

Date: January 7, 2023

Subject: Written testimony from a private citizen regarding HF 90

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

I am providing written testimony in support of HF 90, Public Defense funding provided, and money appropriated.

The Minnesota Office of Public Defense is significantly underfunded and the \$25,000,000 appropriation requested in this bill for 2023 will start to put this important state office on a path to adequately fund its work. The state currently has a budget surplus of about \$17.6 billion. As a taxpayer, I support using a miniscule fraction 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 the 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 adequate 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 very expensive to incarcerate people. 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 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. Additionally, the loss of experienced employees costs the state (and the taxpayers) more money because new, inexperienced employees require significant training and supervision leading to lower productivity for the Public Defense offices and the courts. While hiring lower paid, inexperienced attorneys appears to save money, it is the epitome of being "penny-wise and pound foolish".

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