



ANNUAL REPORT
July 1, 2024 – June 30, 2025

The Office of State Public Defender (OSPD) was created by the Legislature in 2011 through the consolidation of the Office of Capital Defense Counsel (OCDC) and the Office of Indigent Appeals (OIA).

Capital Defense was opened in 2001 to provide Sixth Amendment services in death penalty eligible cases at trial and direct appeal. Indigent Appeals was created in 2005 to handle non-death penalty felony appeals. In 2007 the Defender Training Division was added to provide training and technical assistance to all working in indigent defense. Also in 2007, the scope of services was expanded to allow Indigent Appeals to handle appeals from youth court.

In 2016 the scope of services was again expanded to authorize OSPD to handle defense of parents in matters brought by Child Protection Services alleging abuse or neglect or seeking to terminate parental rights and appeal of such matters. To provide these services OSPD created the Family Defense Program. The program director, Jennifer Morgan, supervises service delivery, spreadheads planning for expansion, provides direct representation on appeals and provides training and technical assistance to frontline defenders. The 2024 Legislature, recognizing the importance of this representation to parents, mandated the appointment of counsel to all custodial parents.

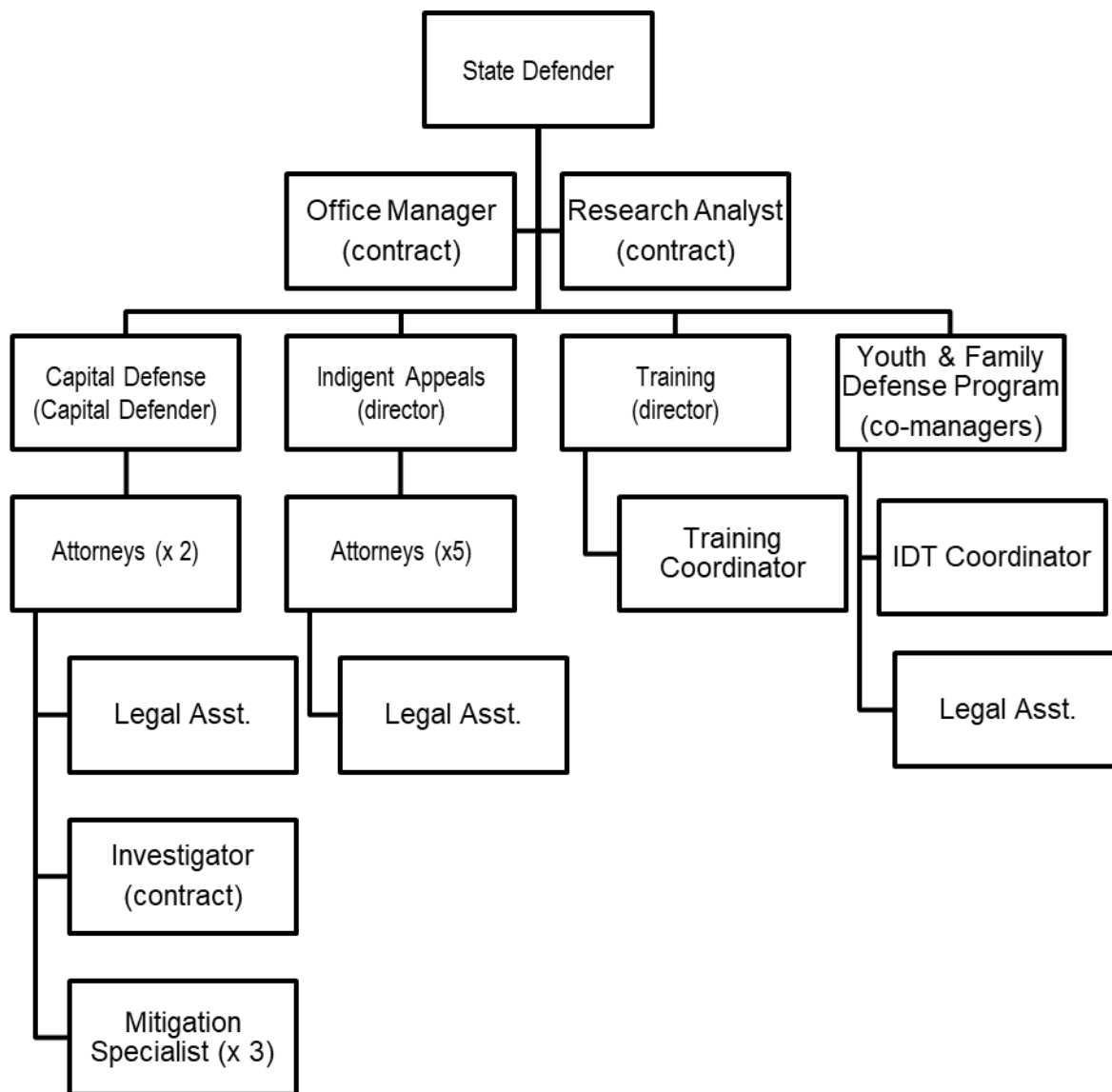
The 2024 Legislature also expanded OSPD scope of services with the authorization of a Youth Defender Program. This new program allowed OSPD to increase the capacity to support front-line defenders through not just training and technical assistance but also appellate litigation. The authority of this program was expanded further by the 2025 Legislature to allow direct representation in the lower court. There was no additional appropriation for the latter services. The Youth Defender is working with courts to develop a model program that can be funded with grants.

