



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara welcomes Cuomo budget pledge to remove cost of 'indigent defense' from counties; Governor vetoed critical mandate relief legislation in 2016

THOMAS F. O'MARA January 18, 2017

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Albany, N.Y., January 18—State Senator Tom O'Mara (R,C,I-Big Flats) today welcomed Governor Andrew Cuomo's pledge, as part of the governor's 2017-2018 proposed state budget,

to provide important mandate relief to counties by requiring the state to take over the full cost of legal defense services for the poor, commonly known as “indigent criminal defense.”

Cuomo’s budget proposal, released in Albany late yesterday, states that the governor this year will introduce a plan to “fund one hundred percent of the costs necessary” for counties statewide to provide indigent criminal defense. The governor estimates that his plan will cost the state \$240 million annually once fully phased in. [See the attached copy above of the governor's proposed budget]

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Cuomo vetoed legislation ([S8114/A10706](#)) O’Mara co-sponsored in 2016 to phase in a state takeover of the full cost of indigent defense by 2022. The legislation was overwhelmingly approved by both houses of the Legislature last June but rejected by the governor at the final minute on New Year’s Eve.

O’Mara was highly critical of the governor’s end-of-the-year veto and pledged to keep fighting for the legislation’s enactment in 2017.

He also urged Cuomo to begin paying more attention to the burden of unfunded state mandates on local governments and school districts. Since the state’s enactment of the local property tax cap in 2011, O’Mara has been outspoken in his criticism that the state, as the governor originally promised to secure the Legislature’s support for enacting the cap, has not

followed through on its commitment to meaningful relief for counties from unfunded state mandates.

“When the tax cap was first enacted five years ago, Governor Cuomo promised that it would go hand in hand with rolling back the heavy burden of unfunded state mandates on local governments and school districts,” O’Mara said. “While there have been some important mandate relief actions since then, including long-term pension reform and the takeover of the growth in local Medicaid costs, not nearly enough has been done to ensure a future of long-term property tax reductions for local property taxpayers. We need a future defined by property tax cuts, not smaller property tax increases.”

O’Mara said that the move to relieve counties locally and statewide of the cost of providing indigent defense has been identified by the New York State Association of Counties (NYSAC) as one of its top mandate relief priorities.