

Exhibit 10



MISSOURI STATE PUBLIC DEFENDER SYSTEM

Director's Office

Woodrail Centre
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Columbia, Missouri 65203
Telephone: 573-777-9977 Fax: 573-777-9975

July 25, 2016

Mr. Jason D. Williamson
Staff Attorney – Criminal Law Reform Project
American Civil Liberties Union
125 Broad Street
New York, NY 10004

Dr. Mr. Williamson,

Please find below updated responses to your Sunshine Law Request. This response includes information you requested subsequent to our June 1, 2016 response, specifically, the denominators for the numbers provided.

We are in the process of acquiring the remaining information not provided previously or by this letter; I will forward that to you as soon as it is available.

1. In calendar year 2015:
 - a. The number of capital murder cases Missouri State Public Defender (MSPD) attorneys resolved within one week of opening the case.
0/5 Capital Division Cases
 - b. The number of capital murder cases MSPD attorneys resolved with fewer than 106.6 hours worked on the case.
1/5 Capital Division Case
 - c. The number of capital murder cases that involved work done by an investigator, and the number of hours worked by the investigator in each of those cases.
37/53 Capital Division Cases; See attachment Q1.C for details.
 - d. The number of capital murder cases that involved the use of an expert, and the number of hours worked by the expert in each of those cases.
Not available at this time; will provide at a later date.
 - e. The number of capital murder cases that resulted in a disposition involving incarceration.
Not available at this time; will provide at a later date.
 - f. The length of the incarceration portion of those capital murder



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cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- g. The number of capital murder cases MSPD attorneys resolved with more than 85 hours worked on the case.

4/5 Capital Division Cases

- h. The dispositions of those capital murder cases that were resolved with more than 85 hours worked on the case.

Not available at this time; will provide at a later date.

- i. The number of capital murder cases that went to trial.

1/5 Capital Division Case

Details for the sub-questions below are not available at this time; will provide at a later date.

- i. The number of those trials that resulted in a guilty verdict.
- ii. The number of those trials that resulted in acquittal.
- iii. The number of those trials that resulted in a hung jury.
- iv. The number of those trials that were interrupted by an intervening plea bargain.

2. In calendar year 2015:

- a. The number of non-capital murder/homicide cases Missouri State Public Defender (MSPD) attorneys resolved within one week of opening the case.

0/142 Trial Division Cases

- b. The number of non-capital murder/homicide cases MSPD attorneys resolved with fewer than 106.6 hours worked on the case.

0/3 Capital Division Cases; 107/142 Trial Division Cases

- c. The number of non-capital murder homicide cases that involved work done by an investigator, and the number of hours worked by the investigator in each of those cases.

8/18 Capital Division Cases; 308/542 Trial Division Cases

See attachment Q2.C for details.

- d. The number of non-capital murder homicide cases that involved the use of an expert, and the number of hours worked by the



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expert in each of those cases.

Not available at this time; will provide at a later date.

- e. The number of non-capital murder/homicide cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- f. The length of the incarceration portion of those non-capital murder/homicide cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- g. The number of non-capital murder/homicide cases MSPD attorneys resolved with more than 85 hours worked on the case.

3/3 Capital Division Cases; 37/142 Trial Division Cases

- h. The dispositions of those non-capital murder/homicide cases that were resolved with more than 85 hours worked on the case.

Not available at this time; will provide at a later date.

- i. The number of non-capital murder/homicide cases that went to trial.

2/3 Capital Division Cases (2 Trials); 36/142 Trial Division Cases (39 Trials)

Details for the sub-questions below are not available at this time; will provide at a later date.

- i. The number of those trials that resulted in a guilty verdict.
- ii. The number of those trials that resulted in acquittal.
- iii. The number of those trials that resulted in a hung jury.
- iv. The number of those trials that were interrupted by an intervening plea bargain.

3. In calendar year 2015:

- a. The number of A/B felony cases MSPD attorneys resolved within one week of opening the case.

51/4,127 Trial Division Cases

- b. The number of A/B felony cases MSPD attorneys resolved with fewer than 47.6 hours worked on the case.

4,030/4,127 Trial Division Cases

- c. The number of A/B felony cases that involved work done by an



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investigator, and the number of hours worked by the investigator in each of those cases.

**1,887/9,666 Trial Division Cases; 4/6 Capital Division Cases;
See attachment Q3.C for details.**

- d. The number of A/B felony cases that involved the use of an expert, and the number of hours worked by the expert in each of those cases.

Not available at this time; will provide at a later date.

- e. The number of A/B felony cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- f. The length of the incarceration portion of those A/B felony cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- g. The number of A/B felony cases MSPD attorneys resolved with more than 38 hours worked on the case.

150/4,127 Trial Division Cases

- h. The dispositions of those A/B felony cases that were resolved with more than 38 hours worked on the case.

Not available at this time; will provide at a later date.

- i. The number of A/B felony cases that went to trial.

113/4,127 Trial Division Cases

Details for the sub-questions below are not available at this time; will provide at a later date.

