

**Testimony of Joe Piucci in Support of HB 5030**  
**Ways and Means Subcommittee on Public Safety**  
May 10, 2021

Co-Chairs Gorsek and Sollman, and members of the Committee:

My name is Joe Piucci. I represent Multnomah County on the Oregon State Bar Board of Governors. I am a personal injury attorney, but my career started as a public defender at Multnomah Defenders, Inc., a PDSC-funded nonprofit.

The Oregon State Bar supports the budget for the Public Defense Services Commission (PDSC), which provides funds for representation and access to justice for indigent Oregonians facing criminal charges. The Bar's Board of Governors has made indigent defense funding one of their top priorities for many years. It is imperative that the legislature do the same.

It was a little more than 50 years ago that the United States Supreme Court decided in *Gideon v Wainwright*, holding that as a matter of federal constitutional law an indigent person charged with a felony in state court had an absolute right to court-appointed counsel. Under current law in Oregon, the right to counsel extends to indigent persons charged with misdemeanors, and to some other cases as determined by the legislature.

This system benefits all Oregonians by ensuring that criminal investigations and trials are conducted in a manner that protects the accused's constitutional rights. The right to counsel ensures that all aspects of the criminal justice system – district attorneys, law enforcement agencies and defense attorneys – are operating on equal footing. Moreover, without lawyers representing indigent defendants – paid for by PDSC – the entire court system would grind to a halt.

Like the courts, PDSC has very little control over the demand for its services, and it must provide competent representation for all indigent defendants who are charged with felonies and misdemeanors. Simply, if no funds are available to pay for indigent defense, the court system ceases to function.

Therefore, the Bar supports PDSC's request for adequate funding for public defense and appropriate caseloads for attorneys in Oregon's criminal and juvenile justice systems.

Access to justice is one of the Oregon State Bar's cornerstone values, and we strongly support a budget for the Public Defense Services Commission that ensures funding sufficient to maintain services and to fairly compensate publicly funded attorneys in criminal justice system. The Oregon State Bar urges adoption of a budget for PDSC that accomplishes these goals in the next biennium.