



Oregon AFSCME Council 75 supports SB 5532

Co-Chairs Winters and Piluso and members of the committee,

Thank you, for the opportunity to provide testimony in support of the Office of Public Defense Services budget, SB 5532. Oregon AFSCME Council 75 represents 3 locals in public defense, the staff and attorneys at Local 3668 Metropolitan Public Defenders and Local 2805 Multnomah Defenders, Inc. and Local 2435 the appellate division attorneys at the Office of Public Defense Services. In addition to supporting the important work our members and their colleagues provide, I am happy to talk with you today about how and why the issue of public defense became part of the Fair Shot Coalition's legislative agenda, under the banner of "Equal Access to Justice."

For those of you who have been around a few sessions, you may recall that AFSCME has talked about pay parity for public defense. We were able to pass parity for the appellate division several sessions ago, which Dir Borg aptly pointed out, yesterday, that has not yet been achieved. That statute didn't apply to trial level services and we made several attempts to pass parity for them as well. In 2017, House Judiciary unanimously passed our trial level services bill out of committee to this committee, where it died. (This is not an accusation.)

As we worked on the issue, the conversation evolved and our members and other partners pointed out that the need went far beyond pay for the staff and attorneys. Many pointed out that caseloads were far too high, that our system isn't set up to support the best outcomes for those being represented, and it doesn't support staff and attorneys to remain in the practice of public defense. It is after all a practice, to be built upon over time.

When the legislature funded the 6th Amendment Center Study and the American Bar Association Caseload Standard Study, AFSCME and our partners at OCDLA and others began to think through strategies to bring in impacted communities into the conversation. We applied to be part of the Fair Shot Coalition's legislative agenda. A process that has a written application approved by the steering committee and if selected an oral presentation to the entire coalition who then vote on the final steering committee.

The Fair Shot Coalition is made up of around 30 community and labor organizations with a focus on lifting up racial, social, economic and gender justice in Oregon. This coalition agreed that our current public defense services were perpetuating the criminalization of poverty, which we all know has disproportional representation of people of color, immigrants, people with disabilities and LGBT communities to name a few. They were taking a gamble on this campaign, something we projected would take up to 3 biennium. We had no legislation and wouldn't have much in the way of language until after the publication of the 6th Amendment Center Study in December of 2018. We did have a general direction, knowing that caseloads were too high, pay too low and outcomes for the represented were not adequate. They also realized that the stakes are high for too many in our state and that



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without big changes and more investments to support those changes, this out of balance system would remain in place.

Later this session, you will hopefully hear HB 3145, our policy bill that restructures how we pay for our public defense services. Funding is necessary for these changes and as others have pointed out in testimony, this is upstream and less costly than paying for the churn of people through the criminal justice system. Through that legislation, we are addressing the issues recognized by the practitioners in the field, the people in the community and validated by the 6th Amendment Center Study. Investments will be needed to support this work and bring our system up to Constitutional standards. HB 5532, provides for base funding to begin that work and Oregon AFSCME Council 75 urges your support.

Respectfully submitted by Eva Rippeteau, political coordinator, Oregon AFSCME Council 75.