The President of the Bar Association
of the City of New York
42 West 44th Street
New York, New York

Dear Sir:

I am advised that legislation will shortly be introduced in the Congress to implement the recommendations contained in the report of a committee of judges, law professors and lawyers appointed by the Attorney General some time ago to study the problems faced by defendants whose poverty or limited means may deprive them of adequate defense in the criminal courts.

I have not seen the legislation so of course I cannot comment on its detailed provisions. I am glad however to write to you that the subject covered by this important study has been one that has given me great concern for a very long time. During the years I served as Governor and Lieutenant Governor of New York I felt that defendants of limited means, both in the federal and in the state courts, were frequently at a great disadvantage as compared to those who had ample means at their disposal. My concern has steadily increased since then, both during the time I served in the United States Senate and on retiring from public office.

I know of course that there is a very substantial body of fine lawyers who, at great personal sacrifice, have defended persons charged with crime both in the federal and in the state courts. Nonetheless I am afraid that many defendants may be inadequately represented by counsel assigned by the courts. The defendant and his counsel are frequently handicapped by lack of funds sufficient to investigate the case thoroughly and to secure depositions or the appearance of witnesses who may reside at a considerable distance but whose testimony is important if not vital. I have a very uneasy feeling that grave injustice has been done to defendants, merely for lack of qualified counsel and adequate funds to bring out the facts of the case.
I very much hope that Congress will enact legislation with ample appropriations to cure these evils. I hope that the states, too, will set up sound and necessary legislation. I believe that even to-day in a few states public defenders have been provided by law but they are in the great minority.

I am, of course, not a lawyer but I hope that the Bar Association, after careful examination, will be able to support the recommendations of the Attorney General's Committee.

Yours very sincerely,