

HB 2003-2
(LC 1617)
4/7/21 (JLM/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Representative Karin Power)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2003**

1 On page 4 of the printed bill, after line 21, insert:

2 **“SECTION 6. (1) The Oregon Criminal Justice Commission shall**
3 **establish within the commission the Public Defense Modernization**
4 **Committee. Members of the committee shall be appointed as described**
5 **in subsection (2) of this section.**

6 **“(2)(a) The Governor shall appoint to the committee:**

7 **“(A) One person representing the Oregon Criminal Defense Lawyers**
8 **Association.**

9 **“(B) One person representing the Oregon Defense Consortia Asso-**
10 **ciation.**

11 **“(C) The chief financial officer of the Oregon Department of Ad-**
12 **ministrative Services.**

13 **“(D) One person representing the American Federation of State,**
14 **County and Municipal Employees.**

15 **“(E) One person representing the Department of Justice.**

16 **“(F) One person representing the Oregon State Bar.**

17 **“(G) One person who is an attorney practicing at a nonprofit de-**
18 **fense firm.**

19 **“(H) One person who is an attorney practicing at a defense consor-**
20 **tium.**

21 **“(I) One person who is an attorney practicing as a solo practitioner,**

1 or who is in practice with only one other attorney.

2 “(J) One person who is an attorney with experience practicing in
3 juvenile dependency law.

4 “(K) One person who is an attorney with experience practicing in
5 juvenile delinquency law.

6 “(L) Two persons representing community-based organizations fo-
7 cused on racial justice.

8 “(M) Up to three persons from geographically diverse parts of this
9 state who have been served as clients by public defense services.

10 “(N) One person employed as an investigator, interpreter or case
11 manager.

12 “(b) The Chief Justice of the Supreme Court shall appoint to the
13 committee:

14 “(A) One person representing the office of public defense services
15 as defined in ORS 151.211.

16 “(B) One person representing the Public Defense Services Commis-
17 sion.

18 “(C) One person representing the Judicial Department.

19 “(3) The Oregon Criminal Justice Commission, in consultation with
20 the committee, shall explore the modernization of the provision of
21 trial-level public defense services within this state. The commission,
22 in consultation with the committee, shall examine alternative models
23 for providing public defense services and consider any relevant existing
24 studies, reports, research, findings and recommendations.

25 “(4) In carrying out the duties described in subsection (3) of this
26 section, and in preparing the reports described in subsection (5) of this
27 section, the commission, in consultation with the committee, shall
28 specifically consider and address the following subjects:

29 “(a) Public defense attorney retention rates;

30 “(b) Caseload standards;

1 **“(c) Public defense service provider compensation;**
2 **“(d) The role of the executive branch in providing public defense**
3 **services;**
4 **“(e) Public defense service delivery models, including:**
5 **“(A) A trial-level public defense division within a state entity;**
6 **“(B) The existing contractor model of public defense;**
7 **“(C) A hybrid of the models described in subparagraphs (A) and (B)**
8 **of this paragraph; and**
9 **“(D) Any other alternative options;**
10 **“(f) The implementation of public defense reform, including:**
11 **“(A) Regional implementation;**
12 **“(B) Statewide implementation;**
13 **“(C) Implementation timelines; and**
14 **“(D) State and local cost analyses of each public defense delivery**
15 **model;**
16 **“(g) The issue of inequity within the public defense system in this**
17 **state, including:**
18 **“(A) The overrepresentation of communities of color within the**
19 **criminal justice system;**
20 **“(B) Improving the diversity of public defense practitioners;**
21 **“(C) Data collection and analysis of racial, ethnic and other dis-**
22 **parities within the public defense provider system, and the best prac-**
23 **tices to remedy those disparities; and**
24 **“(D) Providing culturally competent, culturally specific and cul-**
25 **turally responsive services;**
26 **“(h) Interdisciplinary defense opportunities and advancement;**
27 **“(i) Training opportunities for public defense attorneys and other**
28 **public defense providers; and**
29 **“(j) A timeline by which any additional reform analysis work will**
30 **be completed.**

1 **“(5)(a) No later than November 30, 2021, the commission shall pro-**
2 **vide an initial report containing the preliminary findings of the com-**
3 **mission and the committee to:**

4 **“(A) The interim committees of the Legislative Assembly related to**
5 **the judiciary, in the manner provided in ORS 192.245;**

6 **“(B) The Public Defense Services Commission; and**

7 **“(C) The Governor.**

8 **“(b) No later than September 30, 2022, the Oregon Criminal Justice**
9 **Commission shall provide a final report with the findings of the com-**
10 **mission and the committee to:**

11 **“(A) The interim committees of the Legislative Assembly related to**
12 **the judiciary, in the manner provided in ORS 192.245;**

13 **“(B) The Public Defense Services Commission; and**

14 **“(C) The Governor.**

15 **“SECTION 7. Section 6 of this 2021 Act is repealed on January 2,**
16 **2023.”.**

17 In line 22, delete “6” and insert “8”.

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