

Submitter: Brian Jensvold

On Behalf Of:

Committee: Senate Committee On Judiciary

Measure, Appointment or Topic: SB178

I am writing to express my strong opposition to Senate Bill 178, which would allow district attorneys to charge fees for discovery materials in criminal prosecutions. This bill, promotes a gross inequity that would undermine the very principles of justice that our legal system is supposed to uphold.

The core issue with this bill is that it creates a financial barrier to accessing due process, effectively ensuring that only those with the financial means to pay these fees can fully exercise their rights to a fair trial thereby creates a two-tiered justice system: one for the wealthy and one for the poor, further tilting the scales of justice in favor of those who can afford to pay for discovery materials, while disadvantaging the most vulnerable members of our society.

This inequity is not just a moral concern; it is a constitutional one. The Sixth Amendment of the United States Bill of Rights guarantees the right to a fair trial and the right to be informed of the nature and cause of the accusation against oneself. By imposing a financial burden on individuals in order to access critical materials that are necessary for their defense, this bill risks violating these foundational protections.

I urge you to consider the long-term consequences of this bill. It is crucial that we protect the right to a fair trial for all, regardless of financial status. Rather than further entrenching inequity in our legal system, we should be striving to ensure that all defendants, regardless of their ability to pay, have access to the same rights, resources, and opportunities for justice.

For these reasons, I strongly oppose Senate Bill 178 and ask that you vote no on this measure.