

Testimony of Joe Piucci in Support of SB 5532 Ways and Means Subcommittee on Public Safety

April 19, 2023

Co-Chairs Sollman and Evans, and members of the Committee:

My name is Joe Piucci. I represent Multnomah County on the Oregon State Bar Board of Governors. I am a personal injury attorney, but my career started as a public defender at Multnomah Defenders, Inc., a PDSC-funded nonprofit.

The Oregon State Bar supports the budget for the Public Defense Services Commission (PDSC), which provides funds for representation and access to justice for low-income Oregonians facing criminal charges. The Bar's Board of Governors has made public defense funding one of their top priorities for many years. It is imperative that the legislature do the same.

It was 60 years ago that the United States Supreme Court decided in *Gideon v Wainwright*, holding that as a matter of federal constitutional law any person charged with a felony in state court had an absolute right to court-appointed counsel. In Oregon, the right to counsel extends not only to felonies, but also to misdemeanors and juvenile proceedings as well.

The public defense system benefits all Oregonians by ensuring that criminal proceedings and trials are conducted in a manner that protects constitutional rights. Moreover, without lawyers representing each and every defendant, the entire court system would grind to a halt.

The bar and its leadership recognize that the public defense system in Oregon is currently facing unique challenges. The Oregon State Bar is committed to supporting a system of public defense that both supports public safety and protects the constitutional rights of criminal defendants. We are proud of the work that the Public Defense Service Commission has done over the years. The Bar recognizes that changes are needed in order to ensure that high quality services continue to be provided to all Oregonians in the criminal justice system.

Like the courts, PDSC has very little control over the demand for its services, and it must provide competent representation for all qualifying defendants who are charged crimes within the adult and juvenile courts. Simply, if no funds are available to pay for indigent defense, the justice system ceases to function.

Therefore, the Bar supports PDSC's request for adequate funding for public defense and appropriate caseloads for attorneys in Oregon's criminal and juvenile justice systems.

Access to justice is one of the Oregon State Bar's cornerstone values, and we strongly support a budget for the Public Defense Services Commission that ensures funding sufficient to maintain services and to fairly compensate publicly funded attorneys in criminal justice system. The Oregon State Bar urges adoption of a budget for PDSC that accomplishes these goals in the next biennium.