

Item 11: Public Defense Services Commission

Public Defense System Improvements

Analyst: Gregory Jolivette

Request: Allocate funding from the special purpose appropriation established in HB 5050 (2019) for public defense services and a new contract model.

Description: During the 2019 legislative session, the Public Defense Services Commission (PDSC) pursued funding to address issues identified in a report by the Sixth Amendment Center. In the absence of a detailed agency plan, the Legislature established a \$20 million special purpose appropriation (SPA) for the agency to access at a later date.

To make immediate improvements to the state's public defense system, it is recommended that \$3,875,965 General Fund be allocated from the special purpose appropriation made to the Emergency Board to PDSC for the following:

- \$1,589,702 to permanently establish nine new positions (5.67 FTE) that were administratively established by the agency, including:
 - Two Accounting Tech 2 positions to assist in timely processing of payments.
 - Three Deputy General Counsel positions: two to oversee the work of the lawyers involved in criminal law, and one to oversee the work of and serve as the lead on legislative affairs.
 - Two Human Resource Analyst 2 positions to address increased workload associated with new positions and implementation of Workday, the new statewide personnel management system.
 - One Manager 1 position to oversee accounting functions.
 - One Manager 4 position to oversee financial management and contracting processes.
- \$1,267,848 for PDSC to contract with the Oregon Judicial Department (OJD) for information technology services. Under the contract, OJD will provide all of the day to day technology support service needs of PDSC.
- \$868,415 to increase provider rates for interpreters and investigators. This will increase PDSC's rate for interpreters to the level currently paid by OJD. For investigators the hourly rate for non-capital cases will increase from \$34 per hour to \$40 per hour. The rate for cases requiring a bilingual investigator will increase by 2.5% per hour.
- \$150,000 on a one-time basis to provide training for juvenile dependency attorneys participating in the Parent Child Representation Program (PCRP).

The estimated cost of this package in 2021-23 is \$5.9 million General Fund.

Recommendation: The Co-Chairs of the Emergency Board recommend allocating \$3,875,965 from the special purpose appropriation made to the Emergency Board for public defense services costs of the Public Defense Services Commission.