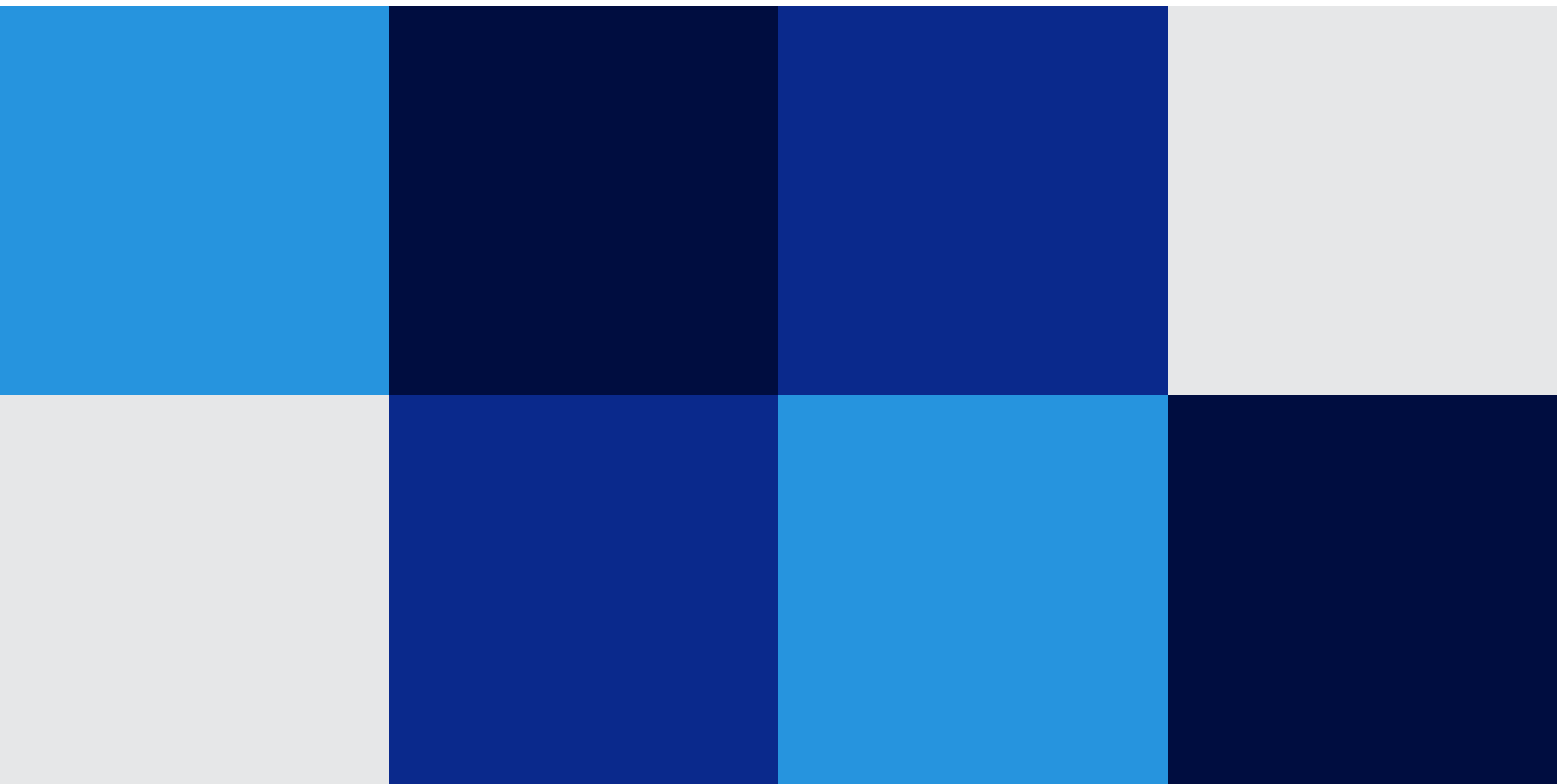




2024


Annual Report





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Where We've Been Where We're Going

2024 was a monumental year of meaningful accomplishments for the people we represent and unprecedented growth and change.

This year marked the first-ever amendments to the Appellate Defender Act in its 45-year history. These amendments established a major victory for all appellate clients by expanding SADO and MAACS to include youth appellate defense. Children who appeal orders from juvenile delinquencies, traditional waivers, and designated proceedings are now entitled to the same assigned appellate counsel as adults.



Josh Pease, Maya Menlo, and Taylor Fellows comprise SADO's Youth Defense staff

SADO also received its largest funding increase in recent history, adding 27 positions to its growing staff. Not all positions were filled immediately, as growth of this nature takes time. Incremental additions to staff saw SADO expanding from 51 to 85 employees in 2024 with a projected growth of approximately 110 employees at the start of 2025. As part of this growth, the Direct Appeals Unit added managing attorneys, attorneys, investigators, mitigation specialists, reentry specialists,

and paralegals. Growing SADO's Direct Appeals Unit is part of a multi-year plan in response to a Workload Assessment conducted by the National Center for State Courts that will allow Direct Appeals to represent a larger percentage of people on appeal while reducing attorney caseloads to an acceptable level.

The growth also had a direct impact on the Criminal Defense Resource Center, which transitioned from relying on outside contractors to permanent team members for the first time in decades. The MAACS team also grew with the addition of a permanent youth defense counsel, a second grant-funded mitigation specialist, and a voucher review attorney.

2024 Amendments to the Appellate Defender Act also established reasonable and uniform attorney fees for MAACS roster attorneys, that for the first time ever, included state funding to pay roster attorneys for their work. MAACS made significant advances in serving clients by ensuring that roster attorneys are paid fairly for their work, adding additional active attorneys to the roster, providing training and litigation support to roster attorneys, and expanding access to mitigation services. Recently, all Michigan counties signed on to participate in a new voucher and reimbursement process that included attorney fee rates of \$130 to \$142 per hour, matching rates paid by local funding units at the trial level per the Michigan Indigent Defense Commission (MIDC) Act. This process required that vouchers be paid quarterly, rather than at case conclusion. Counties then received reimbursement of 50% of the appellate attorney fees and expenses that they paid out to roster attorneys. On October 1, 2024, rates increased to \$137 to \$149 per hour to remain competitive with MIDC rates. These changes have increased the ability of MAACS to recruit and retain roster attorneys and will assist in increasing the performance of current roster attorneys, ensuring fair payment for their work.

