifth
18 defendant. But we have, as been
19 articulated, we have a Public Defender's
20 Office, and I think your testimony bears
21 out the fact that there is quality
22 representation, there's training, and
23 there's all those resources that are
24 necessary to an appropriate defense for
25 the indigent population. And then you

1 10/7/13 - LAW & GOV'T - RES. 130611
2 have this big wheel out here that's going
3 to be the third, fourth, fifth or however
4 many other indigent clients there's going
5 to be. It makes no sense why we're
6 putting a for-profit company or law firm
7 in the middle.

8 Based on Mr. Gillison's
9 confidence that a for-profit entity can
10 do this, since you're a former public
11 defender and you are a former public
12 defender and you're both familiar with
13 the City of Philadelphia's Public
14 Defender's Office, why don't we just
15 start with privatizing the Public
16 Defender's Office in the City of Philly?

17 MS. SUBIN: Well, Councilman, I
18 can tell you that --

19 COUNCILMAN O'BRIEN: You know
20 that's tongue and cheek.

21 MS. SUBIN: I understand, but
22 it's a very important question, because
23 that's exactly what just happened in King
24 County, Seattle. All four of those
25 non-profits are now city-county entities

1 10/7/13 - LAW & GOV'T - RES. 130611
2 and city-county employees, because there
3 needed to be a parity between them and
4 the employees of the city and county,
5 King County, Seattle.

6 COUNCILMAN O'BRIEN: Would you
7 have a concern if you're creating a
8 for-profit entity that's in the middle of
9 the wheel and the Public Defender's
10 Office that they would look to take
11 lawyers from the Public Defender's Office
12 or from the DA's Office that had minimal
13 experience but their resume in a simple
14 application before the Bar Association
15 would say, yeah, I tried a couple cases?

16 MS. SUBIN: Well, I don't take
17 a position one way or another other than
18 there must be supervision of any person.

19 COUNCILMAN O'BRIEN: Is there a
20 minimum number of years of experience
21 that you would recommend before those
22 attorneys could represent the indigent
23 population and is it different for a DA
24 to come out and represent the indigent
25 population as opposed to prosecuting

1 10/7/13 - LAW & GOV'T - RES. 130611

2 cases?

3 MS. SUBIN: Well, the national
4 standards require that the case
5 complexity be matched with the experience
6 and accomplishment of a lawyer who is to
7 be assigned to that case. You don't
8 assign a first-year lawyer with no
9 training or experience to represent in a
10 capital death case. So the requirement
11 even under the Ten Principles from the
12 ABA is certainly that you match those
13 two. And the other requirement under the
14 Ten Principles, under Principle Ten, is
15 that no matter what the experience is,
16 the lawyer must be supervised and
17 monitored, not only because of the ABA
18 Ten Principles requirement, but our own
19 Pennsylvania Rules of Professional
20 Conduct, which I cited in my testimony,
21 have now included managers and
22 supervisors of lawyers, not just law firm
23 partners, to do supervision to make sure
24 that other lawyers don't violate the
25 Rules of Professional Conduct in

1 10/7/13 - LAW & GOV'T - RES. 130611
2 Pennsylvania.

3 MR. HOULDIN: And if I may just
4 add, in speaking about Washington, they
5 have in fact tried something of this
6 nature. In 2001, Grant County,
7 Washington contracted with a private
8 individual to handle indigent defense
9 cases. That individual got sued both
10 individually and in a class action suit.
11 The significant national attention that
12 has been around the landmark statement of
13 interest filed by the Department of
14 Justice in federal court in Washington in
15 the case of Wilbur versus the City of
16 Mount Vernon was also -- began because of
17 a fixed fee type arrangement where there
18 was no limit on caseloads and the quality
19 of representation was so significantly
20 called into question.

21 And so some of these approaches
22 have been tried before, but many of them
23 have not resulted well for anybody, the
24 city, the individuals being represented.

25 COUNCILMAN O'BRIEN: Should

1 10/7/13 - LAW & GOV'T - RES. 130611
2 there be a provision in a contract such
3 as this that anyone who is involved
4 currently in the judicial system or in
5 the City of Philadelphia should be
6 prohibited for participating in a
7 for-profit firm representing the indigent
8 population?

9 MS. SUBIN: I'm not sure that
10 you're going to get that from the City
11 certainly based on the testimony that we
12 heard here earlier.

13 COUNCILMAN O'BRIEN: Would
14 either of you pick a for-profit firm as
15 your first choice as a model for the City
16 of Philadelphia?

17 MS. SUBIN: I think that there
18 are many other models that need to be
19 looked at for the City of Philadelphia.
20 That's why I have strongly suggested that
21 there really be a study by the national
22 expert to take a look at what's going on
23 in Philadelphia and to really come up
24 with something that not only meets the
25 national standards but, quite honestly,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 based on what Mr. Houldin has just shared
3 and other cases that we know about,
4 protects the City of Philadelphia from
5 lawsuits and increased expenditures,
6 because unlike the prosecutors, the
7 indigent defendant's lawyer can be sued.
8 The system can be sued under federal 1983
9 actions, and they have been. There's a
10 case out of the 9th Circuit Court of
11 Appeals, Miranda versus Clark County
12 Nevada, which is Las Vegas, where a
13 person who was innocent, yet convicted of
14 a death penalty and was later let off
15 actually sued the trial lawyer, the
16 county, and the office, because the way
17 the Public Defender Office at that time
18 triaged resources is, they made that
19 homicide defendant take a lie detector
20 test, and when he failed, he got a
21 first-year baby lawyer and no other
22 investigative or other resources. And
23 the lawyer couldn't be sued under the
24 decision of the 9th Circuit Court of
25 Appeals, but the office and the county

1 10/7/13 - LAW & GOV'T - RES. 130611
2 were sued, and Clark County Nevada paid
3 over \$5 million as a penalty for that
4 case.

5 COUNCILMAN O'BRIEN: Do you see
6 any urgency since we, by all accounts by
7 Everett Gillison's own testimony, we're
8 going to keep this wheel anyway, do you
9 see any urgency with proceeding with
10 signing this contract rather than have a
11 study or look at alternatives that better
12 serve the indigent population?

13 MS. SUBIN: I'm not sure that
14 the one-year contract, based on what I
15 heard from his testimony, would
16 necessarily be stopped, but I think it
17 would be incumbent upon --

18 COUNCILMAN O'BRIEN: That's not
19 the question, whether it's going to be
20 stopped. Whether it's appropriate.

21 MS. SUBIN: I really, on behalf
22 of our coalition, don't want to comment
23 one way or another about the particular
24 entity, but to really talk about ways
25 that we can try to assure the City that

1 10/7/13 - LAW & GOV'T - RES. 130611
2 in the very near future there are quality
3 controls, whether it's from an audit
4 process as well as a good study.

5 COUNCILMAN O'BRIEN: Thank you.

6 MR. HOULDIN: And I would just
7 add to that that both to the question of
8 the for-profit model and the urgency, I
9 think it's clear that the quality of
10 representation in the City of
11 Philadelphia for individuals -- well, for
12 all individuals, but obviously outside of
13 the Defender Association needs to be
14 addressed. It needs to be addressed now,
15 not only because it's the anniversary
16 year of Gideon but because it's a
17 fundamental constitutional right.

18 And so aside from for-profit or
19 not, there are simple fundamental
20 standards that have existed for decades
21 that need to be followed in any system.
22 Can they be met in a for-profit model? I
23 don't want to speculate. What the
24 landscape currently is seems to suggest
25 that most are not of that nature, but

1 10/7/13 - LAW & GOV'T - RES. 130611
2 most importantly to me and to the
3 organization is the quality, is the
4 standards, is the independence. Those
5 are the hallmarks of quality public
6 defense. They have not changed. They
7 should not change now.

8 COUNCILMAN GREENLEE: Thank
9 you.

10 COUNCILMAN O'BRIEN: Thank you.

11 COUNCILMAN GREENLEE: Thank you
12 both for sharing your expertise. I
13 appreciate you taking the time and your
14 patience here.

15 Ms. Marconi, who else.

16 THE CLERK: David Rudovsky and
17 Ellen Greenlee.

18 COUNCILMAN GREENLEE: While
19 you're there, could you just call the
20 other names out. We want to make sure
21 who is still here.

22 THE CLERK: William Calandra,
23 Karen Williams, Gary Server, Mingo
24 Stroeber.

25 COUNCILMAN GREENLEE: Okay.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 And is there anyone else other than the
3 names we called that wants to say
4 anything?

5 (No response.)

6 COUNCILMAN GREENLEE: Okay.

7 Fine.

8 (Witness approached witness
9 table.)

10 COUNCILMAN GREENLEE: I know
11 it's been a long time, so some people may
12 have left.

13 Good afternoon. Thank you for
14 your patience.

15 MS. GREENLEE: Good morning.

16 COUNCILMAN GREENLEE: Don't
17 fall, because we don't have any money to
18 pay for anything.

19 MS. GREENLEE: Councilman
20 O'Brien, thank you for the opportunity to
21 be here. Before I start, I just wanted
22 to note my partners in the system, the
23 private attorneys who are here who
24 represent clients who need
25 representation, at great personal

1 10/7/13 - LAW & GOV'T - RES. 130611
2 sacrifice to themselves, because they are
3 woefully ill compensated and have to
4 struggle for the resources that they
5 need. So I need to salute them as our
6 partners in this effort to provide
7 representation to the indigent clients in
8 Philadelphia.

9 COUNCILMAN O'BRIEN: As well
10 you should on this important 50th
11 anniversary.

12 MS. GREENLEE: So I have to put
13 in a pitch for them. Whatever system the
14 City devises, they need to look to
15 compensating private counsel adequately
16 and providing them the resources they
17 need. They do the same kind of hard work
18 that defenders do. Defenders are
19 full-time employees who enjoy a good
20 benefits package, as you're well aware
21 from our meetings with you, and private
22 counsel does not have those resources
23 that we have to be able to provide the
24 representation that we need.

25 The Defender Association, as

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you know, has actually existed for about
3 80 years, the Defender Association that
4 you know now. For the last 45 years, we
5 have contracted with the City of
6 Philadelphia to provide representation to
7 the poor citizens in Philadelphia in
8 adult and juvenile criminal matters, in
9 dependency matters, and in mental health
10 matters, both criminal and civil. And we
11 probably get about 60,000 court
12 appointments a year. And I know that
13 you're aware that our budget has reached
14 an astronomical probably over \$38 million
15 a year. We have almost 500 employees.
16 All of our employees are full-time
17 employees of the Defender Association.
18 Every attorney, social worker, and
19 investigator as well as our very
20 competent administrative staff our
21 full-time employees, and that I think is
22 what for me argues against any part-time
23 for-profit model that the City might look
24 to. I know that in many of the counties
25 in Pennsylvania, there are part-time

1 10/7/13 - LAW & GOV'T - RES. 130611
2 defenders, and I don't put anyone down
3 who does this kind of work, but you
4 really need to be able to devote your
5 energies, your full-time energies, if
6 you're going to be in a conflict counsel
7 office and representing clients.

8 The model we have chosen
9 obviously and continually work to improve
10 involves a combination of lawyers,
11 investigators, social workers, and a
12 highly qualified administrative staff.
13 What we do is we seek to select the best
14 people. We employ them full time. We
15 train them very seriously when they come
16 in, and we continue training them
17 throughout the years. We provide our own
18 continuing legal education, to which, of
19 course, we invite members of the private
20 bar. We provide supervision and
21 monitoring and evaluation of the work of
22 our staff, and we pay adequate
23 compensation. It is not at the level it
24 should be. I don't want to mislead you
25 here. We're in a constant battle with

1 10/7/13 - LAW & GOV'T - RES. 130611

2 the City, and Mr. Gillison alluded to
3 that, to provide pay equity so that our
4 attorneys and other staff members would
5 be paid at the same level that the
6 District Attorney has, although he has
7 staked a position in opposition to the
8 Defender Association being paid at the
9 same level that his lawyers are, even
10 those of his lawyers who may get arrested
11 for doing things that they shouldn't do.

12 COUNCILMAN GREENLEE: Uh-oh.
13 Uh-oh.

14 MS. GREENLEE: So we have that
15 constant struggle. But we are blessed
16 really with having the kind of resources
17 that one needs. We have the staff to do
18 the investigations and the social
19 service. We provide for expert witnesses
20 as they are needed. We do not stint on
21 that. And I think what Mark, another one
22 of our illustrious alums, has alluded to
23 the RAND study, we have been doing
24 homicide cases and capital cases for 20
25 years, and we have yet to have a client

1 10/7/13 - LAW & GOV'T - RES. 130611
2 who has received the death penalty. I
3 think that speaks for itself to the
4 nature and quality of the representation
5 that we provide, and that we have the
6 resources that private counsel needs to
7 have in order to be able to do these
8 things.

9 So I think that there are some
10 problems with the present appointment
11 system, and I think that my partners
12 would not deny that this is correct, that
13 first we need to ensure that only
14 competent counsel are appointed in a fair
15 and equitable process. And I think that
16 that probably needs to be beefed up
17 somewhat. Then we need to take care of
18 the seriously inadequate compensation at
19 all levels, especially dependency
20 representation, which is an absolute
21 disgrace, an absolute disgrace what
22 dependency counsel are paid to represent
23 children in the most dire circumstances,
24 in contested custody matters, expected to
25 go to meetings and to court and to have

1 10/7/13 - LAW & GOV'T - RES. 130611
2 hearings every 90 days, and they are paid
3 bupkis, to be quite honest, in terms of
4 doing that work. It's an embarrassment
5 for all of us that those who represent
6 our children are so inadequately
7 compensated and resourced.

8 We also, I think, need to have
9 more supervision and monitoring of the
10 work of court-appointed counsel at the
11 same time as we take care to see that
12 they're adequately compensated. And I
13 would like to see the court take a
14 greater interest in seeing that indigent
15 clients are competently represented. The
16 court, to my way of thinking, often take
17 a hands-off attitude when their counsel
18 who are perhaps not up to speed and doing
19 what they need to do.

20 So my problem, and it's really
21 kind on simplistic, with a for-profit
22 model is that the stated purpose is
23 making a profit. The temptation always
24 exists if it's a profit model to move
25 cases along, to seek a quick disposition,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 to save the expense of investigation or
3 mitigation or hiring experts, all of
4 which impact the bottom line. So I do
5 have a problem with it being for-profit.
6 And also for what something Mr. Alva
7 himself has kind of talked about
8 informally, mining the cases, that they
9 expect that they will be able to make
10 some money because as a result of the
11 criminal cases they may handle, there
12 will be civil cases that will come out of
13 that and clients who will come out of
14 that, so they will make money that way.
15 I have the greatest respect for Danny
16 Alva and I don't mean in any way to
17 criticize him in terms of what he sees as
18 a way to do business, and probably will
19 put the very best efforts he can into
20 this, but as things stand right now, it
21 doesn't look like we are there, that
22 there will be adequate staffing, that
23 there will be manageable caseloads, that
24 there's sufficient funding to do what
25 they want to do, especially with so

1 10/7/13 - LAW & GOV'T - RES. 130611
2 little said about what they're going to
3 do about dependency representation, that
4 they will match the attorney's skill
5 level with the complexity of the cases,
6 that there will be sufficient supervision
7 and monitoring of the attorneys, and that
8 they will have any efficiencies that
9 result from standardization of practice
10 and procedures.

11 The Defender Association really
12 takes no position on the City's selection
13 of an entity to provide conflict counsel
14 services. We will offer whatever support
15 we reasonably can, including training,
16 continuing legal education, and other
17 appropriate assistance. We've had that
18 conversation even with Mr. Alva.

19 But I do have a necessary
20 concern that the office be for-profit and
21 not non-profit and have part-time
22 attorneys.

23 So that's pretty much --
24 probably I've staked too strong a
25 position on this, but frankly, it's how I

1 10/7/13 - LAW & GOV'T - RES. 130611
2 feel about it, that you need to have a
3 vibrant private bar that's adequately
4 compensated and resourced and an office,
5 however the City decides to structure it,
6 that will meet the standards that our
7 indigent citizens deserve.

8 Thank you.

9 COUNCILMAN GREENLEE: Thank
10 you. Thank you very much. I just have
11 one question. Were you and/or the
12 Defender Association generally engaged at
13 all in this process? Did the
14 Administration ask you to be involved,
15 ask you any questions, ask you --

16 MS. GREENLEE: We were involved
17 early on in some discussions with
18 Mr. Gillison and Mr. Resnick and also as
19 part of the group, the Bar Association.

20 COUNCILMAN GREENLEE: So you
21 were part of that group too?

22 MS. GREENLEE: We were part of
23 that.

24 COUNCILMAN GREENLEE: Great.
25 Thank you.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Do you have any questions?

3 COUNCILMAN O'BRIEN: You
4 probably answered part of this question,
5 but I'll underscore this question again.
6 Are public defenders allowed to refer
7 cases?

8 MS. GREENLEE: No, absolutely
9 not.

10 COUNCILMAN O'BRIEN: Why not?

11 MS. GREENLEE: Because it just
12 is not ethical for us to get involved in
13 providing referrals to anyone. We stay
14 out of that area entirely. We have
15 enough to do with our own business
16 without doing that. We do not refer
17 cases.

18 COUNCILMAN O'BRIEN: Can public
19 defenders take private clients?

20 MS. GREENLEE: No, absolutely
21 not.

22 COUNCILMAN O'BRIEN: Why not?

23 MS. GREENLEE: Because the
24 agreement is that you are hired as a
25 full-time defender. The only thing that

1 10/7/13 - LAW & GOV'T - RES. 130611

2 one may do as a public defender is do the
3 arbitration hearings that the court does.
4 You can do arbitrations, which I think
5 pay roughly about \$200 a day. But that's
6 taking vacation time. You can take a day
7 off, you can do civil arbitrations, but
8 that's the only thing you can do other
9 than your full-time defender practice.

10 COUNCILMAN O'BRIEN: And you
11 also agree or you would prefer that we
12 establish a model and take care of the
13 funding separately?

14 MS. GREENLEE: For conflict
15 counsel?

16 COUNCILMAN O'BRIEN: Yes.

17 MS. GREENLEE: Yes. Yes, of
18 course.

19 COUNCILMAN O'BRIEN: Thank you.

20 COUNCILMAN GREENLEE: Thank
21 you. Thank you for coming.

22 MS. GREENLEE: Thank you.

23 COUNCILMAN GREENLEE: Thank you
24 for your patience and staying here.

25 (Applause.)

1 10/7/13 - LAW & GOV'T - RES. 130611

2 COUNCILMAN GREENLEE: Just so
3 there was no show of bias, the record
4 will reflect I did not applaud.

5 COUNCILMAN O'BRIEN: And he
6 told me not to applaud.

7 THE CLERK: William Calandra,
8 Karen Williams, Gary Server, Mingo
9 Stroeber.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN GREENLEE: Thank you
13 all for hanging in there. I know it's
14 been a long day, but I appreciate it and
15 we appreciate it. And please whoever --
16 Mr. Calandra, your name was called first.
17 Whoever would like to go first, please
18 identify yourself for the record. Again,
19 we have all your testimonies here, and
20 please proceed and then be available for
21 any comment or questions. Thank you.

22 Don't all be so nice. Somebody
23 jump in there.

24 MR. SERVER: Can we go out of
25 order?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 COUNCILMAN GREENLEE:

3 Mr. Calandra was called first, but
4 whoever would like to go.

5 MR. SERVER: I think I've been
6 elected to go first.

7 COUNCILMAN GREENLEE: Okay.
8 That's fine.

9 MR. SERVER: Councilman, I'm
10 opposed to the RFP because it argues --

11 COUNCILMAN GREENLEE: Just
12 identify yourself for the record.

13 MR. SERVER: Gary Server.

14 I'm opposed to the RFP because
15 it arguably violates state law. It
16 creates an insurmountable conflict of
17 interest, and it will create a backlog in
18 the court system that will take years to
19 dig out from under.

20 Now, I want to also refute some
21 of the things that Mr. Gillison said.
22 Mr. Gillison seemed to intimate that the
23 current core of attorneys are working for
24 profit, just like his for-profit entity,
25 this private firm. Well, I can assure

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you, Councilpeople, we don't work for
3 profit. We work for a living, and a
4 meager living at that, as you've heard.
5 We're simply not paid enough money. We
6 represent indigent clients at well below
7 the market level, well below what we
8 deserve to get.

9 Now, that's not to say that you
10 should equate the quality of
11 representation with the amount of
12 compensation, because I disagree with
13 many of my colleagues, the two don't have
14 any correlation. One of the eternal
15 truths in this business is that no matter
16 how little you pay a good lawyer, he's
17 still a good lawyer, and no matter how
18 much you pay a bad lawyer, that lawyer is
19 still a bad lawyer. So we all should
20 bear that in mind.

21 The other thing that I want to
22 dispute is Mr. Gillison's contention that
23 the First Judicial District told the City
24 that they no longer wanted to be
25 responsible for appointing counsel.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Judge Herron, who issued the
3 Administrative Order, Administrative
4 Order No. 2 of 2012 never, ever gave the
5 responsibility for appointing counsel to
6 the City of Philadelphia because that
7 violates the law. All that Judge Herron
8 said in his Administrative Order was that
9 the City should be responsible for the
10 mechanism of paying the attorneys, and
11 that's the structure that's been put in
12 place. Judge Herron would never, ever
13 agree to violating the law, and he
14 hasn't.

15 The structure that has been put
16 into dates back to 1907 when the first
17 precursor of the Public Defender Act was
18 enacted. Basically what these acts,
19 right up through the Public Defender Act
20 has said, is that the court is
21 responsible for appointing counsel, the
22 court sets the reasonable fee, and the
23 counties, the City and County of
24 Philadelphia, is responsible for making
25 the payment.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 There's a division that's
3 absolutely necessary to ensure that
4 conflict counsel owes his allegiance to
5 the client and not to the government who
6 is paying them. And that's the version
7 of the law that's in place now, and the
8 RFP violates that law. At the very
9 least, it bypasses the law, because what
10 the City is doing is, the City is saying,
11 Well, now we're going to be responsible
12 for appointing the attorneys, and that
13 clearly is in contravention to the Public
14 Defender statute.

15 Nowhere, not by statute, not by
16 caselaw, has the City and County of
17 Philadelphia received the authority to
18 usurp what's clearly the province of the
19 courts, and that's to appoint conflict
20 counsel.

21 So query: Doesn't the current
22 plan by the City to choose a group of
23 attorneys to represent our indigent
24 citizens bypass or violate the law? Are
25 we going to sit by? Are we going to give

1 10/7/13 - LAW & GOV'T - RES. 130611

2 tacit approval to the City to do that?

3 And are not the attorneys who are

4 devising and the -- by that I mean the

5 attorneys in the Nutter Administration.

6 Are not those attorneys who are devising

7 implementing or participating in the

8 plan, are they not also bypassing and

9 violating the Public Defender Act? We
10 shouldn't condone that.

11 Maybe the court has reached
12 some sort of an agreement with the City
13 that they're going to accept the City's
14 proposal and they're going to permit the
15 City to choose the entity to which the
16 court is going to appoint. Well, doesn't
17 that arguably violate separation of
18 powers? Should the judiciary and the
19 executive be conferring, be making an
20 agreement without at least consulting the
21 duly appointed legislative body,
22 yourselves? You seem to think that they
23 should not, and I agree with you.

24 We have very strict rules of
25 professional conduct, and we are taught

1 10/7/13 - LAW & GOV'T - RES. 130611
2 to avoid conflicts of interest. We're
3 taught to not to interfere with the
4 orderly administration of justice. The
5 orderly administration of justice in this
6 case comes from the Public Defender Act.
7 Does not the City of Philadelphia and the
8 lawyers who are working for the City of
9 Philadelphia and the lawyers who might be
10 participating in a request for proposal,
11 are they not interfering with the orderly
12 administration of justice? These are
13 questions that the City should be asking
14 itself.

15 The rules also admonish us from
16 engaging in a conflict of interest. What
17 greater conflict of interest can there
18 possibly be than the City of Philadelphia
19 picking and choosing which lawyers should
20 go into court to oppose the City's own
21 lawyers in the Law Department in
22 dependency cases and to oppose county
23 prosecutors in the District Attorney's
24 Office? Can there be any greater
25 conflict of interest?

1 10/7/13 - LAW & GOV'T - RES. 130611

2 The current version that we
3 have of appointing counsel in
4 Philadelphia is really quite good,
5 despite what anybody may say about it,
6 despite whatever criticisms you've
7 received. Now, what happens is that
8 attorneys who want to be appointed to
9 cases, they achieve objectively
10 quantifiable objectives, and those
11 objectives are judged by a third-party
12 entity, in this case the Philadelphia Bar
13 Association. The Philadelphia Bar
14 Association gives approval to those
15 attorneys, and then those attorneys get
16 on a wheel and they're appointed in
17 rotation from the wheel. The judges
18 control the appointments. Each judge in
19 the First Judicial District and the
20 criminal section maintains their own list
21 of eligible appointees. Judge Lerner in
22 the homicide program has a list of
23 qualified homicide attorneys who can be
24 appointed to capital or non-capital
25 homicides. Judge Dougherty maintains a

1 10/7/13 - LAW & GOV'T - RES. 130611
2 list of eligible people on the dependent
3 wheel and on the delinquent wheel, and
4 those judges control the appointments.
5 They're doing what they're supposed to
6 under the Public Defender Act. They're
7 appointing counsel to the cases. And
8 when counsel misbehaves or they engage in
9 misconduct, they can be removed. That's
10 the check and balance. That's the
11 supervision. Who better to supervise the
12 attorneys than the judges, than the
13 court?

14 What the City is proposing is
15 to replace and upend a system that's
16 established by statute over a hundred
17 years ago with some sort of secret and
18 unregulated process of picking the
19 attorneys. The City seeks to bypass City
20 Council's advice and consent with a
21 one-year contract, and apparently the
22 City wants to pressure the judiciary into
23 accepting the proposal because the City
24 assumes that because they hold the purse
25 strings, that they, therefore, should be

1 10/7/13 - LAW & GOV'T - RES. 130611
2 in charge of deciding which attorneys are
3 appointed to these cases. That's the
4 very antithesis of the democratic
5 process, and it violates the law.

6 We currently have about 350 to
7 400 of the most accomplished, experienced
8 lawyers, dedicated lawyers to be found
9 anywhere in the country. They're the
10 most experienced because of the huge
11 quantity of cases that they must
12 represent and because of the complexity
13 of the cases. These attorneys are worth
14 gold. These attorneys have all had other
15 opportunities in life, but they decided
16 to do this work as a matter of public
17 service.

18 Some things are intangible.
19 Some things you can't put a value on.
20 Some things money can't buy, and I would
21 suggest to you that to replace 400 of
22 these public service to represent our
23 most needy and vulnerable citizens with a
24 firm whose value system is based upon
25 profit and arguably upon greed, who will

1 10/7/13 - LAW & GOV'T - RES. 130611
2 employ a small number of at-will salaried
3 lawyers, who would have to endure huge
4 and unmanageable caseloads, well, that's
5 just sheer folly. And this will be
6 particularly problematic to the homicide
7 program.

8 With the homicide program, we
9 need more qualified attorneys. We need
10 more attorneys who are capable of
11 representing capital homicide defendants,
12 not less. And if we were to go to this
13 legal services model that Mr. Gillison
14 and the City of Philadelphia propose,
15 well, the backlog would be enormous,
16 because they're suggesting that we should
17 have fewer and fewer attorneys.

18 I thank you.

19 COUNCILMAN GREENLEE: Thank
20 you, Mr. Server. I appreciate your time.

21 (Applause.)

22 COUNCILMAN GREENLEE: Whoever
23 else would like to go next, please
24 identify yourself and proceed.

25 MS. STROEBER: Good afternoon.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 I really do appreciate the opportunity,
3 Councilman, to present to you at this
4 hearing today, and I'm delighted that you
5 have chosen to hold hearings on this
6 issue, because I think it's obviously one
7 of tremendous importance, and clearly
8 you've had a lot of testimony today. I
9 have made my written remarks.