For maximum efficiency these two programs operate as a combined Youth and Family Defense program with co-directors.

The growth over the last eight years has been accomplished without growth in staff. The agency was created fourteen years ago with 25 positions. We are providing more and higher quality services today with 21 full-time staff.

While we have yet to realize the state-wide system developed in collaboration with the Public Defender Task Force, we continue to present more modest “next step” proposals to the Legislature, continued to operate the case backlog project in Hinds County as well

as supporting attorneys in that office, and provide guidance to local stakeholders as they struggle to improve delivery of these constitutionally mandated services.



STATE DEFENDER

In July, the Office of the State Public Defender (“OSPD”) submitted a revised 5-Year Strategic Plan and FY 2027 Budget Request. The State Defender serves on the Corrections and Criminal Justice Oversight Taskforce and the Supreme Court’s Children’s Justice Commission.

HB 1020 (2023) provided state support through OSPD to increase the workload capacity of the Hinds County Public Defender Office (HCPDO). The goal of the initiative was to meet the 6th Amendment services needs resulting from the expansion of Capitol Police and the Capitol Complex Improvement District (CCID) court in Jackson. The Act provided for three additional attorneys but no support staff.¹

¹ 2024 Legislature appropriated \$60,000 from Capital Expense Fund for support of HCPDO. The county and OSPD agreed that these funds would support an investigator.

The State Defender joined the Administrative Office of the Courts, the Attorney General, Capitol Police and the Hinds County Public Defender to begin planning for the launch of the CCID Court. The working group developed case flow protocols and provided input on the development of a case management system for the court. The court officially opened in January 2025.

OSPD's collaboration with the Deason Criminal Justice Reform Center at SMU Dedmon School of Law ramped up in 2024-25. We conducted both data research with assistance from the Mississippi Electronic Courts group at the AOC and site visits to local courts. After meetings with circuit, justice and municipal judges, clerks, prosecutors and public defenders, a plan for providing a Day One Rural Regional Public Defender Pilot Program was finalized. The project, in the 5th Circuit Court District, was funded for year one at \$668,000 by the Legislature.

Special Defender Unit for 7th Circuit Court District

PURPOSE AND FUNDING

The COVID-19 pandemic had many impacts on the criminal justice system in Mississippi. Difficulties in conducting trials and empaneling grand juries lead to backlogs across the state. The 7th Circuit Court District, because of the usual caseloads and a spike in homicide cases, acutely experienced these issues.

The 2022 Legislature responded by creating a "case backlog" reduction project for the district. The project called for a combined effort from the courts, prosecutors, and public defenders. There was an overall goal of reducing the number of pending cases in the district.

The initial appropriation for the defense portion was \$744,532 to the Office of State Public Defender (OSPD) from the Coronavirus State Fiscal Recovery Fund. The funds were to create and operate a public defender office to augment criminal defense services to indigent defendants being represented by the county public defender office.

