

Meeting brings county legislators together to back indigent defense bill

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PUBLISHED: TUESDAY, OCTOBER 6, 2015 AT 12:30 AM

SYRACUSE — Representatives from more than 45 counties and organizations gathered in Syracuse on Monday to discuss legislation that would see the state take full responsibility for expenses related to defense of indigent defendants.

Though states are mandated to provide for the representation of indigent populations, New York state has put the expense into the hands of the counties.

“You’ve been put on the chopping block by New York’s failure to live up to its own responsibilities,” Jonathan Gradess, executive director of the New York State Defenders Association, said to county lawmakers.

Now, the counties are fighting back.

Five counties — Schuyler, Washington, Ontario, Onondaga and Suffolk — are already receiving more state funding after they won a lawsuit against the state last year. A new bill, however, will be all-encompassing.

Brought forth by Assemblywoman Patricia A. Fahy, D-Albany, A06202-A would amend county and executive law so that indigent defense expenses for all counties must be reimbursed by the state. The bill is backed by 24 additional Assembly members, but as yet there is no companion bill in the Senate.

Ms. Fahy said she is also in discussions with Gov. Andrew M. Cuomo to allocate millions of dollars in state funding that would go toward indigent defense expenses. She called the funding a sort of “down payment” that would coincide with the bill.

St. Lawrence County helped organize Monday’s meeting, and County Attorney Stephen D. Button said this bill gives the opportunity for members of local government, from both financial and defense perspectives, to voice their concerns. He urged county leaders to continue to win over state and local support.

Mr. Button also handed out a sample resolution that county legislators can use to officially recognize support of the bill. With the ball rolling on support statewide, Ms. Fahy said she expects the fight not to let up quickly.

“This is one that is going to take a lot of momentum and is going to be somewhat relentless,” she said.

Ms. Fahy said moving the legislation forward will take a lot of effort from both state and county lawmakers, and she hopes the bill can become bipartisan.

She has been in touch with state Sen. Patricia A. Ritchie, R-Heuvelton, to bring the Senate on board. Sen. Ritchie said she will not only support Ms. Fahy’s bill, but also help develop legislation that would cover the expenses of both county defense and prosecution.