10 I'm Mingo Stroeber. I
11 currently am one of the attorneys who
12 accepts court appointments in criminal
13 cases and delinquency cases. I have been
14 an attorney for 31 years, I think, and
15 started my -- started out as a young
16 public defender in 1982. I spent a lot
17 of time in that office, ultimately rising
18 to Chief of the Juvenile Unit, and I
19 spent most of my practice and have spent
20 most of my practice as a lawyer
21 representing juveniles in Juvenile Court.

22 I was also involved in the Task
23 Force that was referenced earlier that
24 was created by the Chancellor, and I was
25 also one of the private attorneys who was

1 10/7/13 - LAW & GOV'T - RES. 130611

2 heavily recruited by the Alva entity to
3 participate in this project, as he was
4 calling it.

5 It became clear to me evidently
6 that I was recruited for this purpose
7 because at the time that a presentation
8 was being made to the City, there was
9 absolutely nothing spelled out about how
10 this entity was going to represent
11 delinquency cases and dependency cases,
12 and because I have a lot of experience in
13 this area, evidently my name surfaced and
14 I was asked to come and take a look at
15 the proposal and make comments on it.

16 I did have the opportunity to
17 do that, and for the first time, I then
18 saw a copy of the RFP that had been
19 presented to the City. I, quite frankly,
20 was shocked at the type of resources or
21 lack thereof that would be devoted to the
22 representation of children who are
23 arrested and charged in delinquency cases
24 in the Juvenile Court as well as what
25 resources they were planning to devote to

1 10/7/13 - LAW & GOV'T - RES. 130611

2 the dependency cases. And as a result of
3 that, I got involved in working with this
4 sort of ad hoc group of lawyers who have
5 been involved in representing indigents
6 in criminal dependency homicide cases for
7 many years, and we began to take the
8 position that something had to be done to
9 try to block this RFP moving forward in
10 the way in which we understood it to be,
11 although to your point, Councilman, there
12 has been some secrecy with respect to how
13 this would play out.

14 We had to spend a lot of time
15 sort of filtering through the rumor mill,
16 so to speak, and tried to engage in
17 almost nefarious activities to try to
18 determine what in fact was happening
19 here.

20 One of the concerns that I have
21 is that, as Mr. Server suggested, we have
22 an experienced cadre of lawyers who day
23 in and day out work very diligently
24 handling assigned cases that are provided
25 to them through the court to represent

1 10/7/13 - LAW & GOV'T - RES. 130611

2 indigent clients, and most of us are
3 experienced, hardworking, dedicated,
4 committed, don't do it for the money, we
5 do it because we're civic-minded, and we
6 have a real interest in ensuring that
7 this population continues to be served
8 well from a legal representation point of
9 view. Many of the clients, of course, as
10 you know, have mental health challenges,
11 drug and alcohol issues, and other family
12 dysfunctions that require lawyers who
13 represent them to have experience in
14 working with this group.

15 The other thing that you ought
16 to know is that if this RFP were to go
17 forward with the entity that we all
18 understand is going to be selected, that
19 many of us will become unemployed,
20 because we work on such tiny margins in
21 terms of our incomes that we will not be
22 able to keep our practices running. And
23 many of the people who participate in the
24 court appointment system are women and
25 minorities and also young lawyers who,

1 10/7/13 - LAW & GOV'T - RES. 130611
2 through certain experience, get on the
3 court appointment list and can begin to
4 create a private practice.

5 So I am very concerned about
6 the 400 or 500 lawyers who currently
7 practice in Philadelphia having to close
8 their doors. We did have one colleague
9 who testified earlier, I'm not going to
10 have a problem, I do mostly federal
11 cases, but many of us will have a
12 problem. Many of us operate from City
13 paycheck to City paycheck. We have very
14 few private clients to support our
15 practice, and many of us have dedicated
16 our careers to simply handling indigent
17 cases. That is the very bulk of my
18 practice. I have very few clients, and
19 so I am concerned about what will happen
20 to the lawyers and their staffs, because
21 we do pay taxes, we do employ people.
22 I'm concerned about the women and
23 minorities who are a huge part of this
24 court appointment system, and I am
25 concerned about the level of practice and

1 10/7/13 - LAW & GOV'T - RES. 130611

2 the way in which people will be
3 represented under a for-profit model.

4 I had the opportunity when I
5 first became involved in the court
6 appointment system to work with Sam
7 Stretton, who has been a lawyer who has
8 spent many years attempting to increase
9 the counsel fees for court-appointed
10 lawyers, and I participated with him in
11 negotiations with the City, which, by the
12 way, Mr. Gillison was a part of, and if
13 he were really concerned with raising the
14 fees for court-appointed counsel, he
15 could have worked with us at the time
16 that Sam Stretton was trying to get the
17 court and the City to come together to
18 increase fees for us, which have not been
19 increased, as you can see from my written
20 testimony, really since 1996.

21 Eventually a group of us
22 actually filed a mandamus and King's
23 Bench memo in the Supreme Court asking
24 the Supreme Court to direct the First
25 Judicial District to comply with the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 promises that were made to Mr. Stretton
3 when he negotiated the modified
4 guaranteed fee system for private
5 counsel, because there was too have been
6 the creation of a bench-bar panel that
7 was to oversee court appointments from
8 here on in. On an annual basis, they
9 were supposed to review counsel fees and
10 periodically meet to address any issues
11 of concern among the private
12 court-appointed bar. That committee was
13 never instituted, and we were asking the
14 Supreme Court to direct the First
15 Judicial District to do that.
16 Unfortunately, our appeal was denied, so
17 we continue, of course, the struggle in
18 trying to ensure that counsel is
19 adequately represented in indigent cases.
20 But we continue to stand here and serve
21 and do what we do as court-appointed
22 lawyers to ensure that we provide the
23 best quality representation for indigents
24 who can not be served by the Defender
25 Office.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 There have been times when the
3 City, yes, has been slow in payment and,
4 in fact, has stopped paying us. We spent
5 a number of months a couple of years ago
6 labeled as non-essential vendors and
7 received no compensation at all, but we
8 stood up in court every day, we loaned
9 money to one another, we borrowed money
10 from one another. We stood in and stood
11 up for one another, and we would continue
12 to do that.

13 Nobody is suggesting that every
14 system is perfect, and, yes, of course,
15 there are things that could be done to
16 tweak the current court appointment
17 system, but I think those things could be
18 very easily done, and the model that the
19 City is looking to go toward at this
20 point creates huge problems, huge
21 conflicts of interest and, at bottom,
22 does not appear to be client focused.

23 Thank you for the opportunity
24 to allow me to provide comments.

25 COUNCILMAN GREENLEE: Thank

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you. Thank you very much.

3 (Applause.)

4 COUNCILMAN GREENLEE:

5 Mr. Calandra, please identify yourself
6 and proceed.

7 MR. CALANDRA: Good afternoon,
8 Councilman Greenlee, Councilman O'Brien
9 and for the members of the -- rest of the
10 members of the Committee on Law and
11 Government. I'd like to thank you for
12 the opportunity to testify here today.
13 My name is William Calandra. I'm not
14 going to bore you with all of my
15 background. I've been an attorney
16 licensed in Pennsylvania and New Jersey
17 for 21 years, and I have served in the
18 private dependency bar for 16 years. My
19 comments today will be limited to
20 dependency only.

21 As you heard Chancellor
22 Wilkinson state, on February 20th of
23 2013, she sent a letter to Mr. Gillison
24 identifying certain purported objectives
25 for the RFP. They were high-quality

1 10/7/13 - LAW & GOV'T - RES. 130611

2 legal representation, cost efficiency,
3 and synergy with the court and the City.

4 I would suggest to this panel the bid
5 proposed by the Alva association does not
6 meet a single one of those criteria.

7 With regard to high-quality
8 legal representation, there are
9 approximately 85 attorneys in
10 Philadelphia who do dependency work
11 presently on the dependency wheel
12 accepting appointments. We have an
13 average caseload between 100 and 150
14 cases, 150 clients I should say.

15 The Alva bid, which as I read
16 it, proposed to hire approximately 35
17 attorneys. Now, since that bid was put
18 out, I've heard as recently as last week
19 that Mr. Alva and his partner,
20 Mr. DiClaudio, were contacting members of
21 the Dependency Bar and indicating to
22 those members of the Dependency Bar an
23 intent to hire only 20, and in fact in
24 one conversation it was as little as 12
25 attorneys to do dependency work.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 As Mr. Gillison indicated in
3 his June 25th, 2013 interview with the
4 Legal Intelligencer, he told them that
5 there are 15,000 active dependency cases.
6 Thirteen thousand of those cases generate
7 adult appointments, 70 percent of which
8 are for mothers, which would be diverted
9 to the Alva association. As a result, if
10 he hired -- if he held true to the
11 initial bid and hired 35 attorneys, that
12 caseload would go up to over 260 clients.
13 If he hired 20, that caseload would be
14 over 450 clients. And if he hired 12,
15 the caseload would be over 750 clients.

16 We heard Chancellor Wilkinson
17 today identify the fact that there are
18 ABA standards which clearly indicate a
19 suggested case limit of 110 cases per
20 attorney. Now, granted, there are
21 situations where there will be some more
22 and some less, but that's a figure that
23 we should work with. This model blows
24 that up. There is no chance of an
25 attorney providing a client, a dependent

1 10/7/13 - LAW & GOV'T - RES. 130611
2 client anyway, with the attention that
3 that case deserves. These are
4 complicated cases with a lot of issues.
5 They take more than being one of 750
6 clients in order for your case to proceed
7 forward.

8 With regard to cost efficiency,
9 the Alva bid offered a budget of \$9.5
10 million and a purported savings to the
11 City in the first year of \$1.2 million.
12 Well, that budget didn't factor into the
13 necessity for a continuing dependency
14 wheel, which we know we need. There are
15 15 percent of the kids are represented by
16 private counsel. We have fathers who
17 will still be represented by private
18 counsel, and we have legal guardians that
19 will still be represented by private
20 counsel. And you're going to have new
21 conflicts. If the Alva association does
22 the juvenile delinquent work and
23 represents the mothers, you're going to
24 have conflicts of interest there since
25 they can't participate in the same

1 10/7/13 - LAW & GOV'T - RES. 130611
2 proceeding in crossover court. This
3 makes the entire budget completely
4 incomplete.

5 Synergy with the court.

6 Mr. Gillison didn't answer -- I don't
7 know if he answered any questions today,
8 but one thing he did tell us was that it
9 was the intention of the Alva association
10 to come in with experienced attorneys.
11 Now, there are 85 attorneys, as I said,
12 in Philadelphia currently doing
13 dependency cases. What is their
14 intention? Their intention is to mine
15 the Dependency Bar, take those dependency
16 attorneys, be it 12, be it 20, whatever
17 the number is, be it 35 if they hold true
18 to you bid, whatever the number is, and
19 have them try or try and solicit them
20 anyway -- nobody knows what this offer is
21 going to be -- try and solicit them to
22 join this private firm. That would
23 require the 12 or 20 lawyers or 35
24 lawyers to relinquish all of their cases
25 to court administration. That would then

1 10/7/13 - LAW & GOV'T - RES. 130611
2 require court administration to reassign
3 between 2,000 and 5,000 files to the
4 attorneys remaining on the cases. I'm
5 here to tell you, it would shut the
6 courthouse down. There is absolutely no
7 way that they could function on a daily
8 basis.

9 Moreover, it would take years
10 for it to funnel through the system,
11 because as cases are shifted to new
12 courtrooms, you're going to have new
13 conflicts, because the attorney that they
14 hired may have had a conflict or may be
15 sitting before that case that day and
16 nothing will be able to happen except
17 rescheduling it for another courtroom.

18 The last thing I want to talk
19 about is the feasibility or applicability
20 of a one-year model in this setting.
21 Typically dependency cases, as
22 Ms. Stroeber stated, are cases involving
23 mental health issues for the parents,
24 parental drug use, housing or some
25 combination thereof, resulting in

1 10/7/13 - LAW & GOV'T - RES. 130611

2 neglect. These cases don't resolve
3 within one year. The very nature of the
4 law, the Adoption and Safe Family Act,
5 indicates a period of 15 months for the
6 parents to correct the deficiencies that
7 require court intervention. So to
8 suggest that after a year you're going to
9 get to a critical juncture in the case
10 and then, By the way, meet your new
11 lawyer, your old lawyer is out, how does
12 that help anybody? How does that help
13 the litigant? Well, the litigant, I
14 suppose, can harken back on
15 Mr. Gillison's strong words today that,
16 Well, we'll take a look at things as we
17 go down the road. That's not acceptable.

18 There are thousands of clients
19 that are entitled to representation on an
20 individual basis, not as a conveyor belt,
21 and that's all that this bid or this
22 policy suggests.

23 That's all I have. Thank you.

24 COUNCILMAN GREENLEE: Thank
25 you.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 (Applause.)

3 COUNCILMAN GREENLEE:

4 Ms. Williams, and then we'll be open to
5 any questions. Please identify yourself
6 and proceed.

7 MS. WILLIAMS: Good afternoon,
8 everyone.

9 COUNCILMAN GREENLEE: Good
10 afternoon.

11 MS. WILLIAMS: Councilman
12 Greenlee, Councilman O'Brien, members of
13 the Committee, thank you for the
14 opportunity to testify on this issue, and
15 before I begin, I'd like to recognize the
16 contributions of our colleague Jason
17 Grecious (ph), without whose selfless
18 assistance we could not appear before you
19 as well prepared as we are.

20 (Applause.)

21 MS. WILLIAMS: My name is Karen
22 Deanna Williams, and in memory of the
23 late Honorable Nicholas A. Cipriani, for
24 whom the courthouse in which I practice
25 is named, and the late Honorable Lisa

1 10/7/13 - LAW & GOV'T - RES. 130611

2 Aversa Richette, I am a proud member of
3 the Dependency Bar and also a
4 Philadelphia lawyer.

5 The court appoints, the court
6 sets reasonable compensation, and the
7 county pays. It's just that simple. And
8 the county does not even have the right
9 to fix the amount of compensation as the
10 City of Philadelphia, in violation of
11 statute, presumes to do.

12 After the court charged the
13 City with statutory compliance, Deputy
14 Mayor Gillison ultimately determined that
15 he should control the entire process, and
16 today we heard a lot of I's. There is no
17 "I" in team.

18 His determination, however, is
19 at odds with the rationale initially
20 offered by Deputy Mayor Resnick in
21 December of 2012 where the Deputy Mayor
22 said, City employees were, quote,
23 overwhelmed with processing so many
24 vouchers, end quote, and he offered that
25 a solution would be to hire additional

1 10/7/13 - LAW & GOV'T - RES. 130611
2 employees or upgrade the IT system, which
3 would have been more cost efficient and
4 wouldn't have us here today.

5 That rationale, however, did
6 not square with Mr. Gillison's vision of
7 his, quote, brainchild, end quote, being
8 the Nutter Administration's, quote,
9 legacy of reforming the court appointment
10 system, end quote. Those who have never
11 been court-appointed counsel seek to
12 upend our system of justice and create
13 absolute chaos in the courts. The entire
14 process is rife with conflicts,
15 substantial cost overruns, potential
16 misuse of taxpayer funds, and will most
17 assuredly have a detrimental impact upon
18 the indigent, mentally ill,
19 drug-addicted, extremely vulnerable
20 population of adults, children, and
21 families served by the court appointment
22 system.

23 The contract awardee is a
24 for-profit entity, but a profit cannot be
25 made representing the indigent. It is an

1 10/7/13 - LAW & GOV'T - RES. 130611
2 unseemly idea. And the profit margin can
3 be served only if those most vulnerable
4 are pressured to refer income-generating
5 cases, which exposes the sad reality that
6 the firm's efforts will be directed at
7 securing income, not quality
8 representation of clients from intake.
9 How many income cases does the client
10 have to attorney performance assessment?
11 How much does the attorney generate for
12 the firm? The emphasis will be on the
13 profit margin, period.

14 Firm attorneys will maintain
15 their private practice in a
16 taxpayer-funded enterprise, so taxpayers
17 will finance the cost, rents, secretarial
18 staff, investigators, supplies, utilities
19 of those private practices and, according
20 to the Alva bid, the attorneys will kick
21 back a percentage of their private income
22 to the firm for an even greater profit
23 margin.

24 The firm will not be client
25 focused. It will be income focused. A

1 10/7/13 - LAW & GOV'T - RES. 130611
2 mother represented in dependency and her
3 child has a personal injury case, doesn't
4 the firm have an incentive to keep that
5 dependency case open?

6 The firm is being promised
7 contractually the entire sum allocated
8 for court-appointed counsel. And since
9 Mr. Gillison acknowledges there must
10 remain a conflict wheel which has to be
11 paid, the project begins costing
12 taxpayers more money. Also, in
13 malpractice lawsuits, firm deductibles
14 can be appreciably. Will taxpayers be
15 funding those? And if attorneys are not
16 properly vetted by the City because in
17 the RFP and in the contract the City says
18 it's going to vet the attorneys once they
19 sign on, whenever they do, and the client
20 then seeks recompense from the deep
21 pockets of the City, will the taxpayers
22 be funding the City's defense?

23 If the firm's contract is not
24 renewed and the clients' cases are
25 ongoing, will the City continue to pay

1 10/7/13 - LAW & GOV'T - RES. 130611
2 that firm or risk a tortious interference
3 with contract lawsuit? Will not a
4 contract award to a third entity further
5 markedly increase the costs to be paid by
6 the taxpayer?

7 This all disproves any
8 cost-saving possibilities. And what
9 happens to taxpayer funds if the contract
10 is awarded, funds are paid and the court
11 refuses to appoint the firm, especially
12 since the court has not been officially
13 consulted in the process and has the
14 right to refuse to appoint counsel? Will
15 we be suing the firm to get the taxpayer
16 dollars back?

17 Mr. Gillison, understanding
18 that his legacy project needed more than
19 overwhelmed employees as a basis, has
20 offered the rationale of, quote,
21 increasing the level of service, training
22 and policing, and/or that elevating the
23 level of practice. However, it has to be
24 based on mere anecdotal evidence, as no
25 study has been commissioned and no

1 10/7/13 - LAW & GOV'T - RES. 130611
2 numbers have been offered to you in
3 support of his hypothesis. So that which
4 he intends to fix has not been proven
5 broken.

6 If the rationale is to assure
7 adequate representation and there must
8 still be a wheel in addition to the
9 contract awardee, then problem attorneys
10 will still go untrained, unpoliced, and
11 continue to provide low levels of service
12 since the most qualified and
13 conscientious will be with the firm.

14 And if there are mass
15 withdrawals by counsel who need to seek
16 income elsewhere and mass appraise by
17 clients alleging assigned counsel were
18 ineffective -- after all, why else would
19 the court have gotten rid of them -- the
20 court system will be thrown into chaos
21 and the taxpayers will be funding those
22 defenses as well.

23 The risk here is too great and
24 the danger to the clients too grave to
25 allow the destruction of a system of

1 10/7/13 - LAW & GOV'T - RES. 130611
2 justice, which has been in place for over
3 80 years, just to service one man's
4 legacy project. We, counsel here before
5 you, took our oath to the Supreme Court
6 of Pennsylvania, not the City of
7 Philadelphia, in the person of Deputy
8 Mayor Gillison or, with all due respect,
9 City Council. If there are problems with
10 our system for the administration of
11 justice, the solution begins with the
12 Supreme Court of Pennsylvania, which in
13 its wisdom will determine whether
14 participation by the Bar is even
15 necessary.

16 I respectfully submit that this
17 is not at all the province of the City,
18 the Deputy Mayor or our gracious hosts
19 here today, City Council.

20 Thank you.

21 (Applause.)

22 COUNCILMAN GREENLEE: Thank
23 you, Ms. Williams, and thank all four of
24 you. You all gave very important facts
25 and information.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 If I could just ask one
3 question of the four of you, and you can
4 just do it by show of hands. Were any of
5 you involved with the Bar Association's
6 recommendations or were you included at
7 all in any kind of conversations while
8 this plan was being worked up?

9 MS. STROEBER: I was a part of
10 the Chancellor's Task Force and I gave
11 input during the Task Force meetings
12 regarding the concerns about how juvenile
13 court practice and dependency practice
14 was going to be administered. And then I
15 was asked to participate in a meeting
16 that Mr. Gillison and Resnick and other
17 representatives had with Mr. Alva and
18 Mr. DiClaudio when they were pitching to
19 the City. And I was asked to take a look
20 at their proposal with respect to
21 delinquency and dependency cases, and I
22 gave my opinion at that time that their
23 proposal was woefully inadequate. It was
24 not workable to have part-time lawyers
25 handling dependency cases. These lawyers

1 10/7/13 - LAW & GOV'T - RES. 130611
2 are in court all day long. The numbers
3 of lawyers that they wanted to devote,
4 delinquency cases, five lawyers? There
5 are eight courtrooms in operation on a
6 daily basis.

7 So I expressed my concerns
8 about it. Who paid attention to it, I
9 don't know.

10 COUNCILMAN GREENLEE: We know
11 about not getting paid attention to
12 sometimes. It's interesting, though, you
13 were just asked on Mr. Alva's and
14 Mr. DiClaudio's proposal? Were you asked
15 about anybody else's?

16 MS. STROEBER: No. I was not
17 asked by the City or anybody else to
18 comment on any other proposal. At that
19 point, I believe that there were only two
20 RFPs that got invites to make a pitch.

21 COUNCILMAN GREENLEE: Okay.

22 MS. WILLIAMS: And I was asked
23 for the second one, the McGill proposal.

24 COUNCILMAN GREENLEE: Speak
25 into the microphone.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MS. WILLIAMS: I was asked for
3 the second one, the McGill proposal, and
4 Mr. McGill was also -- Mr. McGill,
5 Mr. Kenny, and Verghese Kurien -- were
6 also on the Alva bid, so we rather
7 assumed that it was a shell game and that
8 it was really just the late-in-the-day
9 kind of -- to make there be two
10 substantial bids, because the meeting was
11 Monday after Father's Day and I was
12 called on Father's Day.

13 COUNCILMAN GREENLEE: And just
14 so I'm clear, the other bid you're saying
15 was -- they were also part of the Alva
16 bid?

17 MS. WILLIAMS: Yes.

18 MS. STROEBER: Some of their
19 names were listed as being lawyers who
20 had committed to the Alva bid.

21 MR. SERVER: Which commitments
22 never really did occur, as you see by the
23 letter from Mr. Rudenstein.

24 COUNCILMAN GREENLEE: Right.
25 So he was part of that too.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 MR. SERVER: I'm not sure
3 whether Mr. Rudenstein was part of that
4 second proposal.

5 COUNCILMAN GREENLEE: Right.
6 Right. And when was this? You said it
7 was around Father's Day?

8 MS. WILLIAMS: It was Father's
9 Day Sunday they were calling and then the
10 meeting with Mr. Gillison and the Alva
11 proposal and the McGill proposal was that
12 Monday.

13 COUNCILMAN GREENLEE: Okay.
14 That's interesting. You're telling us
15 more than we found out from the
16 Administration, but appreciate that.

17 Councilman, do you have
18 questions, comments?

19 COUNCILMAN O'BRIEN: I do
20 probably just have some statements,
21 because your testimony couldn't have been
22 more complete and compelling. It also
23 raises questions as to the level of due
24 diligence that Mr. Gillison and
25 Mr. Resnick employed. These are the

1 10/7/13 - LAW & GOV'T - RES. 130611
2 kinds of questions that I'm offended that
3 the Chief of Staff told me that I know
4 I'm not supposed to ask. Well, I've had
5 some experience. I'm a newbie to this
6 conversation, but I've had some
7 experience in asking questions in another
8 venue, and I find this unacceptable, to
9 be kind.

10 Historically, we were told that
11 there were at least five bidders, but
12 when we repeatedly asked for the names of
13 those bidders, we were told that
14 information was not available, and it
15 seems obvious because of your testimony
16 today that there was only in fact one bid
17 and they broke it up into two so that
18 they could say there was competition.

19 MS. WILLIAMS: There was one
20 other bid, Councilman. It was by the
21 member of the Dependency Bar, a Craig
22 Sokolow, but Mr. Sokolow was not invited
23 to the meet and greet.

24 COUNCILMAN O'BRIEN: That's
25 very interesting as well.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 I will tell you, Mr. Server, I
3 find your argument to be compelling. I
4 believe it's right on point. I also had
5 a conversation with Judge Herron that
6 reflects exactly your sentiments, that
7 the Public Defenders Act says that the
8 court appoints and the City pays. I
9 think it's a violation of that Act. I
10 agree with you 100 percent that if the
11 City appoints, it's a violation of that
12 Act.

13 I believe that the whole
14 genesis of the courts turning this issue
15 back to the City is because they were
16 doing the paying and they appropriately
17 identified that as the conflict. And
18 whether you're paid in 30 days, 60 days,
19 90 days, a year or not at all, the court
20 has assured me that the court appointees
21 will be paid. So that's not the issue.
22 The issue is whether there is in fact a
23 conflict within the old system, and I am
24 pleased that they recognized that.

25 I also find it offensive and

1 10/7/13 - LAW & GOV'T - RES. 130611

2 that's why I read the other lawyer's,
3 Rudenstein's, letter into the record,
4 because, Ms. Stroeber, your reputation
5 was used in the same way that that
6 attorney's name was used. In my view,
7 with my wonderful staff, the slight
8 response that we got a week ago was
9 responsive to my involvement in the
10 criminal justice system. What they
11 forget is that I spent most of my adult
12 life advocating for individuals whose
13 interests are depending on your
14 reputation in Family Court, and that's
15 where my real heart is.

16 Having said that, it was clear
17 to me that there was nothing in any
18 proposal that I had heard that dealt with
19 delinquency or dependency.

20 MS. STROEBER: Let me just add
21 that I spent, it seemed like, many hours
22 in the day attempting to refute rumors
23 that kept coming my way, saying, Oh,
24 Alva/DiClaudio say they have you.

25 COUNCILMAN O'BRIEN: That's

1 10/7/13 - LAW & GOV'T - RES. 130611
2 right. I was told that there was a
3 coined phrase from the Administration
4 "get me Mingo."

5 MS. STROEBER: I heard that.

6 COUNCILMAN O'BRIEN: I think
7 we've all heard that.

8 I'm very disturbed that our
9 inquiries and your testimony is being
10 referred to as unfounded questions.

11 Mr. Calandra, I am very
12 concerned that your prediction of
13 doomsday is a reality, and the
14 catastrophic result of that purposeful
15 chaos is unacceptable and intolerable.

16 And, finally, Ms. Williams,
17 your testimony about a coherent
18 understanding of how this process works
19 and what it should be and the
20 intervention of Sam Stretton, who is a
21 wonderfully gifted attorney, and
22 identifying what the system should be
23 about, I have spent my life looking for
24 national standards for my kids with
25 disabilities. People told me I couldn't

1 10/7/13 - LAW & GOV'T - RES. 130611

2 do it, and we did it, and Philadelphia is
3 better for it, Pennsylvania is better for
4 it, and the country and the international
5 conversation around disabilities is
6 better for it. But that can't happen if
7 my kids, because they're odd and because
8 their parents don't have any money, end
9 up in the criminal justice system where
10 no one can defend them, and then they
11 stay in that system because they were
12 inappropriately arrested and then they're
13 in that wheel inside the system where
14 they offend, and that preamps what they
15 were arrested for, which shouldn't have
16 been a case to begin with.