OSPD designated this office as the OSPD Special Defender Unit. The unit worked under the State Defender in collaboration with the Hinds County Public Defender Office (HCPDO) to help reduce any case backlog associated with the Covid-19 pandemic.

In the 2023 Regular Session, the Mississippi Legislature reappropriated unspent funds in SB 3052 and appropriated additional funds in SB 2961, for continuation of the project from July 1, 2023 – June 30, 2024. Unspent funds were reappropriated in the 2024 session for continuation of the project from July 1, 2024 – June 30, 2025. The total appropriations were \$1,382,702.

STAFFING

OSPD assembled a team of attorneys, social workers, investigators, and administrative support (legal secretary). The attorneys began work August 1, 2022, and the legal secretary began work on September 1, 2022. OSPD employed a part-time investigator and social worker.

The Mississippi Department of Finance and Administration arranged for office space at 660 North Street, Suite 300B in downtown Jackson. Due to renovations of that location the Unit was moved to the OSPD space in the Lee Building. To accommodate the increase in staff at that location the Unit utilized a flexible schedule for in-office responsibilities and teleworking.

Attorney and investigator positions were paid equivalent to DA/ADA salary grade consistent with OSPD policy. The other positions were not under the state personnel board, but OSPD utilized MSPB guidance for position descriptions and pay scale.

The OSPD began phasing down the project with transfer of administrative support to OSPD regular staff and ending social work services. This was followed by a staggered reduction in attorneys. One attorney left in October, one in November, one at the end of February and the final attorney left in March 2025. The investigator worked through March to complete the wind-down and transfer of unresolved cases back to HCPDO.

SERVICE DELIVERY

HCPDO and OSPD adopted a plan to prioritize cases for this project. Unit attorneys accepted cases in one or more of the following categories: in-jail, homicide or armed robbery/carjacking indictments. Additional cases were accepted on a case-by-case basis.

Over the duration of the project 12,325 attorney hours² were provided. An additional 2625 investigator and social worker hours were provided. The average cost per attorney hour for the project was \$112. Excluding the cost of investigator and social worker the hourly cost for attorneys was under \$96 per hour.

The final case count for the project was 356 total cases, 126 “Dead Zone” and 230 indicted. Of the indicted cases 120 reached final disposition including eight (8) trials to verdict. Ninety-one of these cases involved violent charges including 27 homicides. Seven of the trials to verdict included a homicide charge.

The Special Defender Unit closed the last Unit case March 11, 2025, when Sinatra Jordan, after two and half years in pre-trial detention had charges dismissed.

A few hours later he left the Hinds County jail with his dad.

² Hours were calculated at 1700 hours per year for fulltime equivalent attorney.



Photo Credit: Imani Khayyam for NBC News

CAPITAL DEFENSE

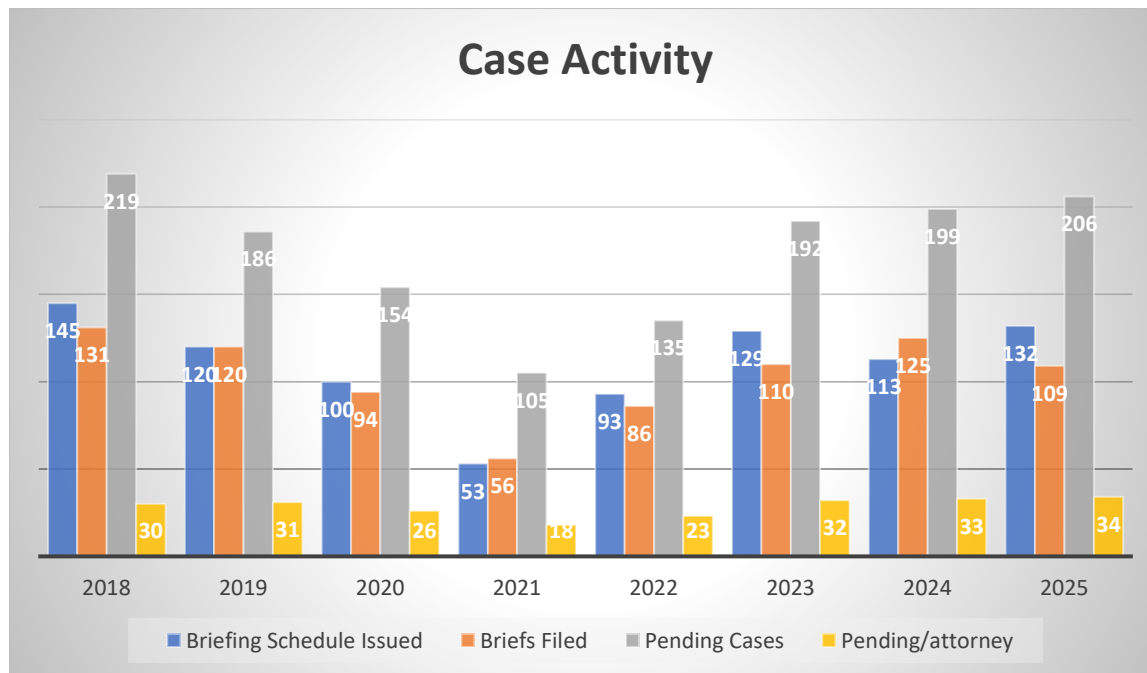
At current staffing Capital Defense can handle up to 10 new trial level cases per year. This assumes local counsel will be appointed at the trial level. Capital Defense can also handle all anticipated new death penalty appeals per year. In the past 10 years there have been six new death sentences returned with five direct appeals initiated. Motion for New Trial was granted in one case. At year end the division represented eight clients at the trial level and one client at the direct appeal stage. The division resolved four cases in the year including one trial to verdict and life sentence.

