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In Support of Bill 5532:

I am writing in support of increased hourly wage for licensed investigators working in Oregon. I will speak today in support of this bill.

I am at the brink of retirement at age 71. I have been a licensed investigator in Oregon since 2007 but began working for the state system as a paralegal in 1985, when I was employed by the Jackson County Public Defender's Office in Medford, Oregon.

Our family moved to Columbia, Missouri in 1986, and I worked there beginning in January of 1987 as a paralegal for the Director of the Missouri State Public Defender's office, coordinating the state's capital case representation. Within a few months I was an investigator/mitigation specialist with a full caseload. Over the next few years, we formed three capital units, and I served as the Assistant to the Director of those units. In 1990 I left the Missouri office and became an independent contractor working solely as a mitigation specialist on capital cases and in 1991 our family moved back to the Pacific Northwest. Soon, I was working both Federal and State death penalty cases as a mitigation specialist.

I have worked on over 130+ death penalty cases during my career of which 18 were federal capital cases. I have worked in Oregon, Idaho, Washington, Rhode Island, Kansas, Missouri, California, Arizona, New Mexico, and Nevada. Most of these cases were capital cases. However, as the laws changed in particularly Oregon and Washington, the need for investigator services was still there. Oregon's Senate Bill 1013 didn't remove the need for competent investigators, it simply shifted the need from capital cases to the next most serious penalty. In time, any re-sentencing proceeding, including the Miller (No life without parole for juvenile) cases obviously required the services of investigators/mitigation specialists, as well as any post-conviction higher level felony cases. Investigator services should be, will be and have historically been requested for any person charged with a serious (but actually any) crime where the defendant may suffer with mental illness, intellectual disability, and youthfulness.

Oregon DPSST requires renewal of licensing every two years, with (currently) 32 hours of continuing education with 2 hours devoted to ethics. In addition to many continuing education hours of my own interest, I have completed well over 600 hours of continuing legal education on issues directly related to my work over the years. Although

it is required to maintain the license, none of these seminar costs are reimbursed. The most comprehensive seminar closest to this location is the Monterey, CA conference, held once a year over the President's Day weekend, and is quite expensive, with tuition being over \$250.00 and lodging and meal, airfare, etc. all paid for personally. Most investigators in Oregon are not able to front these kinds of expenses. Oregon OCDLA hosts a number of seminars each year, but nearly all require travel, hotel, and personal meals to attend.


Many expenses incurred by Oregon investigators require pre-payment and later reimbursement by OPDS. Depending on the case, or cases the investigator has, expenses exceeding \$200 are easily incurred. Mileage, travel, and hotel/meals are routine sorts of cash layouts the investigator faces. Costs for such expenses have risen dramatically over time.

I am one of the lucky ones. I have a husband who is an attorney and with two incomes we can afford our unpaid travel, cost of doing business and continuing education costs. Many of the investigators I know, good people with excellent skills, struggle with these unreimbursed costs. Younger people, those with families, the ones you need to take our place as we elders age out of the business, live with the increased expenses of our time, and need additional funds to maintain an independent business and all the costs that come with it.

I can remember working in Oregon for \$28 an hour, and later \$30 and \$35 an hour as an investigator. This was back in 1992, and up to not so very long ago. Investigators have worked for \$28 per hour even recently. Currently, I believe the pay is \$47 per hour. Mitigation specialists can bill \$65 an hour but incur many more records and travel costs. The Federal system pays more and reimburses its contractors for their efforts, drawing experienced contractors from the State system. To be competitive and retain investigators who will provide services that SAVE the State money by efficiently and competently resolving cases, this bill must be passed. Ineffective assistance of counsel is something that should be widely studied. An ineffective lawyer COSTS the State twice, thrice, and more to resolve a case that a competent attorney, working with a competent and efficient investigator, can do in half the time.

I am 71 years of age, and at the brink of retirement, but I have years of experience in several agencies. I am happy to share these experiences with you. It is imperative, I believe, that the Oregon system begin to repair itself by passing this Bill.

Very Truly Yours,

  
Mary C. Goody