

**THE POWER TO TRANSFORM IS STRONGER THAN THE POWER TO PUNISH: PUBLIC DEFENDERS ARE  
THE KEY TO EQUAL JUSTICE<sup>1</sup>**

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**To the Student Wondering How to Help Reform Criminal Justice**

To the student wondering how to help reform criminal justice:

I have spent most of my career working with young people to build a movement to transform criminal justice in America. I founded Gideon's Promise believing that an army of public defenders, inspired to resist the status quo and dedicated to giving voice to the men and women they represent, could serve as the engine necessary to drive this change.

Because of my faith that your generation has the power to bring about desperately needed reform, I am honored to be asked to write a letter to students interested in criminal justice, for those of you who choose to enter this arena will be inserting yourselves into this generation's most important civil rights struggle.

One of the questions I am most frequently asked by students is whether you can do more to change the criminal justice system as a prosecutor than as a defender. I understand where this question comes from. As law students focused on criminal justice, you have undoubtedly heard those who study criminal justice claim the prosecutor is the most powerful player in the system. Prosecutors have a plethora of tools at their disposal, unfettered discretion, and a lack of systemic accountability that combine to enable them to destroy lives when they lose sight of what justice demands. Wayward prosecutors have contributed significantly to our current criminal justice crisis.

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<sup>1</sup> Special thanks to my mother, Elayne Rapping, who served as my editor, consultant, and partner on every piece about criminal justice I have ever written. This letter is the final piece to which my mother contributed. She died on June 7, 2016 after a heroic battle with cancer. She felt this was among the most important pieces I have written because she believed deeply in the mission of Gideon's Promise to build a movement of public defenders to help transform criminal justice in America. She believed there is no work more important than grooming a generation of activists to take on this critical challenge.

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You have also likely been introduced to public defense as a job where you fight valiantly for one client at a time. And while you have certainly heard stories of heroic public defenders making an important difference in individual lives, you probably have little sense of how these lawyers have systemic impact. Much more common is the story of the public defender who is beaten down and emotionally drained; a modern day Sisyphus, perpetually trying to advance the cause of justice.

Such arguments lead many of you to conclude that you can affect greater change as a prosecutor than as a defender. That a “good” prosecutor can make a meaningful difference while a well-intentioned public defender is destined to hopelessly watch as his or her clients fall through the cracks in the system. It is an assumption that is reinforced in criminal justice discussions and writings in the field. It is likely a position some of who have heard from professors and mentors. But it is a flawed position, for it conflates the power to wreak havoc with the power to reform. These are not the same thing. And while prosecutors certainly have the power to destroy lives, they are not in a position to bring about fundamental change. On the other hand, collectively public defenders are uniquely positioned to drive the transformational reform we desperately need. We just do not envision them in this way and so fail to appreciate their collective potential. So I welcome the opportunity to use this letter to give an alternate perspective.

Before I begin, I want to be clear that I do believe compassionate prosecutors matter. If allowed to act on their compassion – an assumption I would not take for granted in most prosecutor’s offices, which have embraced a “conviction-driven” mindset - they can minimize the continued damage the system routinely visits upon already broken lives and communities. But as the agents with primary responsibility for administering the existing system, they cannot transform it. They can simply be less cruel as they perpetuate it.

Public defenders, on the other hand, speak for more than eighty percent of the men and women in the criminal justice system. Collectively they have the power to give voice to oppressed communities.

They ensure the system takes into account the perspective of those communities that it prefers to ignore. Nothing could be more important to sparking change, for when you tune out an entire population of people, it is easier to forget they matter. It is easier to deem them expendable. It is easier to throw them away. Giving marginalized populations a voice in the system that has crippled them is the first, and most crucial, step towards transformation.

No matter how compassionate a prosecutor is, he does not speak for the people who are victimized by our criminal justice policies. He speaks for the machinery that is inflicting the harm. He can try to wreak a little less havoc as he helps the machine churn along, but he cannot give voice to those who are in the machine's path. An army of public defenders does this. And transformation will only occur when we finally hear from those who have been deemed expendable and silenced.

#### **Criminal Justice: This Generation's Greatest Civil Rights Challenge**

Consider the civil and human rights implications of the nation's criminal justice crisis. America has 2.3 million people locked in cages at any given time. We have five percent of the world's population but account for twenty-five percent of global incarceration. These figures alone illustrate the hypocrisy of our claim to be the land of the free.