INDIGENT APPEALS

In FY 2025, Indigent Appeals (“IAD”) filed 109 briefs. At year end IAD had 206 open cases including 49 awaiting the filing of the record and briefing schedule. Two cases have been assigned to a *pro bono* lawyer from the firm of Forman, Watkins and Kritz LLP and one to a *pro bono* lawyer from Bradley. There are six additional cases with independent outside counsel hired on contract due to conflicts.

The staff attorneys of IAD routinely answer questions and conduct research for trial level defenders in the field. IAD also assists with moot courts for defenders inside and outside the office preparing for oral arguments and handling oral arguments. IAD attorneys also serve on the Supreme Court committees and Mississippi Bar committees.

IAD caseload returned to pre-pandemic levels in SFY 2023. The number awaiting briefing schedule is at its highest in over six years. While the number of pending cases is stable, the average pending per attorney is at its highest in over six years. In 2018 IAD had seven attorneys and two paralegals. The current staff is six attorneys and one paralegal.



DEFENDER TRAINING

The Training Division continues to offer training in multiple formats: distance learning, virtual, and in person. The ten programs provided 95 hours of continuing legal education to over 500 participants. Included in this training is the statutorily mandated training of youth and family defenders and the supreme court mandated training for death penalty defenders.

A highlight of 2025 was bringing the National Criminal Defense College to Mississippi for a Defender Trial School at Mississippi College Law School. The Division also partnered with Suzerain Capital Defense to produce a death penalty training program focused on voir dire.

In addition to overseeing these training programs, Training Director Erin Briggs continues to participate in programs throughout the country, showcasing Mississippi and bringing back top trainers and programs to Mississippi.

Erin also served on the planning committee for the MS Freedom Summit Festival at the Mississippi Museum of Art, hosted by Zealous. And on the planning committee for the Tougaloo Summit – a community outreach event sponsored by the Magnolia Bar Association. The Summit brings together the legal community and public to discuss issues affected underserved populations.

FAMILY DEFENSE

SB 2792, 2024 Regular Session amended Mississippi Code Section 43-21-201 to mandate appointment of counsel to all indigent custodial parents. As amended state law now has a state-first funding scheme with counties funding “until the state provides funding for counsel.”

OSPD estimated total funding needed for SFY 2025 to be more than \$3.7 million. The General Fund appropriation for parent representation in the youth court was \$278,500. OSPD also provides training, technical assistance, appellate representation and program management.

The director provides direct representation and technical assistance on appeals from youth courts and manages the contract attorneys providing representation in youth courts. The director also supervises the master level social worker who serves as the Indigent Defense Team (IDT) coordinator.

Another important function of the division is service on commissions, taskforces and working groups including the Mississippi Children's Justice Act Task Force. Through these collaborations and efforts in the legislature, OSPD is impacting youth court reform in Mississippi.