Units

SADO staff serves approximately 3,000 clients through five different units within the agency:

1 The Michigan Appellate Assigned Counsel System (MAACS)

administers and supports a roster of private attorneys who represent the largest portion of people in Michigan appealing their felony convictions, and now children appealing delinquency proceedings.

2 The Direct Appeals Unit (DA)

provides direct appellate representation to people appealing their felony convictions and delinquency outcomes.

3 The Juvenile Lifer Unit (JLU)

provides direct representation to people challenging the imposition of life without parole sentences imposed against them as children and teens 18-years-of age and younger.

4 Project Reentry

provides comprehensive reentry and parole services to Direct Appeal and Juvenile Lifer Unit clients.

5 The Criminal Defense Resource Center (CDRC)

provides high quality, complimentary training, resources, and 24/7 support to the criminal defense bar in Michigan.

Awards

Several SADO employees were recognized this year for their significant contributions to the legal community.

Marilena David is SADO's Deputy Director and Acting Director at the time of this report. Marilena received the Champion of Justice Award from the State Bar of Michigan. The award is given to attorneys "who have made a significant contribution to their community, state, or nation," in recognition of "extraordinary individual accomplishments or for devotion to a cause."

The Appellate Defender Commission presented the following awards this year: MariaRosa Palmer received the Amanda Smith Award for Staff Excellence; Suzan Gabarra received the Barbara R. Levine Award for Excellence in Appellate Advocacy; Maya Menlo received the Norris J. Thomas Award for Excellence in Appellate Advocacy.

MariaRosa Palmer is the MAACS Assignment Manager and SADO's Lansing Office Manager. MariaRosa has been with MAACS for over 30 years. She is known for her patience, compassion, and knowledge as she helps people who are experiencing a large amount of stress understand and navigate a complex system. Her intellect, judgment, and flexibility have proven invaluable in implementing a smooth and successful top-to bottom reform of MAACS over the past ten years. MAACS could not function as effectively without MariaRosa's contributions.

Maya Menlo is an Assistant Defender at SADO and was nominated for the award by her colleagues. One colleague wrote, "She deserves it, in large part, because of her work for Mr. Poole. As everybody knows, her briefing laid the groundwork for the MSC's decision to ban LWOP for 18-year-olds, and she saw that through earlier this year when the Court of Appeals held that decision is retroactive. Her name is all over each week's Wins and Things, and if oral argument is any indication, she's on track for at least one more MSC win in *Montez*. She also does a lot outside of the office, including her op-eds, her teaching (both clinic and doctrinal classes), and more. Finally, she's also just generally helpful and thoughtful and a great coworker."

Suzan Gabarra is the managing partner of Eaman & Gabarra PLLC where she focuses her practice on criminal defense, immigration, and family law. She has been serving as a MAACS roster attorney since 2020. Suzan finds immense satisfaction representing clients in desperate circumstances—whether bringing her clients home from unjust prison sentences or fighting the deportation of new Americans, she enjoys taking on the government to help reunite families or keep them together. She has earned a reputation as a compassionate, smart, and hardworking appellate advocate who provides outstanding representation to her clients.



MariaRosa Palmer, Maya Menlo, and Suzan Gabarra received awards from the Appellate Defender Commission



Marilena David received the 2024 SBM Champion of Justice Award

Congratulations to Marilena, MariaRosa, Maya, and Suzan!

Staff Growth and Change

SADO added dozens of new positions and employees this year, but also said farewell to others. Two long-time employees retired this year, who had both been with SADO for over 40 years. Jean Downey retired after serving as a paralegal for over 42 years, and Bill Moy retired from CDRC after serving for 46 years. SADO will never be the same without these legends.



Jean Downey retired after an amazing 42 year career



Jonathan Sacks and Commission Chair Judith Gracey

In January 2024, Adrienne Young was appointed by Governor Whitmer to serve as a judge on the Michigan Court of Appeals. Adrienne served as an Assistant Defender for eight years. Adrienne changed the landscape of criminal law for the better while obtaining positive outcomes for the people she represented.

In July 2024, Brad Hall began as the Interim Director of the Public Defender Clinic at Michigan State University Law School. Brad served SADO as the MAACS Administrator for 10 years and helped bring positive reform to the roster through his creativity and vision.

Keeley Blanchard joined SADO as the MAACS Administrator in November of 2024. Keeley has earned a reputation for providing the highest quality representation to her clients at the trial level, and for being a creative visionary who strives to ensure all people receive client-centered representation. Her experience and vision will benefit all appellate clients in the years to come.

In November 2024, SADO Director Jonathan Sacks announced he was leaving SADO given that his spouse, Justice Kimberly Thomas, was elected to the Michigan Supreme Court. Marilena David was selected to serve as Acting Director during this transition.

The Future

Among much growth and change, we face many challenges and unknowns.

All appellate clients in Michigan should benefit from the highest quality representation possible, regardless of whether they're represented by SADO's public defenders or a private attorney on the MAACS roster. Too often, however, that is not the case, as was recognized by the 2024 National Association for Public Defense (NAPD) report titled "Assessment of the Michigan State Appellate Defender Office and Michigan Appellate Assigned Counsel System." This report evaluated the 2015 operational merger between SADO and MAACS. The report identified several improvements to the appellate defense system that flowed from the merger, but also outlined many areas for growth. While SADO's public defenders have enforceable workload caps and robust in-house support, MAACS attorneys lack comparable safeguards, leaving them vulnerable to unmanageable caseloads and insufficient investigative or litigation assistance. NAPD recommended workload caps for MAACS attorneys that mirror those in place for SADO's public defenders, and recommended that SADO add additional litigation support and mitigation and investigation services to better support MAACS attorneys in providing high-quality, client-centered representation. NAPD encouraged increasing the number of public defenders at SADO to help reduce pressure on the MAACS roster and rebalance the overall system. NAPD also recommended changing positions, titles, and organizational structures within the office to better integrate MAACS within SADO's prior structure.

