

**Testimony of the Oregon State Bar
in Support of HB 5031
Ways and Means Subcommittee on Public Safety
March 20, 2025**

The Oregon State Bar supports the budget for the Oregon Public Defense Commission which provides funds for representation and access to justice for indigent Oregonians facing criminal charges. The Bar's Board of Governors has made indigent defense funding one of their top priorities for many years, and we encourage the legislature to continue to do the same.

It was a little more than 50 years ago that the United States Supreme Court held in *Gideon v Wainwright* that as a matter of federal constitutional law an indigent person charged with a felony in state court had an absolute right to court-appointed counsel.

Today, Oregon's indigent defense system benefits all Oregonians by ensuring that criminal investigations and trials are conducted in a manner that protects the accused's constitutional rights. As we have seen, without adequate attorneys representing indigent defendants, the criminal justice system slows, impacting not just the rights of defendants, but of victims, and indeed of all Oregonians.

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 indigent defense representation that supports public safety, protects the constitutional rights of criminal defendants, and meets Oregon's need for system-wide stability in the future.

We would also like to take this opportunity to recognize the excellent work performed by indigent defense providers throughout Oregon. Public defense has never been an easy occupation, and has been even more challenging in recent years as the legislature has continued to work to stabilize the system.

Attorneys working for the state, nonprofit public defenders, and independent defense consortia have all played key roles in this system, and we encourage the legislature to continue to work with all these practitioners as we continue to build the public defense system of the future.

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