

2 **RESOLUTION: Authorize Support of Increased Public Defender Access and Pay**

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5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, criminal cases continue to rise due to a variety of factors including increased drug crimes; and

7 **WHEREAS**, both the United States Constitution and the Constitution of the State of Wisconsin provide that
8 persons accused have the right to counsel; and

9 **WHEREAS**, in Wisconsin, the Office of the Public Defender provides counsel to those persons meeting
10 income eligibility guidelines for services; and

11 **WHEREAS**, judges are being forced to appoint counsel at county expense for persons for whom the public
12 defender cannot find representation due to a lack of available counsel as a result of the low compensation rate; and

13 **WHEREAS**, this results in costs to counties to appoint counsel, increased costs to jail persons held before
14 trial pending appointment of counsel, and a delay in obtaining justice for victims; and

15 **WHEREAS**, the rate of compensation for private bar attorneys has not been increased since 1995 and
16 currently is the lowest hourly rate in the nation; and

17 **WHEREAS**, this has created a burden on the courts and Wisconsin counties.

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19 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
20 urges the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the
21 criminal justice system operates effectively and efficiently.

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23 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby supports
24 increasing the rate of reimbursement for assigned counsel attorneys to a market rate that will ensure the prompt
25 appointment of counsel and will ensure that cases are handled in a timely and efficient manner.

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27 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the
28 Winnebago County Clerk to forward a copy of this Resolution to the Office of Governor Scott Walker, the Wisconsin
29 Counties Association, and all state senators and assembly members representing Winnebago County constituents.

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31 Respectfully submitted by:

32 **LEGISLATIVE COMMITTEE**

33 Committee Vote: **14-0**

34 Vote Required for Passage: **Majority of Those Present**

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36 Approved by the Winnebago County Executive this ____ day of _____, 2018.

37
38 _____
39 Mark L Harris
40 Winnebago County Executive