But to make matters worse, our punitive instincts are not directed at all equally. Our criminal justice system is reserved almost exclusively for the poor and disproportionately for people of color. And the havoc wrought on our most marginalized populations is not limited to punishment in the criminal justice system. Once a person has served a sentence, they face devastating, non-criminal penalties. Among other consequences, once convicted many people are rendered unable to vote, to receive educational loans, to return to their homes, or to continue to work in their field of choice. Our current system of mass incarceration, and the consequences attendant to it, have rendered the most vulnerable among us permanent second class citizens, long after they have served their already draconian sentences. As Michelle Alexander so thoughtfully argues in *The New Jim Crow: Mass*

*Incarceration in the Age of Colorblindness*, mass incarceration is modern day caste system that has replaced slavery and Jim Crow as the vehicle through which huge swaths of society are rendered unable to fully participate in our democracy.

The attendant joblessness, homelessness, and despair that cloaks so many formerly incarcerated people, have catastrophic consequences for the children of these men and women. It is a cycle that contributes to poverty, substance abuse, and mental illness, all of which are then criminalized to guarantee the cycle never ends.

In short, as children are born into poverty, we can predict that they will be subjected to substandard education, poor nutrition, increased levels of violence. Many will live with adults who are struggling to overcome incredible obstacles. We know these children are at risk. And we have a choice to make: do we address the conditions that will ensure many of these children end up in our nation's prisons, or do we continue to lubricate the conveyer belt that is already carrying them there?

#### **The Narrative of "Otherness"**

We have clearly chosen the latter. We can identify communities immersed in poverty, violence, drug abuse, broken homes, and myriad other factors that increase the likelihood that children will engage in anti-social behavior as they grow older. We see these children subjected to abuse when they are infants, yet we are unmotivated to intervene in a meaningful way. We watch as these children begin to act out in pre-school, but do little to address the societal problems that drive this behavior. We witness these children as they are repeatedly suspended from elementary schools armed with metal detectors, and remain uninspired to invest in solutions. Yet, when these children predictably continue to engage in anti-social behavior as they become teenagers, we will dub them "super-predators" and spare no expense to lock them away.

Before co-founding Gideon's Promise with me, my wife was a first grade teacher in Washington, DC. She had one student named "Michael" who had particularly challenging behavioral issues. He

frequently came to school tired, unfed, not bathed, and wearing dirty clothes. His nickname was “Little Lorton,” named after the local prison. Even his mother called him this. He was six. He obviously had little chance to escape the cycle described above. Yet as a society we continued to ignore the problem. Michael is now twenty-one years old. And although I have not followed his story, I would not be surprised to learn that today we are investing more money to incarcerate this young man than we ever spent to save him when he was a child.

As a public defender, I have met countless Michaels. I have watched as we shackled them, housed them in dangerous facilities, and treated them in ways we would never tolerate with children we loved. I have sat with them as they cried. I have listened as they described the horrific experiences that defined their troubled childhoods. I have futilely tried to comfort them as they expressed terror over the conditions we have foisted upon them. I have watched how we take scared, lost children and turn them into the adults we then brand as criminals. This process of destroying lives is antithetical to everything we preach in our Judeo-Christian society. Yet, it defines the institution that serves as the greatest bellwether of the health of our democracy – our justice system.

In a country that preaches equal justice – the application of laws independent of race, ethnicity, and class – egalitarian-minded Americans struggle to understand how we have so readily embraced a system that so disparately impacts poor communities of color. The answer lies in the fact that our modern system of justice is shaped by a narrative that brands certain populations as “others.” Over the last four decades we have embraced a “tough on crime” world view that associates race and class with dangerousness. We have put a face on crime that is always poor and usually black. One cannot grow up in America without subconsciously internalizing this narrative. The extent to which this story-line shapes us all is well illustrated by the painfully honest words of the civil rights icon, Reverend Jesse Jackson, who said, “There is nothing more painful to me at this stage in my life than to walk down the street and hear footsteps... then turn around and see somebody white and feel relieved.”

It is a narrative that divides Americans into categories of “us” and “them,” with those in the latter group being seen as less than human. It explains how we can accept so many people accused of minor misbehavior being processed into jail cells without lawyers with the resources necessary to defend them. It explains how we can be numb to so many highly publicized police/citizen encounters that leave black people dead. It explains how we can be indifferent to the helpless children who are being sucked into this vicious cycle every day.