It is not new that SADO's public defenders and clients benefit from workload controls and resources that clients represented by MAACS roster attorneys do not share. While resources for the roster

have vastly improved over the years, there is still a long way to go. The nearly 3,000 people relying on appellate representation delivered by SADO—either through its public defenders or through the administration of the private bar—deserve to and are entitled to receive the highest quality representation possible. Leadership in every unit at SADO will convene to discuss budget advocacy, funding strategies, and resource allocation to fulfill this shared mission. Already in motion, is a plan to grow SADO's Direct Appeals Unit so that SADO's public defenders can represent a larger portion of clients pursuing appeal, thereby ensuring more attorneys and clients have access to an appropriately-resourced defense. Also in motion is an effort to make mitigation resources for roster attorneys a permanent fixture supported by general funds.

Further, as of this writing, the JLU awaits the Michigan Supreme Court's impactful decisions in the cases of *People v Czarnecki* and *People v Taylor*. In those cases, the Court is considering whether to extend the holdings of *People v Parks* to those who were 19 and 20 years of age at the time of offense. If the Court decides that mandatory life without parole is unconstitutional in those cases, then 582 additional people will be eligible for resentencing. Another logical result flowing from a positive outcome in those decisions is that the holdings of *Stovall* should be extended to those 18, 19, and 20 years old, entitling an additional 221 people to resentencing from unconstitutional parolable life sentences. Finally, given the Court of Appeals' recent published decision in *People v Eads*, finding that certain long indeterminate sentences for youth are unconstitutional, there will be future litigation and resentencings for those who fall into that class. SADO will seek funding to represent a large portion of people entitled to resentencing as the law continues to expand.

Our Mission

SADO's 85 team members, across five units and administrators, share one mission:

to fight injustice
through access,
advocacy, compassion,
and education.

This year's annual report is structured through the lens of that mission.

Access

MAACS is integral in ensuring that all individuals in the appellate system have access to counsel guaranteed to them by the constitution.

In 2024, the MAACS roster handled 86.88% of Michigan’s new indigent appellate assignments.¹ Of the 2,843² total new assignments, MAACS received 2,470. SADO received 373 new assignments and 30 substitution assignments. MAACS handled more than 95% of plea appeals, over 98% of probation violation appeals, and a substantial portion of trial and postconviction matters. Additionally, MAACS took on 297 new substitution assignments, further expanding the roster’s workload and reaffirming its central role in Michigan’s appellate defense system.

Capacity to Provide Representation

Despite the dedicated efforts of the MAACS roster and staff, the demand for appellate representation in 2024 far outpaced the capacity of SADO and MAACS to respond. By the end of the year, the number of individuals awaiting counsel reached a crisis point. A total of 96 people—32 in direct appeals and 64 in postconviction motions for relief from judgment—remained unrepresented, highlighting a critical gap in access to justice.

To address the crisis of unrepresented individuals in Michigan’s appellate system, more resources are needed in the appellate system for SADO and MAACS to meet its mandate of providing timely appointment of counsel.

Another essential step for MAACS is to prioritize recruitment and retention. MAACS began the year with 164 roster attorneys. After receiving 34 applications during the application season of June 4 through September 13, 2024, MAACS invited 21 attorneys to attend orientation and training sessions.

1. Some people have more than one case and generate multiple assignments, and these numbers reflect actual “assignments,” not the number of people represented.

2. This number accounts only for people who were assigned attorneys during 2024. In addition to the people who were assigned counsel to represent them, 96 requests were made that went unfulfilled and that contribute to the backlog discussed within.

Of those 21 attorneys, 3 applicants completed all required training and joined the roster before the end of 2024. MAACS received 19 off-season applications and invited 10 of those individuals to join the roster.

By the end of 2024, the roster consisted of 177 attorneys, 120 of whom were accepting normal rotational assignments. This represents a rise in the active MAACS roster of approximately 9% from the end of 2023. Through active recruitment, a competitive application process, and by following its Recruitment and Diversity Plan, MAACS added 22 new attorneys to the regular roster and 3 attorneys to the special assignment list. Ten attorneys were added during the off-season of the application cycle, 9 were added after completing their training from the 2023 application class, and 3 attorneys were added from the 2024 application season pool. Throughout 2024, MAACS received voluntary resignations from 15 attorneys due to ordinary attrition.

From the 2024 roster, 75 attorneys were qualified to represent clients on direct appeals from plea conviction and sentencing, appeals from resentencing, appeals from probation violation proceedings, and preconviction appeals (formerly known as Level 1). Forty-five attorneys were qualified to represent clients convicted by trial, Motions for Relief from Judgment, appeals from parole determinations, and appeals involving sentences of life imprisonment for youth (formerly known as Levels 2 and 3). Of these 75 attorneys, ten were also eligible to accept youth appeals. There were 2 attorneys that were taking only assignments for youth appeals. Fifty-five attorneys were on voluntary standby. Of those 55 attorneys, 24 were on standby because of health, workload, or related issues. The remaining 31 attorneys were designated to only receive occasional select assignments. Five attorneys were on suspension due to performance issues (2) or CLE deficiencies (3).