17 There are real consequences
18 here. There is real expertise that
19 you've demonstrated that has been
20 employed judiciously, efficiently, and
21 with great personal sacrifice. You are
22 one class of people who can honestly say
23 that you have sacrificed for the greater
24 good of humanity, and I applaud you for
25 coming here.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 When I had the meeting with
3 Mr. Resnick, he was under the impression
4 that because this Task Force that was
5 created by the Bar Association was
6 included in a conversation, that you all
7 bought in. And I don't mean to
8 superimpose because Mr. Resnick isn't
9 here, but I was told that they asked
10 specifically for people to create a
11 system. Give us a submission for a
12 system. Even the Public Defender's
13 Office create a second Public Defender's
14 Office. I submitted to him that it is
15 not your responsibility to create a
16 system. It's not the City's
17 responsibility to create that system, but
18 if it smells like bad fish, then you can
19 identify that it's a piece of bad fish.
20 And that is all of our collective
21 responsibilities.

22 I appreciate you coming here.
23 I hope -- and I think there's two
24 representatives sitting behind that
25 pillar that I can't see. I'm hoping that

1 10/7/13 - LAW & GOV'T - RES. 130611

2 the word goes to not only Everett
3 Gillison -- this is not meant to be a
4 confrontational hearing. This is
5 designed for all of us to recognize the
6 importance of indigent representation in
7 all matters.

8 We have a responsibility to
9 effect the best -- the most
10 cost-effective system, but they should be
11 two separate conversations. But this has
12 also risen to a level where Mayor Nutter
13 has to take responsibility for this as
14 well. This is his Administration. This
15 is his Chief of Staff's design, in my
16 view. By his own testimony, Everett
17 Gillison says this is his. It's
18 certainly not ours and it's certainly not
19 yours and it's not, in my estimation, a
20 design that anyone has been included in
21 the design. I think we can do better,
22 and I thank you for bringing this issue
23 at our attention.

24 (Thank you.)

25 COUNCILMAN GREENLEE: Thank

1 10/7/13 - LAW & GOV'T - RES. 130611

2 you. Thank you all for being here.

3 (Applause.)

4 COUNCILMAN GREENLEE: Before we

5 recess, I just want to say that we're

6 going to continue to work on this, as I

7 said earlier. I'm not sure that

8 personally we can stop this contract.

9 I'd like to go on record, just like

10 Councilman O'Brien, and say, you know,

11 I'm disappointed by the lack of answers

12 from the Administration. I think they

13 could have told us a lot more. I still

14 don't understand why it has to be a

15 one-year contract. I think we feel a lot

16 of it just so they don't have to come

17 here and answer more questions.

18 I believe the proposal needs

19 more review. I'm far from an expert.

20 You folks know a lot more. And I want to

21 recognize Miriam from Councilman

22 O'Brien's office, who taught me a lot

23 just over the last couple of weeks in

24 this process. But I hope even though the

25 principals moved out of here very

1 10/7/13 - LAW & GOV'T - RES. 130611

2 quickly, I hope the Administration is
3 listening to concerns that were raised by
4 the experts and consider taking a step
5 back, just a step back, take a breath.
6 It's been a long process. Well, a little
7 bit longer is not going to hurt anybody,
8 especially if the whole idea is to get it
9 right. And I continue to be concerned
10 that -- nothing against Mr. Gillison, but
11 if it hasn't worked anywhere else, I just
12 have a lack of confidence it can just
13 magically work here.

14 So, again, but this Committee
15 will keep working on it. We're going to
16 meet. Councilman O'Brien and I will
17 discuss with the rest of the Committee
18 what our next steps are. But, again, I
19 appreciate all the time you all took to
20 stay here, and we pledge to keep working
21 together with you, no matter how this
22 contract goes, to keep working on the
23 issue in general.

24 So unless Councilman O'Brien
25 has anything else.

1 10/7/13 - LAW & GOV'T - RES. 130611

2 COUNCILMAN O'BRIEN: Nothing.

3 Thank you, Mr. Chairman.

4 COUNCILMAN GREENLEE: Thank you
5 very much.

6 (Thank you.)

7 COUNCILMAN GREENLEE: The
8 Committee on Law and Government on
9 Resolution 130611 will stand in recess to
10 the call of the Chair.

11 Thank you.

12 (Committee on Law and
13 Government recessed at 1:50 p.m.)

14 - - -

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

A				
ABA 24:23 29:5	140:24	72:13 79:22	231:10 235:16	agreeing 88:4
30:14 33:22	accepted 33:12,16	81:14 85:3	239:3 242:14	agreement 196:24
43:17,20 125:7	33:17 50:20	86:11,23 87:21	243:12 244:2	203:12,20
162:24 165:25	130:5 131:8,13	95:9 96:13	Administration's	agreements
179:12,17	accepting 41:25	102:11 105:15	226:8	114:18
219:18	206:23 218:12	105:18 117:19	administrative	Aid 151:7 160:16
ability 44:11	accepts 209:12	118:3,19,21	188:20 189:12	160:25 161:12
61:15 69:16,25	access 69:10	122:11 123:9	201:3,3,8	164:11 175:20
72:19 84:19	152:9 161:6	134:22 147:3	administrator	aimed 79:19
113:8	accomplished	176:9 225:25	165:9	ain't 121:12
able 13:22 26:4	207:7	address 70:4	admitted 84:6	Alan 9:21
40:5 55:24 66:5	accomplishment	141:7 147:15	admittedly 98:15	alarms 6:8
70:5 71:9 72:19	179:6	149:23 156:10	admonish 204:15	alcohol 212:11
73:3,7 76:22	accounts 109:10	164:6 166:20	adopted 23:10	alcoholism 22:7
78:8,11,25	183:6	171:18 215:10	45:6 154:24	ALEXANDER
82:11 83:7,12	accurately 162:16	addressed 55:22	Adoption 223:4	160:4
84:22 85:19	246:5	60:11 166:25	adult 188:8 219:7	allay 144:12
87:5,6,12,14	accused 4:5,25	184:14,14	238:11	allegiance 202:4
98:20 99:19	48:18 67:11	addresses 153:6	adults 154:16	alleging 230:17
110:10 118:21	174:8	adequate 26:15	226:20	Alliance 151:5
125:12 126:15	achieve 205:9	26:21 27:10,23	adversarial 40:22	allocated 14:7
126:16,18 133:4	acknowledges	29:16 36:2	advice 206:20	43:10 228:7
133:9,11,12	228:9	45:23 99:20	advise 26:4	allow 29:8 82:19
146:3 170:21	Act 10:7,10 46:24	110:15 189:22	advised 59:13	82:21 122:13
172:17 187:23	99:24 101:7	193:22 230:7	94:5	173:19 216:24
189:4 191:7	103:4,7 139:22	adequately	Advisory 148:3	230:25
193:9 212:22	150:25 201:17	187:15 192:12	156:15	allowed 81:23
222:16	201:19 203:9	195:3 215:19	advocate 147:24	174:22 196:6
abomination	204:6 206:6	ADHD 48:24	advocating	allowing 160:22
150:7	223:4 237:7,9	adhered 117:8	238:12	allows 134:15
absolute 191:20	237:12	adherence 155:6	affiliating 79:16	alluded 190:2,22
191:21 226:13	action 180:10	adjust 89:13	afford 4:6 72:9	alternatives
absolutely 43:6	actions 182:9	administered	afforded 118:5	183:11
156:18 196:8,20	active 44:6 219:5	10:20 22:15	afternoon 37:3	altruism 20:25
202:3 210:9	activities 211:17	46:24 232:14	64:16 147:19	altruistic 20:25
222:6	acts 201:18	administering	186:13 208:25	Alumni 140:2
absurdity 37:21	actual 172:18	21:10	217:7 224:7,10	alums 190:22
abuse 13:8 25:12	174:7	administration	age 49:25	Alva 103:18 127:5
25:18 41:13	ad 69:20 162:14	14:8 33:3 58:8	ago 4:10 29:10	127:14 129:2,5
academics 46:22	211:4	59:8 99:6	31:6 51:13,25	129:14 131:19
47:3	add 180:4 184:7	118:16 120:22	75:3 206:17	131:24 138:11
accept 127:20	238:20	149:15 159:22	216:5 238:8	138:13,18,21
140:15 203:13	addition 85:7	160:3 171:5	agree 8:2 62:9	139:6,7,11,15
acceptable 127:19	166:9 230:8	172:9 176:15	119:22 123:8	140:10,19,21
223:17	additional 55:11	195:14 203:5	145:19 197:11	141:3,6 193:6
acceptance	61:5 65:18 70:8	204:4,5,12	201:13 203:23	193:16 194:18
	70:9 71:19 72:9	221:25 222:2	237:10	210:2 218:5,15

218:19 219:9 220:9,21 221:9 227:20 232:17 234:6,15,20 235:10 Alva's 233:13 Alva/DiClaudio 238:24 Amendment 14:12 48:13,16 154:2 American 25:10 25:13,16 amount 14:24 20:3 29:19 30:3 30:15 47:25 82:7 83:17,19 85:18 86:16,17 122:6 163:13 170:4,6 200:11 225:9 amplified 103:10 amplifying 39:6 analysis 166:19 analyzing 46:9 ancillary 47:24 and/or 195:11 229:22 246:22 anecdotal 229:24 anecdotally 29:12 anniversary 4:8 150:2 161:21 184:15 187:11 announce 83:12 annual 42:21 215:8 answer 9:4 36:22 37:8 43:4 55:24 60:21 61:24 65:25 71:9 73:19 76:23 78:6 81:5,5 89:24 92:11 94:20 100:12 103:11 111:2 115:12,15 126:12 128:21	129:11 130:20 131:18 132:2,6 133:4,13,16 135:10,14 136:23 137:21 144:25 146:4 221:6 243:17 answered 102:9 104:15 130:18 141:8 196:4 221:7 answering 133:18 135:16 answers 6:13 7:9 108:10 137:21 243:11 anticipated 137:3 antithesis 207:4 anybody 15:16 20:24 21:5,11 21:13,14 40:16 49:18 52:7 86:24 119:18 122:8 126:20 160:2 180:23 205:5 223:12 233:15,17 244:7 anymore 94:14 95:20 anyway 183:8 220:2 221:20 apologize 143:5 apparently 206:21 appeal 215:16 appeals 139:21 170:10 182:11 182:25 appear 7:17 171:5 216:22 224:18 appearance 34:15 165:22 appears 5:19 36:9 appellate 148:12 149:8 applaud 166:17 198:4,6 240:24	Applause 38:16 197:25 208:21 217:3 224:2,20 231:21 243:3 applicability 222:19 applicants 50:17 application 49:19 49:19 50:4,5,22 51:4,5,5,20 159:6 178:14 applications 41:25 42:5,17 42:22 50:13 52:5 applied 22:21 162:17 174:13 174:13 applies 158:5 apply 35:11 49:17 49:18 153:7 157:24 246:20 applying 41:14,17 appoint 4:24 63:7 76:3 77:19 202:19 203:16 229:11,14 appointed 11:3 12:2 23:23 26:3 37:16,19 51:8 148:22 156:23 191:14 203:21 205:8,16,24 207:3 appointees 205:21 237:20 appointing 59:14 94:6 200:25 201:5,21 202:12 205:3 206:7 appointment 1:16 3:2 4:2 5:13 7:7 50:25 79:9 81:10 140:6 157:17 191:10 212:24 213:3,24 214:6 216:16	226:9,21 appointments 5:6 51:24 74:14 82:24 83:2 140:4 151:17,19 157:21 188:12 205:18 206:4 209:12 215:7 218:12 219:7 appoints 99:25 103:5 225:5 237:8,11 appraise 230:16 appreciably 228:14 appreciate 3:16 32:6 38:15 57:16 144:25 160:20 170:25 172:4 185:13 198:14,15 208:20 209:2 235:16 241:22 244:19 approach 46:20 162:11 approached 58:10 59:13 94:5 111:11 147:17 186:8 198:10 approaches 169:15 180:21 appropriate 39:2 46:4,4 70:17 99:20 113:22 146:2 147:4 156:8 158:19 167:4,5 176:24 183:20 194:17 appropriately 237:16 appropriating 103:17 appropriation 149:4 150:18 approval 145:17	203:2 205:14 approve 50:25 approved 11:23 40:2,3 approving 42:25 approximately 48:3 218:9,16 arbitration 197:3 arbitrations 197:4,7 area 27:13 37:8 54:10 82:23 86:18,22 87:4 113:20 117:20 118:3,16 146:20 155:11 196:14 210:13 areas 26:2 71:14 146:23 arguably 199:15 203:17 207:25 argues 188:22 199:10 argument 237:3 arms 156:10 arrangement 180:17 array 164:2 arrested 190:10 210:23 240:12 240:15 articulated 176:19 aside 101:25 139:18 153:5 162:6 184:18 asked 54:16 56:13 56:18,20,21 67:14 68:24 71:2 78:3 92:12 93:6 96:9,24 99:3,12 114:7,9 115:21 116:24 132:25 136:21 137:20 138:19 142:11 155:15 163:15 172:12
--	--	--	--	---

210:14 232:15 232:19 233:13 233:14,17,22 234:2 236:12 241:9 asking 7:20 44:18 57:21 65:23 75:10 136:7,22 145:23 146:5 204:13 214:23 215:13 236:7 aspects 23:18 39:11 43:5 aspirational 125:11 126:21 126:23 127:2,15 assembled 6:16 assessment 154:5 227:10 assessments 154:3 assign 179:8 assigned 78:19 124:22 128:12 144:3,10 150:21 151:18 152:8 157:19 165:5 168:11,12 176:6 179:7 211:24 230:17 assignments 176:11 assist 31:10 assistance 14:13 24:12 48:20 56:13 152:24 172:15 194:17 224:18 Assistant 12:24 assisting 75:9 85:15 association 4:17 4:20 5:17 18:14 20:23 23:16,22 24:25 25:4 28:18 29:4 31:15 32:2 34:9	37:5,22 38:23 38:24 41:24 53:17 54:7,17 75:8 86:5,13 110:3,7 113:12 114:3,12 129:15 148:11 151:8,14 151:22 153:20 155:23,25 157:16 158:17 159:3 160:17,25 161:13,18 164:12 167:23 169:2,22 172:13 178:14 184:13 187:25 188:3,17 190:8 194:11 195:12,19 205:13,14 218:5 219:9 220:21 221:9 241:5 Association's 23:7 25:10,16 47:11 60:7,9 168:9 232:5 assume 5:12 140:22 assumed 234:7 assumes 206:24 assuming 48:4 assurances 60:10 142:11 assure 183:25 199:25 230:6 assured 237:20 assuredly 226:17 astronomical 188:14 attempt 140:6 attempting 214:8 238:22 attempts 142:7 attend 44:24 attention 180:11 220:2 233:8,11 242:23 attitude 192:17	attorney 9:19 10:25 11:8,17 11:19 12:3,4,24 13:3 17:14 18:9 39:21 44:14 52:5,13 76:3 77:19 118:6,14 139:13 140:3 155:10 166:11 188:18 190:6 209:14 217:15 219:20,25 222:13 227:10 227:11 239:21 attorneys 4:24,25 11:18 12:7 16:16 17:5,10 17:11 19:17 25:11 37:16 38:24 40:12 42:14 47:3 49:13,25 50:12 63:16 69:18 76:18,25 78:17 80:14 81:25 97:14 100:19 110:18,20 111:10,18 112:2 112:6 127:10,12 127:13 128:12 128:19 130:3 131:7,12 136:2 136:14,16,25 137:2,5,8,15 139:17 141:6,11 148:16 178:22 186:23 190:4 194:7,22 199:23 201:10 202:12 202:23 203:3,5 203:6 205:8,15 205:15,23 206:12,19 207:2 207:13,14 208:9 208:10,17 209:11,25 218:9 218:17,25	219:11 221:10 221:11,16 222:4 227:14,20 228:15,18 230:9 attorney's 13:21 194:4 204:23 238:6 atwitter 63:24 64:7 at-will 208:2 audit 107:25 109:8 155:13,21 184:3 auditing 155:19 auditor 156:5 augmented 47:23 authority 202:17 authorize 153:24 authorizing 1:13 2:18 available 17:3 26:14,25 29:19 48:5 69:5 77:7 87:9,11 121:19 121:20 198:20 236:14 average 14:20 76:10 218:13 averages 48:2 Aversa 225:2 avoid 34:15 54:24 165:2 204:2 avoiding 34:10 avoids 31:9 award 229:4 awarded 35:10 54:22 138:16 164:19 166:5 229:10 awardee 226:23 230:9 aware 29:5,14 36:7 64:22 74:4 140:9 168:8 187:20 188:13 a.m 1:7	B B 1:11 137:6 baby 182:21 back 13:12 19:2 27:18 29:6 31:13 42:9 65:8 65:16 70:5 72:18 73:2,17 103:15 112:21 116:23 118:8 123:9,15 124:19 125:14,21 129:22 133:17 133:24 138:12 139:4 144:19,25 146:14 160:9 201:16 223:14 227:21 229:16 237:15 244:5,5 background 137:9 217:15 backgrounds 22:5 backlog 98:14 199:17 208:15 back-channel 69:9 back-door 91:2 bad 6:8 9:16,17 38:10 42:14 127:3 200:18,19 241:18,19 balance 61:19 206:10 ball 159:10 bar 23:7,16,19,21 24:24 25:10,16 28:17 29:4 31:15 32:2 34:8 37:5 40:10,11 44:7 47:11 52:2 52:11,14,15 53:17 54:7,17 60:7,8,21 75:7 110:3,7 113:12 114:3,7,9,12 115:5 118:4
---	--	---	---	--

119:5 139:18 162:21 172:13 178:14 189:20 195:3,19 205:12 205:13 215:12 217:18 218:21 218:22 221:15 225:3 231:14 232:5 236:21 241:5 base 152:22 based 163:16 166:10 169:14 177:8 181:11 182:2 183:14 207:24 229:24 basic 7:24 26:15 88:3 basically 7:23 23:6 62:9 67:15 176:2 201:18 basis 42:21 76:15 97:16 157:25 164:21 166:5 215:8 222:8 223:20 229:19 233:6 Bass 3:19 batted 90:2 battle 189:25 bear 149:24,25 200:20 bears 176:20 becoming 121:25 beefed 191:16 beg 101:7 111:19 began 180:16 211:7 beginning 127:23 begins 228:11 231:11 behalf 6:23 17:21 34:8 37:4 124:17 183:21 believe 6:10 29:15 35:3 39:7 45:20 47:21 48:2 52:3	61:20 76:10,23 83:24 88:6 89:13 92:4,19 92:20 100:23 104:22 105:2 110:5,10 112:17 120:4 128:7 129:12 130:14 131:21 135:21 136:8 162:6 168:19 233:19 237:4,13 243:18 bells 47:18 belt 223:20 bench 12:8 214:23 bench-bar 215:6 benefit 175:12 benefits 187:20 best 15:20 24:21 30:7 36:7 46:11 46:21,25 47:4 47:15,16,17 59:20 78:5 86:20 112:18 131:3 135:19 153:11 166:19 189:13 193:19 215:23 242:9 better 8:4 22:22 40:7 76:22 78:24 86:2 87:22 89:15 90:10 96:19 128:7 183:11 206:11 240:3,3 240:6 242:21 beyond 27:17 bias 198:3 bid 21:3 218:4,15 218:17 219:11 220:9 221:18 223:21 227:20 234:6,14,16,20 236:16,20 bidder 127:5 bidders 5:25	236:11,13 bidding 18:22 164:20,22 166:6 bids 234:10 big 19:20 20:5,6,7 20:14 22:16 70:10 149:24 177:2 bigger 99:13,13 99:13 bill 2:12 4:5 16:20 150:16 billing 16:18 bit 8:12 19:18 47:19 49:22 82:15 121:7,8 160:11 244:7 blessed 190:15 blessing 11:2 block 211:9 blows 219:23 board 50:19,21 50:23 51:10 165:9,10 boat 84:3 body 10:21 39:25 203:21 boil 87:19 bono 21:22 bore 217:14 born 38:12 borrowed 216:9 Boston 154:2 bottom 28:14 30:22 35:18 113:4 134:4 141:17 146:8 193:4 216:21 bought 241:7 box 104:2 brainchild 226:7 branch 59:15 94:7 breath 244:5 briefly 10:4 bring 20:16 72:11 72:12	bringing 45:13 62:11 66:8 242:22 broad 175:17 broad-based 151:2 broke 236:17 broken 230:5 Bronx 175:23 Brooklyn 12:25 13:9 175:24 brought 34:19 62:5 66:4 167:25 budget 16:11 26:12 27:22 48:10 49:2 59:12 61:19 70:7 83:15 84:16 94:4 149:4 188:13 220:9,12 221:3 building 132:10 built 7:2 27:12 72:24 163:21 167:15 bulk 74:13 213:17 bupkis 192:3 business 9:23 174:4 193:18 196:15 200:15 businesses 80:15 busy 143:7 buy 20:9 207:20 bypass 202:24 206:19 bypasses 202:9 bypassing 203:8 C cadre 76:18 80:13 211:22 Calandra 185:22 198:7,16 199:3 217:5,7,13 239:11 California 170:19	call 6:14 13:10 17:15,16 62:10 66:6 78:12,13 99:7 136:18 175:3 185:19 245:10 called 104:10 148:7 175:25 180:20 186:3 198:16 199:3 234:12 calling 3:16,20 50:14 210:4 235:9 calls 6:5 11:16 90:22 capable 208:10 capital 10:12 48:15 92:17 139:22 149:7 158:21 169:17 179:10 190:24 205:24 208:11 capped 21:8 care 17:24 20:24 21:9 27:23 35:22 150:9 191:17 192:11 197:12 career 122:12 careers 7:2 213:16 careful 54:24 55:15 carefully 157:23 carry 85:19,22 case 4:8 14:20 17:22,24 18:16 18:17,18,18,19 19:6 29:9 40:20 41:16 44:13,16 48:3,4 76:2 143:19 144:4,5 144:8,14,17,18 144:18,20,21 165:21 175:12 176:11 179:4,7
---	--	---	--	--

179:10 180:15 182:10 183:4 204:6 205:12 219:19 220:3,6 222:15 223:9 228:3,5 240:16 caselaw 202:16 caseload 30:2 44:3 85:20,22 92:20 155:2 163:18 218:13 219:12,13,15 caseloads 25:14 180:18 193:23 208:4 cases 4:20 13:8 14:7,10,14,17 14:18,22 16:4,5 16:9 17:7 18:5 18:11 22:19 25:12,18 26:25 30:12 42:15 43:9 48:6 51:8 76:10,15 77:2 78:20 83:6 84:10 85:18 86:16 92:13,15 92:15,16,17 97:14 110:4 124:23,24,24,25 127:6,8,9,9,11 127:12,13 130:6 131:12 139:23 143:17,23 157:6 158:21,23,24,25 173:19 174:22 174:24 175:7 178:15 179:2 180:9 182:3 190:24,24 192:25 193:8,11 193:12 194:5 196:7,17 204:22 205:9 206:7 207:3,11,13 209:13,13 210:11,11,23	211:2,6,24 213:11,17 215:19 218:14 219:5,6,19 220:4 221:13,24 222:4,11,21,22 223:2 227:5,9 228:24 232:21 232:25 233:4 Cash 45:15 catastrophic 239:14 Catch 49:22 cautions 166:2 celebrate 4:7 center 67:7 150:19 151:25 152:6 154:2 central 17:17 century 152:20 certain 30:15 60:23 82:5,16 117:6 123:5 133:10 141:25 155:5 156:21 213:2 217:24 certainly 14:19 23:14 35:6 40:11 58:15 88:8,24 119:12 120:13 152:12 153:18 154:16 156:8 157:8 173:9 179:12 181:11 242:18 242:18 certainty 129:13 CERTIFICATE 246:2 certification 246:19 certified 148:17 CERTIFY 246:3 certifying 246:23 cetera 151:19 chair 1:10 77:14 114:12,13	130:20 147:3 151:4 172:12 245:10 chaired 52:3,4 Chairman 3:15 3:19 6:21 7:10 8:9 147:20 245:3 challenge 122:8 challenges 212:10 chance 219:24 Chancellor 23:13 23:15,23 32:7 32:15 33:8 35:2 36:21 43:14 47:10 52:23 53:3,8,13,18,23 54:19 55:20 56:15,19 57:3,9 57:18 58:2 172:16 209:24 217:21 219:16 Chancellor's 232:10 change 43:13 67:25 68:9,13 68:15,16 73:13 90:4,4,6,8 171:6 185:7 changed 159:6 185:6 changes 68:7 134:14 163:18 channels 91:3 chaos 226:13 230:20 239:15 charge 156:24 207:2 charged 79:14 167:18 210:23 225:12 Charter 91:23,25 check 206:10 checks 33:24 cheek 177:20 Chester 161:16 chief 11:21,23,25	11:25 19:8 25:14 50:7 59:4 154:23 156:20 158:16 165:9 209:18 236:3 242:15 child 13:8 228:3 children 25:18,25 27:16,16 153:18 154:17 159:7 191:23 192:6 210:22 226:20 choice 6:14 145:6 181:15 choose 72:14 122:2 123:18 202:22 203:15 choosing 204:19 chosen 141:24 189:8 209:5 Cipriani 224:23 Circuit 182:10,24 circumstances 191:23 cited 158:3 166:3 179:20 cities 71:5 104:9 104:11,12,25 175:14 citizen 13:5 135:11 citizens 35:16 109:4 110:2 188:7 195:7 202:24 207:23 city 1:2,6,13,14 2:18,21 5:9,20 20:10 21:25 24:2,12,17 27:21 28:2,6,10 29:15 31:11 35:16 38:11 39:10 51:20,24 53:12,21 59:13 59:18,21,24 61:10 64:12,17 66:8 71:23 73:2	78:18 84:7,9 86:7 87:16 89:10,24 91:23 91:25 94:5 97:15 98:9,11 99:5,25 100:20 101:3,18 102:13 103:5,7 105:12 105:25 106:15 106:25 107:17 109:4 110:8 116:17 118:9,12 128:18 132:21 135:10 138:9,25 139:8,15 140:10 145:16 150:8 151:20 152:12 152:13,20 153:24 161:22 164:7 169:23 170:2,6,16,20 172:19 174:15 175:18 177:13 177:16 178:4 180:15,24 181:5 181:10,15,19 182:4 183:25 184:10 187:14 188:5,23 190:2 195:5 200:23 201:6,9,23 202:10,10,16,22 203:2,12,15 204:7,8,13,18 206:14,19,19,22 206:23 208:14 210:8,19 213:12 213:13 214:11 214:17 216:3,19 218:3 220:11 225:10,13,22 228:16,17,21,25 231:6,9,17,19 232:19 233:17 237:8,11,15 City's 3:21 52:8 54:14 100:2,5
--	--	--	--	---