The injustice is so prevalent that we have become accustomed to it. It shapes the way we see the world. It shapes the policies we support. It shapes the system that dispenses justice in America. Many of us who have devoted our lives to criminal justice reform talk about how broken the system is. But this is a misnomer. Once we understand that we have collectively embraced a perspective that sees poor communities and communities of color as more dangerous and less human, we can see that our system of justice is actually designed to target, monitor, prosecute, punish, and isolate these populations. At every step along the way, policies ensure that those who have very little are victimized by our approach to criminal justice while those with means are largely able to avoid the system’s wrath. In fact, we would not tolerate a system that treated the most prominent members of society the way poor people are routinely treated in this system. These policies have been accepted by the majority because we see them as only being used to control those we consider “others.”

In this sense our current system of justice works precisely as intended. It separates and protects “us” from “them.”

#### **The Limitation of the Good Prosecutor: Doing Damage, But Not As Much**

Our existing criminal justice system is the product of decades of this tough on crime thinking. It’s based on the premise that certain populations need to be monitored and controlled. It does not have any meaningful mechanism built in to interrupt the cycle of despair or to treat those victimized by it. For these populations are seen as unworthy of treatment. It is designed to primarily address poverty,

substance abuse, mental illness, and many other social ills through punishment. When one understands that this is the purpose of the criminal justice system, it becomes clear that the prosecutor is not the vehicle to transform it.

In fact, the prosecutor is the professional most responsible for administering our system of justice. It is his job to keep this system moving along. While in some ways the prosecutor has a lot of power, their power exists within the existing system. The prosecutor neither makes the law (that is reserved for the legislature), nor decides who will be considered for punishment (law enforcement largely chooses who to arrest). Instead, prosecutors must decide how harshly to treat those who the police bring them. As policing focuses on poor communities, this is the subset of the populations that prosecutors largely exert power over.

If you disagree with the behavior we have decided to criminalize as a society or have little interest in disproportionately punishing the communities targeted by policing policies, becoming a prosecutor makes little sense. The prosecutor does not have much impact on those factors. Where the prosecutor does have incredible influence is in deciding how harshly to treat the poor people whose files land on their desks. It is in this context that prosecutors have incredible power – the power to destroy lives.

Many prosecutors have so internalized a narrative that sees poor people as criminals that they never question the fact that these are often the only people they are asked to consider prosecuting. Because they assume guilt, they see their role as getting a conviction by any means necessary. The constitutional protections that form the foundation of our justice system become obstacles to engineering these outcomes. These prosecutors have learned to use the tools available to process poor people into prison cells. Draconian sentencing laws, the discretion to overcharge, and the routine use of oppressive pretrial detention combine to give prosecutors an array of tools to coerce poor people into giving up their rights and pleading guilty. They are frequently more than willing to take advantage of the

inadequate representation provided the accused. These prosecutors are more than comfortable with a system of justice in which the jury trial – envisioned by our Founders as the heart of our justice system – is largely a thing of the past. They never object to a system of justice in which more than ninety-five percent of people accused of crimes succumb to the pressure to give up their most fundamental rights and plead guilty. For when you see every person accused a sub-human, isolating them from society become the priority over all else. The system of procedural protections that is supposed to be the foundation of our justice system, becomes an obstacle to efficiently collecting convictions.

It is against this backdrop, a system of prosecutors who have so clearly lost sight of what justice demands, that we are tempted to think “good” prosecutors are the answer to this civil rights crisis. We are desperate for prosecutors who will be a little more compassionate. We are thirsty for prosecutors who have some respect for the process. When a prosecutor actually expresses disapproval of the status quo, we can mistakenly think they are our guide to salvation.

The “good” prosecutor has stories of the kid who has never been in trouble before but who makes a stupid mistake. The “good” prosecutor sees the potential in this kid and agrees to go easy on him. Perhaps the kid even grows up to be an admirable member of his community, further reinforcing the “goodness” of the prosecutor. But this story ignores the fact that for every kid the “good” prosecutor deemed worthy of compassion, he has been forced to help process many others into hopelessness. The story ignores the fact that this kid likely only entered the system because of his race and/or class, and that his more privileged counterparts who made the same mistake would have never needed the help of the “good” prosecutor. The “good” prosecutor may be completely oblivious to the less obvious redeemable qualities of so many others who will never make it out of the criminal justice cycle – “others” the “good” prosecutor did not select to benefit from his compassion. For every feel good story the “good” prosecutor has, he has likely suppressed dozens in which he has facilitated the treatment of someone else’s child that he would not approve of for his own. And the “good” prosecutor

has likely not sufficiently considered the continued obstacles in the path of the person he offered a “generous” plea deal. Every prosecutor bears some responsibility for filling our prisons and hampering people’s chance to succeed by saddling them with convictions. The “good prosecutor simply bears slightly less.