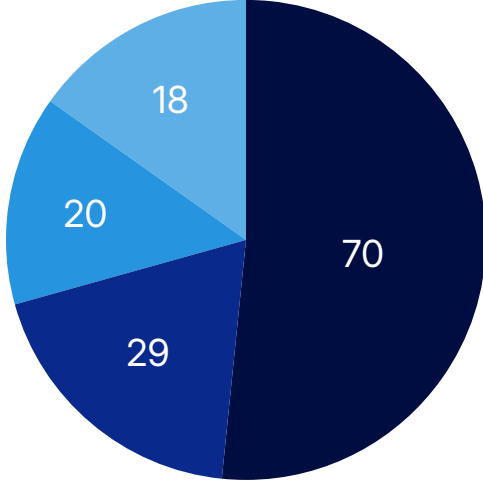
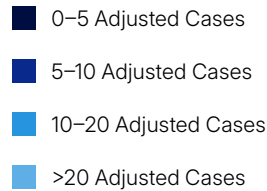
Adjusted Caseload Distribution

In 2024, a total of 138 MAACS roster attorneys accepted at least one appellate assignment. Adjusted workloads are calculated using a case-weighting system—assigning a value of 1.0 for trial appeals and 0.375 for plea or resentencing appeals. Based on this metric, the average roster attorney handled 9.2 adjusted assignments in 2024, equivalent to roughly 9 trial appeals or 24.5 plea appeals. This marks a significant decrease from 2023, when the average adjusted caseload was 13. While a greater number of attorneys participated in the roster overall, the number of attorneys handling ten or fewer cases grew notably—from 78 in 2023 to 98 in 2024. Notably, 29 roster attorneys accepted only a single case during the year.

At the same time, there is growing concern that some MAACS roster attorneys are carrying caseloads well beyond what is manageable. In 2024, ten attorneys had adjusted caseloads exceeding 30; among them, two exceeded 45, one surpassed 50, and one carried an alarming 65 adjusted assignments. These extreme workloads raise serious questions about the ability of those attorneys to provide the thorough, client-centered representation that appellate defense requires.

Without enforceable workload limits, clients risk receiving less effective advocacy, and attorneys face increased risk of burnout and error.

Active Roster Attorney Adjusted Caseloads



MAACS Fund

To help address the urgent need for high-quality appellate representation across Michigan, the state created the MAACS fund, which totaled \$3,208,100 in fiscal year 2024. The MAACS fund is specifically dedicated to reimbursing counties for the appellate attorney fees and expenses they pay to MAACS roster attorneys. Under this reimbursement system, counties pay roster attorneys quarterly for their work at hourly rates that align with those set by the MIDC and the state reimburses 50% of those approved costs through the MAACS fund. This model has created a more predictable and sustainable compensation structure for roster attorneys, ensuring fair pay for their work and helping to stabilize the roster at a time of increased need. In fiscal year 2024, MAACS Accountant Oliver Edmond processed a total of 10,098 vouchers, amounting to \$6,126,767.98 in attorney fees and expenses. Half of that total (\$3,063,383.99) was reimbursed to counties through the MAACS fund. At year's end, the fund retained a surplus of \$144,716.01, which was rolled over to support anticipated increases in attorney fees and expenses in fiscal year 2025. In addition, \$100,000 was transferred from the SADO general fund to further bolster the MAACS Fund for the upcoming year. To help ensure the MAACS fund continues to be used effectively and responsibly, a new Voucher Review Attorney position was authorized in 2024 and filled in January 2025. This addition strengthens the MAACS team's oversight capacity and supports the integrity of the reimbursement process as the volume and complexity of assignments continue to grow.

Youth Defense

The grant-funded Youth Defense Project position became permanent in October 2024 as Josh Pease continued as the MAACS Youth Defense Counsel. During the course of the grant, statutes and court rules affecting children in the juvenile system were amended to provide greater protections. Josh's work seamlessly continued in 2024 as MAACS officially established its youth defense roster. At the

end of the year, the roster stood at 15 attorneys. Starting October 1, MAACS became the assigning authority for all appeals in juvenile delinquencies, traditional waivers, and designated proceedings. And, starting in 2024, youth roster attorneys are now paid commensurate with their adult roster counterparts, a massive improvement from the low pay of the county-by-county assignment process which was previously in place. Additionally, because of the broader swath of orders that are appealable by right, children will receive MAACS and SADO representation on certain interlocutory appeals, such as appealing detention orders.

Advocacy

Community and excellence, two of SADO's office values, were on full display throughout 2024, as the year brought many opportunities to come together to celebrate victories big and small, to grieve losses impacting our clients' rights and futures, and to fight for better laws.

This report contains a select sampling of significant SADO and MAACS outcomes in 2024. A more comprehensive list of results and outcomes can be found [here](#).

Direct Appeals Unit

Assistant Defenders from SADO's Direct Appeals Unit frequently appear in the Michigan Supreme Court, Court of Appeals, and Michigan trial courts and consistently achieve excellent results for their clients while correcting errors and moving the law forward. In 2024, attorneys filed 151 pleadings and argued nine times in the Michigan Supreme Court. They filed 313 substantive pleadings and advocated at 140 oral arguments in the Court of Appeals. And they filed 233 pleadings and argued at 341 different hearings in the trial court.

New Trials

Mike Waldo: The Court granted a new trial where Mr. Smith was denied his right to counsel. Mr. Smith began representing himself in the district court without any evidence that the court complied with *Anderson* or the court rules. Compounding this error, the circuit court did not conduct the required colloquy until after jury selection concluded. The Court of Appeals agreed that the absence of counsel at critical stages amounted to structural error. Mike obtained bond for Mr. Smith after the Court of Appeals granted him a new trial.

Michael Mittlestat: The Court reversed and remanded for a new trial, holding that trial counsel was ineffective for failing to request jury instructions that would support the defense theories, namely, M Crim JI 7.20 (burden of proof for self-defense) and M Crim JI 7.3a (accident as a defense to specific-intent crime).

Kierston Nunn, Angeles Meneses: The Court granted a new trial because the trial court failed to instruct the jurors on the elements of the offenses and because it was improper to admit portions of the recorded forensic interview of the complaining witness during her testimony.

Sentence Reductions

Jessica Zimbelman: The Court held that it was cruel or unusual punishment under the Michigan Constitution to require a person to register as a sex offender who has not committed a sex offense.

Angeles Meneses and Gabby Barber: After supplemental briefing and oral argument, the Michigan Supreme Court remanded to the trial court to impose concurrent sentencing, as the consecutive sentences violated the ex post facto clause. Mr. Wimberly received a 39-year time cut.

Steven Helton, Gabby Barber, Monique Dake: Mr. Parkins' life sentence was reduced to 10-20 years.



