**Date:** March 30, 2022

**Subject:** Written testimony from a private citizen regarding HF 2738

**To:** Chair Representative Jamie Becker-Finn of the Judiciary Finance and Civil Law Committee

I am providing written testimony in support of HF 2738, Public Defense funding provided, and money appropriated.

The Minnesota Office of Public Defense is significantly underfunded and the $50,000,000 appropriation requested in this bill will start to put this important state office on a path to adequately fund the Office of Public Defense. The state currently has a budget surplus of about $9.25 billion. As a taxpayer, I support using a tiny fraction (about 0.5%) of this surplus to fund the Public Defender Office.

I support this bill because a strong Office of Public Defense keeps us all safer by ensuring the criminal justice system is effectively working. Public Defenders represent clients and uphold basic right of a trial by a jury of one’s peers and the right to a speedy trial first established in the Magna Carta in 1215 and adopted as the Sixth Amendment of the US Constitution.

Defendants should be considered innocent until proven guilty in a court of law. Too many times, those without inadequate legal representation and are innocent are unjustly found guilty. This leaves the real criminal free to commit additional crimes because of a miscarriage of justice. And, an innocent person is incarcerated causing significant harm to this person, their family, and community. It also costs the taxpayer for the prison costs for an innocent person. This makes us all less safe and poorer.

The Office of Public Defense currently does not meet federal standards for case loads for the attorneys in its office. Public Defenders are paid significantly less than Prosecutors even though they perform the same services and have the same qualifications. Public Defenders work long hours without compensation because of the insufficient staffing levels. Experienced Public Defenders are quitting due the inequities in pay and being constantly overburdened with cases. These resignations leave more cases for the remaining Public Defenders, creating a vicious cycle of overwork and underpay.

My son-in-law works as a Public Defender in Hennepin County. His current workload is 250 cases per year including at least 3 murder cases. Just this past Monday, he was scheduled to start trial on three cases. He works six days a week to provide his clients the defense they are entitled to under the law. He has chosen Public Defense as his career because he strongly believes in public service, rule of law, and justice should be served for everyone—not just those who can pay for a lawyer. However, he and his family are paying a price because of the current underfunding of the Office of Public Defense. When many people enjoy a weekend with their family or plan a week or two of vacation, my son-in-law is working with no compensation for these extra hours because of his heavy workload.

I encourage the Judiciary Finance and Civil Law Committee to vote yes on this bill to ensure all Minnesotans regardless of their financial circumstances have legal representation in the court of law, to compensate the attorneys in the Office of Public Defense more equitably, and provide the resources needed to reduce caseloads for Public Defenders to national legal standards.

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Cc: Representative Jamie Long