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# A STRONG VOICE FOR OREGON'S WORKERS

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To: Chair Prozanski  
Vice-Chair Thatcher  
Members of the Senate Judiciary Committee

FR: Catie Theisen, Oregon AFL-CIO

RE: SB 817 Support

March 14, 2023

The Oregon AFL-CIO represents 300,000 workers across Oregon and is a voice for all workers in the legislative process. As part of the Fair Shot coalition, we urge your support of SB 817 as one of many needed solutions to help address the public defense crisis in Oregon.

Hundreds of Oregonians are currently stuck in limbo because Oregon has failed to uphold its constitutional responsibility to provide adequate legal counsel to those who can't afford a private attorney. With our public defense system so chronically under-resourced, people accused of crime are either waiting indefinitely for a public defender to become available or are negotiating plea deals without adequate legal support. This leads to system imbalances and vulnerabilities that contribute to unjust case outcomes, disproportionately impacting Black and brown communities.

Part of Oregon's high cases could be prevented by connecting people with services and programs that address the root causes of their criminal justice system involvement. People's lives can forever be changed by an unjust ruling — leading to excessive prison and jail sentences, separation from family, fines and debt, restricted job and housing opportunities, and isolation and trauma. This cycle is costly to individuals, families, communities and puts unnecessary strain on our support systems.

Senate Bill 817 expands human-centered criminal legal processes that balance system efficiencies with individual accountability by making more people charged with low-level crimes eligible for "Pre-plea Probation" or "Pre-plea Diversion". Pre-plea probation and diversion allow Oregonians accused of misdemeanors and nonperson low level (class c) felonies, other than DUIs, to avoid pleading guilty and earn dismissal of their charge while remaining under the supervision of the court. Currently, judges also lack the authority to manage criminal legal system overloads by diverting low-level cases into supervision. This bill would give judges that authority without restriction by the district attorney.

Along with other solutions to support the public defense workforce, SB 817 will help decrease the caseloads of public defenders and courts and provide better access to justice for all Oregonians. We encourage your support of SB 817.