Angeles Meneses arguing in the Michigan Supreme Court for Mr. Wimberly

Exonerations

Tabitha Harris, Angie Jackson, Ali Wright, Monique Dake, Marcus Williams, Anna Kohn, Adrienne Young: Adrienne, Tabitha and Angie secured Crystal Mulherin's exoneration in her Assault with Intent to Murder case in January 2024. She then became parole eligible on her unrelated convictions—thanks to Ali and Monique's work that resulted in a significant sentencing reduction. Marcus helped Crystal prep for her parole interview and wrote a fantastic reentry plan. Both Marcus and Anna were instrumental in answering Crystal's questions about the process. In early December, she finally walked free from prison and was embraced by her partner, members of her SADO team, and

members of the Organization of Exonerees. Crystal shared her gratitude, stating: “Thank you for everything you all do for me. I’m never going to forget any of you.”

Maya Menlo: Maya worked with the Cooley Innocence Project and the Wayne County Prosecutor’s Office Conviction Integrity Unit (CIU) to obtain a stipulated order granting Duane Williams a new trial. The CIU concluded that Mr. Williams was wrongfully convicted where new evidence showed multiple *Brady* violations and evidence that rebutted the prosecution’s theory that the fire was intentionally set. Mr. Williams served more than 11 years in prison for arson and murder.

Katherine Marcuz, Dominica Convertino, Julianne Cuneo, 2023 SADO summer intern Derek Willie: James Travis was convicted of AWIM in 2016 for allegedly shooting his childhood friend. James was 16 at the time. After an evidentiary hearing showing that the prosecutor’s expert’s analysis of the cell phone evidence was objectively false and the cell phone evidence actually supported James’s alibi, the trial court granted a new trial. The prosecutor dismissed the case in November 2024.

Katherine Marcuz and many SADO team members over the years: After representing Roderick Phippen for ten years, Mr. Phippen was finally officially exonerated in 2024.

In 2024, Direct Appeal attorneys obtained 186 years of total sentence reductions for direct appeal clients. While the human cost is immeasurable, there was \$8,928,000 in potential savings to the state from reduced incarceration costs from these sentence reductions (based on average incarceration costs of \$48,000 per year, per person).

Juvenile Lifer Unit

2024 was an eventful year for the JLU. In January, the Michigan Court of Appeals held in the case of *People v Poole* that *People v Parks* was retroactive. With that ruling, over 270 people serving life without the possibility of parole who were 18 at the time of their offenses became eligible for resentencing. SADO has been appointed to represent about 170 of these people. SADO and MAACS coordinated with local indigent defense systems to ensure that the remaining people eligible for relief under *Poole* were appointed counsel. Almost half the people entitled to resentencing under *Poole* are in the jurisdiction of Wayne County, and the Wayne County Prosecutor’s Office appealed the *Poole* decision to the Michigan Supreme Court. The appeal led to unwarranted delay in resentencings, with litigation about abeyances being fought in almost every case going forward. (On April 1, 2025, the Michigan Supreme Court issued its decision in *Poole*, upholding the decision and ruling that its holding must be applied retroactively.) Throughout the year, the JLU also continued its work pursuing resentencings for clients under *Miller v Alabama*, *Montgomery v Louisiana*, and *People v Stovall*. This year, the JLU conducted 26 resentencing proceedings.



Crystal Mulherin surrounded by her supporters



Erin Bartels welcomed Benjamin home after 45 years

Sentence Reductions

Ashley Craythorne and Jessica Newton and Mitigation Specialist Beth Kuczma: After a contested *Miller* hearing, DB was resentenced from life without parole to 35-60 years.

Tina Olson and Alison Swain, and former SADO Mitigation Specialist Jazmine Wells: After the prosecution withdrew its request for life without parole, JH was resentenced to 40-60 years.

Claire Ward and Mitigation Specialist Kate Woznicki: JW was serving parolable life and was resentenced under *Stovall* to 23-47 years.

On March 14, JLU Assistant Defender Claire Ward presented oral argument in the Michigan Supreme Court on behalf of her client William Neilly, who was improperly assessed restitution at his resentencing. While the Court ultimately decided against Mr. Neilly, the issue lives on in federal court proceedings.



Jessica Zimbelman, William Neilly, and Claire Ward after the Michigan Supreme Court oral argument

Project Reentry

In 2024, Project Reentry assisted just over 100 SADO public defender clients, and over 25 non-clients with reentry services. Project Reentry worked with 86 incarcerated clients by creating comprehensive reentry plans; drafting reentry summaries and outlines for the Parole Board; providing one-on-one assistance with parole preparation; and serving as personal representatives for clients. Of those 86 clients, 32 were former juvenile lifers.

Members of the Project Reentry team were asked to reflect on one outcome from 2024 that stood out as special and rewarding. Here is what they shared:

From Marcus

Crystal's reentry experience was particularly unique given the nature of her appeal. She was dealing with a complex innocence claim and navigating additional charges. Though the court was willing to consider her claim of innocence, they were also insistent on making sure she had a solid support system and social services in place for her to come home. I spent a great deal of time working with her attorney, investigator, and support network to craft a plan that would allay any concerns the court or Parole Board may have. While Crystal also faced complex challenges during her incarceration, she ultimately prevailed with her exoneration. As she awaited her approval from the Parole Board, our team worked with Crystal to ease her anxiety about coming home and keep in touch with her along the way. It was incredibly rewarding to be there for Crystal during this process and witness her freedom.

From Lorenzo

Lawrence was the longest-serving Parks juvenile lifer, having spent 55 years in prison. On the day of his resentencing, I met his family including his wife, daughter, and three sisters, two of whom flew in from out of state to witness this historic milestone. Thanks to Lawrence's exemplary prison record, the prosecutor agreed he should be resentenced to a term of years that allowed him to discharge from his sentence and he was granted immediate freedom. After ensuring his sentencing documents were processed, Lawrence's attorney and I eagerly traveled to the prison to welcome him home alongside his devoted family. As a former juvenile lifer myself, watching Lawrence walk out of those gates, even receiving a handshake and well wishes from the Warden personally, was a powerful reminder of why I love my job and why I continue pressing on with this humbling work.



