



## WISCONSIN CATHOLIC CONFERENCE

### **TESTIMONY IN SUPPORT OF SENATE BILL 263 AND ASSEMBLY BILL 395: ACCESS TO PUBLIC DEFENDER SERVICES**

Presented by John Huebscher

October 6, 2009

The Wisconsin Catholic Conference thanks you for the opportunity to offer testimony in support of Senate Bill 263 and Assembly Bill 395, which would require the State Public Defender's (SPD) office to raise its eligibility standards and to hire additional staff.

The most significant action government can take is that of depriving a person of his or her freedom. This loss of freedom makes the stakes in any criminal proceeding of great importance to the accused. That is why fairness is critical to our system of criminal justice.

In our system, those accused of wrongdoing are presumed innocent and entitled to their day in court. However, for that day in court to be meaningful, the accused must have a genuine opportunity to prove their innocence. Adequate counsel, properly compensated, is vital to that opportunity.

That is why we support this legislation.

Some years ago, the Wisconsin Catholic Conference convened a 15-member Task Force on Corrections to review the state's criminal justice system.

The members of the Task Force included a former State Supreme Court Justice; the director of a community program that helps place offenders in jobs and housing; an assistant district attorney for Milwaukee County; an ex-offender; a prison chaplain; a retired county sheriff; a former probation officer; priests who minister to offenders and victims; and several crime victims.

The Task Force heard testimony from Department of Corrections officials; prison inmates; victims of crime; theologians; and advocates for judicial and prison reform. The bishops then wrote a statement, *Public Safety, the Common Good, and the Church: A Statement on Crime and Punishment in Wisconsin*, based on the findings of the Task Force. That statement advocated for several principles to guide public policies regarding crime and punishment.

One of these is that, "Criminal justice policies and pastoral responses to crime must take special care to address and serve those with little or no money. Policies must ensure that justice is as accessible to victims and offenders who are poor as it is to those who are more affluent."

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Too often, justice is not currently accessible to poor people. One of the major reasons for this is a lack of access to effective legal counsel. This lack of access, in turn, is often due to the fact that the indigency standards have not changed since 1987. If the guidelines were to be made consistent with W-2, as these bills propose, it is estimated that the SPD could represent an additional 12,800 cases per year.

Senate Bill 263 and Assembly Bill 395 not only uphold our nation's civil commitment to equal justice under the law. In doing so, they also further the principle of Catholic social teaching that the measure of all institutions is the degree to which they either enhance or diminish the life and dignity of every human being, and the degree to which they protect or threaten the poorest and most vulnerable members of our society.

For these reasons we urge you to support SB 263 and AB 395.

Thank you.