100:24 101:2 194:12 203:13 204:20 228:22 241:16 city-county 177:25 178:2 civic-minded 212:5 civil 30:17 175:12 188:10 193:12 197:7 CJA 10:2,6,10,19 11:16 37:14 42:3,18 46:23 50:6 clarify 136:20 Clark 182:11 183:2 Clarke 64:13 class 180:10 240:22 classic 15:19 clear 32:24 47:12 65:10 99:25 105:23 109:2 142:15 171:3 173:13 184:9 210:5 234:14 238:16 clearly 139:3 202:13,18 209:7 219:18 CLERK 2:17 3:7 58:6 147:10 185:16,22 198:7 client 13:24 16:19 18:21,23 44:15 80:7 90:17,17 112:23 118:4 190:25 202:5 216:22 219:25 220:2 227:9,24 228:19 clients 1:16 2:24 3:24 4:18 5:16 13:5 15:11 16:21 17:13	18:25 19:5 21:20,21,24 38:5 75:23 76:2 77:16,25 106:16 107:2,19 108:16 113:2 136:16 168:25 177:4 186:24 187:7 189:7 192:15 193:13 196:19 200:6 212:2,9 213:14,18 218:14 219:12 219:14,15 220:6 223:18 227:8 228:24 230:17 230:24 close 14:6,16 40:14 67:15 68:19 88:13 120:4 126:9 131:23 213:7 closely 55:16 closing 167:23 coalition 147:22 150:15 183:22 code 10:11 158:8 coherent 239:17 coined 110:5 239:3 collateral 170:12 colleague 9:21 116:18 213:8 224:16 colleagues 136:15 200:13 collective 241:20 collectively 7:5 collegial 40:10,13 117:17 collusion 6:11 combination 189:10 222:25 come 3:10 52:5 58:9 68:21 70:5 78:25 79:8,10 80:16 102:25	103:15 107:12 123:5,9 140:24 147:24 156:2 159:4 163:19 167:2 178:24 181:23 189:15 193:12,13 210:14 214:17 221:10 243:16 comes 40:19 41:10 52:19 66:12 75:20 77:20 90:5 122:9 127:10 144:19 204:6 comfortable 33:4 75:12 122:3,4 coming 19:22 75:4 118:22 134:18 153:2 197:21 238:23 240:25 241:22 comment 45:21 46:6 51:17 58:22 88:12 183:22 198:21 233:18 comments 7:13 8:11 28:12 38:15 210:15 216:24 217:19 235:18 commingled 109:7 commissioned 229:25 commissions 13:7 commitment 112:5 138:20,21 140:15,18,23 commitments 234:21 committals 111:14 committed 6:18 22:4 212:4 234:20	committee 1:3,13 2:4,11,19 7:19 31:22 32:5 42:3 42:19 50:7,8,9 50:12,16 51:9 52:3,6,12 58:17 61:17 114:5,11 114:13,15 140:5 171:13 172:6 215:12 217:10 224:13 244:14 244:17 245:8,12 common 5:5 158:5 Commonwealth 39:9 150:10 156:19 communication 102:22 community 6:19 50:15 61:22 company 165:5 177:6 compared 127:4 compelling 235:22 237:3 compensated 187:3 192:7,12 195:4 compensating 187:15 compensation 29:8 166:14 189:23 191:18 200:12 216:7 225:6,9 competencies 30:10 competent 52:13 188:20 191:14 competently 192:15 competition 164:20 236:18 competitive 42:6 42:6,11,13 166:6	complete 235:22 completely 82:18 86:22 89:19 221:3 completion 44:16 complexity 44:13 179:5 194:5 207:12 compliance 33:21 225:13 complicated 220:4 comply 26:9,15 33:17 163:22 214:25 component 102:24 components 27:13 comprehensive 153:15 comprised 23:17 computer 107:16 concentrate 9:22 23:6 concern 5:22 34:9 34:24 35:7 60:9 64:21 119:8 146:13,17 167:9 169:25 170:2 178:7 194:20 215:11 concerned 28:18 47:13 213:5,19 213:22,25 214:13 239:12 244:9 concerns 23:25 24:6 27:19,22 54:4 60:10 88:25 89:18 93:12,17 119:17 119:23 120:14 120:15 141:8,12 172:23 173:10 173:12 211:20 232:12 233:7
--	---	--	---	--

244:3	222:13 226:14	contact 51:11	112:10 116:7,9	control 29:22
conclusion 30:6	conformed	contacting 218:20	116:25 119:20	153:11 156:4
conclusions 28:25	132:21	contained 154:22	119:20 120:4	205:18 206:4
30:22	conforming	246:5	128:23 129:7,18	225:15 246:22
concrete 153:22	133:22	contemplated	130:24 131:4,15	controlled 155:4
159:13	confrontational	55:12 153:8	132:4,11,23	controls 156:22
condone 203:10	90:21 92:9	contention 200:22	133:22,23 134:5	184:3
conduct 179:20	97:10,12 242:4	contents 28:11	134:9 135:3,15	conversation 7:3
179:25 203:25	confused 137:13	contested 191:24	136:12,18	53:22 59:18
conferring 203:19	Congress 10:13	context 76:13	138:15 139:8	99:11 100:24
confidence	conscientious	77:5 79:3	140:10 141:3,4	136:11 142:13
129:24 177:9	230:13	continually 189:9	141:19,20 142:2	194:18 218:24
244:12	conscious 12:19	continue 9:14	143:11,14,20	236:6 237:5
confidential	12:21	31:10 32:11	144:16 145:3,7	240:5 241:6
100:22	consent 206:20	35:25 64:4,4	146:13 149:10	conversations
confidentiality	consequences	81:10 123:10,11	150:22 151:11	112:14 120:20
114:18	170:12 240:17	134:23 189:16	151:15 152:8	232:7 242:11
conflict 1:16 2:25	consider 138:6	215:17,20	154:22 155:10	convey 172:17
3:25 4:22 5:2,6	139:10 140:14	216:11 228:25	155:14 163:12	conveyor 223:20
5:18 18:15 19:4	244:4	230:11 243:6	163:15 164:13	convicted 170:9
54:24,25 55:5	consideration	244:9	164:17 165:6	182:13
59:10,14 60:7	92:18 133:21	continued 65:24	167:6 170:5	conviction 13:14
62:7 63:5,15,18	157:25	82:22	171:8,11 173:5	149:9 168:24
74:20,25 78:10	considerations	continues 212:7	181:2 183:10,14	convictions
84:9 89:24 94:3	125:19 159:5	continuing 44:25	206:21 226:23	170:13
94:6 97:14	considered 60:11	148:17 189:18	228:17,23 229:3	cooperative 28:7
99:11,14,16,17	considering 92:25	194:16 220:13	229:4,9 230:9	copies 8:13 28:13
106:12,23	consisted 149:4	continuously	243:8,15 244:22	172:18
107:15 108:11	consistent 112:14	44:15	contracted 82:2	copy 64:15 210:18
113:7 130:2,4	consists 44:5	contract 5:19	82:20 175:21	core 199:23
131:6,11 149:9	conspiracy 18:18	18:9 21:16	180:7 188:5	corner 17:11
149:12 151:15	constant 189:25	33:17,25 34:22	contracting 156:4	Corporation
151:16 153:16	190:15	34:25 35:10	166:8	168:8
155:7 157:17	constantly 132:24	36:10 47:17	contracts 67:2,9	correct 53:24
162:13 173:7,11	constituents	64:19 65:12	73:18 95:4	75:24 76:4
176:2 189:6	120:16	66:23 67:4,5,5,8	132:21 134:6	77:22 97:17
194:13 197:14	constituted 140:5	68:3 70:23	141:5 145:9	109:14,19
199:16 202:4,19	Constitution	77:24 80:9 82:8	155:3 164:9,18	191:12 223:6
204:16,17,25	48:13	88:9,13 91:16	166:4	246:8
222:14 228:10	constitutional	92:4,22 93:5,6,9	contractually	correctly 46:8,14
237:17,23	61:13 101:23	101:14,16	228:7	correlation
conflicts 29:22	148:7 184:17	103:13,18	contrary 21:12,13	200:14
31:9 34:10,15	construct 110:11	107:23 108:4,6	21:15	cost 5:9 45:24
55:7 86:17	consultation	108:7,20 109:10	contravention	86:7 156:7
156:9 165:2	165:13	109:13,18	202:13	166:5,9 169:21
204:2 216:21	consulted 229:13	110:25,25	contributions	169:24 170:3
220:21,24	consulting 203:20	111:13,15,22	224:16	218:2 220:8

226:3,15 227:17 costing 228:11 costs 170:11 229:5 cost-effective 242:10 cost-saving 229:8 Council 1:2 9:13 25:13 27:21 61:16,17 64:12 64:13,17,24 66:8 70:6 73:3 73:21 89:10 109:4 118:9,20 124:13 138:9 139:2 145:16 150:8 152:12 156:2 164:7 231:9,19 Councilman 1:10 1:10,11 2:2,10 2:11 3:3,9,11,13 3:14,15 7:11,12 8:9,10,17,22 9:8 22:25 24:8 31:18 32:12,13 32:17,19,21,22 34:17 36:4,14 36:18 37:9,18 38:14,17,18,19 44:18 45:11 46:8 48:24 49:14 51:16 52:20,25 53:5 53:11,15,20 54:15,16 55:17 56:5,6,17,23 57:5,15,20 58:4 58:7,12 62:2 63:20 64:6 66:21 67:20,24 70:19 71:7 73:24 75:15 87:25 88:18,20 90:12,13,14 91:20,24 93:19 94:11 95:17,22	96:2 97:3,13,25 98:5,19 100:6 100:21 101:6,10 101:12 102:15 103:21 104:6,17 104:23 106:3,7 106:11,20 107:6 107:10,24 108:3 108:8,22 109:15 109:21 110:22 111:4,5,17,21 111:24 112:7,11 113:24 115:8,20 115:25 116:6,19 116:20,21 119:7 121:14,18 122:15,24 123:22 124:4,6 124:7 126:25 127:18,25 128:9 128:16,24 129:4 129:9,23 130:9 130:23 131:5,10 131:16 132:13 133:2,6 134:12 135:7,11,25 136:4 137:12,19 138:4 142:5,23 142:24 143:2,23 144:24 145:5,10 146:10 147:6,12 147:20 159:17 159:20 160:5 168:16 170:24 171:22,24,25 172:2,3,11,21 173:8 174:17 175:2 176:12 177:17,19 178:6 178:19 180:25 181:13 183:5,18 184:5 185:8,10 185:11,18,25 186:6,10,16,19 187:9 190:12 195:9,20,24 196:3,10,18,22	197:10,16,19,20 197:23 198:2,5 198:12 199:2,7 199:9,11 208:19 208:22 209:3 211:11 216:25 217:4,8,8 223:24 224:3,9 224:11,12 231:22 233:10 233:21,24 234:13,24 235:5 235:13,17,19 236:20,24 238:25 239:6 242:25 243:4,10 243:21 244:16 244:24 245:2,4 245:7 Councilmembers 160:22 Councilpeople 122:25 200:2 Councilwoman 1:11 31:21 56:25 57:7 75:18,19,25 76:5,9,16 77:15 77:23 79:24 80:4,12,19,24 83:14,23 84:4 85:6,9,12 87:24 88:2,4 92:12 Council's 1:13 2:18 206:20 counsel 1:16 3:2 4:2,3,19 5:2,3,6 27:11 43:2,25 44:19,21,23 45:3 48:11,20 59:10,15 60:8 63:8,16,18 69:5 69:19 72:10 74:21,25 84:9 87:3 89:25 94:3 94:7 99:11,14 99:16 101:24	106:12,23 107:15 108:11 130:2 131:6,11 150:21 151:18 152:8,25 157:19 160:16,19 161:24 165:6 168:12 173:7 176:6 187:15,22 189:6 191:6,14 191:22 192:10 192:17 194:13 197:15 200:25 201:5,21 202:4 202:20 205:3 206:7,8 214:9 214:14 215:5,9 215:18 220:16 220:18,20 226:11 228:8 229:14 230:15 230:17 231:4 counseling 75:23 counsels 84:18,24 counsel's 44:11 count 92:16 counties 157:7 188:24 201:23 country 10:24 36:8 48:16 55:19 56:4 74:16 104:10 110:12,13 158:5 161:9 207:9 240:4 county 45:17 152:20 154:14 157:7,12 158:20 159:16 161:17 168:13 175:15 177:24 178:4,5 180:6 182:11,16 182:25 183:2 201:23 202:16 204:22 225:7,8 County's 45:15 county-city	170:17 couple 8:13 18:11 32:18 43:17 58:21 59:6 62:13 69:10 163:8 178:15 216:5 243:23 course 22:18 24:10 189:19 197:18 212:9 215:17 216:14 court 4:10 5:5 7:6 10:7 13:12 38:4 39:22 40:8 41:4 41:20 42:12,19 50:24 51:24 76:21 77:19 80:5 82:23 96:22 97:24 98:8,11 99:25 103:5 140:3 154:15 165:23 180:14 182:10 182:24 188:11 191:25 192:13 192:16 197:3 199:18 201:20 201:22 203:11 203:16 204:20 206:13 209:12 209:21 210:24 211:25 212:24 213:3,24 214:5 214:17,23,24 215:7,14 216:8 216:16 218:3 221:2,5,25 222:2 223:7 225:5,5,12 226:9,21 229:10 229:12 230:19 230:20 231:5,12 232:13 233:2 237:8,19,20 238:14 courthouse 222:6 224:24
--	--	--	---	--

courtroom 222:17	21:25 23:19 25:22 39:4	daily 222:7 233:6 danger 230:24	112:19 141:22 142:16 182:24	177:12 182:17 184:13 187:25
courtrooms 87:7 222:12 233:5	40:11 41:11 45:14 46:23	Daniel-Paul 138:11	decisions 9:16,17 169:14	188:3,17 190:8 194:11 195:12
courts 4:23 5:8,13 41:25 99:7,9,12 99:16 202:19 226:13 237:14	48:18 76:13 79:3 82:24,25 83:2 86:18 106:24 114:14	Danny 193:15 DAs 40:14 78:17 data 63:13 157:6	declined 143:4 dedicated 207:8 212:3 213:15	196:25 197:2,9 201:17,19 202:14 203:9 204:6 206:6 209:16 215:24
court-appointed 5:3 10:25 15:14 15:20 16:4,5,9 16:14 17:7 18:5 18:11,21,23 21:21 39:21 40:17 43:2 46:12 63:8 69:18 72:10 127:6 169:4 192:10 214:9,14 215:12,21 226:11 228:8	148:8 150:25 154:17 165:25 166:13 188:8,10 193:11 205:20 209:12 211:6 238:10 240:9	dated 28:12 dates 201:16 daunting 152:14 David 138:10 185:16 day 49:24 73:17 134:5 197:5,6 198:14 211:22 211:23 216:8 222:15 233:2 234:11,12 235:7 235:9 238:22	deductibles 228:13 deed 32:10 deeds 32:3 deep 228:20 Default 148:8 defend 129:18 240:10 defendant 90:15 176:16,18 182:19 defendants 10:8 18:20 19:11 22:2 25:22 41:11 138:17 148:9 208:11	defenders 4:16,20 5:16 12:6 16:16 19:4 25:4,14 38:22 42:18 49:20 50:6 68:2 72:22 149:6 150:21,22 156:23 159:2 169:10 173:14 173:15,20 187:18,18 189:2 196:6,19 237:7
coverage 54:2 covered 168:20 Craig 236:21 create 103:3 167:12 175:7 199:17 213:4 226:12 241:10 241:13,15,17	criteria 30:12 166:10 218:6 critical 159:15 162:8,10 165:16 223:9 critically 92:21 criticisms 205:6 criticize 193:17 criticizing 140:20 crossover 221:2 culling 75:9 current 28:20 152:15,16 162:11 167:10 199:23 202:21 205:2 216:16	days 138:12 192:2 237:18,18,19 DA's 178:12 DC 151:2 154:8 deal 15:4,5,9 47:20 69:3 70:12 72:2 93:23 159:14 dealing 19:11 25:21 118:7 152:18 deals 15:7 dealt 67:9 238:18 Deanna 224:22 death 176:11 179:10 182:14 191:2 decades 184:20 December 225:21 decide 70:21 decided 74:3 79:8 207:15 decides 142:19 195:5 deciding 207:2 decision 83:12 89:3 93:4 106:18,21	defendant's 182:7 defender 11:22 18:2,14,20 20:22 27:7 37:22 41:24 44:6 50:8 68:4 68:20 78:9,10 78:18 79:12 86:4,12 118:5 122:19 124:18 129:15 134:17 148:11,20 149:14 151:7,13 151:15,21 152:8 153:20 154:24 155:20,22,25 156:20 157:16 158:16,17 160:15,17,25 161:9,10,12,15 161:18 164:10 164:11 167:23 168:9 169:2,22 175:22 177:11	Defender's 62:24 67:3 69:4 75:22 77:17 86:14 99:23 101:7 103:4,7 118:12 125:22 176:19 177:14,16 178:9 178:11 241:12 241:13 defending 51:17 defense 6:19 9:23 11:8 13:3,21 24:23 26:12,21 29:18 31:4 40:12 43:21,22 43:23,25 44:4 44:11,19,21,23 45:2 48:20 99:20 106:24 107:18 147:25 148:2,6,24 149:18 150:6,10 150:19 151:5,25 154:9 155:12 156:17 160:18 161:5 162:16
created 52:21 53:2,16 54:5 161:11,11 209:24 241:5 creates 55:10 103:7 174:5 199:16 216:20 creating 45:22 178:7 creation 215:6 creative 60:3 crime 17:23 18:3 18:19 30:24 167:19 crimes 4:6 22:4 criminal 4:13,18 5:7 7:2 9:23 10:6,8,10 11:8	criticizing 140:20 crossover 221:2 culling 75:9 current 28:20 152:15,16 162:11 167:10 199:23 202:21 205:2 216:16 currently 18:8 47:25 63:7,18 64:3 69:4 72:5 81:11 95:11 128:8 130:16 137:5 150:14 181:4 184:24 207:6 209:11 213:6 221:12 custody 191:24 cut 10:4 84:23 cutting 17:10	DA 17:25 37:13 178:23 dad's 17:14,16		

164:17 165:4 166:23 168:23 168:25 175:5,11 175:17 176:24 180:8 185:6 228:22 defenses 230:22 deficiencies 223:6 definitely 86:13 definition 125:9 definitively 88:22 Delaware 45:17 74:22,24 154:6 delaying 89:3 delighted 209:4 delinquency 25:6 153:19 154:18 158:25 159:9 209:13 210:11 210:23 232:21 233:4 238:19 delinquent 206:3 220:22 deliver 174:16 delivered 172:20 delivering 102:4 delivery 24:24 43:21 44:5 59:25 61:9 68:13 148:24 149:19 152:24 154:9 155:12 156:17 161:4,24 162:12,15 164:9 delta 72:5 democratic 207:4 demonstrated 240:19 denied 45:18 215:16 DENNIS 1:11 deny 191:12 department 65:11 155:20 180:13 204:21 dependency 22:6 25:25 49:4	86:22 92:18 124:25 188:9 191:19,22 194:3 204:22 210:11 211:2,6 217:18 217:20 218:10 218:11,21,22,25 219:5 220:13 221:13,15,15 222:21 225:3 228:2,5 232:13 232:21,25 236:21 238:19 dependent 86:22 87:3 206:2 219:25 depending 76:23 80:17 107:22 238:13 depends 128:14 Deputy 24:5 59:3 225:13,20,21 231:7,18 described 74:6 93:22 deserve 195:7 200:8 deserves 220:3 design 242:15,20 242:21 designation 110:9 designed 242:5 despite 6:20 47:15 95:7 205:5,6 destruction 230:25 detailed 24:4 details 116:3 detector 182:19 determination 225:18 determine 59:19 211:18 231:13 determined 225:14 detrimental 226:17	developed 164:10 development 150:20 160:19 devises 187:14 devising 203:4,6 devote 189:4 210:25 233:3 devoted 161:3 210:21 dialogue 6:4 156:11 dickens 17:21 DiClaudio 139:5 139:9 218:20 232:18 DiClaudio's 233:14 died 45:19 diet 18:5 differ 101:8 difference 22:17 105:10 106:6 107:13 108:23 different 7:4 14:2 18:13 28:4 50:11 66:23 67:12,18 75:5 76:25 77:2 79:13 83:11 90:3 92:3 94:18 96:14,24 99:22 102:18 104:21 134:11,21 138:22 141:9 145:14 146:23 158:4,22 178:23 differently 134:10 138:22 158:12 difficult 168:22 dig 199:19 diligence 50:14,18 98:22 103:2 135:17 235:24 diligently 211:23 diminishes 30:3 dire 191:23 direct 9:9 214:24	215:14 246:22 directed 43:15 227:6 directly 9:3 30:23 30:24 Director 102:6 121:19 147:22 148:13 directors 151:8 disabilities 239:25 240:5 disagree 67:21 96:21 97:7,11 106:10,10 117:14 122:17 123:8 134:13 135:24 136:3 162:7 171:9 200:12 disagreeing 97:6 disagreement 97:4,5 162:4 disappointed 142:6 243:11 disciplinary 137:24,25 discuss 244:17 discussed 114:21 discussing 46:13 102:8 discussion 34:20 43:18 45:22 100:7 121:8 133:10 147:16 159:23 171:11 discussions 33:2 59:12 65:20 94:4 145:24 146:3 171:4 195:17 disgrace 191:21 191:21 disingenuous 21:12 disposition 192:25 disproves 229:7	dispute 200:22 distinct 26:2 distribute 19:24 distributed 7:18 58:16 district 6:24 10:23 11:17,23 12:24 29:7 38:23 50:10,24 59:11 99:4 118:13 142:18 142:20 143:4 149:5 156:23 190:6 200:23 204:23 205:19 214:25 215:15 disturbed 239:8 diverted 219:8 division 202:2 docket 16:8 document 164:22 dog 38:2 doing 11:12 18:4 21:8 34:13 35:15 40:24 66:16 67:11 69:15 72:6 73:4 73:4 74:10 83:8 84:10 87:4 97:14 98:8,10 105:19 106:16 107:2,19 108:24 112:4 117:5 122:12 125:14 127:25 132:10 137:6 151:16,18 154:3 155:24 160:7 190:11,23 192:4,18 196:16 202:10 206:5 221:12 237:16 dollars 72:8 95:9 101:22,25 109:6 118:21 152:3 229:16 doomsday 239:13 door 93:10
---	--	--	---	---

doors 213:8	economy 42:13	189:14 208:2	223:19	event 33:15
double 14:24 77:9	85:25	213:21	entity 5:15,21	Eventually
86:8	eContracts 65:13	employed 235:25	78:22 79:14	214:21
double-check	95:3	240:20	81:8 87:6	Everett 24:4 28:8
41:23	edge 88:9	employees 78:16	100:10,15,16	54:14 57:10
doubt 60:18	education 44:25	149:16 178:2,4	105:16,24	58:6 59:2 183:7
Dougherty	148:18 189:18	187:19 188:15	107:22 126:17	242:2,16
205:25	194:16	188:16,17,21	141:24 146:7	everybody 2:3
draft 56:11,12	Educators 151:6	225:22 226:2	151:3,4 162:24	7:16 63:17,23
drafted 47:4	effect 48:14	229:19	167:13 174:19	66:18 90:5
drill 6:9	150:23 242:9	employment	177:9 178:8	123:21 143:6
drilling 49:2	effective 14:13	175:4	183:24 194:13	171:20
driven 46:3	25:6 48:21	emulate 110:14	199:24 203:15	everybody's 8:23
drug 18:16 22:6	59:19 60:4	enacted 201:18	205:12 210:2,10	58:15
212:11 222:24	152:24 156:7	encompassing	212:17 226:24	everyday 85:25
drug-addicted	effectively 15:11	66:24	229:4	everyone's 47:15
226:19	174:11,20	encouraged 35:11	environment	evidence 170:9
dual 46:2,9	efficiencies 194:8	ended 96:25	152:16,17	229:24 246:4
due 4:22 5:18	efficiency 45:4	endure 208:3	envision 143:20	evidently 210:5
48:11 50:14,18	218:2 220:8	energies 189:5,5	envisioned 47:25	210:13
88:5 98:22	efficient 226:3	engage 206:8	equal 44:22 161:6	ex 41:14
103:2 133:2	efficiently 240:20	211:16	equate 200:10	exact 8:15 67:10
135:17 231:8	effort 53:21 187:6	engaged 165:10	equitable 191:15	67:13
235:23	efforts 6:21	175:10 195:12	equity 190:3	exactly 31:6 83:13
duly 203:21	193:19 227:6	engaging 204:16	equivalent 74:9	111:4,7 154:21
duplicated 41:22	eight 44:17 233:5	enjoy 48:19	especially 191:19	177:23 237:6
duplicity 77:3	either 25:24 28:3	187:19	193:25 229:11	exaggerating 68:8
dysfunctional	39:23,24 66:9	enjoyment 48:21	244:8	example 30:16
22:8	74:19 81:3	enormous 208:15	Esquire 138:10	examples 107:18
dysfunctions	97:10 137:5	ensure 29:16 34:2	138:11 139:5	excellence 161:4
212:12	164:17 181:14	106:24 107:16	essentially 8:15	exception 90:20
	elected 199:6	108:12 130:3	establish 150:17	124:8,14 133:7
E	elements 150:23	131:6,11 165:6	150:23 197:12	135:8
earlier 158:3	elevating 229:22	191:13 202:3	established 146:6	exceptions 11:12
175:19 181:12	eligible 205:21	215:18,22	206:16	11:13 173:16
209:23 213:9	206:2	ensuring 34:11	establishing	excuse 98:6
243:7	elimination	161:5 212:6	161:8	164:25
early 143:3	113:15	enterprise 227:16	establishment	executed 5:20
161:10 195:17	Ellen 37:6 185:17	entire 79:13	165:7	executive 59:15
easily 216:18	else's 233:15	122:12 221:3	estimation 242:19	94:7,20 95:5
easy 79:4	embarrassing	225:15 226:13	et 151:19	96:24 147:21
echoes 165:25	38:11	228:7	eternal 200:14	164:8 169:25
economic 70:12	embarrassment	entirely 196:14	ethical 196:12	203:19
152:16	192:4	entities 106:2	evaluate 100:18	exercised 35:23
economically	emphasis 227:12	119:15 157:14	100:18	exist 76:11 110:12
152:22	empirical 168:3	177:25	evaluated 60:12	173:16
economies 85:2	employ 128:19	entitled 43:20	evaluation 189:21	existed 98:24

184:20 188:2 existing 27:24 51:18 exists 49:7 167:20 192:24 expand 20:11,15 expect 193:9 expected 169:5 191:24 expenditures 108:13 182:5 expense 193:2 experience 30:15 30:18 49:21 50:2,3 56:2 137:10 139:20 166:11 178:13 178:20 179:5,9 179:15 210:12 212:13 213:2 236:5,7 experienced 207:7,10 211:22 212:3 221:10 expert 40:4 41:9 41:10,14 89:5 91:11 119:9 155:11 165:13 181:22 190:19 243:19 expertise 31:16 37:7 44:12 54:8 57:17 153:22 166:13 172:5 185:12 240:18 experts 154:12 193:3 244:4 explain 49:9 explicitly 164:12 exposes 227:5 express 35:3 expressed 233:7 extemporizing 8:21 extend 160:21 extended 65:15 extensive 51:4	139:19 164:23 extensively 153:25 extent 61:15 65:24 extra 8:13 40:3 extreme 37:25 38:5 extremely 12:25 41:21 117:15,16 117:17 226:19 eye-opening 117:18 e-mails 90:24 F fact 26:10 39:12 39:15 42:16 55:8 68:18 89:9 97:11 99:17 105:5 114:22 122:22 124:15 142:12 152:9,19 162:17 164:24 165:15 167:8 169:12,16 173:22 176:21 180:5 211:18 216:4 218:23 219:17 236:16 237:22 factions 141:9 factor 220:12 facts 123:9 231:24 failed 182:20 fails 103:14 failure 65:3 fair 4:12 29:16 191:14 fairly 31:4 65:24 89:4 fairness 64:10 165:21 fall 83:6 186:17 falls 174:24 familiar 177:12 families 22:8	226:21 family 5:7 15:25 31:2 176:13 212:11 223:4 238:14 far 28:17 29:13 34:17 55:17 62:6 74:6 115:4 117:18 119:9 120:13 165:18 169:6 170:5 243:19 farce 115:11 fathers 220:16 Father's 234:11 234:12 235:7,8 fear 60:20,21 93:8 fears 144:13 feasibility 222:19 February 24:3 26:22 28:13 31:14 47:12 56:10 57:4,6 217:22 federal 9:22,25 10:7,16,21,23 10:25 11:11,14 11:22 12:5,8,18 12:21,23 13:25 14:5,15,18 15:6 15:7 16:7,16,23 17:7 21:21 22:14,17,20 38:3 39:8,13 40:15 41:6,7 42:7,12,15 43:5 43:9,11 47:3,6 49:8,10,20,21 49:25 50:2,6,7 50:24 180:14 182:8 213:10 fee 21:8 163:11,12 174:3 180:17 201:22 215:4 feel 40:7 61:11,12 70:22 89:19 195:2 243:15	feeling 32:19 36:19 fees 214:9,14,18 215:9 felonies 49:3 felony 77:8 92:15 124:23 127:9,10 158:10,23 felt 31:14 54:6 95:14 fewer 208:17,17 field 11:10,15 12:11 13:3,4,7 13:24 39:3 41:2 fifth 18:25 79:18 81:9 112:22 113:2,7,18 157:20 167:18 176:17 177:3 Fifty 4:9 fight 17:21 38:2 fighting 153:3 figuratively 10:24 figure 63:3 70:11 118:17 219:22 figures 26:18 filed 148:7 180:13 214:22 files 222:3 filtering 211:15 finality 13:19,20 finally 6:25 239:16 finance 227:17 financial 108:12 financially 4:19 find 7:8 77:13 91:4 116:16 118:2,6 134:20 134:21 157:4 168:22 236:8 237:3,25 findings 171:14 fine 8:18 37:10 95:15 136:5 186:7 199:8 finishing 154:5	firm 1:15 2:23 3:23 18:10,13 18:22 19:2,19 19:20 20:8,9,11 20:17,21,23 21:2,6 27:4,4 35:17 37:20 38:10 62:8,21 74:2,7,12 77:21 77:25 78:12,14 78:21 79:8,25 80:6,8,16,21 84:7,21 85:15 87:5 103:25 105:8 108:24 112:24 116:13 124:25 128:16 128:19,22 129:25 138:2,20 140:23 144:2 157:18 173:6 174:16,22 177:6 179:22 181:7,14 199:25 207:24 221:22 227:12 227:14,22,24 228:4,6,13 229:2,11,15 230:13 firms 20:5,6,6,7 20:14,14 74:10 105:8 107:11 175:16 firm's 227:6 228:23 first 3:5 6:23 9:13 15:13 17:25,25 24:13 29:6 31:20 46:15,15 58:21 59:11 62:5 64:12 65:14 71:3 73:21 75:2 99:3 113:17 134:16 142:17,19 143:3 148:13 162:24 168:11 173:23
---	--	---	--	---

