



February 19, 2020

Testimony in Support of House Bill 4004
Equal Access to Justice
Submitted by Courtney Helstein on behalf of Family Forward Oregon

Chair Prozanski and Members of the Committee -

Family Forward Oregon focuses on strengthening the economic security of mothers and caregivers and we are also a member of the Fair Shot For All Coalition, a unique partnership of over 30 community-based organizations and labor unions who came together in 2014 to advance racial, gender, and economic justice by fixing the broken policies that prevent women, people of color, immigrants and refugees, LGBTQ people and working and low-income Oregonians from getting a fair shot.

Thank you for the opportunity to testify in support of House Bill 4004 to ensure that women and mothers — like all other Oregonians — have equal access to justice. Women are entering the criminal justice system in increasing numbers due to the effects of gender-based discrimination, poverty, trauma, abuse and institutional racism.

Family Forward believes that if we want to break the cycle of poverty and incarceration in Oregon, we must look for ways to better support women and families far before any involvement with the criminal justice system. But we also desperately need to change what happens to women within the criminal justice system - from their experiences of arraignment through sentencing and beyond. Critical to improving their outcomes is having a qualified attorney — even when that attorney is court-appointed — that has the time and resources to thoroughly review the case, seek the support of others, provide expertise, and look for wrap-around services.

HB 4004 - is a small step toward larger reforms to address disparities by solidifying in statute one of the key recommendations in the [Sixth Amendment Center's 2019 report](#): abolishment of the unconstitutional flat rate case contracting model that pits a client's right to adequate representation against the attorney's financial need to take on higher caseloads than what is reasonable.

In addition to abolishing the flat case rate contracts, some highlights include:



- Considerations of costs accrued by contractors such as licensing, training, office space and other overhead costs
- Building caseload and workload models that take regional needs and best practices into consideration
- Transparency and accountability for contractors and Oregon Public Defense Services
- The addition of a position on the Public Defense Services Commission that will be filled by an individual who has been represented by a public defender in Oregon. Ensuring we are including impacted communities in our decision making.

We are grateful for the legislatures continued focus on reforming our public defense system and we strongly urge the legislature to support this first step and vote yes on House Bill 4004.