

# **West Texas Regional Public Defender for Capital Cases**



# Current Method for Capital Indigent Defense in Counties without a Public Defender

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## ● Assigned Counsel

- Two attorneys required to be appointed for each capital case from the list of attorneys approved by the regional selection committee
- Cost varies depending on number and complexity of case
- Number of attorneys are limited in rural areas
- Private counsel indicate practice is strained during representation in capital case

# Participating Counties in the 7<sup>th</sup> and 9<sup>th</sup> Regions

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70 counties participating

Covering 70,122 square miles

Serving 1,470,834 people

# Offices

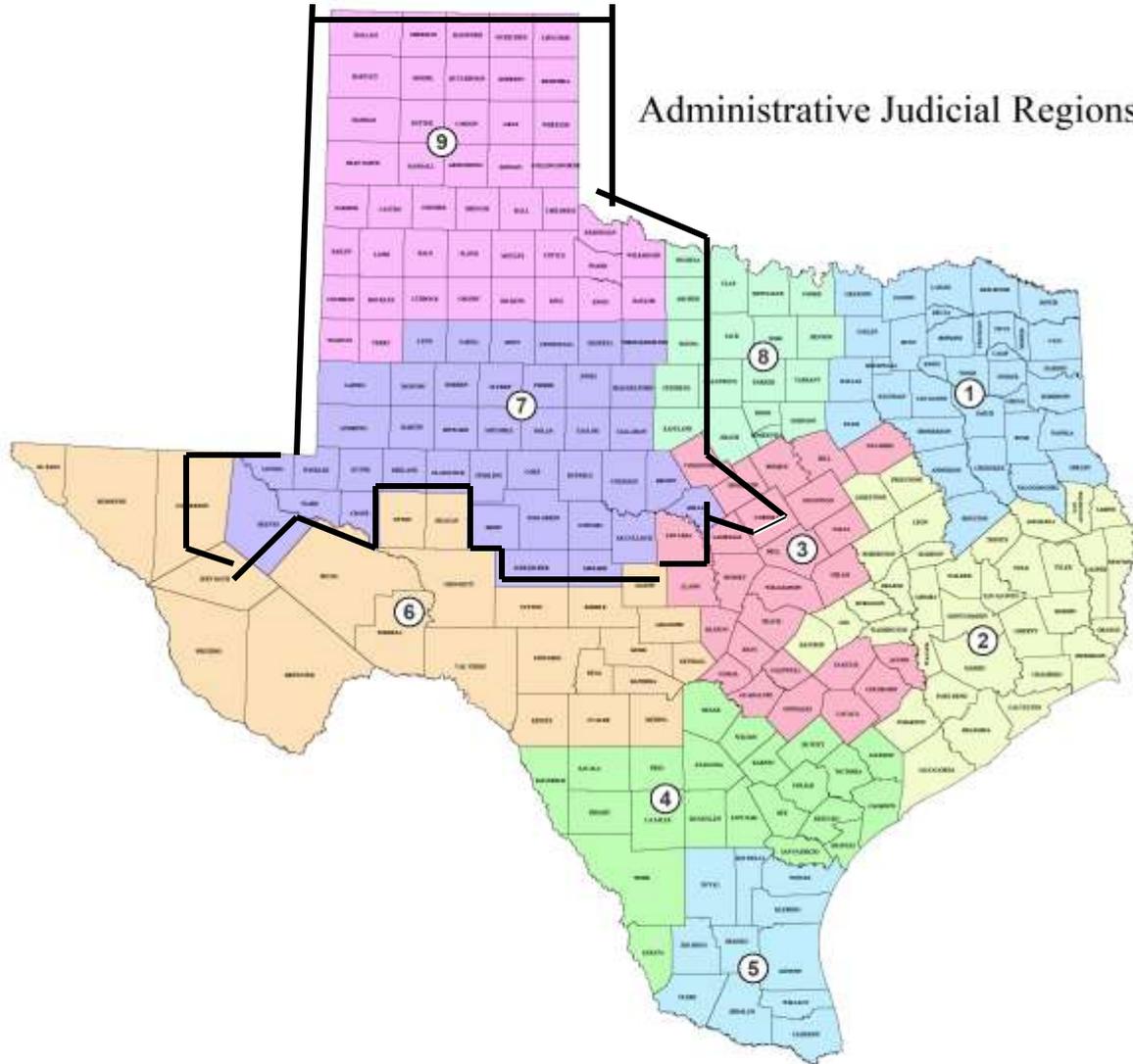
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- Lubbock

- Amarillo

- Midland

# Administrative Judicial Regions



# Crane County

- State v. Gillie Thurby; 109<sup>th</sup> District Court
- The Honorable James Rex

