

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3145**

1 On page 1 of the printed A-engrossed bill, line 2, after “Commission;”
2 delete the rest of the line and delete lines 3 through 5 and insert “and de-
3 claring an emergency.”.

4 Delete lines 7 through 16 and delete pages 2 through 30 and insert:

5 **“SECTION 1. (1) The Task Force on Public Defense is established**
6 **to review requirements and best practices related to the delivery and**
7 **oversight of public defense services and make recommendations to the**
8 **Legislative Assembly for achieving effective public defense counsel in**
9 **every courthouse in Oregon.**

10 **“(2) The task force consists of 17 members who must be from ge-**
11 **ographically diverse areas and represent culturally diverse communi-**
12 **ties, appointed as follows:**

13 **“(a) The President of the Senate shall appoint two members from**
14 **among members of the Senate.**

15 **“(b) The Speaker of the House of Representatives shall appoint two**
16 **members from among members of the House of Representatives.**

17 **“(c) The Governor shall appoint seven members as follows:**

18 **“(A) Two persons with experience working as public defense attor-**
19 **neys at a nonprofit public defense office.**

20 **“(B) One person with experience working as a public defense attor-**
21 **ney at a for-profit public defense office.**

1 **“(C) One person with experience administering a public defense**
2 **consortium.**

3 **“(D) Two persons with experience representing juveniles, parents**
4 **and children in juvenile delinquency and dependency cases.**

5 **“(E) One person representing the Governor’s office.**

6 **“(d) The Chief Justice of the Supreme Court shall appoint six**
7 **members as follows:**

8 **“(A) One trial court judge with experience in criminal and juvenile**
9 **law.**

10 **“(B) One person with experience as a court administrator.**

11 **“(C) One person who is a member of the Public Defense Services**
12 **Commission.**

13 **“(D) One person representing the office of public defense services**
14 **established under ORS 151.216.**

15 **“(E) One person representing a civil liberties, civil rights or crimi-**
16 **nal justice organization.**

17 **“(F) One person representing a civil legal services provider for**
18 **low-income Oregonians.**

19 **“(3) The task force shall:**

20 **“(a) Review statutes and case law related to the provision of public**
21 **defense services;**

22 **“(b) Review peer-reviewed literature and policy studies related to**
23 **public defense delivery systems to identify best practices that meet the**
24 **unique needs of Oregon;**

25 **“(c) Review the outcomes of existing public defense models used**
26 **locally and in other states; and**

27 **“(d) Recommend changes to the existing system of public defense**
28 **services in Oregon with the aim of providing effective public defense**
29 **counsel statewide and strengthening quality assurance and financial**
30 **accountability systems for public defense providers.**

1 **“(4)(a) The task force shall submit the following reports with its**
2 **findings and recommendations, in the manner provided by ORS 192.245,**
3 **to the interim committees of the Legislative Assembly related to the**
4 **judiciary and to the interim subcommittee of the Joint Committee on**
5 **Ways and Means with authority over the budget of the Public Defense**
6 **Services Commission:**

7 **“(A) No later than February 1, 2020, a progress report detailing the**
8 **work undertaken by the task force to date and any initial recommen-**
9 **dations related to caseload standards and reporting requirements; and**

10 **“(B) No later than December 31, 2020, a final report addressing:**

11 **“(i) Whether a different public defense services delivery model is**
12 **needed in Oregon to achieve effective public defense counsel statewide;**

13 **“(ii) If the task force determines that a different public defense**
14 **services delivery model is needed in Oregon, the delivery model that**
15 **the task force recommends to meet the unique needs of Oregon; and**

16 **“(iii) If the task force determines that a different public defense**
17 **services delivery model is not needed in Oregon, the changes that can**
18 **be made to the existing delivery model to improve quality and over-**
19 **sight.**

20 **“(b) The final report described in paragraph (a)(B) of this subsection**
21 **shall include a high-level, multiyear plan, formulated in partnership**
22 **with the Public Defense Services Commission and the office of public**
23 **defense services, to implement all the recommendations offered by the**
24 **task force under paragraph (a) of this subsection and subsection (3)**
25 **of this section.**

26 **“(5) A majority of the voting members of the task force constitutes**
27 **a quorum for the transaction of business.**

28 **“(6) Official action by the task force requires the approval of a**
29 **majority of the voting members of the task force.**

30 **“(7) The task force shall elect one of its members to serve as**

1 **chairperson.**

2 **“(8) If there is a vacancy for any cause, the appointing authority**
3 **shall make an appointment to become immediately effective.**

4 **“(9) The task force shall meet at times and places specified by the**
5 **call of the chairperson or of a majority of the voting members of the**
6 **task force.**

7 **“(10) The task force may adopt rules necessary for the operation**
8 **of the task force.**

9 **“(11) The Legislative Policy and Research Director shall provide**
10 **staff support to the task force.**

11 **“(12) Members of the Legislative Assembly appointed to the task**
12 **force are nonvoting members of the task force and may act in an ad-**
13 **visory capacity only.**

14 **“(13) Members of the task force who are not members of the Leg-**
15 **islative Assembly are not entitled to compensation, but may be reim-**
16 **bursed for actual and necessary travel and other expenses incurred by**
17 **them in the performance of their actual duties and in the manner and**
18 **amounts provided for in ORS 292.495. Claims for expenses incurred in**
19 **performing functions of the task force shall be paid out of funds ap-**
20 **propriated to the Governor for purposes of the task force.**

21 **“(14) All agencies of state government, as defined in ORS 174.111,**
22 **are directed to assist the task force in the performance of the duties**
23 **of the task force and, to the extent permitted by laws relating to**
24 **confidentiality, to furnish information and advice the members of the**
25 **task force consider necessary to perform their duties.**

26 **“SECTION 2. Section 1 of this 2019 Act is repealed on February 1,**
27 **2021.**

28 **“SECTION 3. This 2019 Act being necessary for the immediate**
29 **preservation of the public peace, health and safety, an emergency is**
30 **declared to exist, and this 2019 Act takes effect on its passage.”.**

