



CHIEF DEFENDERS ASSOCIATION OF NEW YORK

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Lisa Schreibersdorf,
Kings

June 2, 2016

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New York State Senate

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613 LOB
Albany, New York 12247

TREASURER

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Broome

RE: *Senate Bill 6341*

PAST PRESIDENT

Timothy P. Donaher,
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Dear Senator Addabbo, Jr.:

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I am writing on behalf of the Chief Defenders Association of New York (CDANY) to ask for your support for Senate Bill 6341, which would provide New York counties with immediate mandate relief while also improving indigent defense.

CDANY is an association of New York chief defenders, the individuals who lead public defense offices and programs across New York State. In 2015 CDANY members and their staff represented over 400,000 New York citizens. CDANY members are struggling to provide excellent legal representation to their clients despite significant hardships including a lack of funding and insufficient staffing. CDANY was formed to be a voice for positive change for our indigent defense programs and the justice system.

Counties are struggling to provide quality indigent defense services while also complying with the New York State "tax cap". Despite the fact that the provision of quality indigent defense services is a State responsibility, counties now provide over 80% of the cost of indigent defense services. Senate bill 6341B (and the "same-as" bill in the Assembly, A.6202C) would relieve counties of the fiscal burden of providing indigent defense services (by having the State gradually assume the cost of indigent defense), while also improving indigent defense throughout New York State.

The New York State Association of Counties (NYSAC) has called on the State to pass S.6341 and A.6202 (see the enclosed resolution). Numerous county legislatures have also called upon New York State to pass these bills. I enclose just a few resolutions from county legislatures calling for New

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York to assume the cost of indigent defense services.

In 2015 New York State settled the *Hurrell-Harring* lawsuit, agreeing to provide State funding to implement significant improvements in the five settlement counties of Onondaga, Ontario, Schuyler, Suffolk and Washington. Additionally, New York State provides additional State funding to New York City in order to comply with the mandatory New York City indigent defense caseload caps. The remaining New York counties do not receive any additional State funding to improve indigent defense.

The disparity of funding being provided to the five *Hurrell-Harring* counties and New York City, and the funding provided by the State to the remaining upstate counties has resulted in significant differences in the quality of representation provided to clients in New York. The quality of representation received by New York citizens should not be dependent upon the county in which a citizen resides. All New York citizens are entitled to quality representation no matter where they live. S.6341B and A.6202C would relieve counties of the fiscal burden of indigent defense, while also requiring the State to provide sufficient resources to indigent defense providers so that quality representation will be provided to all New York citizens.

CDANY urges the State to meet its constitutional obligations and would respectfully ask you to support S.6341B.

Very truly yours,



Lisa Schreibersdorf, President
Chief Defenders Association of New York
and Executive Director, Brooklyn Defender
Services

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