

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

18 **“APPROPRIATIONS**

19 **“(Commission Changes)**

20

21 **“SECTION 109.** Notwithstanding any other provision of law, the  
22 General Fund appropriation made to the Public Defense Services  
23 Commission by section 1 (1), chapter \_\_, Oregon Laws 2023 (Enrolled  
24 Senate Bill 5532), for the biennium beginning July 1, 2023, for the  
25 Executive Division, is increased by \$414,792, for the purpose of carrying  
26 out the provisions of sections 7a to 14, 76, 92, 96 to 99 and 102 of this  
27 2023 Act and the amendments to statutes by sections 1 to 7, 15 to 75,  
28 77 to 91, 93 to 95, 100 and 101 of this 2023 Act.

29 **“SECTION 110.** Notwithstanding any other provision of law, the  
30 General Fund appropriation made to the Public Defense Services

1 Commission by section 1 (2), chapter \_\_, Oregon Laws 2023 (Enrolled  
2 Senate Bill 5532), for the biennium beginning July 1, 2023, for the  
3 Compliance, Audit and Performance Division, is increased by \$801,080,  
4 for the purpose of carrying out the provisions of sections 7a to 14, 76,  
5 92, 96 to 99 and 102 of this 2023 Act and the amendments to statutes  
6 by sections 1 to 7, 15 to 75, 77 to 91, 93 to 95, 100 and 101 of this 2023  
7 Act.

8 “SECTION 111. Notwithstanding any other provision of law, the  
9 General Fund appropriation made to the Public Defense Services  
10 Commission by section 1 (4), chapter \_\_, Oregon Laws 2023 (Enrolled  
11 Senate Bill 5532), for the biennium beginning July 1, 2023, for the Adult  
12 Trial Division, is increased by \$7,406,190, for the purpose of carrying  
13 out the provisions of sections 7a to 14, 76, 92, 96 to 99 and 102 of this  
14 2023 Act and the amendments to statutes by sections 1 to 7, 15 to 75,  
15 77 to 91, 93 to 95, 100 and 101 of this 2023 Act.

16 “SECTION 112. Notwithstanding any other provision of law, the  
17 General Fund appropriation made to the Public Defense Services  
18 Commission by section 1 (5), chapter \_\_, Oregon Laws 2023 (Enrolled  
19 Senate Bill 5532), for the biennium beginning July 1, 2023, for the Ju-  
20 venile Trial Division, is increased by \$1,234,365, for the purpose of  
21 carrying out the provisions of sections 7a to 14, 76, 92, 96 to 99 and 102  
22 of this 2023 Act and the amendments to statutes by sections 1 to 7, 15  
23 to 75, 77 to 91, 93 to 95, 100 and 101 of this 2023 Act.

24 “SECTION 113. Notwithstanding any other provision of law, the  
25 General Fund appropriation made to the Public Defense Services  
26 Commission by section 1 (7), chapter \_\_, Oregon Laws 2023 (Enrolled  
27 Senate Bill 5532), for the biennium beginning July 1, 2023, for Court  
28 Mandated Expenses, is increased by \$14,656,343, for the purpose of  
29 carrying out the provisions of sections 7a to 14, 76, 92, 96 to 99 and 102  
30 of this 2023 Act and the amendments to statutes by sections 1 to 7, 15

1 to 75, 77 to 91, 93 to 95, 100 and 101 of this 2023 Act.

2 **“SECTION 114.** Notwithstanding any other provision of law, the  
3 General Fund appropriation made to the Public Defense Services  
4 Commission by section 1 (8), chapter \_\_, Oregon Laws 2023 (Enrolled  
5 Senate Bill 5532), for the biennium beginning July 1, 2023, for the  
6 Parent Child Representation Program, is increased by \$1,234,365, for  
7 the purpose of carrying out the provisions of sections 7a to 14, 76, 92,  
8 96 to 99 and 102 of this 2023 Act and the amendments to statutes by  
9 sections 1 to 7, 15 to 75, 77 to 91, 93 to 95, 100 and 101 of this 2023 Act.

