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March 19, 2025

Subject: Written Testimony in support of POP 104 – Strengthening Public Defense Through Investigator Support

To Whom this May Concern,

Thank you for the opportunity to submit written testimony regarding POP 104 and its implications for Oregon's public defense system. As an investigator for a public defender's office, I have an interest in ensuring that Oregon fulfills its constitutional duty to provide effective legal representation to all, particularly those reliant on public defense. While POP 104 addresses the unrepresented defendant crisis, I urge the Commission to expand its focus to include the critical role of public defense investigators, whose compensation and workforce stability are essential to a functioning system.

POP 104, enacted under Section 104 of Chapter 281, Oregon Laws 2023, mandates coordinated crisis plans to address the backlog of unrepresented defendants, a crisis underscored by over 2,500 individuals without counsel, including more than 100 in custody, as reported in early 2024. While this is a vital step, the temporary nature of POP 104, expiring on June 30, 2025, necessitates permanent reforms. One such reform must prioritize the support of public defense investigators, who are indispensable to building strong cases and ensuring fair trials.

I propose that the Commission advocate for raising public defense investigators' pay to \$75 per hour by July 2025. This rate aligns with what investigators were effectively paid in 1985, adjusted for inflation, a fair benchmark that reflects the economic realities of today. In 1985, investigators earned approximately \$20 per hour, which, when adjusted using the Consumer Price Index, equates to roughly \$75 in 2025 dollars. This adjustment is not a luxury but a necessity. The current under compensation of investigators undermines their ability to sustain a career in public defense, contributing to high turnover and staffing shortages. Implementing this pay increase by July 2025, shortly after POP 104's expiration, would signal a proactive commitment to stabilizing the system and prevent further erosion of investigative capacity as caseloads grow.

Beyond pay, the Commission must address the recruitment and retention of public defense investigators. The shortage of attorneys, as noted in Moss Adams and ABA reports, is mirrored by a similar scarcity of qualified investigators. These professionals uncover evidence, interview witnesses, and support defense strategies, tasks attorneys would otherwise be forced to perform alone without investigators. Yet, low pay and lack of career incentives drive talent away. I urge the

Commission to collaborate with lawmakers to secure funding for this \$75-per-hour rate within a broader \$1.3 billion-plus budget for 2029-2031, while also establishing recruitment initiatives like training stipends, student loan forgiveness, or mentorship programs. Retention efforts, such as clear career ladders and professional development, would further ensure a robust investigator workforce.

Additionally, I encourage the Commission to enhance transparency in implementing POP 104. Crisis teams in judicial districts with populations over 100,000 should include voices from investigators, defendants, and community members. Public forums or regular updates could ensure these plans address systemic gaps, including investigator support, with accountability to Oregonians.

In conclusion, POP 104 is a critical starting point, but its success hinges on a fully resourced public defense system. Raising investigators' pay to \$75 per hour by July 2025, equivalent to 1985's inflation-adjusted rate, and prioritizing their recruitment and retention are urgent steps to uphold Sixth Amendment rights. I respectfully request that the Commission champion these measures and remain available to discuss this further.

Thank you for your dedication and service.

Respectfully,



Amanda L. Campbell
Investigator & Case Manager