STATE OF TEXAS §
§
COUNTY OF BROWN §

State Funds for Indigent Criminal Defense

WHEREAS, the right to assistance by legal counsel is guaranteed by the U.S. Constitution; and

WHEREAS, the State of Texas is required to implement this right and provide legal counsel to indigent criminal defendants; and

WHEREAS, the Texas Fair Defense Act, adopted by the Texas Legislature in 2001, implements this right and requires certain procedures and attorney appointments; and

WHEREAS, the Texas Legislature has failed to provide sufficient funding to offset the costs of the Fair Defense Act and has shifted this cost to county taxpayers; and

WHEREAS, county expenditures for indigent criminal defense have increased over 100 percent since the adoption of the Fair Defense Act; and

WHEREAS, the state funding is totally inadequate, providing approximately 12 percent of the indigent defense costs; and

WHEREAS, indigent criminal defense is a state responsibility that should be adequately funded on a statewide basis, not a burden overwhelmingly borne by local property taxpayers;

NOW THEREFORE, BE IT RESOLVED that the Commissioners Court of BROWN County, Texas does hereby request that the Texas Legislature fully fund the costs of indigent criminal defense.

Adopted this 9th day of September, 2016.

E Ray West
County Judge

ATTEST:

Carol Holamon, Deputy Clerk
County Clerk

September 9, 2016
(Exhibit #3)