Please don’t get me wrong. I absolutely prefer “good” prosecutors to those who have wholeheartedly embraced the prevailing “tough on crime” narrative. They help reduce needless suffering of those who have suffered so much already. But the “good” prosecutor sees the person who does not belong in the system as the exception. He probably sees others in the system as deserving of less severe treatment than his co-workers would. But ultimately he operates within, and perpetuates, a system that is designed to punish the poor.

Any system of oppression depends on those responsible for administering it to survive. And in any system of oppression, we prefer that those who administer it be less cruel. But we do not mistake the kind oppressor for the answer to an oppressive system.

In the mid-nineteenth century American South, an enslaved human being would likely prefer a kind overseer to a particularly brutal one. South African political prisoners during apartheid likely preferred kind prison guards to the more sadistic variety. Organizers of the 1963 Birmingham campaign would have likely preferred police officers willing to turn down the pressure on the fire hoses used against young protesters. But no matter how compassionate is a professional charged with carrying out an oppressive system, they will never be the engine necessary to transform that system.

One does not need to see prosecutors as bad people to draw an analogy between our current system of mass incarceration and other oppressive institutions. The existing criminal justice narrative is powerful. It has shaped us all. It influences our assumptions about the poor and how they should be treated. While it is easy to look at systems history has judged as unjust, and assume those who administered it were evil, this is an overly simplified narrative. In each of the contexts above, there

were well-intentioned people facilitating oppressive regimes who came to believe they were doing what was right. Shaped by the narrative of the time and place, many of those who administered these systems were blind to the injustice of them. But time proved them wrong. I believe history will count our current criminal justice system among these examples of obvious injustice, and will count the “good” prosecutor as part of the problem despite the fact that he offers some short term relief to some who otherwise would have been treated more viciously.

### **The Potential of the Public Defender: Changing the Narrative; Transforming the System**

Real change depends upon our ability to change the story that defines how we view the poor. If we accept that our treatment of marginalized communities is driven by a justice narrative that sees these populations as “others,” and therefore less worthy of protection, then changing that narrative, and the values and assumptions that drive it, becomes the key to realizing equal justice.

In this narrative, people accused of crimes are reduced to the worst thing they have ever done. Someone who steals is labeled a thief. A person who sells drugs to another is labeled a drug dealer. A person who agrees to have sex in exchange for money is labeled a prostitute. The motivation behind the forbidden behavior is irrelevant. We don’t delve into the obstacles they have overcome in life or the challenges with which they continue to grapple. We do not consider that they have a mother who loves them or children whose world revolves around them. We don’t think about the fact that they may serve us coffee at Dunkin’ Donuts or sweep the floors of our office building.

We only see them through mug shots flashed across the nightly news and daily tabloids. They are portrayed in movies as callous, menacing, and a threat to the moral fabric of society. As we watch them shuffle across our television screens in orange jumpsuits, we cannot imagine this could ever happen to someone we care about. In an overwhelmed criminal justice system, we resort to stereotypes and biases. We have so readily accepted the prevailing narrative because there has not

been any coordinated effort to provide a counter-narrative. Those most impacted by the system have not been given a voice. With no one to speak for them, their humanity has been rendered invisible.

Even the “good” prosecutor must accept this narrative for the majority of lives he impacts. For he has signed up for a job where most of the people he helps process through the system will be treated in ways that he could not envision his own children being treated. While he may dismiss more cases than his co-prosecutors, or work hand in hand with the defense lawyer in the exceptional case to work out a truly just resolution, the remaining defendants on his docket are left to the mercy of the system. The “good” prosecutor cannot make prisons more humane, probation officers less overbearing, or collateral consequences less oppressive. The bulk of his energy will be spent ensuring that people who have made mistakes are thrust into a system that is neither equipped nor cares to address the myriad issues that landed the person in it in the first place.

