

March 24, 2023

VIA ELECTRONIC MAIL

Representative - Jason Kropf
Democrat - District 54 - Bend
900 Court St. NE, H-491
Salem, Oregon 97301

Re: HB 2672-1

Dear Chair Kropf and Distinguished Members of the Judiciary Committee:

My name is Brian Gallini I serve as Dean at the College of Law at Willamette University. I write to express my complete and enthusiastic support for HB 2672-1, which provides loan forgiveness to qualifying public defense attorneys who graduate from an Oregon law school.

As you know, Oregon's shortage of public defense attorneys has created two separate but related crises. There is, first, a public defense crisis. Last year, the ABA's Committee on Legal Aid and Indigent Defense, in collaboration with Moss Adams LLP, published [*The Oregon Project: An Analysis of the Oregon Public Defense System and Attorney Workload Standards*](#). Among an assortment of troubling findings, that report bluntly concluded that "OPDS needs an additional 1,296 full-time attorneys – more than three times its current level – to meet the standard of reasonably effective assistance of counsel guaranteed by the Sixth Amendment."

Second, there is a related but equally troubling crisis afoot—one related to public safety. Indeed, the failure to provide representation to indigent defendants has resulted in an untold number of case dismissals. Cases dismissed in Multnomah County last year, for instance, included low-level assaults, domestic violence, property crimes and firearm-related offenses. Case dismissals send a troubling message to defendants and crime victims alike. Indeed, case dismissals suggest to defendants that no accountability exists in the face of a criminal act and, correspondingly, victims and the community more broadly risk losing trust in the criminal justice system because a dismissal suggests their case simply does not matter.

For those reasons, I am deeply supportive of providing loan forgiveness to qualifying public defense attorneys who graduate from an Oregon law school. For our part, Willamette graduates each year roughly 10% of its class to jobs in either prosecution or defense. Despite our consistent and robust dedication to graduating public service attorneys, I lament that many who would otherwise be attracted to public service simply cannot afford it due to the challenging financial

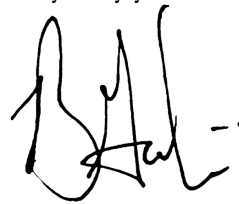
combination of student loan repayment alongside the comparatively low starting salaries for, as relevant here, public defenders.

Although I am strongly supportive of HB 2672-1, I should pause to note that it is, at best, under-inclusive in its efforts to comprehensively address the twin crises facing our state given the public defender shortage. Indeed, more comprehensive legislation might including the following:

- The creation of grant opportunities for Oregon law schools to develop public defender career pipelines, including through, for instance, the following:
 1. Experiential clinics specializing in criminal defense, juvenile defense, and juvenile dependency defense.
 2. Career fairs and networking events.
 3. Scholarships and financial assistance for students working to become public defenders.
 4. Paid clerkships.
 5. Paid positions for students taking a non-traditional path to licensure (e.g., Apprentice with a public defender office as a recognized Supervised-Practice Pathway).
- Retention bonuses for current public defenders;
- Signing bonuses for new public defenders;
- Increased support staff pay; and/or
- The creation of training programs for attorneys to complete prior to beginning to practice as a public defender (and include that training program part of the requisite hours for the SPPE licensure program (that will deploy attorneys faster)).

My observations about broadening the legislation aside, I believe that HB 2672-1 will energize our graduates and those from the other two Oregon law schools to pursue public defense as a career path. I therefore commend the innovation that HB 2672-1 brings on this front and look forward to supporting it in any manner possible.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Brian Gallini', with a stylized flourish at the end.

Brian Gallini
Dean & Professor of Law