

MINORITY REPORT

The Senate Ways and Means Committee should fund the enhancements requested by the Board of Indigent's Defense Services (BIDS). Although not recommended by the Subcommittee, support for the agency's requests, for FY 2016 and FY 2017, for \$2.2 million to return assigned counsel payments (from the current \$62 per hour to the statutory level of \$80 per hour); \$441,540 for the cost of "Hard 50" sentence appeals; and \$200,000 to bring public defender salaries to near parity with other executive branch attorneys is reasonable. I believe the agency put forward compelling cases to the Subcommittee on the importance of each of these requests. In light of the constitutional requirement that the State pay the defense of indigent defendants, Ways and Means should now consider the agency's request and fully fund the same.

I recognize the current fiscal situation facing the State. However, it is my belief that these expenditures are essential. Underrepresented, indigent defendants with ineffective assistance of counsel will do little to serve the legal system and only further clog our already overcrowded prisons disproportionately with defendants whose basic crime was only their own poverty.

Further, it appears that BIDS has exhibited diligent efforts to control costs. I strongly encourage the Senate Ways and Means Committee to further examine the needs of this agency and fully fund the agency budget request for FY 2016 and FY 2017.

Respectfully Submitted,

David Haley (WY)

State Senator / Kansas



Senate Ways and Means Committee

Date: 02-23-2015

Attachment #: 8