

Warren County Board of Supervisors

RESOLUTION NO. 652 OF 2015

Resolution introduced by Supervisors Monroe, Girard, Sokol, Wood, Frasier, Westcott and Strough

SEEKING ASSISTANCE FROM THE NEW YORK STATE LEGISLATIVE FOR FUNDING RELATED TO HURRELL-HARRING ARRAIGNMENT REQUIREMENTS

WHEREAS, the State of New York settled the *Matter of Hurrell-Harring, et al v State of New York*, a systemic lawsuit seeking to transform the indigent defense system into a statewide defender system consistent with the State's responsibility under *Gideon v Wainwright*, and

WHEREAS, in settlement of *Hurrell-Harring*, the State accepted its responsibility to ensure that each person charged with a crime in the five (5) counties named in the lawsuit, is represented by counsel at arraignment; that Indigent Legal Services ("ILS") caseload/workload standards are implemented; that dedicated funding be provided to implement specific quality improvements; and that the State will undertake its best efforts to pay in full for these long-needed measures, and

WHEREAS, the settlement of *Hurrell-Harring* matter has resulted in disparity between the five named counties of the lawsuit and the remaining fifty-seven (57) counties with respect to financial benefit provided by the State to individual county indigent legal defense plans, and

WHEREAS, Assemblywoman Patricia Fahy has introduced legislation (A6202-A) designed to address the inequity created by the *Hurrell-Harring* settlement, through a phase-in indigent legal defense funding model that would ultimately see the State assume its responsibility to fund indigent defense and reimburse all Counties for their indigent legal defense expenditures delegated to them in 1965, and

WHEREAS, State Senator Joseph Griffo and other Senators are working in the State Senate toward a Bill designed to address this inequity and unfunded mandate delegated to the Counties, and

WHEREAS, the Warren County Board of Supervisors seeks to support these efforts and proposed Bills, now, therefore, be it

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RESOLVED, that the Warren County Board of Supervisors hereby supports seeking assistance from the New York State Legislative for funding related to Hurrell-Harring arraignment requirements, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to the New York State Association of Counties; Governor Andrew M. Cuomo; Senator Elizabeth O’C. Little; and Assemblyman Daniel.