



March 18, 2021

Chair Bynum and members of the committee,

Thank you for providing the opportunity to share the Oregon Defense Consortia Association's support of HB 2003. The Oregon Defense Consortia Association includes public defense providers who work with consortia in Baker, Clackamas, Clatsop, Coos, Crook, Deschutes, Jefferson, Jackson, Linn, Marion, Multnomah, Polk, Union, Wallowa, and Washington counties. Our members are committed to public defense work and support efforts to improve our public defense system.

Today, the public defense community recognizes the 58<sup>th</sup> anniversary of Gideon v. Wainright, also known as Gideon's Day. Like the Supreme Court, our members are committed to upholding indigent defendants' constitutional right to access high-quality defense services. It's no secret that Oregon's public defense system and the people it serves would benefit from modernization. Untenable case rates, lack of support for connection to services for defendants and more are leading to turnover in the provider community, and when our system fails in these ways, the most vulnerable members in our community pay the price.

We have been working with our partners at OPDS, OCDLA and AFSCME to build off the efforts started in collaboration with the Speaker's office during the 2020 short session. We appreciated the opportunity to collaborate on a bill that will establish a community-based, stakeholder-driven framework for helping build the foundation of a new public defense system.

ODCA is grateful for the inclusion of provisions that direct the Public Defense Services Commission (PDSC) to adopt policies that ensure compensation and caseloads are in accordance with national and regional best practices, which we hope will bring some long-term stability and certainty to our providers who have long worked with high caseloads, a lack of resources, and low pay. We also appreciate the provision which directs the PDSC to consider the different regional and structural needs of providers in its contracting policies. Finally, we support the direction to the PDSC to establish systems with transparency and stakeholder engagement, as this will be a crucial part of the modernization effort moving forward.

We recognize that HB 2003 is a first step in the modernization of the public defense system in Oregon. As we worked with our partners last session in support of these changes, it led to discussions about what next steps would look like. A stakeholder process was identified, but unfortunately, due to the pandemic, it never materialized. We have been working with our partners at OPDS, OCDLA, and AFSCME to craft an amendment that would codify the stakeholder process as it moves forward. The amendment will establish the Public Defense Modernization Advisory Committee and identify the participants who should be included in that process. It will also direct the Criminal Justice Commission, in consultation with that Public Defense Modernization Advisory Committee, to explore alternative models for



modernizing trial-level public defense services structure, and do the analysis required to understand the impacts, costs, and benefits to the state. Finally, it will require the Criminal Justice Commission to issue a final Report with policy recommendations from the Public Defense Modernization Committee due September 30th, 2022 to be submitted by the Criminal Justice Commission to the Legislature, Public Defense Services Commission, and the Governor's office.

We are grateful to the legislature for helping improve the public defense system for our providers, investigators, staff, and most importantly, our clients. We urge you to pass HB 2003 and lay this important foundation for reform, and we look forward to continuing the conversation and participating in the modernization effort through the interim and the next legislative sessions.

Oregon Defense Consortia Association

Sincerely,

Rob Harris  
Cierra Brown  
Bruce Liebowitz  
Jon Pritchard  
Bruce Tarbox  
Jon Weiner