

Rep. Condino offered the following resolution:

House Resolution No. 429.

A resolution declaring September 17, 2008, as Constitution Day in the state of Michigan.

Whereas, We recognize the urgent need to uphold Michigan's constitutional obligation to provide for adequate public defense services for the state's adults and children; and

Whereas, September 17, 2008, marks the 221st anniversary of the adoption of the Constitution of the United States of America by the Constitutional Convention in Philadelphia and is recognized today throughout our county, by our president and by our governor, as Constitution Day in America; and

Whereas, In remembering the enduring importance of the Constitution, we also recognize our responsibility as citizens to respect and defend the values of our founding; and

Whereas, The Sixth Amendment of the U.S. Constitution sets forth rights related to criminal prosecutions and guarantees that "...the accused shall enjoy the right to... have the Assistance of Counsel for his defense;" and

Whereas, Today, as outlined in a recent study by the National Legal Aid and Defenders Association, Michigan is failing to meet its constitutional obligations to provide an adequate public defense for adults and children alike. It is one of only a handful of states with no statewide standard for monitoring trial level public defense services; and

Whereas, The tragic stories of Michigan men like Eddie Joe Lloyd, Ken Wyniemko and Walter Swift, all incarcerated for crimes they did not commit and as a result of an inadequate defense provided them at trial, remind us vividly of the human price paid when our constitutional obligations go unmet; and

Whereas, Scarce public tax dollars are misspent and the public's safety is put at risk when an inadequate defense puts the wrong person in jail and allows the real perpetrator to remain free; and

Whereas, The time is now and the opportunity is here for Michigan to recognize the need for reform; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 17, 2008, as Constitution Day in the state of Michigan; and be it further

Resolved, That we do hereby recognize the urgent need to uphold Michigan's constitutional obligation to provide for adequate public defense services for all state residents.