



TO: House Committee on Judiciary
FROM: Shaun S. McCrea, Executive Director, Oregon Criminal Defense Lawyers Association
DATE: February 3, 2020
RE: Support for HB 4004 - Relating to the Public Defense Services Commission

Chair Sanchez, Vice-Chairs Bynum and Sprenger, and members of the Committee,

My name is Shaun S. McCrea. I am the Executive Director of the Oregon Criminal Defense Lawyers Association (OCDLA). I served as Vice Chair of the Public Defense Services Commission (PDSC) for approximately 15 years, and then approximately one year as Chair. I speak today in support of HB 4004, which expands the membership of the Public Defense Services Commission (PDSC) and directs the commission to adopt specified policies, including policies concerning compensation, caseloads and oversight.

OCDLA has been the leading voice for public defense policy in Oregon for over 40 years representing 1,200 providers statewide. Our members work with youth in the juvenile justice system, parents whose children have been removed, children in foster care, and adults in criminal justice system, appeals, civil commitments, and post-conviction relief proceedings. We serve our membership by offering extensive continuing legal education, training and educational resources to assist and guide defense providers. OCDLA advocates for legislation ensuring the rights of the accused, those involved in the juvenile justice system, and the attorneys, investigators and others who do this difficult work. Our members include private bar providers and investigators, employees of non-profit public defender offices as well as private bar consortia providers.

The provisions in HB 4004 that direct PDSC to adopt policies to ensure that compensation and caseloads are in accordance with national and regional best practices will – we hope — ease the burden on our members who strive to provide high quality representation every day to our low income clients, despite high caseloads, lack of resources, and low pay. It is also crucial for PDSC to continue and establish systems that ensure transparency and stakeholder engagement. OCDLA looks forward to being at the table as the process evolves, and participating in a full and meaningful way as part of the stakeholder engagement.

The effort to transform public defense services has been several years in the making and will likely continue forward in the 2021 Session. OCDLA is convening an internal task force to help us better review and assess policy changes as they come forward. While we support HB 4004, we hope there may be the opportunity to have additional discussions regarding the make up of the Public Defense Services Commission in future legislation. This topic is something our task force has flagged as an area to garner more feedback from our members, and it may result in a request for additional changes in 2021.

HB 4004 is a first step in the right direction. Thank you for helping to improve our public defense system for our clients, and the attorneys, investigators and others who represent them. We look forward to being a part of the continuing discussion of how HB 4004 will be implemented. **We urge this Committee to pass HB 4004.**