10 **“SECTION 115.** Notwithstanding any other provision of law, the  
11 General Fund appropriation made to the Public Defense Services  
12 Commission by section 1 (9), chapter \_\_, Oregon Laws 2023 (Enrolled  
13 Senate Bill 5532), for the biennium beginning July 1, 2023, for the Ad-  
14 ministrative Services Division, is increased by \$8,465,430, for the pur-  
15 pose of carrying out the provisions of sections 7a to 14, 76, 92, 96 to 99  
16 and 102 of this 2023 Act and the amendments to statutes by sections 1  
17 to 7, 15 to 75, 77 to 91, 93 to 95, 100 and 101 of this 2023 Act.

18 **“SECTION 116.** Notwithstanding any other provision of law, the  
19 General Fund appropriation made to the Public Defense Services  
20 Commission by section 1 (10), chapter \_\_, Oregon Laws 2023 (Enrolled  
21 Senate Bill 5532), for the biennium beginning July 1, 2023, for the  
22 Special Programs, Contracts and Distributions Division, is increased  
23 by \$285,508, for the purpose of carrying out the provisions of sections  
24 7a to 14, 76, 92, 96 to 99 and 102 of this 2023 Act and the amendments  
25 to statutes by sections 1 to 7, 15 to 75, 77 to 91, 93 to 95, 100 and 101  
26 of this 2023 Act.

27 **“SECTION 117.** Notwithstanding any other provision of law, the  
28 General Fund appropriation made to the Judicial Department by sec-  
29 tion 1 (2), chapter \_\_, Oregon Laws 2023 (Enrolled Senate Bill 5512),  
30 for the biennium beginning July 1, 2023, for Operations, is increased

1 by \$283,504, for the purpose of carrying out the provisions of sections  
2 7a to 14, 76, 92, 96 to 99 and 102 of this 2023 Act and the amendments  
3 to statutes by sections 1 to 7, 15 to 75, 77 to 91, 93 to 95, 100 and 101  
4 of this 2023 Act relating to the transfer of the Oregon Public Defense  
5 Commission to the executive branch.

6  
7 “(Unrepresented Defendant Crisis Plans)  
8

9 “SECTION 118. Notwithstanding any other provision of law, the  
10 General Fund appropriation made to the Public Defense Services  
11 Commission by section 1 (4), chapter \_\_, Oregon Laws 2023 (Enrolled  
12 Senate Bill 5532), for the biennium beginning July 1, 2023, for the Adult  
13 Trial Division, is increased by \$368,316, for an expedited resolution case  
14 docket in the fourth judicial district.

15 “SECTION 119. Notwithstanding any other provision of law, the  
16 General Fund appropriation made to the Public Defense Services  
17 Commission by section 1 (4), chapter \_\_, Oregon Laws 2023 (Enrolled  
18 Senate Bill 5532), for the biennium beginning July 1, 2023, for the Adult  
19 Trial Division, is increased by \$4,588,202, for the purpose of carrying  
20 out the provisions of sections 103 to 107 of this 2023 Act.

21 “SECTION 120. Notwithstanding any other provision of law, the  
22 General Fund appropriation made to the Public Defense Services  
23 Commission by section 1 (10), chapter \_\_, Oregon Laws 2023 (Enrolled  
24 Senate Bill 5532), for the biennium beginning July 1, 2023, for the  
25 Special Programs, Contracts and Distributions Division, is increased  
26 by \$545,000, for the purpose of carrying out the provisions of sections  
27 103 to 107 of this 2023 Act.

28 “SECTION 121. Notwithstanding any other provision of law, the  
29 General Fund appropriation made to the Judicial Department by sec-  
30 tion 1 (2), chapter \_\_, Oregon Laws 2023 (Enrolled Senate Bill 5512),

1 **for the biennium beginning July 1, 2023, for Operations, is increased**  
2 **by \$1,852,566, for the purpose of carrying out the provisions of sections**  
3 **104 and 105 of this 2023 Act.”.**

4 In line 17, delete “103” and insert “122”.

5 In line 23, delete “104” and insert “123”.

6 \_\_\_\_\_