

Senate Bill 2022
House Appropriations Committee – Government Operations Division

Testimony Submitted by Sally Holewa
State Court Administrator
March 15, 2021

Chairman Vigesaa and Members of the Committee,

I write in support of the appropriation request submitted by the Commission on Legal Counsel for Indigents. Over the almost 15 years it has been in existence, Indigent Defense has done an admirable job carrying out its duties with a minimal increase in staffing and dollars. This past biennium, they expanded their duties to include work in the pre-trial services pilot program. If HB 1035 passes, next biennium they will be looking at a greatly expanded role in juvenile delinquency cases.

A robust criminal defense system is vital to protecting the constitutional rights of individuals. Underfunding any part of the criminal justice system (courts, prosecutors, defense, and law enforcement) creates delays within the system. Delay for someone who has been charged with a crime can create substantial hardship for the individual in terms of loss of employment, loss of liberty and loss of certainty about their future. It can be costly to the counties who may have to house incarcerated defendants for longer periods. Delay may also result in the degradation of the prosecutor's case as the memories of witnesses fade.

I also have a concern about the high turnover rate of defense attorneys. Those who are eligible for a public defender deserve an attorney who is not only experienced but also has enough time available to provide good service to their client. The legislature needs to

look hard at what can be done to increase public defender salaries to a rate that is competitive with salaries provided to prosecutors.

For all these reasons, I ask that you fund indigent defense at the level approved by the Senate, which I understand is equivalent to the Commission's base budget plus the additional dollars necessary to fund the Senate's proposed salary package.