OSPD provides direct representation in the youth courts under two models and at two levels. OSPD funds fulltime attorneys at Mission First Legal Aid based in the city of Jackson and at the Center for Legal Services in Hattiesburg and Gulfport. We also manage a "Cooperating Counsel" panel of ten (10) private attorneys across the state.

In high-need cases on the Coast and Northeast Mississippi IDT services are provided through contract social workers, social work interns and "parent partners." Parent partners are people with lived experience with the child welfare system trained to assist other parents going through the system. These pilot projects are funded with a grant from the Casey Family Program.

The impact these teams have on family defense was perhaps best explained by Youth Court Judge Favre:

From: Trent Favre <Trent.Favre@co.hancock.ms.us>
Sent: Wednesday, July 2, 2025 3:10 PM
To: De Gruy , Andre <ADeGr@ospd.ms.gov>
Subject: Multi-Disciplinary Team

Mr. De Gruy,

I just wanted to reach out and let you know about the positive impact the MDT is having on cases. Christina and Tina are doing a great job! We can definitely see the impact they are making on the parents' cases. Having them as an additional resource helps the case move forward. The parents feel very supported and I know they are appreciative of all the efforts being made. Please express my thanks to your team!

S. Trent Favre
Hancock County and Youth Court Judge
856 Hwy 90, Suite B
Bay St. Louis, MS 39520
228-467-7945

To continue developing innovative programs OSPD partnered with the Administrative Office of the Court to apply for the Judicial, Court, and Attorney Measures of Performance (JCAMP) grant from the federal government. The intent was to use data to

improve service delivery. The one-million-dollar multi-year grant was awarded; however, it was cancelled nationwide shortly after first funds were received. This setback has not deterred OSPD from developing its data-driven approach to developing the most effective and efficient service delivery models.

Family Defense – “frontline” cases SFY 2025:

Clients 6/30/2025 (children impacted)	
Mission First	91 (184)
Center for Legal Services	
Hattiesburg	64 (133)
Gulfport	81 (189)
Cooperating Counsel panel	29 (62)
Interdisciplinary Defense Team (IDT) ³	24 (52)
TOTAL	289 (620)
State caseload estimate	1750 (3500)
2025 expenditures	
Legal aid contracts	\$245,000
Cooperating counsel panel	\$ 44,126
County subsidies	\$ 84,206
IDT (Casey Grant)	\$135,000
TOTAL	\$508,332
Number of cooperating counsel	
Panel	9
Legal aid (fulltime)	3
Number of certified defenders	60

³ IDT had 34 cases, 10 with panel attorneys and 24 with outside counsel. To avoid double counting the numbers above represent unique clients.

YOUTH DEFENSE

OSPD has long provided training and technical assistance to youth justice attorneys and limited appellate representation to kids on appeal from youth courts. Services were provided through our Training and Appeals divisions. The 2024 Legislature appropriated funds in HB 1819 to establish a formal Youth Defense program in OSPD.

OSPD hired Brenda Locke to serve as program director effective July 1, 2024. Brenda had served for many years as “resource counsel” for youth defenders through the Training Division having previously retired from Jackson County where she served as the full-time youth defender.

Brenda hit the ground running. Meeting with judges, leaders of the MDHS Youth Services Division, touring Oakley Youth Development Center, meeting with community organizations and attending the Mississippi Juvenile Justice Symposium.

A needs assessment survey was developed and shared with youth defenders, judges and referees. This was followed by court observations. Over several months a total of fifteen (15) youth courts were observed. This work went into developing a model youth defense initiative to be funded by grants. Before grants could be accepted OSPD authority had to be expanded to allow direct representation in delinquency and CHINS matters in the youth courts. The 2025 Legislature through SB2771, amended Miss. Code Section 99-18-13 to provide this authority.

Under existing authority, the division assisted with planning and execution of two youth defender training programs to ensure lawyers met the statutorily mandated training requirements for youth defenders. The division also provided technical assistance to nineteen (19) defense attorneys, including two criminal defense lawyers with cases involving youth justice issues. In addition, the division finalized *Youth Defense Practice Standards* specifically designed for Mississippi practice.