- i. The number of those trials that resulted in a guilty verdict.
- ii. The number of those trials that resulted in acquittal.
- iii. The number of those trials that resulted in a hung Jury.
- iv. The number of those trials that were interrupted by an intervening plea bargain.

4. In calendar year 2015:

- a. The number of C/D felony cases MSPD attorneys resolved within one week of opening the case.

511/21,491 Trial Division Cases

- b. The number of C/D felony cases MSPD attorneys resolved with fewer



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than 25 hours worked on the case.

21,180/21,491 Trial Division Cases; 2/2 Capital Division Cases

- c. The number of *C/D* felony cases that involved work done by an investigator, and the number of hours worked by the investigator in each of those cases.

4,775/42,933 Trial Division Cases; 4/6 Capital Division Cases; See attachment Q4.C for details.

- d. The number of *C/D* felony cases that involved the use of an expert, and the number of hours worked by the expert in each of those cases.

Not available at this time; will provide at a later date.

- e. The number of *C/D* felony cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- f. The length of the incarceration portion of those *C/D* felony cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- g. The number of *C/D* felony cases MSPD attorneys resolved with more than 20 hours worked on the case.

416/21,491 Trial Division Cases

- h. The dispositions of those *C/D* felony cases that were resolved with more than 20 hours worked on the case.

Not available at this time; will provide at a later date.

- i. The number of *C/D* felony cases that went to trial.

118/21,491 Trial Division Cases (125 Trials); 1/2 Capital Division Case (1 Trial)

Details for the sub-questions below are not available at this time; will provide at a later date.

- i. The number of those trials that resulted in a guilty verdict.
- ii. The number of those trials that resulted in acquittal.
- iii. The number of those trials that resulted in a hung Jury.
- iv. The number of those trials that were interrupted by an intervening plea bargain.

5. In calendar year 2015:

- a. The number of felony sex offense cases MSPD attorneys resolved



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within one week of opening the case.

4/706 Trial Division Cases

- b. The number of felony sex offense cases MSPD attorneys resolved with fewer than 63.8 hours worked on the case.

648/706 Trial Division Cases

- c. The number of felony sex offense cases that involved work done by an investigator, and the number of hours worked by the investigator in each of those cases.

713/1,756 Trial Division Cases; See attachment Q5.C for details.

- d. The number of felony sex offense cases that involved the use of an expert, and the number of hours worked by the expert in each of those cases.

Not available at this time; will provide at a later date.

- e. The number of felony sex offense cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- f. The length of the incarceration portion of those felony sex offense cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- g. The number of felony sex offense cases MSPD attorneys resolved with more than 51 hours worked on the case.

98/706 Trial Division Cases

- h. The dispositions of those felony sex offense cases that were resolved with more than 51 hours worked on the case.

Not available at this time; will provide at a later date.

- i. The number of felony sex offense cases that went to trial.

73/706 Trial Division Cases (83 Trials)

Details for the sub-questions below are not available at this time; will provide at a later date.

- i. The number of those trials that resulted in a guilty verdict.
- ii. The number of those trials that resulted in acquittal.
- iii. The number of those trials that resulted in a hung Jury.
- iv. The number of those trials that were interrupted by an intervening plea bargain.



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6. In calendar year 2015:

- a. The number of misdemeanor cases MSPD attorneys resolved within one week of opening the case.

720/12,327 Trial Division Cases

- b. The number of misdemeanor cases MSPD attorneys resolved with fewer than 11.7 hours worked on the case.

12,169/

- c. The number of misdemeanor cases that involved work done by an investigator, and the number of hours worked by the investigator in each of those cases.

1,506/20,160 Trial Division Cases; See attachment Q6.C for details.

- d. The number of misdemeanor cases that involved the use of an expert, and the number of hours worked by the expert in each of those cases.

Not available at this time; will provide at a later date.

- e. The number of misdemeanor cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- f. The length of the incarceration portion of those misdemeanor cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- g. The number of misdemeanor cases MSPD attorneys resolved with more than 9.4 hours worked on the case.

247/12,327 Trial Division Cases

- h. The dispositions of those misdemeanor cases that were resolved with more than 9.4 hours worked on the case.

Not available at this time; will provide at a later date.

- i. The number of misdemeanor cases that went to trial.

18/12,327 Trial Division Cases (18 Trials)

Details for the sub-questions below are not available at this time; will provide at a later date.

- i. The number of those trials that resulted in a guilty verdict.
ii. The number of those trials that resulted in acquittal.



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- iii. The number of those trials that resulted in a hung Jury.
- iv. The number of those trials that were interrupted by an intervening plea bargain.

7. In calendar year 2015:

- a. The number of juvenile cases MSPD attorneys resolved within one week of opening the case.

109/1,362 Trial Division Cases

- b. The number of juvenile cases MSPD attorneys resolved with fewer than 19.5 hours worked on the case.

1,293 1,362 Trial Division Cases

- c. The number of juvenile cases that involved work done by an investigator, and the number of hours worked by the investigator in each of those cases.

215/2,069 Trial Division Cases; See attachment Q7.C for details.

