

Public Defense Reform Draft DRRCB042 1/12/2016

Rep Luker comments and suggested changes:

1. Page 2 line 44 - add a sub section to (b) as (iii) Such other public defense needs requiring action of the legislature.
2. Page 2 line 46 change “ensure” to “so that” and in line 47 change “consistently” to “constitutionally”
3. Page 3 line 1 change “Investigate and review” to just “Review” and in line 2 change “ensure” to “evaluate”
4. Page 3 line 25 change “or” to “and”
5. Page 3 line 29 after “expert witnesses” add “, evidence testing”
6. Page 3 lines 31-33 eliminate lawsuits connected with taking over services
7. Page 4 lines 18-19 – consider dropping high and low amounts in the last 5 years and averaging the middle 3.
8. Page 4 line 39 – prefer 15% to start given the price tag and considering that the \$25,000 bonus for joining offices could cost 1.1 million annually (44 x \$25,000)
9. Page 6 line 10 after “defense grant” add a period and replace through the end of the paragraph in line 23 with the following: “The application shall include a plan identifying (i) the specific need or deficiency, (ii) the defense standard or standards being addressed, (iii) the current baseline associated with the need, (iv) a specific objective by which to measure improvement, (iv) a cost analysis for using the grant funds to achieve the objective including the total funds needed, the amount of local funds and grant funds to be used to achieve the objective, and to what extent an ongoing grant is needed to maintain the improvement.”
10. Page 6, line 24 after “(3)” “The Commission shall approve an application if the objective (i) reasonably meets and improves upon an indigent defense standard, (ii) is necessary to meet constitutional public defense requirements, and (iii) is reasonably calculated to be achievable within the available local share and grant funds.”
11. Page 6 line 35 replace “a one-time” with “the approved”
12. Page 7 lines 11 after “comply with” replace with “all grant terms and public defense standards related to such grants, current and previous.”

13. Page 7 line 14 – 17 after “with” replace “indigent defense standards as required by this subsection” with “the terms of grants received by the applicant”
Also line 17 replace “indigent defense standards” with “grant terms”