

HB 2003 -1, -2 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Amie Fender-Sosa, Counsel

Meeting Dates: 3/18, 4/6, 4/13

WHAT THE MEASURE DOES:

Expands membership of Public Defense Services Commission from seven to nine members. Modifies qualifications of members. Modifies duties of commission. Directs commission to adopt specified policies, including policies concerning compensation, caseloads and oversight. Directs commission to report on implementation of changes to committees of Legislative Assembly related to judiciary on or before February 1, 2022. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Directs the Oregon Criminal Justice Commission to establish the Public Defense Modernization Committee to explore alternative models for providing public defense services and modernization of trial-level public defense services. Specifies the committee membership requirements and duties. Establishes reporting requirements for the committee.

-2 Specifies and expands the committee membership requirements and duties. Establishes reporting requirements for the committee.

BACKGROUND:

In Oregon, the Public Defense Services Commission (PDSC) oversees Oregon Public Defense Services (OPDS) as the state agency responsible for establishing and maintaining a public defense system that provides effective defense counsel for indigent defendants in criminal proceedings, youth in delinquency proceedings, and parents and children in dependency proceedings. In 2018, the Sixth Amendment Center, a nonpartisan, nonprofit organization that provides technical assistance and evaluation services to policymakers focusing on the constitutional requirement to provide effective assistance of counsel, assessed the PDSC, OPDS, and the systems they maintain to provide public defense for indigent defendants in Oregon's criminal Justice system. Sixth Amendment Center recommended changes to Oregon's defense system.

House Bill 2003 revises certain statutes relating to the Public Defense Services Commission and the Office of Public Defense Services to address some of the Sixth Amendment Center's recommendations.