181:15 191:13 198:16,17 199:3 199:6 200:23 201:16 205:19 210:17 214:5,24 215:14 220:11 firsthand 33:11 33:13 first-degree 158:9 first-time-ever 150:18 first-year 179:8 182:21 fiscal 14:5,17 59:12 94:4 fish 241:18,19 fit 43:18 174:14 fitting 161:20 five 19:12 50:11 62:15 68:16 69:19 90:16,19 92:24 127:11,12 158:10 233:4 236:11 fix 27:21 69:13 225:9 230:4 fixed 163:12,13 174:3 180:17 FJD 94:3 95:13 flat 163:11 flaw 48:7 floor 82:7 Florida 161:16 flow 45:9 focus 70:14 focused 7:23 176:16 216:22 227:25,25 folks 72:20 87:12 119:19 138:23 243:20 follow 29:7 113:25 117:8 158:8 followed 10:22 30:8 31:7 184:21	following 164:16 followthrough 34:2 followup 30:8 folly 208:5 fond 9:11 force 23:23 26:4 52:22 53:2,16 54:5 60:8 115:10 148:3 156:16 157:11 158:14 172:14 209:23 232:10 232:11 241:4 forecasting 163:19 forefront 161:8 foregoing 246:7 246:19 forget 131:19 238:11 formed 114:5 former 12:23,24 86:4 136:15 177:10,11 forth 7:25 33:18 33:23 139:12 146:14 forum 112:17 116:15 forward 3:10 26:8 31:11 32:11 58:9 64:5 66:7 70:18 79:2,23 96:16 100:20 117:7,9 119:6 121:24 122:6 125:13,20 128:8 142:3 145:17 146:6,7,21 150:8,11,15 171:15 211:9 212:17 220:7 forwarded 138:12 for-profit 20:21 20:23 21:2,5 27:6 34:11 38:9	54:18,22 55:10 56:3 63:22,24 79:6 80:25 81:3 81:4 100:10 103:25 104:13 104:24 105:4,5 105:9,10,13,16 105:20,24,25 129:25 151:16 172:23,24 173:4 173:6,22 174:15 174:18,21 177:6 177:9 178:8 181:7,14 184:8 184:18,22 188:23 192:21 193:5 194:20 199:24 214:3 226:24 found 168:10,24 207:8 235:15 foundational 164:5 founded 91:13 93:11,12,16 107:7,9 138:6 160:24 four 19:11 34:4 68:15 69:19 90:16,19 148:4 149:7 157:5 175:15 177:24 231:23 232:3 fourth 11:25 18:25 63:5 79:17 81:9 112:22,25 113:7 113:18 157:20 167:17 176:17 177:3 four-defendant 18:16 frankly 16:13 38:10 62:25 63:11 66:4,15 68:17 79:6,20 81:19 85:4	87:15,16 89:8 90:7 134:10 194:25 210:19 fraudulent 32:10 free 4:17 Friday 64:15 friend 9:20 friends 40:13,15 front 41:19 51:12 51:13 145:16,23 fruition 140:24 144:5 fulfill 24:18 59:16 94:8 full 38:25 133:7 148:20 152:6 189:14 fully 115:5 246:5 full-time 30:2 124:22 173:15 173:19 175:4,22 187:19 188:16 188:21 189:5 196:25 197:9 function 43:23 74:23 100:24 101:2,2,18 165:4 222:7 fund 99:8,8 149:4 157:15,17,18 158:14 168:6 fundamental 4:4 4:11 43:7 184:17,19 funded 149:2 152:2 154:11 166:20 167:2 funding 28:21 38:22 39:2 43:24 46:13,17 47:14,15 70:8,9 118:15 150:12 151:3 152:22 157:15 166:23 193:24 197:13 228:15,22 230:21	funds 40:3,4 41:18,20 47:25 106:15 107:17 108:15 150:5 226:16 229:9,10 funnel 222:10 further 55:9 62:7 145:24,24 164:14 166:16 229:4 future 184:2
G				
game 234:7 Gary 185:23 198:8 199:13 gathered 54:9 general 7:14 61:23 84:18 149:3 244:23 generally 195:12 generate 219:6 227:11 genesis 97:23 237:14 getting 19:25 27:18 41:20 49:13 65:16 69:3 77:4,5 81:10 82:23 112:5 119:19 144:8,25 169:10 233:11 Gideon 4:9 150:2 161:11,21 163:6 184:16 gifted 239:21 Gillison 24:4 28:8 33:2 54:14 57:10 58:6,13 58:25 59:2 62:3 62:12 63:22 64:25 67:3,23 68:12 71:6,12 74:8 75:24 76:4 76:7,12,21 77:22 78:2 80:3				

80:10,17,22	Gillison's 177:8	goes 50:5 146:24	129:13,18	217:11 245:8,13
81:2 83:16 84:2	183:7 200:22	151:11 158:20	130:16 132:5	Governor 148:23
84:25 85:8,11	223:15 226:6	242:2 244:22	133:4,5,9,11,17	governs 39:25
88:15 89:6	give 18:9 61:15	going 2:5 8:20 9:6	134:9,19 135:2	GOV'T 3:1 4:1
90:23 91:17,22	71:19 81:13	14:23 15:21	135:5 136:6,7	5:1 6:1 7:1 8:1
93:14,19 94:13	82:9,12 84:12	16:20,25 17:8	136:16,18,24	9:1 10:1 11:1
95:18,19,24	86:11 114:9	17:10,11,12,13	137:16 142:16	12:1 13:1 14:1
96:6 97:8,18	202:25 241:11	18:3,10,10,13	146:6,7,21	15:1 16:1 17:1
100:4,11,25	given 15:11 68:14	18:24 21:3,3,4	155:16,17 156:6	18:1 19:1 20:1
101:9,21 102:21	88:19 89:3	21:10,18,18,20	157:17,18	21:1 22:1 23:1
103:19 104:4,12	98:23 121:5	21:22,23,24	167:13 171:6,6	24:1 25:1 26:1
104:14,20 105:2	123:19 142:10	22:2,10,11,12	174:3 177:2,4	27:1 28:1 29:1
106:5,9,17	158:19	26:14 29:18,21	181:10,22 183:8	30:1 31:1 32:1
107:3,8,20	gives 5:21 11:4	34:2,10,12	183:19 189:6	33:1 34:1 35:1
108:2,5,17	156:5,9 205:14	35:20 36:19	194:2 202:11,25	36:1 37:1 38:1
109:14,19	glad 61:24 69:21	38:21 40:4,8	202:25 203:13	39:1 40:1 41:1
110:21,23,24	70:6 73:19	41:18 44:10	203:14,16	42:1 43:1 44:1
111:23 112:21	102:12 129:21	62:18 64:2	210:10 212:18	45:1 46:1 47:1
113:3 115:13,18	130:19,21	68:10,25 70:17	213:9 217:14	48:1 49:1 50:1
115:24 116:4,22	133:15,23,24	72:4 73:11	220:20,23	51:1 52:1 53:1
117:4 120:8	134:2,2 147:2	75:11 76:17	221:21 222:12	54:1 55:1 56:1
121:13,16	glean 98:21	78:19 79:2,14	223:8 228:18	57:1 58:1 59:1
122:18 123:3	glitch 98:24	80:8,15 81:6	232:14 243:6	60:1 61:1 62:1
124:3 125:3	go 8:4 17:23 19:2	82:6,11,12	244:7,15	63:1 64:1 65:1
127:17,21	20:9,10 26:8	83:13 84:8,13	gold 207:14	66:1 67:1 68:1
128:14,20 129:3	42:9 46:16	84:13,22,23	good 2:2 6:2,6	69:1 70:1 71:1
129:6,20 130:7	63:25 64:5 66:7	85:10,13,14	8:10 9:15,15	72:1 73:1 74:1
130:12,25 131:2	70:18 72:20	87:7,8,9,9,10,11	15:25 35:15	75:1 76:1 77:1
131:9,14,17	73:14 77:16	87:23 88:11,19	40:13 52:4,16	78:1 79:1 80:1
132:7,15 133:8	79:23 100:20	88:21 89:4 90:7	58:12 60:4 61:2	81:1 82:1 83:1
134:14 135:14	112:21 116:22	90:11 93:7,12	61:4,21 119:25	84:1 85:1 86:1
135:24 136:3	120:12 121:24	94:21 95:6 96:3	126:2 147:19	87:1 88:1 89:1
137:2,18 138:3	125:12 126:24	96:10,16,20	160:7 162:21	90:1 91:1 92:1
141:13 142:6	128:8 142:2	100:12 101:15	184:4 186:13,15	93:1 94:1 95:1
143:11,22 145:4	143:17 144:15	102:19 103:25	187:19 200:16	96:1 97:1 98:1
145:8,12 146:15	145:17 146:14	104:5,7 109:6,6	200:17 205:4	99:1 100:1
151:12 156:12	155:21 158:9	109:8,11 111:2	208:25 217:7	101:1 102:1
160:10 171:10	170:8,10 191:25	111:11,13 112:6	224:7,9 240:24	103:1 104:1
190:2 195:18	198:17,24 199:4	113:10,19,21	gotten 72:17	105:1 106:1
199:21,22	199:6 204:20	114:20 115:9,12	112:8 119:10	107:1 108:1
208:13 214:12	208:12,23	115:15 116:9	230:19	109:1 110:1
217:23 219:2	212:16 216:19	119:3,15 120:7	governed 10:9,15	111:1 112:1
221:6 225:14	219:12 223:17	120:16 121:23	10:16	113:1 114:1
228:9 229:17	230:10 243:9	122:7,8,13	government 1:3	115:1 116:1
231:8 232:16	goal 7:3 24:13	124:15 125:8,13	1:13 2:4,19	117:1 118:1
235:10,24 242:3	goals 174:15	125:20,21 126:4	59:16 94:8	119:1 120:1
242:17 244:10	gobble 20:6,8	127:20 128:6	162:23 202:5	121:1 122:1

123:1 124:1	217:1 218:1	63:20 64:6	119:8 120:23	happening 33:10
125:1 126:1	219:1 220:1	66:21 67:20,24	131:17 132:5	211:18
127:1 128:1	221:1 222:1	70:19 71:7	143:17 162:5	happens 74:18
129:1 130:1	223:1 224:1	73:24 75:15	guidelines 10:18	118:4,20 125:23
131:1 132:1	225:1 226:1	87:25 88:18	10:19,20,22	128:6 143:19
133:1 134:1	227:1 228:1	90:12 110:22	24:16 25:5,8	168:4 205:7
135:1 136:1	229:1 230:1	116:19,20 119:7	26:16 30:14	229:9
137:1 138:1	231:1 232:1	121:14 122:15	33:18 164:16	happy 31:10
139:1 140:1	233:1 234:1	122:24 123:22	166:3,15 167:7	hard 49:24 174:9
141:1 142:1	235:1 236:1	124:4 131:16	172:19	187:17
143:1 144:1	237:1 238:1	132:13 134:12	guiding 43:17	hardworking
145:1 146:1	239:1 240:1	142:23 144:24	guy 50:15 84:12	212:3
147:1 148:1	241:1 242:1	145:5,10 146:10	guys 8:14 15:5	harken 223:14
149:1 150:1	243:1 244:1	147:6,12 158:16		Harlem 175:23
151:1 152:1	245:1	159:17 160:5	H	Harrisburg 38:21
153:1 154:1	gracious 231:18	170:24 171:25	hair 89:21	153:3
155:1 156:1	grand 158:7	185:8,11,17,18	half 158:10	hats 149:11
157:1 158:1	Grant 180:6	185:25 186:6,10	Hall 1:6	heading 75:13
159:1 160:1	granted 31:5	186:15,16,19	hallmarks 185:5	headlines 38:6
161:1 162:1	219:20	187:12 190:12	hand 35:13	health 22:6 41:9
163:1 164:1	grave 230:24	190:14 195:9,16	handed 70:15	41:12,14 108:14
165:1 166:1	gray 89:21	195:20,22,24	handle 18:11	149:8 188:9
167:1 168:1	great 5:22 23:11	196:8,11,20,23	27:25 28:5 30:4	212:10 222:23
169:1 170:1	45:7 86:6 87:14	197:14,17,20,22	30:12,19 36:3	hear 21:4 23:4
171:1 172:1	122:18 171:2	197:23 198:2,12	44:9 66:3 70:16	51:12 52:24
173:1 174:1	186:25 195:24	199:2,7,11	79:19 113:6	60:8,25 89:13
175:1 176:1	230:23 240:21	208:19,22	129:16 157:19	91:10 92:22
177:1 178:1	greater 192:14	216:25 217:4,8	180:8 193:11	102:17,19
179:1 180:1	204:17,24	223:24 224:3,9	handled 27:2 86:8	114:17 115:9
181:1 182:1	227:22 240:23	224:12 231:22	113:21,22	119:14,16
183:1 184:1	greatest 167:9	233:10,21,24	143:21	120:10 121:18
185:1 186:1	193:15	234:13,24 235:5	handling 18:4	144:17 159:18
187:1 188:1	greatly 160:20	235:13 242:25	30:2 106:18	heard 19:9 31:13
189:1 190:1	Grecious 224:17	243:4 245:4,7	110:4 130:3,5	46:7 55:21
191:1 192:1	greed 207:25	greet 236:23	131:7,12 157:8	58:20 60:14
193:1 194:1	Greenlee 1:10 2:2	ground 7:14	175:7,16 211:24	88:22 97:14
195:1 196:1	2:12 3:3,9,19	100:8	213:16 232:25	99:9 114:4,25
197:1 198:1	6:22 7:11 8:9,17	group 147:23	hands 232:4	119:16 122:16
199:1 200:1	8:22 9:8 22:25	195:19,21	hands-off 192:17	123:25 141:16
201:1 202:1	24:9 31:18	202:22 211:4	hanging 198:13	161:25 173:4
203:1 204:1	32:12,13,17,22	212:14 214:21	happen 17:9	181:12 183:15
205:1 206:1	34:17 36:4,14	growing 129:24	21:11 71:20	200:4 217:21
207:1 208:1	36:18 37:6,9,18	guaranteed 4:4	76:15 118:15	218:18 219:16
209:1 210:1	38:14,17 54:16	215:4	125:12 155:16	225:16 238:18
211:1 212:1	56:6,17,23 57:5	guardians 220:18	155:17 213:19	239:5,7
213:1 214:1	57:15,20 58:4,7	guess 45:11 85:24	222:16 240:6	hearing 3:17,21
215:1 216:1	58:12 62:2	86:3 101:10	happened 177:23	5:24 6:14,20

23:24 34:20 53:10 88:25 89:10 90:16,18 91:7 93:7 103:22 114:4 119:18,25 121:5 162:9 209:4 242:4 hearings 1:14 2:20 5:25 24:10 38:21 61:19 145:25 155:25 192:2 197:3 209:5 heart 135:20 238:15 heavily 210:2 heavy 16:8 18:5 held 64:2 219:10 help 27:17,17 31:17 56:11 95:10 134:24 153:10 159:14 170:14 223:12 223:12 helped 54:10 helps 41:5 43:3 Herron 95:25 96:4,7 201:2,7 201:12 237:5 Hey 13:11 51:12 hide 160:6 hiding 103:12 160:7 high 44:4 highlight 59:7 164:23 highlighted 29:3 176:8 highly 189:12 high-quality 47:22 217:25 218:7 hire 79:25 84:18 84:20 85:14 218:16,23 225:25	hired 81:21 113:20 196:24 219:10,11,13,14 222:14 hiring 148:15 193:3 Historically 99:5 236:10 history 21:14 hoc 162:14 211:4 hold 1:14 2:20 206:24 209:5 221:17 hollered 122:20 122:20 homicide 18:17 77:5 128:13,15 128:19 130:5 139:17,20,20,21 139:24 140:3 143:16 167:24 168:9 182:19 190:24 205:22 205:23 208:6,8 208:11 211:6 homicides 49:3 92:17 128:11,18 129:17,19 130:4 158:23 168:12 205:25 honest 192:3 honestly 60:22 181:25 240:22 honesty 158:15 honor 132:19 Honorable 138:9 224:23,25 hope 7:8 81:15,17 90:15 123:23 125:11 141:7 142:17 159:23 171:15 241:23 243:24 244:2 hoped 88:16 hopefully 151:24 152:4 hoping 75:4	118:18 139:6 241:25 host 30:20 hosts 231:18 Houldin 147:11 159:19 160:13 160:14,15 168:14,18 172:22 173:3,9 175:9 180:3 182:2 184:6 hour 16:10,12,18 16:21 42:8 102:8 hourly 16:18 hours 14:20 49:2 82:5,10,13 238:21 housing 222:24 huge 207:10 208:3 213:23 216:20,20 humanity 240:24 hundred 206:16 hundreds 74:9 105:6,8 126:7 hurt 244:7 hybrid 74:15 105:21 hypothesis 230:3 hypothetical 62:20 hypothetically 26:24 29:24 35:14 I idea 9:4,5,15 22:24 78:2 81:4 81:12 119:25 146:16 227:2 244:8 identified 237:17 identify 8:6 58:23 198:18 199:12 208:24 217:5 219:17 224:5	241:19 identifying 59:9 94:2 217:24 239:22 ill 187:3 226:18 illustrious 190:22 imagine 42:21 85:13 174:10 immediately 94:22 imminently 109:11 impact 83:8 165:18 193:4 226:17 impacted 30:24 30:25 73:6 imparted 102:16 implementing 203:7 importance 209:7 242:6 important 2:8 3:17 5:23 13:2 31:5 32:9 41:21 49:9 61:7 92:21 143:8 151:10 157:10 165:16 171:20 177:22 187:10 231:24 importantly 185:2 impose 156:21 imposed 159:11 impossible 14:10 impression 45:13 241:3 impressive 6:16 imprimatur 39:17 41:4 improve 95:10 97:21 127:24 161:23 189:9 improved 51:19 improvement 123:19 improving 123:17	inadequate 26:19 191:18 232:23 inadequately 192:6 inappropriately 240:12 incentive 228:4 incite 169:9 include 24:15 169:15,18 171:16 included 33:6 44:21 64:11 139:16 164:16 179:21 232:6 241:6 242:20 including 23:19 43:24 139:22 194:15 inclusive 109:25 117:16 136:10 142:9 income 20:5 83:5 227:7,9,21,25 230:16 incomes 212:21 income-generat... 227:4 incomplete 221:4 increase 20:5 214:8,18 229:5 increased 182:5 214:19 increasing 229:21 incredible 174:5 incredibly 164:22 167:20 168:22 incumbent 54:6 183:17 independence 162:19,23 165:3 166:11 185:4 independent 44:2 80:14,20 82:4 independently 156:3 indicate 151:12
--	---	---	--	--

219:18 indicated 219:2 indicates 223:5 indicating 138:13 138:18 218:21 indigent 1:16 2:24 3:24 5:16 6:19 10:8 21:25 25:21 26:12 31:4 41:11 75:23 99:21 107:12,18 108:24 116:17 124:14,17 135:19 138:17 147:25 148:2,6 148:8,24 149:18 150:5,9,19 151:5,25 154:9 155:11 156:17 166:23 173:2 174:23 175:5,11 175:17 176:25 177:4 178:22,24 180:8 181:7 182:7 183:12 187:7 192:14 195:7 200:6 202:23 212:2 213:16 215:19 226:18,25 242:6 indigents 47:5 211:5 215:23 individual 40:20 74:12 99:19 111:25 165:19 165:23 173:12 174:8 180:8,9 223:20 individually 180:10 individuals 45:17 75:11 111:14 114:10 137:24 161:7 162:20 167:18 173:14 174:12 180:24	184:11,12 238:12 ineffective 230:18 infinitum 69:20 inform 49:6 informally 193:8 information 33:11,13 34:5 65:16 77:14 89:12 92:10 100:9 101:16 102:11,16 147:3 172:8 231:25 236:14 informative 170:21 informed 95:14 145:13 169:13 infrastructure 107:16 inherent 28:20 48:7 55:7 initial 51:4 113:14 151:16 219:11 initially 31:13 225:19 injuries 174:24 injury 228:3 innocent 170:8 182:13 input 12:14,15,17 232:11 inquiries 239:9 inside 49:2 240:13 instance 24:20 26:17 30:13 35:9 158:2 Institute 168:6 instituted 215:13 institution 68:21 68:22 78:14 134:18 institutions 12:10 insufficient 170:9 insurance 108:13 108:14	insurmountable 199:16 intake 227:8 intangible 207:18 integrity 122:9,16 Intelligencer 219:4 intending 5:12 intends 230:4 intent 218:23 intention 221:9 221:14,14 intentions 47:16 intercepts 142:18 interest 1:16 2:25 3:25 4:23 5:19 7:21 19:4 29:23 35:16 54:25,25 135:19 138:14 139:10,14 142:19 149:10 163:9 165:3 173:11 180:13 192:14 199:17 204:2,16,17,25 212:6 216:21 220:24 interested 39:4 interesting 62:6 66:6 233:12 235:14 236:25 interests 61:20 90:3 238:13 interfere 204:3 interference 229:2 interfering 204:11 international 240:4 Internet-based 152:6 interns 148:16 interpretation 92:2,3 interpreted 138:22	interrupt 131:17 intervention 223:7 239:20 interview 219:3 intimate 199:22 intolerable 239:15 introduced 3:18 investigate 1:14 2:20 17:22 investigation 173:25 193:2 investigations 163:17 190:18 investigative 3:21 165:13 182:22 investigator 41:8 188:19 investigators 27:8 72:18 85:21 87:10 106:25 169:18 189:11 227:18 Investigatory 5:25 investment 113:9 invite 189:19 invited 60:2 236:22 invites 233:20 involve 155:14 involved 14:19 24:17 56:14 59:9 64:20 93:25 115:5 120:11 136:10 162:3 181:3 195:14,16 196:12 209:22 211:3,5 214:5 232:5 involvement 23:7 23:8 24:11 32:2 238:9 involves 189:10 involving 18:18 222:22	in-house 81:21 82:18 105:21 in-person 102:22 Island 175:24 issue 2:8 26:6 28:3,5 31:24 32:3,8,10 34:18 46:10 49:23 54:11 55:9 62:5 62:7 65:11 71:21 74:2 84:5 96:16,22,22 98:2 99:3,15 100:13 113:7 117:25,25 124:8 144:12,22 159:16 166:20 167:2,3,24 171:13 174:23 209:6 224:14 237:14,21,22 242:22 244:23 issued 24:2 59:22 62:16 201:2 issues 2:7 22:6,7,7 25:19 28:19 41:12,13 55:11 56:8 70:13 88:20 118:10 123:7 147:16 156:10 164:6 171:18 212:11 215:10 220:4 222:23 iterate 172:23 I's 225:16
J				
jail 22:11 JAMES 1:10 Jason 224:16 Jeff 8:11 Jeffrey 3:7 jeopardy 122:14 Jersey 217:16 job 13:18,18 35:15 52:16				

75:9 126:3,5,10 137:6 151:22 160:7 join 221:22 joining 2:13 161:14 joint 148:5 judge 11:23,25 12:2 39:23,23 40:5 77:16 94:15 95:25 96:4,7 98:17 201:2,7,12 205:18,21,25 237:5 judged 123:20 205:11 judges 10:21 11:4 11:11,14 12:21 15:6 47:4 50:19 50:21,23,24 51:9,10,11 136:15 169:12 169:12 205:17 206:4,12 judicial 6:23 29:7 52:18 59:11 99:3 101:20 142:18,20 143:3 181:4 200:23 205:19 214:25 215:15 judiciary 10:16 15:6 39:18,25 52:8 74:21 203:18 206:22 judiciously 240:20 July 64:14 jump 198:23 jumped 32:4 juncture 223:9 June 219:3 jurisdictions 161:16 173:17 justice 4:13 7:2,4 7:5 10:6,10	23:20 27:14 39:5 44:22 45:14 46:24 67:7 114:14 147:23 150:15 150:25 154:18 159:15 161:6,23 165:25 168:6 180:14 204:4,5 204:12 226:12 231:2,11 238:10 240:9 justify 155:23 juvenile 4:18 25:3 25:6 27:14 67:6 92:14 124:24 127:8,13 159:2 188:8 209:18,21 210:24 220:22 232:12 juveniles 209:21 K K 1:10 Kansas 20:10 Karen 185:23 198:8 224:21 Kathleen 3:8 23:14 keep 35:17 136:7 183:8 212:22 228:4 244:15,20 244:22 keeping 16:2 keeps 141:18 Kenney 1:10 2:10 3:15,19 8:10 24:8 Kenny 234:5 kept 35:19 238:23 kick 227:20 kicking 48:25 kids 16:2 45:15 220:15 239:24 240:7 kind 15:20 45:9 70:24 74:15	79:4 87:17 89:3 132:4,10 143:18 152:23 164:19 170:22 171:3 175:8 187:17 189:3 190:16 192:21 193:7 232:7 234:9 236:9 kinds 65:22 75:5 77:2 83:11 133:18 134:6 236:2 King 175:14 177:23 178:5 King's 214:22 knew 24:19 28:17 knock 21:19 know 2:6,12 14:8 17:15 19:18 20:7 27:20 32:4 32:23 34:18 36:12,22 37:12 39:22 40:9,10 40:16,23 43:15 50:15 51:14 52:9,10,14 55:18 56:8 62:3 62:12,13 64:18 65:2,5,6,7 68:4 70:9,20,22 71:10,22 73:12 77:12 83:24 88:6,20 89:11 89:11,17,23 94:15,15 95:24 96:3 97:19 100:9 102:6 104:16 108:9 109:3,18 113:5 116:2 118:8 119:23 120:7,9 120:19,21 121:2 121:23 123:13 125:16,17 128:22,25 129:9 129:20 132:13	135:9 136:9 137:14 141:10 143:6 154:21 155:14,16,18 163:18 175:13 177:19 182:3 186:10 188:2,4 188:12,24 198:13 212:10 212:16 220:14 221:7 233:9,10 236:3 243:10,20 knowing 126:3 140:18 knowledge 23:11 36:7 75:20 141:2,4 153:12 174:19 known 9:12 10:17 10:18 knows 11:6 50:17 56:2 61:17 133:3 221:20 Kurien 234:5 KYW 65:21 L L 246:14 labeled 216:6 lack 6:11 17:2 146:11 210:21 243:11 244:12 landmark 4:8 180:12 landscape 184:24 language 154:23 large 22:8 40:12 largest 161:2 Las 182:12 LaSalle 139:25 Lastly 140:25 late 224:23,25 late-in-the-day 234:8 law 1:3,13,15 2:4 2:19,23 3:1,23 4:1 5:1 6:1 7:1	8:1 9:1 10:1,12 10:13,15 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1,10,12,21 19:1,2,19,20 20:1,14,14,17 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1,19 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1,12 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1,8,21 63:1 64:1 65:1 65:11 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1,2,7,10,12 75:1 76:1 77:1 77:21,25 78:1 78:12,13 79:1,8 79:24 80:1,6,8 80:16,20 81:1 82:1 83:1 84:1 84:21 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1,8,8 106:1 107:1 108:1 109:1 110:1 111:1 112:1,24 113:1 114:1 115:1 116:1,12
--	--	--	---	---