Lawrence was welcomed home after serving 56 years

From Anna

My first SADO reentry client was Kenny—one of Michigan’s longest-serving juvenile lifer Miller clients who came home after 48 years of incarceration. Kenny had to see the Parole Board multiple times, and we stayed in touch with his family for several years assuring them we’d do everything in our power to bring Kenny home. Kenny faced complicated barriers due to complex intellectual disabilities, but he kept a positive attitude throughout, and he overcame every hurdle so that he could come home. I served as his personal representative at his Parole Board hearing, which allowed me to articulate so many critical details, issues, and bright spots about Kenny that he was not able to explain himself. I worked closely with the MDOC, Offender Success, Health Services Community Reintegration, and his family to coordinate placement with much-needed medical supervision and care upon release. His homecoming was one our team won’t soon forget. We are so proud of Kenny’s resilience and optimism!



Kenny was welcomed home after 48 years



Crystal Mulherin with her SADO legal team



Project Reentry End of Summer Gathering

MAACS Roster Attorneys

New Trials

John Zevalking: The Court vacated Mr. Prude's conviction of resisting and obstructing a police officer, finding that the arresting officers were not acting lawfully in the performance of their duties when Mr. Prude was detained.

Michael Skinner: The court vacated convictions on firearm charges and remanded for a new trial. Defense counsel's failure to seek severance of the unrelated charges under MCR 6.120 fell below an objective standard of reasonableness under prevailing professional norms.

Alona Sharon: Based on several errors by the court and prosecution, the prosecutor stipulated to vacating Mr. Redmond's convictions and the trial court granted a new trial.

Sentence Reductions

Susan Walsh: At the resentencing, the minimum sentence was reduced from 120 months down to 76 months. Emily Swanson prepared a sentencing mitigation report used by the trial court.

Laurel Kelly-Young: At the resentencing, the minimum sentence was reduced from 75 months to 50 months.

Ashlee N. Duplessis: At the resentencing, on remand from the Court of Appeals, the minimum sentence was reduced from 32 months down to 17 months making the client immediately eligible for parole.

MAACS Mitigation

SADO receives Byrne JAG grant funding for mitigation specialists whose focus is to provide mitigation and reentry services to MAACS clients. In October 2024, the grant team changed from one mitigation specialist (Emily Swanson who has been building the program since 2022) and one reentry specialist to two mitigation specialists, with the addition of Alanna Sredzinski. MAACS Mitigation received 40 requests for mitigation services in 2024, which represents a 54% increase from the number of requests from the previous year (26).

The number of MAACS attorneys utilizing mitigation also continues to grow. Since the program's inception in 2022, over 45 different MAACS roster attorneys have utilized mitigation support. Every year, more and more MAACS roster attorneys submit their first request for mitigation support. Most attorneys who have worked with the MAACS mitigation team also request subsequent support for other clients.

Sentence Reductions

LVG was serving a minimum of 19.5 years for a variety of firearms charges. At his original resentencing, LVG was painted as a “bad guy” with a “wild history of violent offenses.” His PSI indicated that he was a gang member. LVG’s MAACS attorney, Roman Tyszkiewicz asked mitigation specialist Emily Swanson to write a report specifically focused on negating the claim that he was a gang member and also highlighting LVG’s exemplary MDOC record. At resentencing, LVG received a 54-month (4.5 year) time cut.

LR was serving 47 years for assault with intent to murder. LR had a pending federal habeas case that raised an issue to be addressed in state court—resulting in MAACS attorney Rachel Helton being appointed. In tandem with Rachel, LR’s FDO attorney and Emily Swanson worked to develop mitigation in LR’s case. LR had been incarcerated for this offense since 2010, Emily began work on his case in 2022. The biggest challenge in LR’s situation was working with him to let go of his innocence claim, which he had long maintained. LR ultimately understood the importance of taking accountability for his actions and apologizing to the victim and victim’s family. Emily was able to get incredible data from the data specialist at NDS on every AWIM sentence in Wayne County over the past 30 years and was able to show the judge that LR was serving the second highest sentence for AWIM out of all of those individuals (after adjusting for individuals who were charged with AWIM + more serious offenses such as murder). LR was resentenced in April 2024 and received a 12-year time cut.

KH was serving a minimum of 10 years for OWI and firearm—possession by felon. KH had significant trauma in his childhood. As an adult, almost all his siblings died prematurely from substance-related illness or incidents and one to suicide. He began drinking when he was eight years old and used alcohol to cope with trauma throughout his life, which continued to build upon itself. Additionally, KH suffers from a variety of health issues. KH’s MAACS attorney Susan Walsh asked Emily Swanson to incorporate data on the cost of palliative care in the MDOC, in hopes that it would sway the judge if the childhood trauma didn’t. KH was resentenced in May 2024 and received a 44-month (over 3.5 year) time cut.

Over the course of the year, sentence reductions for MAACS mitigation clients totaled 469 months (over 39 years). With an average cost of \$48,000 per year to incarcerate a person in the Michigan Department of Corrections, MAACS mitigation contributed to \$1,876,000 in corrections savings to Michigan taxpayers, paying the cost of their positions multiple times over. The total sentence reductions for MAACS mitigation clients since the program’s inception is 1,483 months, with corrections savings of \$5,932,800.

Youth Defense

During 2024, MAACS fielded 6 youth requests for counsel, 2 of which were assigned to be represented by SADO and 4 of which were assigned to be represented by MAACS youth roster attorneys. It is expected that with the eventual passage of a similar youth defense bill at the trial court level, the demand for youth appellate counsel will continue to rise. In the meantime, MAACS continues to develop the youth roster to handle the anticipated future need.

Compassion

The deeply meaningful work and impact of what we do at SADO is expressed best through our clients' words. CD is a client in our Juvenile Lifer Unit who is represented by Assistant Defender Ashley Craythorne. CD gave us permission to reprint the letter he shared with his attorney after his resentencing:

Today I woke up without a life bid on my shoulders. That is something that I am still processing. I have spent the last 32 years going to sleep and waking up without any certainty of when I would go home or if I would even make it out alive...