If we are to begin to transform our justice system into one that truly treats everyone with the dignity they deserve, we must begin to humanize those impacted by it, and transform the dominant narrative of otherness into a narrative that sees all human beings as worthy of being treated with dignity and respect. Collectively, public defenders, who speak for the vast majority of the men, women and children in the criminal justice system, are in a position to do just that. When mobilized to tell the stories of these people whose humanity has been rendered invisible, they collectively make up a powerful engine that can begin to change this narrative.

Unfortunately, the traditional law school model does not emphasize the importance of compassion and empathy. We do not teach budding lawyers how to tell powerful stories that tap into our audience’s emotional well. In an effort to teach students to “think like lawyers,” we reduce the law to rules and doctrine. Through the casebook method the law is taught as black letters on a white page. Students soon forget there are actual people behind the cases. Issue spotting and analysis are the tools

of the trade. Students are told that there is no room for caring and feeling in the law. This explains why a law student was once quoted as saying, “The first thing I lost in law school is the reason why I came.”

But this not only sums up the law school experience for many students, it sheds light on how we learn to practice as lawyers. It helps explain why as lawyers we are primed to ignore the humanity of the lives our actions impact. This is the reason why we must groom an army of advocates to force the system to see poor people as worthy of empathy and compassion.

This is why at the core of the Gideon’s Promise model is a focus on training lawyers to respect their clients, to learn their stories, to understand their priorities in life, and to persuade those in the system to invest in these men and women. When they do this individually, they can help liberate poor people from a destructive system. When they do this collectively they can transform the assumptions that make the system so destructive.

Of course we appreciate the “good” prosecutor, for he will be more open to hearing these stories and to accepting resolutions that will enable those accused of crimes to begin the process of rebuilding. But the “good” prosecutor’s ability to cut an individual person a break still depends on the public defender helping him see that the accused is worthy of redemption. The “good” prosecutor does not have access to the stories of the men and women he makes decisions about every day without communicating with defense counsel. In this sense, the public defender is the vehicle through which the “good” prosecutor selects the poor people he deems worthy of compassion. The caring defense lawyer is the reason why the “good” prosecutor is in a position to act “good” in the first place.

But a just result in selected cases won’t change the structural problems with the system that are accepted because of the assumptions that drive it. For every “good” prosecutor, the public defender also deals with dozens of district attorneys, judges, and probation officers whose instinct is to embrace the prevailing stereotypes about poor people. These may be good people, but they have understandably been shaped by prevailing biases. To transform the system we need an army to

continue challenging assumptions system wide. Only then will collective awareness be raised and implicit biases uncovered. Public defenders do this by working to ensure the voice of ignored communities are heard and that they are seen as communities worth protecting.

Good public defenders see every interaction with a criminal justice professional as an opportunity to challenge the assumptions about who their clients are and how they deserve to be treated. These advocates literally serve as the conscience of the system, reminding those who have the power to inflict harm on poor people of their stories.

As these lawyers awaken us to the injustice we have come to accept, they mobilize a movement to transform. Only through a commitment to transformation will we realize a truly equal justice system.

**A Bolder Vision: Because Simply Being Less Unfair Is Not Enough**

So, to those of you who are considering becoming prosecutors to affect systemic change, I caution you not to mistake the power to punish with the power to transform. Transformation occurs when a righteous movement sparks widespread awareness of injustice, mobilizing a consensus for change. It requires forcing society to see the humanity of those who are oppressed and acknowledging the mistreatment to which they are subjected. Only then is there a public outcry to replace the oppressive system.

At the height of American slavery, one could easily have claimed that the slave owners wielded the most power. But America's hearts and minds, and therefore the will to overthrow the institution of slavery, were transformed by the actions of abolitionists like Harriet Tubman, Frederick Douglass, and John Brown.

In apartheid South Africa it would have been tempting to claim that the South African police were the most powerful force in the nation. But the transformation of that system occurred because freedom fighters like Steve Biko and Nelson Mandela forced the world to see the wrongfulness of South African policies.

During the civil rights movement of the 1960s, it likely felt like Bull Connor's police force had ultimate power to the teenagers at the other end of the firehoses and attack dogs. But an army of activists that included Dr. Martin Luther King Jr., Fannie Lou Hamer, and John Lewis forced America to see the injustice in its own backyard and insist on change.

