



AFSCME Member Testimony in Support of HB 3145

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I am writing here today to speak on behalf of the investigative section as well as the front office section of Metropolitan Public Defender and as a Union member of AFSCME 3668. I have been working in investigation since June of 2017 and worked as the legal secretary for the office for a little less than a year prior to that.

When I took the job as the legal secretary in November of 2016 my starting wage was \$13.55 an hour. Although the benefits were good, health insurance, retirement, a decent amount of PTO, the wage was barely livable in the Portland Metro area. I had left my previous job as a legal assistant at private firm because it felt important to me to do something with my talents that helped people. I have been fortunate enough in life to get help when I needed it and felt it was important to pass that on.

My rent at the time, was approximately \$600 for one room in a house being split between 3 other people in NE Portland. I took public transportation to try and minimize costs (riding out to Hillsboro every day from NE Portland, 1.5 hours each way) and eventually took a second job working parking for the Hillsboro Hops to make sure I had money for rent. All the time while I was doing this just to make ends meet, I arguably had one of the most important jobs in the office.

I filed every motion, legal memo, discovery demand, and any other legal pleading for every case in the entirety of the Washington County public defender's office during my stint as the legal secretary. Each legal document had to be formatted to the courts standard and filed properly with the electronic court filing system, and it should be noted that court clerks can be very picky about how they accept court filings. This was only one of many duties I performed. I also had to redact police reports, archive files, review and file expungements for former clients, and also field thousands of phone calls from witnesses, attorneys, investigators, and clients, who may or may not be patiently or impatiently, waiting in jail for their case to plead out or go to trial. Doing all of this for forty hours a week, and then going to a second job afterwards was exhausting. And to add a cherry on top of it all, I was evicted for no cause from the rental house within 6 months of moving in, because the owner decided to sell to a private buyer in a hot Portland housing market.

Eventually an opening in the investigative section was available and I applied and got the position. I helped management hire a new legal secretary but the job paid so little that the person we hired was terribly under-qualified and under-motivated and had to be let go after 6 months of training. We were fortunate to get a better candidate the second go around but with a starting wage so low it made hiring a qualified person difficult.



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Since I started as an investigator, I have begun to see how completely invaluable a defense investigator can be to not only the defense attorney and defendant, but also to the entire criminal justice system. A lot of people don't realize that defense investigators even exist but we do and we can change the course of a case almost instantly. I've learned over the years that our law enforcement is extremely overburdened and spend much of their time running from call to call to call. They show up on scene, take reports, make arrests if necessary and then move on to the next. Our police officers don't always have time to follow up with witnesses who may not be on scene at the time of police investigation, nor take the time to get to know the witnesses, victims, or the accused, particularly with cases that do not warrant a detective's attention. This is where we come in. Our role as defense investigators is to fill in the cracks where police may have been unable to get information in a hurried or excited moment. Often times when a witness is interviewed for a second time, new information is presented and the facts of the case change. It is important that both sides of the court room are operating with as much information as possible so that the district attorneys and defense attorneys can properly evaluate criminal charges. Sometimes what we as investigators find is helpful to the theory of the defense in the case. Sometimes the new information we find is harmful to the defense case, and can help to make sure our defense attorneys are properly advising our clients on the risk of taking a case to trial or whether that they should feel confident that a plea deal is the best option. I fully believe that our job helps the court as a whole operate more efficiently, and that is something that should be taken into strong consideration by the State of Oregon.