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Dear Chair Kropf, Vice-Chairs Chotzen and Wallan and Members of the Committee:

My name is Jonathan Sarre and I am the Administrator of the Portland Defense Consortium (PDC), an organization of 16 attorneys working as solo practitioners or employed by small law firms providing criminal defense in Multnomah County. PDC also employs support staff such as paralegals, legal assistants and receptionists as well as investigators. Our clients are often men and women charged with the most serious crimes in the Justice System such as murder, sexual crimes and Measure 11 offenses. The majority of PDC attorneys work full time on our contracted cases and as an organization, we are usually at greater than 100% of our contracted capacity (MAC). Our consortia members are among the most experienced attorneys in Oregon and the vast majority are murder-certified.

I am writing on behalf of Portland Defense Consortia lawyers, on my own behalf as a practitioner carrying a caseload that includes everything from restraining order violations to First Degree Murder, and on behalf of consortia members throughout the state to ask lawmakers to eliminate the provisions created by SB 337 prohibiting the Oregon Public Defense Services Commission from contracting with consortia and law firms after 2029. Since the passage of SB 337, consortia lawyers like myself have worked more than our fair share of caseloads in a system that is going through a wrenching transition (that if it did not cause the worst indigent defense crisis in years, certainly exacerbated the crisis) with no assurance of any future beyond a vague “panel” system with hourly rates to be determined. If we are to allow defense consortia to “sunset” in 2029, it is only going to make the current problems worse; experienced attorneys will choose to retire or concentrate on other areas of law. Attrition rates for attorneys willing to public defense work are high enough as it is without driving veteran trial lawyers and their institutional and legal knowledge out of this sphere of the profession.

If the current crisis in indigent defense shows us anything, it’s the importance of an “all hand on deck” approach. Private attorneys, defense consortia, criminal defense firms and public defenders employed by both the state and not-for-profits (not to mention district attorneys, judges and other elected officials) all need to shoulder the burden that we are presented with right now, with too many potential clients and not enough experienced professionals to meet that demand. Qualified lawyers should be encouraged to do this work and know that they have some security not just a two year reprieve. While we all want lower caseloads and compensation rates commensurate with our counterparts in Department of Justice and many, if not most, DA’s offices, we would like to do our work without a sword dangling over our heads every two years. On behalf of myself and my organization, I urge you to preserve the consortia model by allowing groups like ours to contract with OPDC beyond the 2029 sunset in the -1 and -2 amendments to HB2614. Thank you for your consideration.

Very Truly Yours,

Jonathan T. Sarre

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