It was the men and women who gave voice to the oppressed who possessed the real power to transform. That change could never have come from kinder overseers, gentler prison guards, and more sympathetic police forces.

Likewise, it is tempting to view prosecutors as the most powerful players in the criminal justice system, especially when so many use the tools available to them to subvert the protections promised in our Constitution and wreak havoc on our most vulnerable communities. In this world we surely welcome a kind prosecutor to punish a little less severely. But the kind prosecutor is not the vehicle through which we will transform this system of injustice.

It will be transformed when a movement of advocates, giving voice to the oppressed, raise our collective consciousness about the injustice of this system. This movement will spark an outcry for change. Public defenders are perfectly positioned to drive this movement.

But having worked with young public defenders in some of our nation's most challenging criminal justice systems, I understand how daunting this Sisyphean mission can be. Each year Gideon's Promise welcomes a new class of public defenders who spend fourteen days together in Oxford, Mississippi learning advocacy skills, developing strategies to resist the systemic pressure to accept the status quo, and forging a strong and supportive community to sustain themselves. At the end of the two weeks, these passionate young defenders begin careers in systems that have come to accept and embarrassingly low standard of justice for poor people. When they leave Oxford, they are fired up. They believe they can change the world. But in a matter of weeks I begin to get calls from these lawyers. The calls usually go something like this:

Rap (everyone calls me “Rap”), I think I need to quit. I am feeling discouraged. After two weeks in Oxford I know exactly what every client deserves. But I have 300 cases and I simply can’t give it to them. I feel defeated. I feel ineffective.

I always share with them a story from a book I read called *Freedom Summer* about the Summer Project in Mississippi in 1964.<sup>3</sup> The author told the story of that effort through the stories of the young people who spent the summer in Mississippi. Some were civil rights workers from the South. Some were college students from across the country. They signed up to change the world. They planned to register voters and educate children and adults in Freedom Schools in black communities across the state. The task proved more difficult than they imagined. They witnessed beatings and fire bombings. Many people were too afraid to be seen speaking to them. One after another, the workers wondered if they were making any difference at all. They wondered if the Summer Project was a waste of time. Through the interviews you could see their hope turn to despair.

The author then flashes forward to 2008. Now-Congressman John Lewis, one of the leaders of the Summer Project, explained that if it weren’t for Freedom Summer, Barack Obama would not be in the White House. While in the middle of the firestorm, these young activists did not realize they were changing the world. But Lewis’ message was clear. Sometimes change is so incremental, and so difficult, that those involved in it don’t even realize they are changing the world.

As I read that book I thought of the countless calls from public defenders in Tennessee, Louisiana, Mississippi, South Carolina, Georgia, and Alabama. Like those heroes of Freedom Summer, these lawyers do not see the difference they make every day.

I then explain to the lawyer on the other end of the call that every time she walks into a courtroom where a judge simply wants her to help process cases, and she stands up and says, “I am sorry judge, but I am not doing it today,” she makes a difference. Every time the prosecutor wants her to just sit down but she refuses to go along with the status quo, she makes a difference. She may not

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<sup>3</sup> BRUCE WATSON, *FREEDOM SUMMER* (2010).

get the tangible result that her client deserves. But when she refuses to go along with the processing, and her colleague does that same in the courtroom next door, and another group of public defenders do the same in the next county over, and another group in the next state over.... collectively these public defenders are raising expectations of how poor people deserve to be treated. Collectively they are changing the assumptions that drive injustice. Collectively they are transforming the system.

An African proverb reads: "Until the lion learns how to write, every story will glorify the hunter." Likewise, until those who have been rendered voiceless in the criminal justice system are given a voice, the criminal justice narrative will justify their inhumane treatment. Just as the hunter can never be trusted to write a story that does justice to the plight of the lion, neither can the prosecutor ever be expected to create a narrative that is fair to those he prosecutes. Public defenders who take seriously their duty to give voice to those they represent are the engine necessary to transform our justice system. They must work with those they represent to rewrite a narrative that tells us some lives do not matter.

Prosecutors certainly have the power to punish. But defenders have the power to transform. We need prosecutors to use less power and defenders to use more.

My parting words of advice to you are these:

**No one in the criminal justice system is more powerful than the public defender; and only when we realize this will we finally be ready to transform it.**

For those of you who choose to join this beautiful struggle, I look forward to seeing you in the trenches.

With respect, love, and extreme optimism,

Rap