117:1 118:1	207:1,5 208:1	120:11 124:22	152:14 159:11	light 72:12
119:1 120:1	209:1 210:1	126:3,7 151:23	Lerner 205:21	lightly 60:17
121:1 122:1	211:1 212:1	151:24 152:5	letter 24:4,13	liked 120:5
123:1 124:1	213:1 214:1	155:6,7 169:2,4	26:5,22 28:11	limit 180:18
125:1 126:1	215:1 216:1	175:5 178:11	33:19 34:6 35:3	219:19
127:1 128:1	217:1,10 218:1	179:22,24	36:23 47:11	limited 217:19
129:1,25 130:1	219:1 220:1	189:10 190:9,10	54:12,20,21	Lindy 3:7 8:5,8
131:1 132:1	221:1 222:1	204:8,9,19,21	55:21 56:10	8:11,19 9:2,10
133:1 134:1	223:1,4 224:1	207:8,8 208:3	57:4,4,6 64:14	9:21 23:2 32:23
135:1 136:1	225:1 226:1	211:4,22 212:12	64:22 65:8	36:11,17 37:11
137:1 138:1,2	227:1 228:1	212:25 213:6,20	138:7,13,17	37:21 39:6,11
139:1 140:1,2	229:1 230:1	214:10 215:22	141:15,15	46:7 49:6,12,17
141:1 142:1	231:1 232:1	221:23,24	217:23 234:23	51:12,23 55:22
143:1 144:1,2	233:1 234:1	232:24,25 233:3	238:3	57:24 62:5
145:1,11 146:1	235:1 236:1	233:4 234:19	letters 112:5,8	120:13 150:24
147:1 148:1,16	237:1 238:1	lawyer's 238:2	letting 135:21	175:19
148:21 149:1	239:1 240:1	layered 42:24	let's 35:13 65:10	line 28:15 30:22
150:1 151:1	241:1 242:1	layperson 75:20	105:23	35:18 113:4
152:1 153:1	243:1 244:1	119:23	level 11:14 12:12	130:4 131:8,13
154:1 155:1	245:1,8,12	lays 164:12	13:2,4,6,24	134:4 141:18
156:1 157:1,17	lawsuit 229:3	lead 121:25	16:23,25 21:23	146:8 171:19
158:1,5 159:1	lawsuits 182:5	leadership 146:21	39:3 41:2 47:14	193:4
160:1 161:1	228:13	146:24	49:11 69:24	Lisa 224:25
162:1 163:1	lawyer 4:7 9:3	learn 17:24 68:19	71:16 72:25	list 51:7 141:11
164:1 165:1,11	13:17 15:21	learned 23:22	73:2 79:21	205:20,22 206:2
166:1,13 167:1	30:4,17 71:10	53:24 86:21	86:12 103:2	213:3
168:1 169:1	75:21 76:8 82:8	leave 121:15	117:18 146:24	listed 7:16 234:19
170:1 171:1	82:25 83:3 84:5	160:11 167:21	149:7 163:16	listened 159:24
172:1 173:1,6	99:19 110:6,9	lectured 139:25	189:23 190:5,9	160:10
174:1,15 175:1	148:13 152:9	left 148:19 186:12	194:5 200:7	listening 89:7,11
175:16 176:1	153:13,13	legacy 226:9	213:25 229:21	244:3
177:1,6 178:1	176:10 179:6,8	229:18 231:4	229:23 235:23	literally 10:24
179:1,22 180:1	179:16 182:7,15	legal 1:15 2:23	242:12	65:19 66:17
181:1 182:1	182:21,23	3:23 4:12,17,21	leveled 11:10	73:14 86:7
183:1 184:1	200:16,17,18,18	5:15 44:25	levels 113:9	litigant 223:13,13
185:1 186:1	200:19 209:20	47:22 61:22	118:14 155:5	litigation 9:24
187:1 188:1	214:7 223:11,11	148:6,18 150:6	191:19 230:11	little 8:12 12:14
189:1 190:1	225:4	151:7 160:16,25	Lewis 79:8	12:15 19:18
191:1 192:1	lawyers 12:15,16	161:5,12 164:11	liberty 128:21	40:21 66:23
193:1 194:1	15:4,8,16,17,18	175:20 189:18	licensed 217:16	82:15 121:7,7
195:1 196:1	15:18 16:14	194:16 208:13	lie 182:19	160:11 167:25
197:1 198:1	23:18 25:17	212:8 218:2,8	lieu 138:23	194:2 200:16
199:1,15 200:1	29:24 32:9	219:4 220:18	life 11:7 165:20	218:24 244:6
201:1,7,13	63:19,23 77:6,7	legalese 112:12	169:7 207:15	lives 61:7
202:1,7,8,9,24	79:15 80:2,13	legislative 155:24	238:12 239:23	living 16:6,22
203:1 204:1,21	82:2,17,19	203:21	lifetime 159:6	17:6 200:3,4
205:1 206:1	111:8 116:11	Legislature 149:2	life-tenured 11:3	loaned 216:8

local 6:17	57:21 61:18	150:3	242:12	234:10 235:10
locally 45:5	64:9 66:25 72:4	man's 231:3	Mayor's 5:12	241:2
logical 46:19	89:18 97:20	marched 159:25	19:8	meetings 19:7
long 40:25 51:24	107:4 119:13,16	Marconi 2:14	McGill 233:23	28:8 54:13 91:2
57:22 68:5	120:23 132:16	58:5 147:8	234:3,4,4	114:21,23
71:14 73:9	141:23 143:17	185:15	235:11	187:21 191:25
89:23 121:6	209:8,16 210:12	margin 227:2,13	meager 200:4	232:11
144:21 170:10	211:14 220:4	227:23	mean 11:6,7,9	meets 181:24
186:11 198:14	225:16 243:13	margins 212:20	17:16 20:11	member 31:21
233:2 244:6	243:15,20,22	MARIAN 1:11	46:18 47:20	52:15 86:3,4
longer 59:14 80:6	loud 6:9	Mark 147:11	53:11 64:22	148:3 225:2
94:6 121:7	lousy 9:5	160:15 172:4	65:2 67:21 89:7	236:21
145:7 200:24	love 110:13	190:21	94:15 119:8	members 2:13
244:7	low 47:14 77:4,6	markedly 229:5	151:11 152:25	7:19 23:17,24
long-term 73:18	230:11	market 200:7	155:19 156:20	24:6 31:2 33:3
look 9:2 14:15	lower 169:3,6,20	mass 230:14,16	158:25 173:5	53:9,25 54:3
26:17,22 28:25	Luzerne 45:15	match 44:12	175:14 193:16	58:17 62:4
30:13 32:10		179:12 194:4	203:4 241:7	70:20 109:3
45:24 54:7 85:5	M	matched 179:5	means 11:5,20	189:19 190:4
85:17 94:16	magically 244:13	Mateo 170:19	12:12 16:5	217:9,10 218:20
96:12 134:23	magnitude	materials 35:5	39:19 173:6	218:22 224:12
146:16 157:12	112:19	152:10	246:21	membership
157:22 158:12	maintain 82:3,20	math 127:8	meant 242:3	161:3
164:8,13 170:4	113:10 135:18	matter 27:24 35:7	measured 167:8	memo 214:23
170:18 178:10	227:14	61:21 62:21	measures 100:17	memory 224:22
181:22 183:11	maintained	67:16 81:7 82:3	125:17 132:9	mental 22:5 41:9
187:14 188:23	101:24	83:9 115:14	167:16	41:12,13 149:8
193:21 210:14	maintains 205:20	119:9 179:15	mechanics 10:15	188:9 212:10
223:16 232:19	205:25	200:15,17	mechanism	222:23
looked 30:21	major 67:25	207:16 244:21	105:15 201:10	mentally 226:18
63:12 71:5,13	making 16:6 17:6	246:7	mechanisms	mention 165:12
71:13 74:5	35:23 119:4	matters 25:23,25	156:5,25	mentioned 88:8
104:11 156:16	130:18 132:18	27:25 30:19	media 54:2 65:21	143:16
159:4 181:19	169:13 192:23	34:7 35:5,21	88:5 109:10	mere 229:24
looking 7:22	201:24 203:19	36:3 62:23	131:22	merry-go-around
27:10 34:5 61:8	maligned 124:9	63:15 64:2	medications	6:7 112:13
86:19 94:23	malpractice	65:22 188:8,9	45:18	merry-go-round
154:8 158:18	108:13 228:13	188:10 191:24	meet 61:11 125:2	137:14
174:4 216:19	man 15:21	242:7	125:24 126:16	met 29:13 32:5
239:23	manageable	maximize 20:20	126:18 128:3,4	112:4 114:7
looks 146:12	193:23	21:7	128:5 154:15	184:22
Lord 11:5	managers 179:21	maximums	195:6 215:10	method 59:10,19
lot 2:6,7 12:17	mandamus	166:12	218:6 223:10	91:3 94:2 102:4
26:11 27:16	214:22	Mayor 9:11 24:5	236:23 244:16	metrics 167:15
29:11 34:19	mandate 61:13	59:3,4 64:14	meeting 57:10,12	Mexico 148:21,23
39:19 42:14	101:23	95:6 225:14,20	95:13 113:13	149:3,11 154:24
47:9 56:2,9	mandates 6:5	225:21 231:8,18	126:9 232:15	155:21

MICHELE 246:14	mislead 189:24	29:11,19 39:14	myriad 87:13	27:17 31:2,6,8
microphone 233:25	missed 104:18	41:8,9,19 43:9		40:3 41:8,9,13
middle 144:14	missing 101:10	46:3 47:19 48:8	N	59:7 61:6,8,11
149:15 177:7	mission 135:21	48:9,23 61:15	name 23:14 59:2	69:11,25 71:20
178:8	missive 139:2	71:23,24 82:7	139:13,16	72:13,21 73:5,8
mightily 12:10	mistake 163:4	83:18,19 86:16	147:20 160:15	75:14 84:20,21
mill 211:15	misuse 226:16	102:14,14	198:16 210:13	86:23 118:15
million 5:10 14:7	mitigate 170:14	118:11 174:2	217:13 224:21	121:24 126:4,23
14:9,14,16 20:3	mitigation 169:16	186:17 193:10	238:6	134:3 144:22
20:18,18 26:24	193:3	193:14 200:5	named 116:10	152:5 153:2
48:5 83:21,22	mode 95:12,12	207:20 212:4	224:25	154:10 157:22
84:8,11,12 85:7	model 27:5,6	216:9,9 228:12	names 84:5	158:12 163:17
103:17,23	34:11 39:8 46:2	240:8	111:10 114:9	163:21 173:24
129:16,18 152:3	54:18 55:10,18	monies 99:10,16	185:20 186:3	181:18 184:21
183:3 188:14	56:3 59:25 61:9	monitored 179:17	234:19 236:12	186:24 187:5,5
220:10,11	63:6 68:13 71:4	monitoring	narrow 92:2	187:14,17,24
mind 35:19 49:4	72:14 74:15,17	189:21 192:9	nation 46:22	189:4 191:13,17
200:20	78:3 81:24	194:7	122:2	192:8,19 195:2
mindful 26:10	82:14 85:5	Montana 154:7	national 6:17	208:9,9 220:14
minds 162:7	86:19 103:3,8	month 3:18	10:21 151:5,7	230:15
mine 40:14,15	103:12 104:13	119:12	153:6 154:12	needed 26:20 34:3
174:22 221:14	104:24 105:4	months 139:4	157:24 160:16	59:18 64:5
Mingo 185:23	110:11,12	158:7 216:5	160:24 161:2,12	72:10 117:19,20
198:8 209:10	116:16 119:22	223:5	163:22,24 164:2	137:10 176:10
239:4	158:8 164:8	Morgan 79:8	164:11 168:6	178:3 190:20
minimal 178:12	167:5 172:24,25	morning 2:3 8:10	173:13 175:3	229:18
minimum 178:20	173:4,23 181:15	8:12 20:4 28:12	179:3 180:11	needs 71:24 128:5
mining 175:11	184:8,22 188:23	58:13 186:15	181:21,25	150:11 153:4,16
193:8	189:8 192:22,24	mortgage 16:2	239:24	154:15 166:18
minor 11:11,13	197:12 208:13	mother 228:2	nationally 45:5	167:2,6 170:22
minorities 212:25	214:3 216:18	mothers 219:8	153:21	184:13,14
213:23	219:23 222:20	220:23	nature 20:14	190:17 191:6,16
Miranda 182:11	models 24:22 75:5	Mount 180:16	63:24 164:13	243:18
Miriam 243:21	81:24 104:11,21	move 103:16	180:6 184:25	needy 207:23
misbehaves 206:8	105:5 170:17,17	104:7 106:22	191:4 223:3	nefarious 211:17
misconduct 206:9	181:18	119:5,6 171:15	nay 55:14	neglect 25:12,18
misdeemeanor	modified 215:3	171:18 192:24	near 184:2	223:2
77:11 92:16	mom 13:11 17:14	moved 243:25	necessarily 79:25	negotiated 133:25
124:24 127:9,11	17:16	moving 31:11	183:16	215:3
158:24	moment 165:2	211:9	necessary 33:21	negotiating 108:7
misdeemeanors	Monday 1:7	multiple 19:5	47:23 152:23	135:3,4
49:4 158:2,3,6,6	234:11 235:12	161:15	173:25 176:24	negotiation
158:7,9	money 12:13 15:3	multi-defendant	194:19 202:3	136:17
misinterpreting	15:4,5,8 17:4	18:15	231:15	negotiations 70:7
138:24	19:22 20:3,15	multi-year 92:4	necessity 220:13	83:17 130:16
	20:16,20 22:19	Municipal 5:8	need 13:11 26:7	132:11 214:11
	22:20 26:11,14	MURPHY 246:14	27:2,3,11,14,17	Neither 126:20

Nevada 182:12 183:2 never 153:14 166:4 201:4,12 215:13 226:10 234:22 new 7:6 12:25 20:9 28:4 36:24 36:25 37:11,13 37:15 55:21 59:10 94:2 132:23 145:18 145:20 148:16 148:21,23 149:2 149:11 154:8,24 155:20 159:10 170:19 175:18 175:20 217:16 220:20 222:11 222:12 223:10 newbie 236:5 news 65:20 109:10 newspaper 83:25 newspapers 65:21 92:23 nice 21:19 198:22 Nicholas 224:23 NIJ 168:17 nine 42:5,17 44:23 NLADA 161:7,14 166:2 nominated 11:21 non-answers 142:22 non-capital 205:24 non-essential 216:6 non-homicide 131:12 non-homicides 131:7 non-profit 78:13 79:5 80:20,23 81:3 144:2	161:2 194:21 non-profits 175:23 177:25 non-successful 15:18 normally 67:13 74:17 note 5:23 186:22 notes 246:6 notice 35:12 62:16 noticed 159:21 not-for-profit 27:5 54:23 175:16 November 5:11 65:15 number 18:12 19:13,14 24:22 25:3,20,23 27:2 29:19,21 43:19 44:3,11,14,17 44:23 45:2 63:12 65:6 82:5 82:17 84:23 86:14 90:2,15 90:17,18 127:6 139:4 153:9 157:6 159:10 161:8 163:20 173:10 175:14 178:20 208:2 216:5 221:17,18 numbers 69:19 127:5,14 230:2 233:2 Nutter 9:12 59:4 203:5 226:8 242:12	obtain 4:19 obvious 236:15 obviously 10:5 41:10 120:2 121:18 140:17 141:15 157:16 161:20,25 162:4 184:12 189:9 209:6 occasions 63:2 occur 234:22 occurred 90:9 occurs 4:23 ocean 87:20 October 1:7 odd 240:7 odds 225:19 offend 240:14 offended 236:2 offender 159:7 offensive 237:25 offer 28:5 54:8 57:2 138:14 139:11 140:12 140:13,15,16,19 140:23 159:13 194:14 221:20 offered 24:12 220:9 225:20,24 229:20 230:2 offering 56:11 offhand 77:12 office 5:12 12:7 44:6 54:14 62:24 65:3 67:4 69:4,9 72:19 74:20,24 75:22 77:18 78:11 82:9 86:14 101:4 118:12 125:22 148:20 149:13 151:15 153:7 172:20 176:20 177:14 177:16 178:10 178:11,12 182:16,17,25	189:7 194:20 195:4 204:24 209:17 215:25 241:13,14 243:22 offices 149:6,14 156:24 157:7 170:13 175:22 office's 175:4 officially 64:20 171:9 229:12 of-counsel 19:17 Oh 160:5 238:23 okay 8:4 16:9,22 17:4 18:6 37:9 39:18 42:10 64:6 66:21 67:20 70:19 75:15 76:16 88:18 90:12 101:9 119:7 123:22 137:16 185:25 186:6 199:7 233:21 235:13 old 40:14 223:11 237:23 older 159:8 oldest 161:2 176:13 once 66:5 81:16 88:8 108:20 117:23 119:2 133:22 144:17 228:18 ones 154:4 one-year 33:25 34:18,21,24 64:19 91:16 101:13 136:11 143:11,13 145:3 171:10 183:14 206:21 222:20 243:15 ongoing 228:25 open 6:4 138:7 224:4 228:5	opening 3:12 openings 42:5 openly 60:22 operate 91:19 174:11 213:12 operated 109:23 operating 11:2 20:17 36:9,11 36:12,15 93:21 operation 233:5 opinion 7:24 32:24 33:7,9 34:23 36:16 232:22 opinions 89:5 opportunities 65:13 207:15 opportunity 69:13,22 96:12 160:20 186:20 209:2 210:16 214:4 216:23 217:12 224:14 oppose 204:20,22 opposed 158:18 178:25 199:10 199:14 opposition 190:7 options 35:25 oral 114:25 order 26:21 61:11 63:7 66:3 73:15 78:5 83:4 94:20 101:25 113:6 121:24 126:5 191:7 198:25 201:3,4,8 220:6 orderly 204:4,5 204:11 ordinance 73:20 organization 161:3 185:3 organize 153:16 organized 18:19 original 140:4 Orphans 5:8 ought 212:15
--	---	---	---	--

outcome 165:19 165:20 outcry 113:14 outlining 24:5 outside 1:16 3:2 4:2 27:4 76:3 81:23 82:3 83:4 153:19 184:12 overarching 43:7 overhead 19:21 19:22 overly 117:11 overriding 71:21 overruns 226:15 oversee 78:8 215:7 overseen 165:8 oversight 52:19 72:23 78:23 79:15 80:2 162:18 167:12 overturned 13:15 overwhelmed 225:23 229:19 owes 202:4 O'Brien 1:11 2:11 3:11,14 8:9 24:9 32:20,21 38:18 38:19 44:18 45:11 48:24 49:14 51:16 52:20,25 53:5 53:11,15,20 54:15 55:17 56:5 88:20 90:13,14 91:20 91:24 94:11 95:17,22 96:2 97:3,13,25 98:19 100:6,21 101:6,12 102:15 103:21 104:6,17 104:23 106:3,7 106:11,20 107:6 107:10,24 108:3 108:8,22 109:15 109:21 111:5,17	111:21,24 112:7 112:11 115:8,20 115:25 116:6 124:6,7 126:25 127:18 128:9,16 128:24 129:4,9 129:23 130:9,23 131:5,10 133:6 135:7,25 136:4 137:12,19 138:4 142:5 143:2 159:20 168:16 171:22,24 172:2 172:3,11,21 173:8 174:17 176:12 177:19 178:6,19 180:25 181:13 183:5,18 184:5 185:10 186:20 187:9 196:3,10,18,22 197:10,16,19 198:5 217:8 224:12 235:19 236:24 238:25 239:6 243:10 244:16,24 245:2 O'Brien's 243:22 o'clock 8:24	218:4 paper 20:4 paralegals 27:9 69:8 72:18 85:20 parcel 107:23 108:19 pardon 111:5,20 parental 222:24 parents 25:12,24 222:23 223:6 240:8 parity 44:19 70:10,12 118:10 118:11,22 178:3 parks 159:10 part 9:25 15:15 17:17 25:20 28:12 41:16 48:17 50:9 60:13 64:8 71:14 73:21 74:21 107:22 108:18 113:11 114:8,12,14 125:18 131:15 136:17 141:17 144:21 156:11 156:15 169:17 175:10 195:19 195:21,22 196:4 213:23 214:12 232:9 234:15,25 235:3 parte 41:14 participate 53:22 54:13 138:15 142:12 172:12 210:3 212:23 220:25 232:15 participated 139:23 214:10 participating 138:2 139:14 181:6 203:7 204:10 participation	44:7 149:21 231:14 particular 45:9 59:25 85:22 100:12 113:11 121:21 132:23 183:23 particularly 7:25 49:24 143:15 208:6 particulars 81:18 parties 78:23 81:18,20 105:19 134:24 140:22 partner 19:16 44:22 218:19 partners 179:23 186:22 187:6 191:11 parts 102:24 118:7 party 69:14 70:2 72:3,4,21 78:6 81:7,15 113:17 134:16 part-time 29:24 188:22,25 194:21 232:24 passes 10:13 patience 185:14 186:14 197:24 pay 19:21 42:8 84:17 98:4,13 99:10,12 150:4 170:6 186:18 189:22 190:3 197:5 200:16,18 213:21 228:25 paycheck 213:13 213:13 paying 16:2 38:4 97:16 99:15 201:10 202:6 216:4 237:16 payment 43:25 97:22,22 98:14 98:25 99:2	201:25 216:3 pays 84:9 100:2 103:6 170:6 225:7 237:8 PBI 139:25 PCRA 139:22 pedigree 9:18 penal 158:8 penalty 125:24 176:11 182:14 183:3 191:2 Pennsylvania 1:6 25:4 26:13 39:9 147:22 148:2,5 148:9 149:22 150:4,16 151:25 153:12 156:16 156:19 157:4 158:3 159:3 161:17 162:12 166:21 179:19 180:2 188:25 217:16 231:6,12 240:3 people 2:6,7 7:20 9:15 12:8 19:24 21:17 22:3,5,9 22:12 26:3 27:15 34:13 38:8 42:11 50:14 54:9 56:9 60:24 61:6,23 63:4 64:2,7,10 65:6,7 68:10 69:24 71:19,25 72:13 75:7 86:11 87:3 91:5 110:3,7 113:20 114:16 119:24 120:10,11,24 122:10,17,20 132:19 137:11 142:11 146:22 153:17 159:24 169:11 170:8,8 175:10 186:11 189:14 206:2
--	--	--	--	---

212:23 213:21 214:2 239:25 240:22 241:10 perceived 174:6 percent 14:22 63:15 92:19 128:17 129:12 129:16 148:25 169:3,6,19 219:7 220:15 237:10 percentage 227:21 perfect 22:16 125:15 216:14 perform 102:2 performance 25:5 100:17 125:17 132:9 134:7 154:25 155:5 157:13 167:7,15 167:16 227:10 period 21:11 60:6 66:7 98:25 106:2 132:12 223:5 227:13 periodical 116:8 periodically 215:10 permit 28:15 203:14 person 35:25 52:10,10 63:11 68:14,17 76:6 77:20 79:10,11 85:19 131:20 134:16 144:7 146:6 178:18 182:13 231:7 personal 91:2 124:14,16 135:8 140:25 141:4 186:25 228:3 240:21 personality 5:24 personally 39:23 39:24 61:12	90:22 124:9 243:8 persons 4:5 36:2 113:19 person's 85:16 perspective 13:22 pertinent 48:17 petty 158:6 ph 224:17 Philadelphia 1:2 1:6 4:16 5:4 20:7 23:16,21 26:20 28:17 29:4 31:14 32:9 37:5,23 38:12 39:10 48:15 51:21 52:2,11 52:14,15 60:7 86:5 99:5 109:5 110:2,3,8 116:17 135:12 148:12,19 151:14,21 152:21 153:13 153:20 154:14 156:9 157:12 158:20 159:16 161:18 162:12 163:4 167:24 168:13 169:13 169:23 172:13 181:5,16,19,23 182:4 184:11 187:8 188:6,7 201:6,24 202:17 204:7,9,18 205:4,12,13 208:14 213:7 218:10 221:12 225:4,10 231:7 240:2 Philadelphians 30:23 Philadelphian's 165:20 Philadelphia's 1:14 2:21 5:7	176:6 177:13 Philly 110:6,9 177:16 phone 6:5 17:14 17:16 90:22 phrase 239:3 Phyllis 55:25 147:10,21 pick 116:8 181:14 picked 171:4 picking 204:19 206:18 piece 241:19 piecemeal 91:7 piercingly 6:8 pillar 241:25 pitch 187:13 233:20 pitching 232:18 Pittsburgh 74:19 place 18:8 33:23 68:6 74:5 92:24 109:7 125:18 145:22 157:14 201:12 202:7 231:2 places 146:22 170:20 plain 109:2 plan 32:25 165:7 202:22 203:8 232:8 planning 210:25 plans 108:14 platform 11:4 play 150:11 211:13 playing 11:10,15 12:11 13:2,4,6 13:24 39:3 41:2 plays 4:12 Pleas 5:5 please 2:14 3:6 8:5 9:9 31:20 49:6,9 58:23 104:19 198:15 198:17,20	208:23 217:5 224:5 pleased 237:24 pledge 244:20 pocket 41:18 pockets 228:21 point 24:14,20 31:16 43:16 44:17 60:16 70:5 93:16,21 96:8 111:16 118:18 123:6 149:5 155:8 163:25 211:11 212:8 216:20 233:19 237:4 pointed 26:5 28:19 points 45:7 163:8 176:7 pole 160:8 policing 229:22 policy 6:2,6,8 10:17,17 40:23 112:18 223:22 political 152:15 pool 76:18 poor 22:5 38:8 61:23 71:20 72:20 122:10 153:17,18 154:16 170:7 188:7 population 59:21 135:20 173:2 174:23 176:25 178:23,25 181:8 183:12 212:7 226:20 position 54:20 55:13 76:22 117:10 128:7 137:7 138:24 139:3 140:11,19 174:21 178:17 190:7 194:12,25 211:8	possessed 137:8 possibilities 154:13 229:8 possible 24:17 60:11 91:3 117:12 possibly 119:19 138:24 153:16 204:18 post 149:8 posted 5:13 Post-Conviction 139:21 pot 26:13 76:20 potential 29:22 54:24 226:15 potentially 26:23 potpourri 34:5 power 5:13 powers 203:18 practice 9:20,25 15:7,14,15,22 15:23,24 19:15 21:19 24:22 25:11,17 26:2 38:3 42:11 55:4 69:24 71:16 72:25 82:12,22 83:4 156:22 165:11 166:13 175:11 194:9 197:9 209:19,20 213:4,7,15,18 213:25 224:24 227:15 229:23 232:13,13 practiced 30:17 practices 30:7 46:11,21 47:2,5 81:23 82:4 166:19 212:22 227:19 preamps 240:14 precluded 4:21 137:25 preclusion 137:23 precursor 201:17
---	--	--	--	--

