

ACLU Comment on Idaho Court's Dismissal of Lawsuit Over Public Defense Crisis

For Immediate Release

January 22, 2016

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BOISE – Idaho's District Court of the Fourth Judicial District dismissed *Tucker et al. v. State of Idaho et al.*, a class-action lawsuit against the state of Idaho over its unconstitutional system of public defense. The American Civil Liberties Union, the ACLU of Idaho, and the global law firm Hogan Lovells brought the suit on behalf of thousands of Idahoans deprived of their Sixth Amendment right to adequate legal representation.

Leo Morales, Executive Director of the ACLU of Idaho, had this comment:

“We will appeal this decision. We disagree with the court that it has no role in deciding the fate of our constitutional right to adequate representation.

“But we agree with the court in one key respect: Idaho's system of public defense is a failure, one that the governor and the Public Defense Commission have the power — and duty — to fix.

“All branches of government must work to ensure that Idahoans can exercise their constitutional right to an attorney when they can't afford one. We are as committed as ever to fight in the courts, the counties, and the legislature to guarantee the Sixth Amendment is available to all Idahoans.”

For more information about the *Tucker et al. v. State of Idaho et al.*:

ACLU:

<https://www.aclu.org/cases/tucker-et-al-vs-state-idaho-et-al>

ACLU of Idaho:

<https://acluidaho.org/issues/criminal-justice/indigent-defense/>

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