

To: House Committee on Judiciary

Fr: Hon. Daniel A. Cross

Re: HB 3180

Chair Kropf, Vice-Chairs Chotzen and Wallan, Members of the Committee, my name is Daniel A. Cross, and I am the Justice of the Peace for Washington County and have been for the past eight years. I am also the Chair of the Legislative Committee of the Oregon Justice of the Peace Association and may have had contact with some of you in that role. I testify today, however, only in my capacity as the Justice of the Peace for Washington County and a 25+ year member of the Washington County Bar Association.

I hope you all know how much the bench in Oregon appreciates the hard work you all do to ensure public safety and justice. You are an essential component of this critical process, and I submit this testimony to ask you to help my county make this process better.

Prior to becoming the Justice of the Peace, I was a criminal and juvenile defense attorney for 25 years, a member of the Oregon Criminal Defense Lawyers Association (OCDLA) for 25 years, served on the board of directors for the OCDLA for several years and was President of OCDLA in 2005-2006. From 1993 until the end of 1999, I practiced with a firm in Portland which had an indigent defense contract. From January, 2000, until taking the bench in January, 2017, I was in private practice with an office in Hillsboro. In that time, I made thousands of appearances and tried over one hundred cases in the Washington County Circuit Court.

There are two things I can state to you without equivocation. Washington County has a severe shortage of judges, but the current facilities have no feasible way of accommodating additional judicial officers. A new, seismically sound, courthouse is the

only avenue available to provide for the expansion needed to meet the existing requirements of the county.

The shortage is clear. Multnomah County is approximately 25% larger in population than Washington County (789,698 to 598,865) but has more than twice as many judges (38 to 16). Lane County, with less than two-thirds the population of Washington County (381,181) has only one fewer judge (16 to 15). This equates to a significant inequity in judges per capita as Multnomah has one judge for every 20,782 citizens, Lane has one for every 25,412 and Washington County has one for every **37,429**.

The need for a new building is also clear. The current courthouse was built in 1912. An addition was built in 1972. The original courthouse and the addition, however, are only connected, with respect to public access, on the ground floor. There are only four courtrooms on the ground floor of the original courthouse and none on the ground floor of the addition where all four of the courtrooms are on the fourth floor. This oftentimes makes it difficult for members of the public to navigate this space. This oftentimes makes it difficult for attorneys with hearings in different courtrooms to navigate this space. This oftentimes makes it difficult for court staff with jurors to move about to navigate this space (multiple criminal trials every year end in mistrial because jurors see the defendant in handcuffs and jail clothing during the case while moving about the awkward facility).

Finally, the Washington County Courthouse is not ADA compliant. In December 2008, I suffered a severe fall which resulted in compound and comminuted fractures of my tibia and fibula. When I was able to start working again, I had to be in a wheelchair. The only access point for a wheelchair to the court facilities is the entrance to the original courthouse. When one first enters there, after going through security (which, in a wheelchair that cannot go through the metal detector, involves a much more invasive process) there are a few steps up to the first floor proper. There is no ramp for this.

Instead, one must get their wheelchair into a very snug, ancient, rickety, lift. Upon arriving at the first floor, one must then try and extricate themselves from this very snug lift to proceed to get wherever they need to be. It is a slap in the face to those citizens who face such challenges, and it is wrong.

Please pass HB 3180 to fund the Planning Project to replace a facility that no longer serves the vital role it once did. Please assist in providing the citizens of Washington County with greater access to justice.

Thank you for considering my testimony as you complete your process.

Hon. Daniel A. Cross