



AFSCME Urges your support and passage of HB 2003

May 6, 2021

Dear Chair Prozanski, Vice-Chair Thatcher and Members of House Judiciary,

Thank you for this opportunity to share AFSCME Council 75's support for HB 2003. Thank you also to Rep Power and Rep Kropf for Chief Sponsoring this bill and to all of you for continuing the conversations and work to improve Oregon's public defense services.

AFSCME Council 75 represents over 24,000 public and private sector employees in Oregon including a growing number of locals in public defense – the attorneys and staff in Local 2805 Multnomah Defenders, Inc., and Local 3668 Metropolitan Public Defender, the appellate division attorneys at Local 2435 and the newly established local representing the support staff at the Office of Public Defense Services (OPDS).

As you may recall, in January 2019, the Sixth Amendment Center published a report on Oregon's public defense services [“The Right to Counsel in Oregon: Evaluation of Trial Level Public Defense Representation Provided Through the Office of Public Defense Services.”](#) The report had been commissioned by the Office of Public Defense Services (OPDS) with approval from the legislature to study our system and offer recommendations on needed improvements. The Public Defense Services Commission (PDSC) responded by making policies to immediately address the issue of potentially constitutionally problematic case rate contracting.

HB 2003 on its face may not seem grandly transformational but it lays groundwork for the continued work to come. It does this in some simple yet clear ways that both codify policies made by the Public Defense Services Commission yet gives them room to adjust through policy any further needs in the immediate term. The bill gives certainty to our public defense services contractors in how the contracting process will be handled. This certainty in the contracting process will hopefully begin to stabilize the workforce and keep them in the practice of public defense longer term - ensuring that all accused of a crime in Oregon have an experienced attorney with time to work with them on their cases. Increased pay is also needed and accounted for in this approach, for many attorneys the crushing caseloads are a main reason people leave.

HB 2003 is also a first step in modernizing our public defense services to better reflect our collective work to create safer, more just communities. The bill provides an immediate step



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toward doing this by adding the non-attorney and people with lived experience of being represented by a public defense services provider to the PDSC.

HB 2003 also gives us a start in stabilizing our workforce by making it a more sustainable career, and representative of the communities that have been disproportionately impacted by systemic racism. We all are or should be familiar with the disproportionate impact of arrests and convictions of Black, Indigenous and other People of Color. HB 2003 begins this by ensuring that “compensation, resources and caseloads” standards are followed and that operational and contracting systems are inclusive, promote equity and culturally specific representation. With these statutory requirements, the PDSC will be able to make policies and contracts that support keeping people in the field longer and build a more diverse workforce.

A more inclusive Public Defense Services Commission and more diverse workforce with better compensation and caseload standards can't be fully successful in creating safer and more just communities without also providing for case managers or social workers as part of the team. We know from examples nationwide and from within Oregon with our recently expanded Parent Child Representation Program for child dependency cases, that when attorneys have caseload standards, they have more time to dedicate to a case, and when there is a case manager to work with the client on addressing basic needs and root causes of why they may be entering into the criminal justice system, that client better understands the system, feels respected, heard and that they have been fairly treated - no matter the outcome. When that happens, and they are able to continue to be supported on their path of success - they are less likely to re-offend.

AFSCME Council 75 urges your support and passage of HB 2003. We look forward to continuing the work with our public defense and community partners, Public Defense Services Commission and staff and all of you on further reforms to ensure all accused of a crime in Oregon have their right to adequate representation upheld.

In Unity,

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