- d. The number of juvenile cases that involved the use of an expert, and the number of hours worked by the expert in each of those cases.

Not available at this time; will provide at a later date.

- e. The number of juvenile cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- f. The number of juvenile cases that resulted in adult certification.

Not available at this time; will provide at a later date.

- g. The length of the incarceration portion of those juvenile cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- h. The number of juvenile cases MSPD attorneys resolved with more than 15.6 hours worked on the case.

89/1,362 Trial Division Cases

- i. The dispositions of those juvenile cases that were resolved with more than 15.6 hours worked on the case.

Not available at this time; will provide at a later date.

- j. The number of juvenile cases that went to trial.

Details not available at this time; will provide at a later date.



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- i. The number of those trials that resulted in a guilty verdict.
- ii. The number of those trials that resulted in acquittal.
- iii. The number of those trials that resulted in a hung Jury.
- iv. The number of those trials that were interrupted by an intervening plea bargain.

8. In calendar year 2015:

- a. The number of probation violation cases MSPD attorneys resolved within one week of opening the case.

1,587/14,751 Trial Division Cases

- b. The number of probation violation cases MSPD attorneys resolved with fewer than 9.8 hours worked on the case.

14,658/14,751 Trial Division Cases

- c. The number of probation violation cases that involved work done by an investigator, and the number of hours worked by the investigator in each of those cases.

714/21,873 Trial Division Cases; See attachment Q8.C for details.

- d. The number of probation violation cases that involved the use of an expert, and the number of hours worked by the expert in each of those cases.

Not available at this time; will provide at a later date.

- e. The number of probation violation cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- f. The length of the incarceration portion of those probation violation cases that resulted in a disposition involving incarceration.

Not available at this time; will provide at a later date.

- g. The number of probation violation cases MSPD attorneys resolved with more than 7.84 hours worked on the case.

164/14,751 Trial Division Cases

- h. The dispositions of those probation violation cases that were resolved with more than 7.84 hours worked on the case.

Not available at this time; will provide at a later date.

- i. The number of probation violation cases that went to trial.

Not available at this time; will provide at a later date.



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- i. The number of those trials that resulted in a guilty verdict.
 - ii. The number of those trials that resulted in acquittal.
 - iii. The number of those trials that resulted in a hung Jury.
 - iv. The number of those trials that were interrupted by an intervening plea bargain.
9. In calendar year 2015:
 - a. The number of appellate/PCR cases MSPD attorneys resolved with fewer than 96.5 hours worked on the case.
418/1509 Appellate Division Cases; 1/6 Trial Division Case
 - b. The number of appellate/PCR cases resulted in a disposition involving incarceration (or continued incarceration).
Not available at this time; will provide at a later date.
 - c. The length of the incarceration portion of those appellate/PCR cases that resulted in a disposition involving incarceration.
Not available at this time; will provide at a later date.
10. In calendar year 2015, the number of cases that were initiated by each MSPD attorney.
See attachment Q10 for details. Our system only allows us to list the current/last attorney on file, which may not be the same attorney who initiated it.
11. In calendar year 2015, the number of conflict cases that were handled by MSPD attorneys (outside of their local jurisdictions).
4,551 Trial Division Cases, 37 Appellate Division Cases
12. As of April 6, 2016, the number of open cases each MSPD attorney had, disaggregated by local office.
See attachment Q12 for details and dates of case count. The dates of case count vary from the requested April 6 date based on the workings of our IT system.
13. As of April, 2016, the number of trial division attorneys employed by MSPD, disaggregated by local office.
Provided in previous response dated May 20, 2016.
14. As of April 6, 2016, the number of investigators employed by MSPD, disaggregated by local office.
Provided in previous response dated May 20, 2016.
15. As of April 6, 2016, the number of support staff (including secretaries, legal assistants, social workers, and paralegals) employed by MSPD,



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disaggregated by local office.

Provided in previous response dated May 20, 2016.

16. All current policies, procedures, and/or guidelines related to the internal supervision and/or evaluation of MSPD trial division attorneys.

Provided in previous response dated May 20, 2016.

17. All current policies, procedures, and/or guidelines related to training requirements for MSPD trial division attorneys.

Provided in previous response dated May 20, 2016.

18. In calendar year 2015, the number of hours of training logged by MSPD attorneys, disaggregated by local office and by individual attorney.

See attachment Q18 for details.

19. All current policies, procedures, and/or guidelines related to continuing legal education (CLE) requirements for MSPD trial division attorneys.

Provided in previous response dated May 20, 2016.

20. In calendar year 2016, the number of CLE credits amassed by MSPD attorneys, disaggregated by local office and by individual attorney.

We do not keep this information; the individual attorneys are responsible for reporting their CLE hours to the Missouri Bar.

21. The total number of cases handled by MSPD attorneys during each fiscal year between 2000 and 2016.

See attachment Q21 for details.

22. The total MSPD budget for each fiscal year from 2000 through 2016.

See attachment Q22 for details.

If you have any questions, please let me know.

Sincerely,

/s/Jacqueline Shipma

Jacqueline Shipma
General Counsel and Records Custodian