

March 10, 2021

Testimony in Opposition to House Bill 2177

Dear Chair Power, Vice-Chair Wallan, and Representatives Helm, Kropf, and Morgan,

- Under our state constitution and laws, District Attorneys are state elected officials that perform a state function - primarily enforcing state criminal laws.
- Long ago the legislature allowed counties to supplement DA staffing and services out of county coffers.
- That partnership worked well for decades, but then ran into trouble. By 1975, the state only paid for 19% of the partnership.
- In 1997, the legislature passed Senate Bill 6, directing Oregon Attorney General Hardy Myers to study the issue and report back.
- The report was completed in 1999, finding that the legislature's cuts harmed public safety, shifted state financial burdens to counties, and recommended the state increase its support of the partnership by at least \$20 million.
- Indeed, by 2000 the state contribution to this partnership had dropped to 9%!
- But then things got even worse. Instead of following the recommendations, the legislature eliminated all state financial support for witness fees and staffing. Many counties have even had to supplement the state salary of the elected DA (a state official) in order to ensure that quality candidates would continue to seek the job.
- In 2009, a Governor's Office report recommended that the state restore its prior support for the partnership. In 2010, the Task Force on Effective and Cost-Efficient Service Provision, Chaired by Representative Nancy Nathanson, had as one of its top priorities the restoration of this state support. Those also went unheeded by the legislature.
- Now we have House Bill 2177. It would pay for critically important technology improvements to the state court system. But how? By imposing a fee on many counties based on the number of felony and misdemeanor cases filed by the district attorney. In essence, the state proposes to tax counties to pay for a critically needed improvement to a state function (the state courts) based on the number of filings by another state actor (the district attorney).
- In light of the above history, it's difficult to see this legislation as anything other than adding insult to injury.

Sincerely,



Rob Bovett
Legal Counsel and Legislative Director
Association of Oregon Counties

UNITED COUNTIES. UNITED OREGON.