prediction 239:12	170:8,10,10	103:9,10 108:9	produces 86:2	210:15 232:20
prefer 197:11	prisons 45:16	124:3 166:24	professional	232:23 233:14
preference	private 4:24 5:14	192:20 193:5	65:12 66:22	233:18,23 234:3
116:14,15	5:21 15:22,23	213:10,12 230:9	67:2,4,7 95:4	235:4,11,11
premise 103:24	15:24 16:19	problematic	134:7 143:25	238:18 243:18
prepared 54:11	19:15 21:24	167:11,11,20	145:4,8 179:19	proposals 60:3
57:14 224:19	37:19 44:7	208:6	179:25 203:25	81:19 91:4,6,8
preparing 56:16	45:13 55:3 62:8	problems 18:12	profit 174:5	92:7,25 114:6
present 1:9 31:22	62:21 63:16,19	87:13 91:14	192:23,24	114:24 115:7
88:6 113:5	69:5,17 74:2,7	109:23 117:22	199:24 200:3	137:4
114:22 129:21	74:10 76:7	191:10 216:20	207:25 226:24	propose 208:14
158:15 172:8	77:21 83:5	231:9	227:2,13,22	proposed 218:5
191:10 209:3	106:16 107:2,11	procedures	profits 19:23,24	218:16
presentation	107:11,19	194:10	19:25 20:21	proposing 77:24
139:15 210:7	108:16,24	proceed 8:7 58:24	21:8	206:14
presentations	112:24 113:19	62:17 154:14	progeny 163:7	prosecutes 40:16
114:25	116:12 132:17	198:20 208:24	program 36:8	prosecuting
presented 19:9,10	132:18 133:14	217:6 220:6	55:6 148:18	178:25
210:19	134:2 162:21	224:6	157:19 176:7	prosecution 44:20
presently 218:11	165:10 180:7	proceeded 99:12	205:22 208:7,8	prosecutions
preserve 4:14	186:23 187:15	proceeding 163:3	programs 36:25	39:13 48:18
President 64:13	187:21 189:19	183:9 221:2	prohibited 5:17	prosecutor 12:23
64:24	191:6 195:3	proceedings	181:6	13:6 40:24
presidentially	196:19 199:25	246:4	project 210:3	41:15
11:3	209:25 213:4,14	process 6:10 10:7	228:11 229:18	prosecutors 12:19
pressing 117:24	215:4,11 217:18	23:8 45:12,20	231:4	40:11,15 182:6
pressure 206:22	220:16,17,19	45:23 48:12	promise 163:6	204:23
pressured 227:4	221:22 227:15	49:7,10 51:15	promised 228:6	protects 182:4
presumes 225:11	227:19,21	51:20,22 59:9	promises 215:2	proud 110:8
pretty 32:24 68:9	privatization	60:15,15 64:11	prompt 98:4	225:2
79:4 89:17	45:16	93:25 98:12	proper 46:18	proudly 86:3
121:22 131:23	privatizing 37:23	101:17 102:23	properly 36:16	prove 78:25
134:19 142:3	177:15	109:7,24,25	228:16	proven 230:4
194:23	pro 21:22	114:2,8 115:5	proponent 70:10	provide 1:15 2:23
primary 173:6	probably 22:11	115:23,24 116:4	proposal 1:15	3:23 5:15 26:21
principals 116:10	42:22 55:8,10	117:15 122:4,5	2:22 3:22 5:14	60:9 61:5,9 63:4
243:25	63:13 68:15	123:19 124:10	7:24 8:2 26:8	69:16 73:16
Principle 179:14	118:8 131:3	124:10 125:10	33:12,14,16	76:18 77:13
principles 19:20	145:23 151:13	140:7 142:9,20	59:23 66:2,12	79:16 80:9,10
22:21 24:23	188:11,14	155:19 162:3,7	70:25 79:18	84:13,14,15,24
33:22 43:17,20	191:16 193:18	184:4 191:15	88:23 91:9	85:10 87:2,14
91:10 162:25	194:24 196:4	195:13 206:18	100:14 101:17	87:17,18 94:20
164:24 172:19	235:20	207:5 225:15	102:25 111:9	94:21,23 96:13
179:11,14,18	problem 27:23,24	226:14 229:13	117:6 127:15	96:18 100:15,19
Prior 161:14	28:20,22 43:8	239:18 243:24	138:11 139:6	101:22 102:3,3
prison 17:12,20	88:23 89:7,9	244:6	163:3 203:14	102:14 105:6,11
45:19 169:5,20	93:15,22 99:4	processing 225:23	204:10 206:23	105:14 106:2

118:2 130:20 133:12 134:21 146:19,20 147:2 152:4 163:14 165:15 166:23 167:13 172:18 187:6,23 188:6 189:17,20 190:3 190:19 191:5 194:13 215:22 216:24 230:11 provided 26:19 28:13 44:24 47:24 68:23 86:5,6 163:13 172:14 176:5 211:24 provider 163:14 providers 56:12 provides 4:17 45:23 48:17 75:22 86:13 102:13 112:17 150:5 169:22 providing 4:21 5:17 59:20 63:10 79:22 85:3 98:11 105:17 110:15 144:11 151:23 173:7 187:16 196:13 219:25 province 202:18 231:17 provision 160:18 181:2 public 1:14 2:20 6:3,6 18:2 24:5 24:23 27:7 38:22 43:20,21 43:23 44:4 59:3 65:17 75:22 77:17 78:16 94:25 99:23 101:4,7 102:6 103:4,6 112:18 124:18 126:2	132:11,16 134:3 135:4 142:14 149:6,14 150:20 150:22 152:7 154:23 155:19 160:18 161:4,15 162:15 164:9,17 168:23,25 173:14,15,19 175:21 176:19 177:10,11,13,15 178:9,11 182:17 185:5 196:6,18 197:2 201:17,19 202:13 203:9 204:6 206:6 207:16,22 209:16 237:7 241:12,13 246:15 publicity 119:10 publicly 31:25 published 168:19 pull 92:9 101:15 pulling 93:2 pure 176:6 purported 217:24 220:10 purpose 192:22 210:6 purposeful 239:14 purse 206:24 pursuit 125:14 push 121:24 put 7:24 65:12 67:12,13 69:2 71:8 79:4 95:3 98:2 108:19 117:7 118:10,21 122:13 125:10 125:10 139:12 141:9 142:25 155:2 157:11 159:19 187:12 189:2 193:19 201:11,15	207:19 218:17 putting 148:17 150:15 177:6 p.m 245:13 Q qualifications 30:16 qualified 77:8 189:12 205:23 208:9 230:12 qualify 136:25 qualitative 166:10 quality 25:5 29:18 33:24 34:12 45:4 47:21 60:4 78:24 79:2 127:16 136:2,13 150:9 153:11 156:4,22 162:19 165:7 166:7 167:8 168:3 170:7,13 172:25 176:21 180:18 184:2,9 185:3,5 191:4 200:10 215:23 227:7 quantifiable 205:10 quantity 207:11 quasi-experime... 168:21 query 48:10,21 202:21 question 15:2 36:5,22 43:4,15 45:10,12 54:17 55:25 56:7 57:11 60:23 70:20 71:3,9 78:7 80:5 81:5 85:23 88:3 89:25 92:12 97:4 100:13 101:11,13 102:20 107:14	111:2 124:20 126:12 128:21 136:21 143:5,10 145:2 172:7 174:18 177:22 180:20 183:19 184:7 195:11 196:4,5 232:3 questionnaire 56:12,14,16 57:14 questions 6:12 7:8 9:4 10:5 23:3 32:19 57:21 58:20 61:25 62:4 65:23,25 70:21 73:20 75:10 93:11 102:9 103:11 107:4,5 108:25 109:16 115:2,14 115:21 121:21 129:11 130:11 130:13,15,17 131:19 132:2,25 133:3,13,16,18 135:10,13,14,16 136:8 141:8 143:8 146:4 155:15 169:9 195:15 196:2 198:21 204:13 221:7 224:5 235:18,23 236:2 236:7 239:10 243:17 quick 192:25 quickly 31:24 65:9 73:23 148:10 159:21 159:25 244:2 quite 61:18 62:24 63:10 66:4,14 68:17 72:4 79:6 79:19 81:19 85:4 87:15,16 89:8,22 90:7	107:9 134:10 181:25 192:3 205:4 210:19 quote 48:17 225:22,24 226:7 226:7,8,10 229:20 quote/unquote 60:20 117:13 R raise 71:16 72:19 72:25 79:21 88:21 113:9 120:14 raised 38:12 244:3 raises 120:15 173:10 235:23 raising 69:23 214:13 ramp 98:12 ran 149:9 RAND 168:8 176:8 190:23 range 77:11 175:17 rape 13:8 rate 16:18 29:8 169:20 rates 168:24 rationale 225:19 226:5 229:20 230:6 rationing 99:18 ratios 166:12 razzmatazz 6:7 112:12 137:13 reach 53:6,21 142:7 reached 28:25 53:6,9 66:16 188:13 203:11 reaching 66:15 read 2:15 7:21 8:23 20:3 45:8 53:25 83:24
--	---	---	---	---

138:5,8 218:15 238:2 reading 8:20 20:12 ready 121:12 real 16:19 109:23 160:7 212:6 238:15 240:17 240:18 realities 15:12 reality 153:2 227:5 239:13 really 11:5 36:22 39:20 40:13,14 40:14 63:8 67:18 69:6,11 72:21 79:13,18 84:2 105:9 106:5 134:11 144:6,23 150:6 153:10 154:11 170:22 172:4 175:3 176:10 181:21,23 183:21,24 189:4 190:16 192:20 194:11 205:4 209:2 214:13,20 234:8,22 reapply 49:16 51:3 reason 19:3 42:7 64:8 89:22 94:12 95:23 98:16 143:14 reasonable 201:22 225:6 reasonably 194:15 reassign 222:2 recall 57:11 received 64:16 191:2 202:17 205:7 216:7 receiving 138:14 recess 243:5 245:9	recessed 245:13 recession 20:13 recognize 88:2 224:15 242:5 243:21 recognized 4:11 90:25 94:17 153:21 175:19 237:24 recognizing 61:14 recommend 50:19 155:9 156:14 178:21 recommendation 50:23 154:19,20 recommendatio... 23:9 33:5 115:3 153:9 158:13 171:2,14 232:6 recommended 11:21 124:21 recommending 166:8 recompense 228:20 record 2:9 7:17 8:6 31:20 58:25 73:5 138:8 142:25 143:9 146:5,12 159:20 171:3 198:3,18 199:12 238:3 243:9 records 137:25 recruited 210:2,6 recruiting 116:12 reduced 42:9 refer 25:13,15 34:6 196:6,16 227:4 reference 24:15 35:4 36:23 135:9 166:7 referenced 209:23 referrals 174:25 196:13	referred 5:2 25:8 25:9 162:13 239:10 referring 175:9 reflect 31:21 198:4 reflection 124:16 reflects 237:6 reform 140:6 147:25 reforming 226:9 refuse 103:11 229:14 refuses 229:11 refute 199:20 238:22 regard 24:7 28:7 33:9 172:15 218:7 220:8 regarding 232:12 Regardless 166:24 registration 159:7 regulations 10:14 117:7 reissuance 28:16 reiterate 112:16 relationships 78:15 relative 120:23 released 154:6 Relief 139:22 relinquish 221:24 remain 228:10 remaining 118:7 222:4 remains 26:23 42:16 140:11 150:4 remarks 209:9 removed 206:9 render 14:11,12 rendered 174:9 renew 51:6,7 renewal 51:5 renewals 34:22 renewed 228:24	rents 227:17 rep 42:4 repeatedly 236:12 repeating 28:24 replace 127:3 206:15 207:21 replete 141:14 report 148:7 171:13 reported 92:23 reporter 246:23 reports 149:20 represent 4:24 13:23 15:11 19:5 23:18 25:17 77:25 79:11 178:22,24 179:9 186:24 191:22 192:5 200:6 202:23 207:12,22 210:10 211:25 212:13 representation 1:15 2:24 3:24 4:12,22 5:15,18 25:7,22,24 27:11 29:17 31:9 34:3,13 45:24 46:5,12 47:22 55:2 59:20 60:5 77:18 107:13 108:25 110:15 138:16 152:2 153:17 162:14 165:8 166:7 167:14 168:5 169:15,17 172:25 175:6,18 176:22 180:19 184:10 186:25 187:7,24 188:6 191:4,20 194:3 200:11 210:22 212:8 215:23 218:2,8 223:19	227:8 230:7 242:6 representations 55:4,6 139:24 representative 11:18,20 12:3,4 50:10 80:7 95:6 representatives 28:10 232:17 241:24 represented 10:9 38:9 68:11 77:17 81:8 120:17 168:25 169:3 180:24 192:15 214:3 215:19 220:15 220:17,19 228:2 representing 17:18 25:11 47:5 101:19 181:7 189:7 208:11 209:21 211:5 226:25 represents 44:15 220:23 reproduction 246:20 reputation 142:13 170:7 238:4,14 request 1:15 2:22 3:22 5:14 59:22 66:2 91:6 100:14 101:17 117:5 118:22 204:10 requested 57:13 requests 91:8 92:6 require 155:4 179:4 212:12 221:23 222:2 223:7 required 44:24 78:22 165:17 requirement 35:12 150:13
---	---	---	---	--

179:10,13,18 requirements 149:13 requires 1:16 2:25 3:25 165:4 requisite 6:2 137:9,10 RES 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1	116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 150:1 151:1 152:1 153:1 154:1 155:1 156:1 157:1 158:1 159:1 160:1 161:1 162:1 163:1 164:1 165:1 166:1 167:1 168:1 169:1 170:1 171:1 172:1 173:1 174:1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1 188:1 189:1 190:1 191:1 192:1 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1 203:1 204:1 205:1 206:1 207:1 208:1 209:1	210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1 222:1 223:1 224:1 225:1 226:1 227:1 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 238:1 239:1 240:1 241:1 242:1 243:1 244:1 245:1 rescheduling 222:17 research 168:2,3 168:4 reserve 72:8 Resnick 98:5 110:17 111:3,6 111:19 112:3,9 113:24 121:20 133:12 136:20 137:20 195:18 225:20 232:16 235:25 241:3,8 Resnick's 172:20 resolute 119:4 resolution 1:13,13 2:15,17,18 3:20 148:5 162:10 245:9 resolve 96:16 143:23 223:2 resolved 81:17 resource 152:6 resourced 192:7 195:4 resources 15:10 17:2 44:20 61:2 61:3 71:19 72:13 81:14	85:4 86:11,24 87:15,18 118:3 122:11 134:24 150:20 151:24 152:5,23 176:3 176:9,23 182:18 182:22 187:4,16 187:22 190:16 191:6 210:20,25 respect 44:20 88:5 133:2 193:15 211:12 231:8 232:20 respectable 16:22 respected 6:18 respectfully 121:11 231:16 respecting 103:2 respond 65:18 102:12 104:3,5 104:7 responded 65:18 91:5 93:13 142:8 respondents 60:2 response 57:8 60:6 64:16,23 69:2 78:4,9 83:10 172:10 186:5 238:8 responses 62:15 responsibilities 62:23 72:24 141:25 241:21 responsibility 46:2 59:17 65:4 74:18 94:9,19 100:3,5,7 135:13 143:25 144:4 201:5 241:15,17 242:8 242:13 responsible 95:21 128:17 144:9,10 148:14 200:25 201:9,21,24 202:11	responsive 238:9 rest 110:13 158:4 217:9 244:17 restricted 82:18 result 59:17 72:15 75:14 112:18 132:12 193:10 194:9 211:2 219:9 239:14 resulted 180:23 resulting 222:25 results 86:2 resume 178:13 retain 27:8,9 retained 27:3 retirement 108:14 retreat 163:5 return 17:16 returned 90:23 returning 6:5 17:14 review 49:7,10,12 50:13 51:21 102:24 114:6,11 114:13,15 126:15 128:2,3 215:9 243:19 reviewed 28:10 42:19 45:4 49:15 114:24 reviewing 1:14 2:21 115:6 reviews 50:21,22 RFP 18:22 20:2 20:18 23:22,25 24:14 25:21 28:4,16 30:5 33:6 47:16 48:8 53:24 60:2 62:16 68:24 72:15 98:3 114:7 117:23 163:2,11 164:15 164:20,21 165:12 167:5 199:10,14 202:8
---	---	---	---	--

210:18 211:9 212:16 217:25 228:17 RFPs 233:20 Richette 225:2 RICO 18:18 rid 230:19 rife 226:14 right 2:5 4:3 16:13 19:25 22:20 31:5 32:4 33:10 38:2 48:11,19 69:22 70:14 73:10,11 74:8 75:10,11 75:16,21 79:21 84:12 87:15,22 100:14 101:23 104:2 105:12,24 109:3,17 110:25 116:2 117:3 120:8 122:2,23 126:17 128:21 132:15 135:12 136:8 141:20 143:18 145:21 160:4,19 161:24 168:14 171:7,8 184:17 193:20 201:19 225:8 229:14 234:24 235:5,6 237:4 239:2 244:9 rights 4:5,15 48:22 174:7 rigorous 51:15 ring 6:8 risen 242:12 rising 209:17 risk 229:2 230:23 road 223:17 Rockefeller 15:24 role 4:11 24:18 150:12 roof 106:4,13 room 1:6 149:24 149:25 152:19	roster 6:17 rotation 205:17 roughly 197:5 RPR-Notary 246:15 Rudenstein 138:10 234:23 235:3 Rudenstein's 238:3 Rudovsky 185:16 ruled 44:8 rules 7:15 91:18 91:18,21 117:6 141:25 143:24 179:19,25 203:24 204:15 rumor 211:15 rumors 238:22 run 9:20 19:15 52:11 148:23 running 19:19 151:20 212:22 S Sacramento 170:18 sacrifice 187:2 240:21 sacrificed 240:23 sad 227:5 Safe 223:4 safeguard 4:4 Safety 24:5 59:3 101:4 102:7 salaried 208:2 salary 85:16 salute 187:5 Sam 214:6,16 239:20 San 170:19 sanity 38:7 sat 82:2 102:7 satisfy 48:11 save 193:2 savings 169:21 220:10	saw 75:3 85:24 88:10 137:4 210:18 saying 9:10 22:3 51:18 60:25 61:3 66:9 73:12 89:9 95:7 96:6 96:21,25 103:12 103:20 108:4 111:22 112:20 126:13 127:2,22 128:10 132:19 133:10 136:22 141:18 145:11 169:8 202:10 234:14 238:23 says 20:24 21:11 21:13,15 84:5,7 103:7 113:15 131:22 228:17 237:7 242:17 scale 85:2 86:2 scant 15:10 scenario 14:11 17:9 scene 17:23 18:3 schedules 143:7 scheme 37:17 school 16:3 148:21 science 168:4 Scott 139:4 screams 90:4,5 Seattle 170:18 175:15 177:24 178:5 second 18:23 46:13 63:11 81:7,14 163:25 176:13,16 233:23 234:3 235:4 241:13 secrecy 211:12 secret 102:25 117:13 206:17 secretarial 227:17 secretaries	106:14 secretary 19:18 section 10:12 23:20 114:14 151:6 205:20 sector 45:13 secure 6:22 securing 227:7 see 6:6 17:19 22:13 26:23 54:7 63:9 68:24 78:4 86:19 91:9 93:15 96:13 99:21 100:2,4 111:25 123:14 126:14 128:5 169:21 183:5,9 192:11,13 214:19 234:22 241:25 seeing 123:11 192:14 seek 60:4 73:20 189:13 192:25 226:11 230:15 seeking 1:15 2:22 3:22 5:14 145:16 161:22 seeks 206:19 228:20 seemingly 75:13 seen 141:16 163:11 sees 193:17 select 189:13 selected 26:9 30:10,11 33:20 35:14,24 212:18 selecting 24:18 59:10 94:2 115:6 selection 42:2,18 43:24 50:7 62:17 130:18 140:7 194:12 selfless 224:17 semblance 38:7	Senate 148:5 150:16,16 sending 139:2 senior 50:11 sense 47:9 103:3 112:23 154:12 177:5 sent 24:3 138:17 217:23 sentence 169:7,20 sentences 169:11 170:11 sentencing 13:20 sentiments 237:6 separate 49:3 153:23 242:11 separately 45:25 197:13 separation 203:17 sequestration 16:11 serious 120:14,15 seriously 11:15 189:15 191:18 serve 164:21 183:12 215:20 served 7:6 154:17 161:15 169:5,20 212:7 215:24 217:17 226:21 227:3 Server 185:23 198:8,24 199:5 199:9,13,13 208:20 211:21 234:21 235:2 237:2 service 6:3 59:25 76:19 78:16 79:17 80:9 83:19 94:22,24 102:2 105:7,11 106:2 126:2 190:19 207:17 207:22 229:21 230:11 231:3 services 4:17 28:6
--	--	--	--	---

47:23,24 61:6 63:4,10 65:12 67:5,8 68:23 69:17,25 73:16 79:22 80:11 82:6,21 84:14 86:6,6 95:4 96:19 99:18 100:15,19 102:4 102:5 105:15,18 134:8 144:11 145:9 148:6,8 150:6 161:5 163:15 164:10 164:18 165:14 165:16 168:23 174:2,8,16 176:4 194:14 208:13 set 20:3 33:18,22 41:7 86:16 101:17,25 sets 201:22 225:6 setting 80:20 222:20 setup 7:7 seven 44:14 69:20 sex 159:7 share 99:13 123:2 shared 7:3 182:2 sharing 185:12 sheer 208:5 shell 234:7 Shelley 28:9 shifted 222:11 shocked 210:20 shoot 125:5 shorter 169:11 short-term 170:3 show 48:6 198:3 232:4 shut 222:5 shutdown 16:11 side 30:3 34:14 sign 52:8 111:15 130:24 131:4 135:15 228:19	signature 54:12 signed 33:14,16 88:10,13 93:5,7 93:9 109:11,13 110:18 111:8,13 111:18 114:18 116:9 119:21 120:6 128:23 129:7 139:8 140:9 141:2,5 141:19,20 significant 170:11 180:11 significantly 180:19 signing 183:10 similar 27:7 simple 17:24 109:2 115:14 127:7 178:13 184:19 225:7 simplistic 192:21 simply 48:9 55:14 165:22 200:5 213:16 sincerity 162:5 single 1:15 2:23 3:23 218:6 sir 8:23 38:15 108:6 129:21 146:11 sit 40:2 70:6 73:7 92:8 114:10 125:13,21 126:17 130:21 133:17,24 135:2 140:4 202:25 sitting 101:14 222:15 241:24 situation 66:3 77:9 81:11 94:17 95:9,11 95:15,18 96:19 situations 219:21 six 19:12 44:11 69:20 95:8 158:6	sixth 14:12 18:25 48:12,16 154:2 157:20 skill 194:4 skilled 27:15 54:10 skills 33:21 skip 44:10 slice 76:24 slight 238:7 slip 83:6 slips 174:24 slow 98:15 216:3 slush 99:7,8 small 9:20 19:19 20:6,8,9 83:3 173:17 208:2 smaller 86:14 smells 241:18 Smith 28:9 33:2 social 27:3,9 69:6 72:17 84:15 85:14,21 87:8 106:15 165:14 168:3 188:18 189:11 190:18 society 43:11 140:2 175:20 soft 174:23 Sokolow 236:22 236:22 solicit 221:19,21 Solicitor 78:18 101:3 Solicitors 118:13 solution 225:25 231:11 solve 117:22,24 solved 166:25 somebody 9:7,11 21:15 40:6 198:22 somewhat 191:17 son 17:18,19 soon 5:20 93:9 159:21 sooner 19:21,23	sorry 43:22 52:24 53:14 67:6 101:11 108:2 130:9 160:6,8,8 sort 165:15 168:7 169:9,9 203:12 206:17 211:4,15 sorts 174:16 sources 134:22 speak 31:15 37:4 46:11 211:16 233:24 speaking 163:24 180:4 speaks 191:3 special 27:15 176:14 specialists 169:16 specific 24:15 57:11 130:15 167:7 specifically 39:10 56:20 93:6 104:12,13 105:3 164:7 165:17 173:11 241:10 specificity 23:25 speculate 184:23 speed 97:22 192:18 spelled 210:9 spelling 34:9 spend 48:25 61:18 211:14 spending 14:13 spends 129:15 spent 14:16 83:18 83:20 122:11 148:10 157:5 209:16,19,19 214:8 216:4 238:11,21 239:23 spoke 139:5 spots 42:17 square 226:6 staff 6:25 19:8	59:4 69:9 84:20 85:17 87:7 98:12 106:14 149:5,13,16 152:7 155:6 188:20 189:12 189:22 190:4,17 227:18 236:3 238:7 staffing 166:12 193:22 staffs 213:20 Staff's 242:15 staked 190:7 194:24 stand 11:4 193:20 215:20 245:9 standard 126:14 127:19 standardization 194:9 standards 24:19 24:21 25:10,16 26:9 28:14 29:5 29:12 30:9 31:7 33:23 45:6 91:10 124:21 125:2,4,5,6,23 126:10,16,19,22 130:5 131:8,13 153:7 154:25 155:2,3,13 157:9,13,23,24 158:19 162:20 163:23,25 164:2 164:5 165:5,25 167:16 169:18 172:16,18 173:13 175:3 179:4 181:25 184:20 185:4 195:6 219:18 239:24 standing 79:12 standpoint 47:11 stands 10:6 163:3 start 7:14 21:8
--	--	--	--	--

32:18 43:22 89:8 93:17 100:8 152:4,17 153:2 177:15 186:21 started 2:5 73:23 73:23 75:2 94:23 133:9 209:15,15 starting 103:23 state 9:23 14:2,21 14:23 16:24 21:23 22:18,23 38:4 42:23 43:7 43:12 47:8 74:22,23,23 87:17 130:14 139:3 149:2,3 149:10,16 150:3 150:4,11,12,16 150:18 152:3 154:5,8 156:20 156:25 158:11 164:25 165:24 166:4,17,22 199:15 217:22 stated 58:14 166:21 173:23 174:13 192:22 222:22 statement 3:12 7:22 10:18 25:14 117:14 174:12 180:12 statements 58:19 166:17 235:20 Staten 175:24 states 4:10 10:11 149:18,20 151:9 154:4 164:14,18 166:22 statewide 148:24 149:7,15 155:20 statute 37:15 202:14,15 206:16 225:11 statutory 37:17	225:13 stay 144:20 159:8 196:13 240:11 244:20 staying 197:24 steady 146:21 stenographic 246:6 step 33:24 142:10 150:7,10 244:4 244:5 steps 106:12,23 107:15 108:11 130:2 131:5,10 244:18 stereotype 169:10 stick 13:7 stinks 9:4 stint 190:20 stolen 32:3 stood 216:8,10,10 stop 120:9 171:9 243:8 stopped 183:16 183:20 216:4 story 99:22 strategy 19:10 strength 66:11 strengthen 40:7 163:6 strengths 93:3 stress 170:2 stretch 63:9 Stretton 214:7,16 215:2 239:20 strict 203:24 strings 206:25 Stroeber 185:24 198:9 208:25 209:10 222:22 232:9 233:16 234:18 238:4,20 239:5 strong 40:17 168:5 170:13 194:24 223:15 strongly 122:17	181:20 structure 167:4 195:5 201:11,15 struggle 12:10 187:4 190:15 215:17 studied 21:14 54:11 75:6 148:4 168:8 studiously 117:8 study 55:9,15 153:15,24 154:11 156:6 158:14 160:17 168:7,17,21 170:17,22 176:8 181:21 183:11 184:4 190:23 229:25 studying 149:18 157:5 stuff 18:4 Subin 55:25 147:10,19,21 159:18 166:21 168:11 170:16 172:3,7,11 175:2 177:17,21 178:16 179:3 181:9,17 183:13 183:21 Subin's 164:4 subject 155:24 167:19 submission 241:11 submissions 60:12 62:15 67:14 submit 60:3 138:8 231:16 submitted 111:10 241:14 subsidize 108:15 substance 41:12 114:20 substantial 68:9	226:15 234:10 substantially 102:18 substantive 124:20 success 37:2 successful 15:17 successfully 56:4 sued 180:9 182:7 182:8,15,23 183:2 suffer 21:18,20,22 21:24,25 22:2 22:12 sufficient 193:24 194:6 sufficiently 44:4 suggest 62:18 184:24 207:21 218:4 223:8 suggested 28:2 181:20 211:21 219:19 suggesting 208:16 216:13 suggestions 153:23 159:13 suggests 223:22 suing 229:15 suit 180:10 sum 228:7 summarize 58:18 147:15 summer 148:16 Sunday 235:9 superimpose 241:8 supervise 78:8 206:11 supervised 45:3 162:22 179:16 supervising 148:15 supervision 166:14 178:18 179:23 189:20 192:9 194:6	206:11 246:22 supervisors 179:22 supplement 83:5 supplies 227:18 support 9:14 24:25 38:25 54:18 67:7 106:14 110:14 117:19,20 118:19 152:13 176:4 194:14 213:14 230:3 supported 9:13 supporting 15:25 supportive 84:20 supports 39:17 suppose 223:14 supposed 87:18 101:21 144:20 206:5 215:9 236:4 Supreme 4:10 214:23,24 215:14 231:5,12 sure 8:19 12:11 12:12,16,18,21 13:7 15:13 17:18,19,20 24:16 26:7 31:3 31:7,8 33:20 34:14 35:24 52:7 54:16 63:17 68:25 69:23 70:4,16 71:15 72:8 73:15,22 74:4 77:12 78:23 79:20 81:13 87:20 93:20 106:14 119:4,5 122:10 123:17 126:5,11 127:24 130:7 132:18 134:23 144:16 145:21 164:3 179:23 181:9
--	--	--	---	--