To the secretaries, who patiently and graciously answered my calls and directed my inquires to those who could assist me; you are the wheels and framework of that car that keeps us connected and constantly making motion. Thank you so much for the understanding way that you individualized your approach to treating us all like it was our first call (each time you received us), when I am sure that you must face an overwhelming volume of calls and letters each day. To the paralegals of SADO, who were instrumental in researching and sifting through the voluminous pages of files and records in my case; your efforts have left me with an overwhelming appreciation for you and all the work you drafted.

And to all of the attorneys of SADO (Ms. Craythorne being one of the most vividly and profoundly human example of whom); you more than set the bar for what representation should entail. You all are the bar that everyone else should aspire to be!! Your hands-on and personal approach to the way you become familiar with not only our cases, but with the persons you represent has left me awestruck. You have treated my case like it was more than your job. You treated it like it was your life. That is all that any of us could ask. That is the level of care you all have shown (consistently) throughout this process. While I have not met each of you personally, I feel as though I have. Whether it be in the way Ms. Craythorne tirelessly balances the interests and concerns of her client; or in the personable and collaborative approach Ms. Anna Kohn has taken in ushering me through the reentry process... I have had a glimpse of your all... In the ferocious (yet composed) skillfulness and expertise whereby Ms. Maya Menlo and Ms. Tina Olson represented us in the Michigan

Supreme Court and Court of Appeals, and in your ability to keep us informed when we have felt so excluded (in the past) by our representation by others. Thank all of you with all that is within me to share...

The level of gratitude and appreciation expressed by CD to the entire SADO team is what keeps us going. We never expect to be thanked for doing our jobs, but it happens all the time from our clients who recognize the hard work and compassion by which every member of this office approaches this work.

Education

In 2024, under the leadership of Manager Kathy Swedlow, the CDRC offered 28.5 hours of substantive training for defense attorneys and other defense team members, and approximately 37.5 hours of training for others in the criminal legal system. SADO conducted an online Annual Appellate Defender Fall Training and the Appellate Writing Workshop, offering 37 hours of training; the MAACS Youth Defense Project administered 8 hours of online training; and MAACS administered 18.5 hours of training for the roster. Combined, the CDRC and other units of SADO directly offered or participated in offering 129.5 hours of instruction in 2024.

Criminal Defense Resource Center

All the CDRC's training programs are complimentary for attendees, and recordings of online trainings, together with materials, are available to subscribers on www.SADO.org.

Monthly online trainings for attorneys

The CDRC continued its popular and well-attended monthly online trainings for attorneys around the state. Managing Attorney Jessica Zimbelman presented a training in this series. Each training was scheduled for 90 minutes, comprising a total of 13.5 hours of instruction. The trainings included:

February 20	SORA: Unlocking the Byzantine Code
March 19	Competency and Criminal Responsibility
April 16	How to Identify & Effectively Use Clients' Intellectual Disability I
May 17	How to Identify & Effectively Use Clients' Intellectual Disability II
June 18	AI for Trial Lawyers
July 16	Working With Investigators
September 17	When Can We Trust Eyewitness Memory
October 15	DNA: The Basics and Working with Experts
November 19	State Habeas Corpus: The Extraordinary Writ

Monthly online trainings for defense investigators

The CDRC continued to offer online trainings for criminal defense investigators, partnering with the West Michigan Regional Investigators' Association. SADO's Chief Investigator Julianne Cuneo presented during this training series. Each training was scheduled for 90 minutes, comprising a total of 10.5 hours of instruction. The trainings included:

February 1	The Impact of Our Work
March 7	Keeping Safe in the Field
April 4	Getting the Most from Witnesses
May 2	Testifying for Investigators
June 6	Stumbling Into Mitigation: Interview Techniques for Investigators
September 5	Better Practices for Serving LGBTQ People
October 3	CPS Interviewing (Part II)

Online trainings for mitigation specialists and social workers

The CDRC, in partnership with Chelsea Richardson, JLU Mitigation Supervisor, offered three online trainings for public defense mitigation specialists and social workers. Each training was scheduled for 90 minutes, comprising a total of 4.5 hours of instruction. The trainings included:

May 17	Record Collection
July 12	Story Telling and Report Writing
September 12	Client Relationships and Boundaries

Individualized trainings

The CDRC also conducted a variety of in-person and online individualized trainings to address the needs of or in response to specific requests from criminal legal system stakeholders around the state—including incarcerated people, MDOC librarians, probation officers, attorneys handling specialized cases, and individual public defender offices. The trainings varied in length, from one hour to multiple days, comprising a total of 37.5 hours of instruction. One of those trainings was a half-day training for trial-level public defenders representing people entitled to resentencing under *Poole*. JLU supervisors Tina Olson and Chelsea Richardson assisted with planning and attorneys Claire Ward and Ashley Craythorne presented sessions at the training. The remaining trainings included:

January 31	Saginaw County Public Defender Office SADO resources
February 8	MDOC Librarians Appellate processes
April 3–5	SADO and MAACS attorneys Appellate Writing Workshop
April 11	Incarcerated Population Kinross Correctional Facility Appellate Processes
April 12	Incarcerated Population Chippewa Correctional Facility Appellate Processes
May 16	Attorneys statewide <i>People v Poole</i> : A Training for Defenders
August 6	Allegan/Van Buren Counties Public Defender Office SADO resources
August 9	Macomb County Public Defender Office SADO resources
September 16	Probation Officers Sentencing Guidelines Update
November 6	Livingston County Public Defender Office SADO resources

Publications

The CDRC continued to produce various publications for the public and criminal law practitioners, publishing 11 monthly issues of the Criminal Defense Newsletter and the following books and manuals:

- Defender Appellate Manual
- Defender Guide to Michigan's Commutation Process
- Defender Guide to Search and Seizure in Michigan
- Defender Sentencing Guidelines Manual Annotated
- Defender Habeas Book, Volumes I and II
- Defender Guide to Defending Against Life Sentencing for Young People

One reflection from a SADO Assistant Defender illustrates how important CDRC's publications are to every system actor:

I was at a sentencing hearing and the prosecutor started flipping through a book for on-the-spot legal research. The judge asked him what book he had, to which the prosecutor answered that it was the SADO annotated guidelines. The judge looked at me and said, "That's what I use too, it's great."

