

**Testimony of the Oregon State Bar in Support of HB 3145
Before the House Judiciary Committee**

March 26, 2019

Chair Williamson and members of the committee:

The Oregon State Bar is committed to supporting a system of indigent defense representation that both supports public safety and protects the constitutional rights of criminal defendants. We are proud of the work that the Public Defense Service Commission has done over the years. The Bar recognizes that changes are needed in order to ensure that high quality services continue to be provided to indigent Oregonians in the criminal justice system. For this reason, we would like to express our support for the amendments to HB 3145 that are before you today.

The Sixth Amendment Center provided several important recommendations in their report on indigent defense services in Oregon. One of the major recommendations is to restructure the commission so that commissioners are appointed by all three branches of government. The bar engaged on efforts to reach a consensus about how best to effectuate this change and are pleased with the results that are before you today.

Another important concern raised in the report relates to whether it is appropriate for indigent defense providers to be compensated based on a flat fee contract system. This method has been frequently employed in Oregon, but the report raises concerns that by using this system attorneys are incentivized to process cases as quickly as possible.

The Oregon State Bar supports the efforts of the Office of Public Defense Services to ensure that indigent defense attorneys represent their clients' interests to the best of their abilities. We recognize that under the system currently used Oregon sometimes struggles to meet nationally recognized best practices. For all of these reasons we are very supportive of the reform efforts contained in HB 3145.

Thank you for your time and consideration,



Christine R. Costantino
2019 Oregon State Bar President