183:13 185:20 235:2 243:7 surfaced 210:13 surprise 41:10 sustain 152:21 synergy 218:3 221:5 system 4:13 11:2 13:25 14:2,15 14:21,23 16:7 18:7,8 22:15,17 22:18,20,22 24:24 27:12 31:3 39:16 40:6 40:18,22 41:3,6 41:7,24 42:7,23 42:24 43:6,21 44:5,22 45:14 45:25 47:6,8 48:7 49:8 51:18 51:25 74:6 79:7 101:20 120:11 127:3,4 134:15 148:2,25,25 149:10 150:25 151:18 153:19 154:15,18 156:6 156:8 159:9,15 161:23 162:17 163:12 165:6 167:10,19 174:10 181:4 182:8 184:21 186:22 187:13 191:11 199:18 206:15 207:24 212:24 213:24 214:6 215:4 216:14,17 222:10 226:2,10 226:12,22 230:20,25 231:10 237:23 238:10 239:22 240:9,11,13 241:11,12,16,17 242:10	systematically 45:3 systemic 147:24 systems 43:12 149:19,21 151:20 154:9 155:12 156:17 161:9,10 162:15 T table 3:10 58:11 147:18 186:9 198:11 tacit 203:2 tainted 6:10 45:15 take 11:14 16:3 27:23 38:8 46:15 54:20 55:13 63:14 65:4 72:4 74:13 79:9 89:12 90:20 91:25 92:2,18 96:25 98:18 106:13 121:6 124:7,14 126:3 133:7 135:8 144:5 160:9 169:19 178:10,16 181:22 182:19 191:17 192:11 192:13,16 196:19 197:6,12 199:18 210:14 211:7 220:5 221:15 222:9 223:16 232:19 242:13 244:5 taken 106:24 107:15 108:12 121:6 130:3 131:6,11 174:4 246:6 takes 52:16 194:12 talk 10:3 32:25 40:5,5 46:16	64:7,11 70:7,23 71:10 73:6 91:13 103:13 114:19 116:25 133:24 162:15 183:24 222:18 talked 56:11 66:17 113:25 119:13 136:19 150:24 193:7 talking 9:19 14:9 14:22 46:8,21 61:4 65:22 66:15 68:2 70:3 73:18 76:13 84:6 92:24 98:6 114:3 116:11 118:9 123:10 133:20 163:10 171:17 talks 30:14 118:14 Tasco 1:11 31:21 56:25 57:7 75:18,19,25 76:5,9,16 77:15 77:23 79:24 80:4,12,19,24 83:14,23 84:4 85:6,9,12 87:24 88:5 92:12 task 23:23 26:4 52:17,21 53:2 53:16 54:5 60:8 115:10,10 148:3 156:15 157:11 158:14 172:14 209:22 232:10 232:11 241:4 Tauber 9:21,22 taught 6:3 203:25 204:3 243:22 taxes 213:21 taxpayer 226:16 229:6,9,15 taxpayers 109:5 227:16 228:12	228:14,21 230:21 taxpayer-funded 227:16 teach 148:20 teaching 148:22 team 169:14 225:17 technical 172:15 telephone 65:6 tell 41:15 71:17 75:6 81:20 86:25 89:16 91:7,15,15 92:14 93:14 96:3,8 97:19 100:23 104:18 110:19 111:7 120:10 136:24 137:15,17 177:18 221:8 222:5 237:2 telling 100:22 109:17 128:25 129:5,6,8 235:14 temptation 192:23 tempting 170:4 ten 24:23 33:22 43:20 45:2 139:16 149:5 162:24 179:11 179:14,14,18 tended 173:16 tension 174:6 175:8 term 73:9 110:6 120:23 138:21 162:16 terms 9:2,18 13:19,20,22 18:14 40:22 52:19 84:15 133:25 135:4 140:18 150:24 158:18,20	159:16 175:5 176:9 192:3 193:17 212:21 terrific 151:22 tertiary 151:18 test 182:20 testified 38:25 213:9 testify 6:23 143:4 160:21 217:12 224:14 testifying 138:25 172:5 testimonies 91:11 147:14 198:19 testimony 7:16,18 8:23 28:24 29:2 29:3 39:2,7 49:5 58:15 59:5 93:24 102:17 153:6 156:14 164:3,4 166:3 171:19,20 172:8 176:20 179:20 181:11 183:7,15 209:8 214:20 235:21 236:15 239:9,17 242:16 thank 3:3,14 7:10 7:11 8:8 22:25 23:12 24:8 31:18,25 32:7 32:13 36:4 38:14,19 56:5 56:23,24 57:15 57:16,18,22 58:2 62:2 87:24 88:2 90:13 116:20 121:17 124:4 142:22,23 147:5,6,7 159:17 160:12 160:14 170:15 170:24 172:21 184:5 185:8,10 185:11 186:13 186:20 195:8,9
--	--	---	---	---

195:10,25	156:13 171:17	145:17,20,25	thrown 230:20	today's 3:20
197:19,20,21,22	172:16 175:13	146:11,13	tightened 8:12	toe-to-toe 101:15
197:23 198:12	190:11 191:8	147:13 149:23	time 2:5,6 7:21	told 60:24 64:15
198:21 208:18	193:20 199:21	151:10 153:8	14:19 28:15	93:3,4,8 96:4
208:19 216:23	207:18,19,20	154:10 155:9	29:25 30:4	97:6 99:6
216:25 217:2,11	216:15,17	157:10,22	35:23 40:25	106:20 109:9
223:23,24	223:16	159:15 160:2	48:16 51:25	110:16 111:4,7
224:13 231:20	think 7:15 8:3	161:20 162:8	56:8 57:17,22	111:9,12 112:3
231:22,23	9:16 11:24 28:4	170:20 171:3	61:7,14,18	113:12 116:8
242:22,24,25	35:18 37:5	172:24 176:14	65:14,18 68:5	125:7 129:12
243:2 245:3,4,6	38:11 39:4 43:2	176:20 181:17	83:17 89:10,23	139:9 198:6
245:11	46:18 47:8	183:16 184:9	89:23 100:13	200:23 219:4
thanks 57:24	50:20 51:25	188:21 190:21	102:10 113:5	236:3,10,13
160:22	52:6,7,9,12,18	191:3,9,11,15	116:7 119:3	239:2,25 241:9
theirs 72:23	55:23,25 56:10	192:8 197:4	129:21 130:19	243:13
thereof 210:21	58:14,19 59:6	199:5 203:22	131:3 139:7	tongue 177:20
222:25	60:13 61:3 64:8	209:6,14 216:17	140:8 144:21	tonight 8:25
they'd 78:24	64:9,17,21	237:9 239:6	145:15,25 146:2	tools 33:21
thing 8:15 13:9	65:14 66:8,13	241:23 242:21	147:4,7 148:20	top 173:21
17:5 61:2,4,22	66:14 67:17,21	243:12,15	163:9 169:5	tortious 229:2
62:25 67:19	67:25 68:6,8	thinking 143:15	170:15 171:12	total 103:22 127:6
71:17 73:23	69:12,14 72:3	192:16	175:10 182:17	totally 86:23
96:4,18 99:24	72:15,16 73:8	third 18:24 63:5	185:13 186:11	89:19 99:21
113:12 116:23	73:17 75:8,13	79:17 81:9	189:14 192:11	136:19
122:7 123:2	77:9,10 84:11	112:22,25 113:6	197:6 208:20	track 27:18 46:9
134:8,15 137:20	84:25 86:9,24	113:18 140:22	209:17 210:7,17	46:10,13,15
137:21,22	88:10 89:2,4,20	157:20 167:17	211:14 214:15	73:5 146:5,12
196:25 197:8	96:17 97:8,9,23	176:17 177:3	232:22 244:19	tracking 49:5
200:21 212:15	98:6 102:7	229:4	timely 97:16,19	tradition 71:15
221:8 222:18	103:8 104:14	third-party	99:2	traditional 99:8
things 7:23 14:3,4	105:7 106:7,8	205:11	times 70:12 90:3	traditionally
27:6 30:21 47:7	107:4,8,20	Thirteen 219:6	216:2	176:5
59:6 60:23 62:3	108:17 110:6	thought 32:24	tiny 47:19 212:20	Traffic 5:8
62:13 66:13	112:11 113:8	62:6 88:11	title 2:15 10:11	train 189:15
67:13 68:6,23	115:9 116:23,24	102:9 109:12	today 2:16 4:13	trained 12:17
69:3,10 87:23	116:25 119:24	thousand 219:6	6:15,20 7:8	training 44:12
89:14 96:14	120:2,24 121:5	thousands 223:18	24:10 31:6,12	72:23 148:14,15
97:20 107:21	121:11 122:8,16	threats 165:3	55:24 102:17,19	150:19 151:3,8
113:21 118:24	123:4,12,14,15	three 18:16 19:11	103:10 105:5	151:23 166:14
118:25 122:19	123:17,23	34:4 45:17 51:2	115:9 123:25	176:3,22 179:9
123:24 125:6,9	124:10 125:3	51:2,6 68:15	160:21 162:2	189:16 194:15
126:21 130:21	128:9 130:10,12	69:19 76:14	172:5 209:4,8	229:21
132:5,8 133:11	130:19 131:14	83:20 90:15,19	217:12,19	transcript 246:8
133:19,20	131:22,23	128:4 151:20	219:17 221:7	246:20
134:19 141:14	132:25 134:12	three-defendant	223:15 225:16	transferable 39:8
141:23 145:21	137:3 141:13	18:17	226:4 231:19	transition 35:20
146:18 155:8	143:2,7 144:22	throw 121:8,10	236:16	35:21 66:7 98:7

98:10,16,25 translate 43:6 transparency 6:4 6:11 114:2 115:4 transparent 95:2 117:11,11 120:21,25 136:10 142:9 transparently 65:25 traveled 149:17 treat 72:23 134:9 treated 72:22 92:5,6 treats 31:3 tremendous 169:21 209:7 triaged 182:18 trial 50:3 144:7 148:12 149:6 165:21 182:15 trials 139:20 tried 60:21 89:24 117:10 133:12 178:15 180:5,22 211:16 triggered 141:23 triple 86:8 true 219:10 221:17 246:7 truths 200:15 try 65:5,8 69:23 73:25 81:6,13 91:4 92:9 113:9 124:19 125:7 126:12,13 156:10 157:11 183:25 211:9,17 221:19,19,21 trying 17:6 37:25 38:5 49:22 61:5 61:19 63:3 70:4 70:11,14,16,21 71:8,15,18 72:2 72:7,11,12 74:11 79:19,20	86:10 87:2,19 87:20 90:9,21 95:7 96:15,18 97:21 101:15 102:3 105:14 117:22,24 118:6 118:10,17 122:9 123:16 125:16 126:11 127:23 132:8 146:9 159:14 214:16 215:18 Tumar 160:6 turn 116:18 turning 237:14 tweak 8:11 47:7 71:25 216:16 two 3:6 7:23 13:11 18:17,20 19:14 25:3,23 29:21 32:20 34:3 35:9 44:3 48:25 51:13 71:3 76:2 77:15 88:22 90:18 119:16 128:12 156:9 158:9 179:13 200:13 233:19 234:9 236:17 241:23 242:11 type 30:19 176:9 180:17 210:20 types 156:21 158:22 Typically 222:21 U Uh-oh 190:12,13 ultimately 96:17 108:20 209:17 225:14 unable 4:6,19 unacceptable 236:8 239:15 uncertain 7:5 underscore 196:5	understand 17:2 18:7 34:21 37:2 38:20,23 46:14 60:19 62:22 63:21 67:23 96:10 102:13 121:13,16 123:3 131:18,25 132:6 133:15 146:11 146:15,17 152:14 169:24 173:5 176:15 177:21 212:18 243:14 understanding 61:10 109:24 229:17 239:18 understands 63:18 understood 64:10 95:16 211:10 unemployed 212:19 unfortunately 6:20 12:14 26:12 215:16 unfounded 89:20 91:13 130:10 138:7 239:10 uniformity 156:18,21 unique 168:24 unit 139:18 168:9 209:18 United 4:10 10:11 149:18,19 151:9 154:3 166:22 units 149:7 University 140:2 148:21 unmanageable 208:4 unpoliced 230:10 unregulated 206:18 unseemly 227:2 untrained 230:10	upend 206:15 226:12 upgrade 226:2 upset 40:20 urge 164:7 urged 29:6 urgency 183:6,9 184:8 urging 30:6 use 63:6 99:7,10 126:21 174:15 222:24 uses 104:13 120:22 usually 11:7,9 usurp 202:18 utilities 227:18 utilized 166:9 U.S 12:6 16:16 V vacation 197:6 validated 152:7 value 207:19,24 variance 163:16 163:21 165:15 varied 83:21 various 61:19 90:3 100:17 105:18 109:9 119:14 Vegas 182:12 vendors 216:6 venture 145:19 venue 4:14 236:8 venues 7:4 Verghese 234:5 verified 142:14 Vernon 180:16 version 202:6 205:2 versus 4:9 105:8 150:2 161:21 180:15 182:11 vet 228:18 vetted 136:14 228:16	vetting 42:25 vibrant 195:3 Vice-Chair 2:10 victim 13:10,21 victim's 13:10 view 35:4 96:8 103:4,24 212:9 238:6 242:16 vigorously 13:23 violate 179:24 202:24 203:17 violates 199:15 201:7 202:8 207:5 violating 201:13 203:9 violation 225:10 237:9,11 vision 226:6 visit 17:12,20 18:2 vital 163:4 volume 26:25 42:20 volumes 46:25 47:4 vouchers 98:11 98:13,14 225:24 vulnerable 59:21 101:19 207:23 226:19 227:3 W Wainwright 4:9 150:3 161:22 Wait 80:4 waiting 111:25 walk 93:10 walking 39:22 want 2:8 10:5 13:4,9,24 15:8 17:5 24:7 28:23 31:25 40:17 42:11,14 46:4 46:14,15 51:10 63:16 67:11 73:22 78:12,13
---	---	---	---	--

83:6 84:14 87:5 91:7 93:20 94:13 95:20,21 96:3 114:19 127:3 128:3 136:5 138:5 145:20 157:14 159:19 183:22 184:23 185:20 189:24 193:25 199:20 200:21 205:8 222:18 243:5,20 wanted 13:6 24:16 43:16 65:17 66:18 83:3 94:18 96:23 97:24 186:21 200:24 233:3 wanting 112:22 wants 21:16 40:25 186:3 206:22 Washington 12:9 46:25 151:2 154:8 180:4,7 180:14 wasn't 8:19 35:14 43:15 95:12 97:5 99:2 way 8:4 15:12 16:8 22:13,14 33:24 43:11 46:20 62:18 66:12,13 67:10 67:13 68:10,13 70:11,17 78:5 79:7 83:13 86:9 89:14 92:9 94:16 95:2,2 96:14,14 105:12 105:25 107:21 109:20,22,22 113:6,23 117:2 117:4 118:2,17 120:3 126:12,13 132:20 134:20	134:21 135:5 140:21 142:10 142:17,18 143:12 146:7 155:17 158:22 162:22 178:17 182:16 183:23 192:16 193:14 193:16,18 211:10 214:2,12 222:7 223:10 238:5,23 ways 28:4 36:15 118:7 154:13 159:14 183:24 wazoo 91:11 weaknesses 93:2 wedded 59:24 week 7:19 82:10 82:13 88:10,12 102:8 218:18 238:8 weeks 243:23 weigh 2:8 30:9 66:18 welcome 32:16 98:21 welcomed 39:3 98:22 172:6 well-intentioned 162:6,25 went 65:14 93:23 94:22 weren't 136:11 Westlaw 107:18 we'll 7:8 72:16 73:6,17 75:13 83:12 118:20 123:4,5 126:13 126:15 128:5 223:16 224:4 we're 2:4 7:22 9:21 11:24 16:10 30:24 31:17 49:22 61:3,4,8 63:10 64:19 66:16	70:17 73:4,4,14 74:11 76:17 81:6,15 83:13 83:16 86:9 87:18 88:9 89:4 90:7,11,16 93:3 93:4,20 94:21 96:19 97:11,12 102:19 106:20 108:6 113:10 114:2,20 115:12 116:8 118:9 119:15,25 121:5 123:16,17 125:20 127:20 127:24 128:6 129:11 131:23 132:5,19 133:20 146:9,21 152:11 163:10 177:5 183:7 189:25 200:5 202:11 204:2 212:5 243:5 244:15 we've 6:16 11:24 20:11 32:5 63:12 67:14 99:9 123:19 144:15 154:7 194:17 239:7 whatsoever 34:16 wheel 112:25 177:2 178:9 183:8 205:16,17 206:3,3 218:11 220:14 228:10 230:8 240:13 whistles 47:18 wholly 10:9 widespread 66:25 Wilbur 180:15 Wilkinson 3:8 23:4,5,13,15 31:19,23 32:7 32:15,23 33:8 35:2 36:20,21 43:14 47:10	52:21,23 53:3,8 53:13,18,23 54:19 55:20 56:7,15,19 57:3 57:9,18 58:2 88:24 172:17 217:22 219:16 William 1:10 185:22 198:7 217:13 Williams 185:23 198:8 224:4,7 224:11,21,22 231:23 233:22 234:2,17 235:8 236:19 239:16 willing 31:17 56:21 73:14 89:2,15 win 11:6 62:21 winning 11:9 127:5 wisdom 231:13 wish 140:22 160:9 withdraw 102:23 withdrawals 230:15 witness 6:22 58:10 147:17 186:8,8 198:10 witnesses 3:6 6:17 7:14 30:25 37:3 37:7 55:23 58:10,21 71:3 88:22 147:17 190:19 198:10 woefully 26:19 187:3 232:23 woman 15:21 women 212:24 213:22 wonderful 238:7 wonderfully 239:21 wood 21:19 word 120:22 242:2	words 27:8 85:12 223:15 work 4:14 9:6 12:5,6,7,8 14:25 21:9,22 22:22 32:11 34:13 37:24 40:22 47:8 49:23 64:4 66:10,10 74:11 77:8 80:16 81:6 81:16,17 82:10 85:17 86:20,20 87:12 105:19 106:16 107:2,12 107:19 108:16 110:19 111:12 113:16,17 122:6 124:17 125:25 134:23 137:11 187:17 189:3,9 189:21 192:4,10 200:2,3 207:16 211:23 212:20 214:6 218:10,25 219:23 220:22 243:6 244:13 workable 232:24 workday 85:25 worked 56:3 60:6 74:7 75:7 137:6 153:25 214:15 232:8 244:11 worker 85:14 188:18 workers 27:3,9 69:7 72:17 84:15 85:21 87:8 106:15 189:11 working 27:15 29:24 36:12,13 36:16 64:3 67:15 80:14 81:15 87:4 93:17 152:11 154:25 169:4 199:23 204:8
--	--	--	---	--

211:3 212:14 244:15,20,22 workload 166:12 workloads 25:15 works 43:11 116:16 145:22 239:18 world 15:7 16:20 47:17,18 117:23 worried 68:18 144:6 worry 144:23 worse 127:3 worth 207:13 wouldn't 64:23 92:8 101:14 114:19 226:4 write 46:22 65:8 writing 149:20 written 7:15 147:13 153:5 154:22 156:14 157:9 209:9 214:19 wrong 38:8 52:17 102:18 131:23 wrongheaded 9:5 21:17 wrote 64:13 108:3	143:20,24 144:6 144:19,19 145:9 150:2 155:22 158:7 161:21 168:17,18 171:7 184:16 188:12 188:15 220:11 223:3,8 237:19 yearly 76:15 years 4:9 6:3 9:12 13:11 20:13 25:2 29:10,12 30:18 31:6 34:3 34:4,4 51:2,2,6 51:13 63:13 68:19 76:14 83:20 89:25 95:8 122:21 128:4 135:18 139:19 148:4,10 148:14 153:14 157:5 159:8 178:20 188:3,4 189:17 190:25 199:18 206:17 209:14 211:7 214:8 216:5 217:17,18 222:9 231:3 yeoman's 75:8 yield 73:25 75:17 York 12:25 20:9 36:24,25 37:11 37:13,15 55:22 154:8 170:19 175:18,20 young 49:25 209:15 212:25	\$10.5 83:22 \$2 129:16 \$200 197:5 \$38 188:14 \$450 48:3,3 \$5 14:6,16 183:3 \$500 29:10 \$8 5:9 26:24 83:21 \$9 84:11 \$9.5 14:9,14 103:17 220:9 1 1:50 245:13 10 20:18 103:23 10,000 23:17 10/7/13 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1	93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 150:1 151:1 152:1 153:1 154:1 155:1 156:1 157:1 158:1 159:1 160:1 161:1 162:1 163:1 164:1 165:1 166:1 167:1 168:1 169:1 170:1 171:1 172:1 173:1 174:1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1 188:1	189:1 190:1 191:1 192:1 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1 203:1 204:1 205:1 206:1 207:1 208:1 209:1 210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1 222:1 223:1 224:1 225:1 226:1 227:1 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 238:1 239:1 240:1 241:1 242:1 243:1 244:1 245:1 10:05 1:7 100 82:10,13 124:23 129:12 148:25 218:13 237:10 110 16:12,17,21 42:9 124:25 219:19 12 218:24 219:14 221:16,23 125 16:10 42:8,10 13 59:12 94:4 130611 1:13 2:17 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1
X XYZ 80:6 Y	zealous 40:21 zealously 13:23 zero 100:8 \$ \$1.2 220:11 \$10 5:9 48:5 84:12 129:17			

20:1 21:1 22:1	141:1 142:1	235:1 236:1	2010-2011 127:7	5
23:1 24:1 25:1	143:1 144:1	237:1 238:1	2011 168:19	5,000 222:3
26:1 27:1 28:1	145:1 146:1	239:1 240:1	2012 5:11 201:4	50 31:5
29:1 30:1 31:1	147:1 148:1	241:1 242:1	225:21	50th 4:7 149:25
32:1 33:1 34:1	149:1 150:1	243:1 244:1	2013 1:7 4:7 24:3	161:20 187:10
35:1 36:1 37:1	151:1 152:1	245:1,9	28:13 47:12	50,000 86:15
38:1 39:1 40:1	153:1 154:1	14 127:10 148:14	217:23 219:3	500 29:9 139:24
41:1 42:1 43:1	155:1 156:1	159:8	21 217:17	188:15 213:6
44:1 45:1 46:1	157:1 158:1	15 20:12 29:11	21st 152:19	501(c)(3) 20:22
47:1 48:1 49:1	159:1 160:1	220:15 223:5	22 49:22	21:4
50:1 51:1 52:1	161:1 162:1	15th 64:14	22,000 5:6 14:10	580 14:7,17
53:1 54:1 55:1	163:1 164:1	15,000 219:5	14:14 48:6	6
56:1 57:1 58:1	165:1 166:1	150 218:13,14	23 148:10	60 63:14 92:19
59:1 60:1 61:1	167:1 168:1	16 29:10 217:18	233 127:11	237:18
62:1 63:1 64:1	169:1 170:1	1791 48:14	24 169:6,19	60,000 188:11
65:1 66:1 67:1	171:1 172:1	18 10:11	25 89:25 135:17	7
68:1 69:1 70:1	173:1 174:1	18B 37:13,14,14	25th 219:3	7 1:7
71:1 72:1 73:1	175:1 176:1	37:16 175:25	25,000 86:15	70 63:14 128:17
74:1 75:1 76:1	177:1 178:1	19 169:3	260 219:12	219:7
77:1 78:1 79:1	179:1 180:1	1907 201:16	28 122:21	70s 164:5
80:1 81:1 82:1	181:1 182:1	1911 160:24	3	750 219:15 220:5
83:1 84:1 85:1	183:1 184:1	1982 209:16	3,000 86:18 92:13	8
86:1 87:1 88:1	185:1 186:1	1983 182:8	3,260 92:15 127:8	8 8:24
89:1 90:1 91:1	187:1 188:1	1985 166:2	3,500 76:14	80 14:20 42:4,17
92:1 93:1 94:1	189:1 190:1	1992 11:13 165:24	30 30:18 68:19	63:14 77:10
95:1 96:1 97:1	191:1 192:1	1994 168:15,20	77:7 122:21	128:17 188:3
98:1 99:1 100:1	193:1 194:1	1996 214:20	135:18 237:18	231:3
101:1 102:1	195:1 196:1	1997 29:4,6	300 149:16	85 218:9 221:11
103:1 104:1	197:1 198:1	2	3006 10:12	9
105:1 106:1	199:1 200:1	2 93:25 201:4	31 209:14	9 85:7
107:1 108:1	201:1 202:1	2,000 222:3	33 139:19	9th 182:10,24
109:1 110:1	203:1 204:1	2,350 92:15 127:9	35 6:2 218:16	9.5 20:3,18 84:8
111:1 112:1	205:1 206:1	2,400 92:14 127:8	219:11 221:17	90 192:2 237:19
113:1 114:1	207:1 208:1	20 24:3 28:13	221:23	979 150:17
115:1 116:1	209:1 210:1	47:12 77:6,7	350 207:6	
117:1 118:1	211:1 212:1	129:16 190:24	38 14:22	
119:1 120:1	213:1 214:1	218:23 219:13	4	
121:1 122:1	215:1 216:1	221:16,23	4,000 76:15	
123:1 124:1	217:1 218:1	20th 56:10 57:4	40 77:10	
125:1 126:1	219:1 220:1	217:22	400 1:6 124:23	
127:1 128:1	221:1 222:1	200 11:18 124:24	207:7,21 213:6	
129:1 130:1	223:1 224:1	2000 164:6	425 16:19	
131:1 132:1	225:1 226:1	2001 180:6	45 188:4	
133:1 134:1	227:1 228:1	2005 168:20	450 219:14	
135:1 136:1	229:1 230:1	2006 11:24 12:2	470 127:12	
137:1 138:1	231:1 232:1	2010 14:5,6,17,17	480 127:13	
139:1 140:1	233:1 234:1			