



**February 2, 2022**

**To:** Chair Prozanski, Vice-Chair Thatcher and Members of the Senate Committee on Judiciary

**From:** Autumn D Shreve, Government Relations Manager, OPDS

**Re:** SB 1511- Section 3 and -1 Amendment - Reasonable Discovery Fees

Office of Public Defense Services (OPDS) would like to thank Senator Prozanski and members of the committee for addressing this important issue of discovery costs. OPDS has a genuine desire to work collaboratively with the counties and district attorneys' offices to make sure they are adequately funded to fulfill their role in the criminal justice system. This includes the costs they incur for providing constitutionally and statutorily mandated discovery (police reports, photographs, audio/video recordings, and other electronically stored information). OPDS is in full agreement that the system works best when everyone- the courts, the prosecution, and the defense, are all properly funded.

- We appreciate the commitment of Senator Prozanski to help lead the stakeholder discussions exploring movement towards a more efficient and cost-effective system of discovery transfer through electronic discovery (E-Discovery)
  - E-Discovery has the benefits of efficiency, tax-payer savings, and a digital footprint to reduce appellate issues and litigation related to discovery. This will provide more certain finality at the trial level to the benefit of all stakeholders and the entire community.
- OPDS understands that section 3 of the bill and proposed -1 amendment are an effort to return the cost of discovery to the status quo while continued discussions regarding discovery, including how discovery costs are defrayed and movement towards electronic discovery can be effectively accomplished, are ongoing.

