

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO  
B-ENGROSSED SENATE BILL 337**

1 On page 89 of the printed B-engrossed bill, after line 13, insert:

2  
3 **“UNREPRESENTED DEFENDANT CRISIS PLANS**

4  
5 **“SECTION 103. The Legislative Assembly finds that:**

6 **“(1) Oregonians accused of a crime are entitled, under the Sixth and**  
7 **Fourteenth Amendments of the United States Constitution, and Arti-**  
8 **cle I, section 11, of the Oregon Constitution, to have an attorney pro-**  
9 **vided at government expense whenever the person is facing the**  
10 **potential loss of liberty and is unable to afford an attorney.**

11 **“(2) The current unrepresented defendant crisis represents a threat**  
12 **to the constitutional rights of Oregonians and must be resolved.**

13 **“SECTION 104. (1)(a) The presiding judge of each judicial district**  
14 **shall immediately develop and implement a coordinated public safety**  
15 **unrepresented defendant crisis plan, and submit the plan to the**  
16 **Oregon Criminal Justice Commission, as soon as practicable and no**  
17 **later than September 1, 2023.**

18 **“(b) The plan described in this subsection must first prioritize the**  
19 **resolution of the cases of unrepresented defendants who are in cus-**  
20 **tody, and then the cases of unrepresented defendants who are out of**  
21 **custody.**

1       **“(2) The presiding judge of a judicial district with a total population**  
2 **of over 100,000 shall immediately convene a crisis team to assist in the**  
3 **development of the plan and to coordinate the implementation of the**  
4 **plan described in subsection (1) of this section. The team shall be**  
5 **composed of at least the following persons:**

6       **“(a) The presiding judge of the judicial district;**

7       **“(b) District attorneys within the judicial district; and**

8       **“(c) The public defense services executive director, or the director’s**  
9 **designee.**

10       **“(3) The Chief Justice of the Supreme Court may issue orders re-**  
11 **lated to resolving the unrepresented defendant crisis.**

12       **“(4) The presiding judge of a judicial district may enter standing**  
13 **orders related to resolving the unrepresented defendant crisis that are**  
14 **consistent with the orders of the Chief Justice described in subsection**  
15 **(3) of this section and the plan of the judicial district described in**  
16 **subsection (1) of this section.**

17       **“SECTION 105. The Public Defense Services Commission shall:**

18       **“(1) By no later than August 15, 2023, promulgate and disseminate**  
19 **guidance for the judicial district coordinated public safety unrepre-**  
20 **sented defendant crisis plans described in section 104 of this 2023 Act.**

21       **“(2) By no later than September 1, 2023, develop a training plan for**  
22 **public defense providers specific to the unrepresented defendant crisis,**  
23 **in consultation and cooperation with public defense provider associ-**  
24 **ations and organizations.**

25       **“(3) By no later than October 1, 2023, report to the Joint Interim**  
26 **Committee on Ways and Means and the interim committees of the**  
27 **Legislative Assembly related to the judiciary, in the manner provided**  
28 **in ORS 192.245, on the commission’s progress in carrying out the pro-**  
29 **visions described in subsections (1) and (2) of this section.**

30       **“SECTION 106. The Oregon Criminal Justice Commission shall**

1 **conduct a review of each judicial district’s coordinated public safety**  
2 **unrepresented defendant crisis plan submitted to the commission un-**  
3 **der section 104 of this 2023 Act. The commission shall report the**  
4 **commission’s findings to the Joint Interim Committee on Ways and**  
5 **Means and the interim committees of the Legislative Assembly related**  
6 **to the judiciary, in the manner provided in ORS 192.245, no later than**  
7 **October 1, 2023.**

8 **“SECTION 107. All agencies of state government, as defined in ORS**  
9 **174.111, are directed to assist the presiding judges of judicial districts,**  
10 **the Public Defense Services Commission and the Oregon Criminal**  
11 **Justice Commission in the performance of their duties under sections**  
12 **104 to 106 of this 2023 Act and, to the extent permitted by laws relating**  
13 **to confidentiality, to furnish such information and advice to the judges**  
14 **and commissions necessary to perform their duties.**

15 **“SECTION 108. Sections 103 to 107 of this 2023 Act are repealed on**  
16 **June 30, 2025.”**

17 In line 17, delete “103” and insert “109”.

18 In line 23, delete “104” and insert “110”.

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