- Appointed on 7/28/08
- Disposed of on 9/10/09
- Expert funds expended \$0.00

- Staff hours
  - 1<sup>st</sup> chair 142.30
  - 2<sup>nd</sup> chair 27.50
  - Mitigator 230.50
  - Investigator 17.50
  - Support staff and Interns 12.40

# Deaf Smith

- State v. Daniel Perez; 222<sup>nd</sup> District Court
- The Honorable Roland Saul

- Appointed on 4/2/08
- Disposed of on 4/11/09
- Expert funds expended \$0.00
  
- Staff hours
  - 1<sup>st</sup> chair 14.50
  - 2<sup>nd</sup> chair 84.50
  - Mitigator 165.35
  - Investigator 17.50
  - Support staff and Interns 23.90

# Ector County

- State v. Derek Elms; 70<sup>th</sup> District Court
- The Honorable Denn Whalen

- Appointed on 9/11/08
- Disposed of on 6/10/10
- Expert funds expended \$1,500.00

- Staff hours
  - 1<sup>st</sup> chair 217.05
  - 2<sup>nd</sup> chair 8.00
  - Mitigator 651.75
  - Investigator 122.25
  - Support staff and Interns 52.40

# Hale County

- State v. Jose Tanguma; 64<sup>th</sup> District Court
- The Honorable Robert Kinkaid

- Appointed on 1/1/08
- Disposed of on 2/18/08
- Expert funds expended \$0.00

- Staff hours
  - 1<sup>st</sup> chair 12.00
  - 2<sup>nd</sup> chair 5.00
  - Mitigator 15.00
  - Investigator 8.50
  - Support staff and Interns 13.00

# Hall County

● State v. Amado Santos; 100<sup>th</sup> District Court

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● The Honorable Stuart Messer

- Appointed on 12/16/08
- Disposed of on 3/23/09
- Expert funds expended \$0.00

• Staff hours

1<sup>st</sup> chair 26.00

2<sup>nd</sup> chair

Mitigator 91.75

Investigator 12.50

# Lubbock County

○ State v. Albert Martinez; 140<sup>th</sup> District Court

○ The Honorable Jim Bob Darnell

- Appointed on 1/1/08
- Disposed of on 12/11/08
- Expert funds expended \$4,000.00

• Staff hours

1<sup>st</sup> chair 118.40

2<sup>nd</sup> chair 176.25

Mitigator 393.25

Investigator 235.35

Support staff 90.85

# Lubbock County

- State v. Ricky Mackey; 364<sup>th</sup> District Court
- The Honorable Bradley Underwood

- Appointed on 4/1/08
- Disposed of on 5/21/08
- Expert funds expended \$0.00
- Staff hours
  - 1<sup>st</sup> chair 10.25
  - 2<sup>nd</sup> chair 1.00
  - Mitigator 12.10
  - Investigator 0.00
  - Support staff .25

# Lubbock County

- State v. Nathan Lemer; 140<sup>th</sup> District Court
- ~~The Honorable Jim Bob Darnell~~

- Appointed on 4/11/08
- Disposed of on 9/11/08
- Expert funds expended \$0.00

- Staff hours

1 <sup>st</sup> chair	31.75
2 <sup>nd</sup> chair	3.00
Mitigator	39.60
Investigator	66.50
Support staff	17.80

# Midland County

- State v. Corina Sifuentes; 142<sup>nd</sup> District Court
- The Honorable George Gilles

- Appointed on 11/4/08
- Disposed of on 2/12/09
- Expert funds expended \$0.00

- Staff hours

1<sup>st</sup> chair 11.75

2<sup>nd</sup> chair 3.75

Mitigator 23.00

Investigator 3.45

Support staff 4.25

# Potter County

- State v. Ray Cisneros; 320<sup>th</sup> District Court

- The Honorable Don Emerson

- Appointed on 11/16/09
- Disposed of on 4/26/10
- Expert funds expended \$0.00

- Staff hours

1 <sup>st</sup> chair	23.75
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2 <sup>nd</sup> chair	36.00
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Mitigator	115.25
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Investigator	46.10
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# Potter County

- State v. Manuel Molina; 320<sup>th</sup> District Court
  - ~~The Honorable Don Emerson~~
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- Appointed on 7/22/08
- Disposed of on 4/15/10
- Expert funds expended \$2,092.00

- Staff hours

1 <sup>st</sup> chair	72.50
2 <sup>nd</sup> chair	146.55
Mitigator	588.40
Investigator	171.35
Support Staff	26.75

# Randall County

- State v. Devon Jones; 320<sup>th</sup> District Court
- The Honorable Don Emerson

- Appointed on 3/17/08
- Disposed of on 11/12/08
- Expert funds expended \$9,000.00

- Staff hours

1 <sup>st</sup> chair	102.30
2 <sup>nd</sup> chair	72.30
Mitigator	270.25
Investigator	71.80
Support staff	62.00