Annual Appellate Defender Fall Training

SADO conducted an Annual Appellate Defender Fall Training for appellate defenders, offering a total of 13.5 hours of instruction. Fall Training was planned by Deputy Director Marilena David and hosted by Marilena, Managing Attorney Jessica Zimbelman, and MAACS Litigation Support Counsel Stephanie Farkas. Marilena and Jessica presented at the training as well as Assistant Defender Michael Mittlestat, and several members of MAACS held a Town Hall. Sessions included:

<p>October 22 (4 sessions)</p>	<p>Facial Recognition Hearsay Refresher What a Judge Wants, What a Judge Needs MAACS Town Hall</p>
<p>October 24 (3 sessions)</p>	<p>Sentencing Law Updates Crafting and Changing Narratives Understanding MDOC Records</p>
<p>October 28 (3 sessions)</p>	<p>Resentencing Ins and Outs Persuasive Brief Writing: Style and Editing Michigan Case Law Update</p>
<p>October 30 (3 sessions)</p>	<p>Sixth Amendment Claims Outside Strickland's Framework Standards of Review and Harmlessness Litigating Racial Injustice</p>

Youth Defense

The Youth Defense Project held eight monthly online trainings, planned by MAACS Youth Defense Counsel Josh Pease. Each training was scheduled for 60 minutes, comprising a total of 8 hours of instruction. The trainings included:

January 19	Litigating Race and the Traumatic Effects of Policing in Communities of Color, Part I
February 9	Litigating Race and the Traumatic Effects of Policing in Communities of Color, Part II
March 26	Separating Children’s Interests from Parents’ Interests
April 18	Dispositions in Delinquencies
May 15	Effective Assistance of Counsel in Delinquencies
June 20	Representing Youth with Trauma
July 18	Detention and Placement in Delinquencies
August 15	Collateral Consequences in Delinquencies

MAACS Roster

MAACS conducted a stand-alone session for roster attorneys, and the MAACS annual orientation, both planned by MAACS Deputy Administrator Patricia Maceroni and MAACS Litigation Support Counsel Stephanie Farkas. Each training was held in-person; together, these sessions comprised 18.5 hours of instruction:

<p>May 3</p>	<p>All about Ginther hearings: How to Develop the Record and Litigate the Issues</p>
<p>November 7 (Orientation; 4 sessions)</p>	<p>Introduction to MAACS and the Minimum Standards Procedures after your First Assignment Spotting Issues in Plea Cases SADO Resources for MAACS Roster Attorneys</p>
<p>December 5 (Orientation; 8 sessions)</p>	<p>Meeting and Communicating with your Client Understanding MI Sentencing Guidelines The Basics of Youth Appeals Sentencing Mitigation and Reentry Services for MAACS Challenging the PSIR Unique Challenges of Representing Children MAACS Vouchers and How to Get Paid Minimum Standards and Common Issues</p>

Appellate Writing Workshop

SADO offered the Appellate Writing Workshop to approximately 20 SADO and MAACS attorneys. Over the course of three days, attorneys received 23.5 hours of training. The workshop helped improve storytelling, issue spotting, legal analysis, and persuasive writing.



2024 Appellate Writing Workshop held at SADO Detroit

Staff Training

SADO employees are offered high-quality in-house training throughout the year and are offered the opportunity to attend select out-of-state training. In 2024, 16 attorneys from the Direct Appeals and Juvenile Lifer Units attended a 5-day trial skills training delivered by Gideon's Promise. The training



SADO is the first appellate office in the country to have received a trial skills training from Gideon's Promise

was a success and immediately raised the level of practice of SADO's public defenders.

Also, many staff members trained lawyers through local bar associations, the Criminal Defense Attorneys of Michigan, the State Bar of Michigan, and other organizations.

The Next Generation

Part of SADO's commitment to fostering interest in public defense includes its robust internship program and its continued involvement in law school clinics throughout the state.

This year, SADO attorneys Michael Mittlestat, Jason Eggert, Jacqueline Ouvry, Jackie McCann, Katherine Marcuz, Angeles Meneses, Maya Menlo, Matt Monahan, and Claire Ward, taught law school clinics at University of Michigan, Wayne State University, and University of Detroit Mercy.

SADO hosted approximately 20 interns in 2024 across all units.

The JLU hosted students from the Georgetown Law Detroit Legal Alliance Clinic over the spring break week of March 11-15. The students worked on reviewing and summarizing correctional records and were also able to meet with former juvenile lifers to discuss their experiences.

Also of note in 2024 was the successful launch of a sentencing mitigation clinic in partnership with Detroit Mercy School of Law. Under the direction of Assistant Defenders Jacqueline Ouvry and Claire Ward of SADO's JLU, students learned to review files, gather mitigating evidence, meet with clients and witnesses, and prepare comprehensive negotiation memos.

The JLU continued to host legal and mitigation interns and externs from the Wayne State University Holistic Defense Program, a partnership between the university's schools of social work and law. Chloe Brueck was hired as a SADO Direct Appeals attorney after her holistic defense externship with the JLU. The JLU served as the 12-month field placement for two social work students from the University of Michigan, Carley Davidson and Veronika Misek, who both accepted full-time roles as public defense mitigation specialists upon completing their internships with SADO.

In addition, MAACS hosted one intern, Natalie Rosenblat, who accepted a job at SADO as an Assistant Defender to begin in 2025. And the Direct Appeals Unit hosted four interns, two of whom—Melodie Floro and Emma Klug—have accepted jobs as Assistant Defenders to begin in 2025.

This year, SADO also joined the Black Public Defender Association's Collective Access Program to build strong relationships with talented defenders across the country.

We are looking forward to continuing to mentor public-service minded students interested in public defense.



Josh Pease, Maya Menlo, and Taylor Fellows comprise SADO's Youth Defense staff



Thank you to our wonderful summer interns!

The logo for SADO, consisting of the letters S, A, D, and O in a bold, white, sans-serif font, each letter contained within its own white square. The squares are arranged horizontally and separated by thin white vertical lines.

S A D O

For more information, please contact SADO Director
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