

MARION COUNTY ASSOCIATION OF DEFENDERS

MCAD

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March 4, 2025

Representative Jason Kropf
Chair, House Judiciary Committee
Representative Willy Chotzen
Vice-Chair, House Judiciary Committee
Representative Kim Wallan
Vice-Chair, House Judiciary Committee
Representatives Tom Anderson, Farrah Chaichi, Rick Lewis, Kevin Mannix, and
Tjuy Tran
Members, House Judiciary Committee

RE: HB 2614

I am the Executive Director of the Marion County Association of Defenders (“MCAD”). MCAD is the consortia that provides lawyers for appointment to adults charged with crimes in Marion County and elsewhere in Oregon. Our 29 member attorneys each have at least one staff member meaning MCAD supports over 60 families (we also have two office employees) in the Salem area.

MCAD while having almost the same FTE numbers as the Public Defender of Marion County represents well over half the adults charged with crimes needing appointed attorneys in Marion County and we are the attorney in well over half the cases with appointed attorneys.

The current provision that OPDC cannot contract with consortia after June 30, 2027, needs to be completely eliminated. Without MCAD well more than half the

cases in Marion County will not have appointed lawyers and over 60 families will be looking for new jobs. Just moving the MCAD lawyers to direct contracts with OPDC will not work. Most of the MCAD lawyers will not work directly with OPDC.

I and the two members of the MCAD office staff work directly with the court to coordinate when the Public Defender's Office and MCAD receive appointments and which MCAD lawyer receives MCAD appointments. This is done by MCAD, not the Public Defender's Office. MCAD is part of virtually every criminal system entity in Marion County contributing years of knowledge about how Marion County works and why. We have members with more experience than any of the judges in Marion County.

As we are starting to approach the present end of consortia contracts with OPDC even though that date is two years away I am getting questions from current MCAD lawyers as well as prospective ones as to why should they continue to do this work or start to do this work when it all goes away in two years. It is going to be increasingly more difficult to get new lawyers into this system when consortia go away in two years. Lawyers who join consortia almost always do not want to and will not work for a Public Defender office. Ending consortia contracts June 30, 2027, eliminates a number of potential great criminal defense lawyers joining this system and forces many out.

The requirement that OPDC not be able to contract with consortia starting July 1, 2027, needs to be eliminated. All it is doing is driving away current very experienced providers and discouraging potential providers from being part of the system. It only makes the current problems even larger and even more difficult to solve.


Olcott Thompson
Executive Director