# Randall County

- State v. Brent Brewer; 47<sup>th</sup> District Court
- ~~The Honorable Hal Miner~~

- Appointed on 4/15/08
- Disposed of on 8/14/09
- Expert funds expended \$12,578.12

- Staff hours

1 <sup>st</sup> chair	541.45
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2 <sup>nd</sup> chair	717.60
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Mitigator	1449.50
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Investigator	427.30
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Support staff	57.95
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# Randall County

- State v. Lonnie Rios; 47<sup>th</sup> District Court

- The Honorable Hal Miner

- Appointed on 6/12/09
- Disposed of on 2/11/10
- Expert funds expended \$4,343.00

- Staff hours

1 <sup>st</sup> chair	43.95
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2 <sup>nd</sup> chair	29.20
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Mitigator	214.95
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Investigator	55.35
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Support staff	2.00
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# Taylor County

- State v. Sam Conner; 42<sup>nd</sup> District Court
  - The Honorable John Weeks
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- Appointed on 8/6/08
- Disposed of on 3/17/09
- Expert funds expended \$398.50

- Staff hours

1 <sup>st</sup> chair	102.45
2 <sup>nd</sup> chair	128.35
Mitigator	386.50
Investigator	102.15
Support staff	76.00

# Taylor County

- State v. Santiago Garza; 42<sup>nd</sup> District Court
- The Honorable John Weeks

- Appointed on 7/17/09
- Disposed of on 3/10/10
- Expert funds expended \$0.00
  
- Staff hours
  - 1<sup>st</sup> chair 111.45
  - 2<sup>nd</sup> chair 236.45
  - Mitigator 267.80
  - Investigator 153.25

# Taylor County

- State v. Ashley Hatfield; 42<sup>nd</sup> District Court

- The Honorable John Weeks

- Appointed on 9/4/09
- Disposed of on 11/3/09
- Expert funds expended \$1,255.00

- Staff hours

1<sup>st</sup> chair 27.00

2<sup>nd</sup> chair 4.50

Mitigator 70.50

Investigator 3.50

# Tom Green County

- State v. Purdue Guerra Clark; 51<sup>st</sup>
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District Court

- The Honorable Barbara Walther

- Appointed on 3/25/09
- Disposed of on 5/5/09
- Expert funds expended \$0.00

- Staff hours

1<sup>st</sup> chair 1.50

2<sup>nd</sup> chair 0.00

Mitigator 0.00

Investigator 0.00

# Tom Green County

- State v. Ted Calvin Cole; 119<sup>th</sup> District Court
  - The Honorable Ben Woodward
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- Appointed on 6/20/08
- Disposed of on 6/29/10
- Expert funds expended \$4,022.00

- Staff hours

1 <sup>st</sup> chair	584.05
2 <sup>nd</sup> chair	483.90
Mitigator	994.85
Investigator	145.25
Support staff	23.30

# Cost of cases

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- Appointed counsel –

1<sup>st</sup> chair – 150.00/hr.

2<sup>nd</sup> chair - \$125.00/hr.

Mitigator - \$60.00/hr.

Investigator - 50.00/hr.

# Costs to Counties

## Under the Private Appointment

### System

Crane	\$39,487.50
Deaf Smith	\$23,533.50
Ector	\$78,775.00
Hale	\$3,750.00
Hall	\$10,030.00

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Lubbock	\$88,380.75
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Midland	\$3,783.75
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Potter	\$90,347.75
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Randall	\$349,347.00
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Taylor	\$138,730.50
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Tom Green	\$215,273.50
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# Contributions by Counties

County	2008	2009	2010
Crane	\$0	\$1,671	\$1,403
Deaf Smith	\$0	\$2,879	\$2,416
Ector	\$0	\$32,455	\$27,237
Hale	\$0	\$9,883	\$8,294
Hall	\$0	\$1,000	\$1000
Lubbock	\$0	\$72,330	\$60,701
Midland	\$0	\$33,765	\$26,336
Potter	\$0	\$30,228	\$25,368
Randall	\$0	\$36,157	\$30,343
Taylor	\$0	\$36,452	\$30,591
Tom Green	\$0	\$34,007	\$26,539

# Total Expenses

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● First Chair	\$329,160.00
● Second Chair	\$270,481.25
● Mitigator	\$358,818.00
● Investigator	\$82,980.00
● Travel Expenses	\$54,496.19

# Travel Expenses

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○ Crane	\$1,964.64
○ Deaf Smith	\$2,573.38
○ Ector	\$3,277.76
○ Hale	\$133.38
○ Hall	\$2,150.75
○ Lubbock	\$261.64
○ Midland	\$480.17
○ Potter	\$3,507.13
○ Randall	\$17,717.71
○ Taylor	\$9,915.39
○ Tom Green	\$12,514.05