



Oregon moms and caregivers fighting for gender, economic, and racial justice.

To: Senate and House Committees on Judiciary
From: Family Forward Oregon
Date: March 30, 2023
RE: In Support of SB 413, SB 337, and HB 2467

Chairs Kropf and Prozanski and members of the House and Senate Judiciary Committees,

Thank you for the opportunity to provide testimony in support of SB 413, SB 337, and HB 2467. Family Forward Oregon strongly supports these bills to address the ongoing crisis in Oregon's public defense system. Our organization focuses on strengthening the economic security of mothers, caregivers, parents, and families through bold policies. As members of the Fair Shot for All Coalition we support this bill as part of our ongoing work towards achieving racial and gender justice in Oregon.

The American Bar Association found that Oregon only has about one-third of the public defense attorneys necessary to meet current service needs. Our public defense system is chronically under-resourced, making justice nearly impossible to achieve. Currently, hundreds of Oregonians are stuck in limbo because Oregon has failed to uphold its constitutional responsibility to provide adequate legal counsel to those who cannot afford a private attorney.

Women and mothers of color in particular, are entering the criminal justice system in increasing numbers due to the effects of gender-based discrimination, poverty, trauma, abuse and institutional racism. According to an article by the Statesman Journal, the number of women imprisoned in Oregon has nearly tripled over the past 20 years, even though women are not committing more frequent or more serious crimes.¹ Racial disparities are clear among justice-involved women. In 2016, the U.S imprisonment rate for Black women was twice that of white women, and the imprisonment rate for Latinx women was 1.4 times that of white women.²

Victims and survivors of crime, especially survivors of domestic violence are also harmed when justice is delayed. A 2018 survey of more than 140 incarcerated women in Oregon showed widespread reports of past domestic violence and childhood trauma that led women to incarceration. Sixty-nine percent of the women surveyed said past trauma led to their involvement in the criminal justice system.³ About three-quarters of the women were in a relationship when they were arrested, and of those, 44% said the relationship contributed to their crime. The system is often too overloaded to center victims' individual needs and situation

¹<https://www.statesmanjournal.com/story/news/crime/2017/02/16/oregon-faces-skyrocketing-female-prison-population/98012786/>

² <http://www.herstoryoregon.org/increasing-incarceration-rates>

³ <https://ojrc.info/herstory-oregon-survey>

or even support a trial happening because the accused's right to representation and a speedy trial are violated.

SB 413 and HB 2467 include important investments and reforms to begin addressing the immediate crisis while building toward a more sustainable and just system which include the following:

- Focus on workforce recruitment and retention by ensuring pay for providers to be at a commensurate level with state employees who provide similar services
- Allow for the Office of Public Defense Services to administer grants to law schools in Oregon for supporting law students working in public defense, establish apprenticeship programs and other recruitment programs.
- Establish a loan repayment program through the Oregon State Bar that would allow for attorneys and staff of public defense services in Oregon to apply for grants to cover the costs of student loans

The structural reforms proposed in SB 337 are also important in a number of ways:

- Moving public defense services to the executive branch and having all branches participate in appointment of the Commission
- Includes a broader community in make up of the commission
- Starts a state employee trial division to ensure that we have employees that are able to meet representation needs, and provide baseline wages for contract attorneys and staff

These bills tackle our public defense issue through increased pay, manageable caseloads and a student loan repayment program. A combination of these tactics will help us attract new attorneys and retain experienced ones in the workforce, leading to better representation for Oregonians. Together, we can rebuild our public defense system to ensure fairness and root out racism and classism.

We urge your YES vote on SB 413, SB 337, and HB 2467.

Sincerely,

Lisa Kwon
Policy Manager
Family Forward Oregon

