

Chair Bynum, Vice Chairs Noble and Power, Members of the Committee,

My name is Jennifer Myrick, I am a member of OCDLA and a public defense provider for Columbia County with a dedicated caseload to indigent defense in matters from Misdemeanors to Measure 11 crimes. I submit this testimony in opposition of SB 214.

Since 2014 I have been practicing criminal law. In that time, I have come to understand that my clients, indigent and needing public defense are some of the most vulnerable individuals in our state. This is largely due to failures in our mental health system. Yet it is also due to systemic racism, sexism, and classist systems perpetuating our marginalized communities into dangerous positions. This restitution bill in substance is a tool that keeps vulnerable individuals trapped in our flawed system.

Of particular important there already exists a legal mechanism permitting victims to be compensated - it is called a "civil compromise". However, several counties and courts have a "default policy" to object civil compromises. I once had a matter where an individual forgot to pay for gas and was prosecuted for theft of the gas. When she went back to the gas station to pay they welcomed her payment and requested dismissal of the case, but the prosecutor objected. He wanted a conviction. His office was focused on statistics of convictions and not a fair, understanding resolution. He wanted to label my client a "criminal". This is common.

Another example: I currently have a matter requesting over half a million of dollars for property damage for only a \$200,000 dollar home in a rural area.

Already, I must find and pay numerous individuals in niche areas, which is no small feat. One of my experts recently sourced was \$495 dollars an hour. Furthermore, seldom my experts reside in the State of Oregon. Therefore, the Office of Public Defense must pay for their travel, lodging, and meals. This not only creates a time burden on a public defense caseload, but also a huge money expenditure for the Office of Public Defense, which is facing budget cuts. The prosecution has incredible resources, we should use them. My office, as a solo practitioner, dedicated to serving the indigent in a small rural county does not.

Please recognize this bill for what it is: a tool used by prosecutors to trap Oregonians in the criminal justice system. Our families, neighbors, and friends deserve a life outside of the courtroom.

Thank you for the opportunity to provide this testimony. I urge you to vote NO on SB 214. I am available to answer any questions.

Sincerely,

Jennifer L. Myrick  
Jennifer@MyrickLegal.com  
(503)866-7154