

Oregon Public Defense Services Commission

**Joint Committee on
Ways and Means
Subcommittee on Public
Safety**

HB5030 (2021)

February 23, 2022

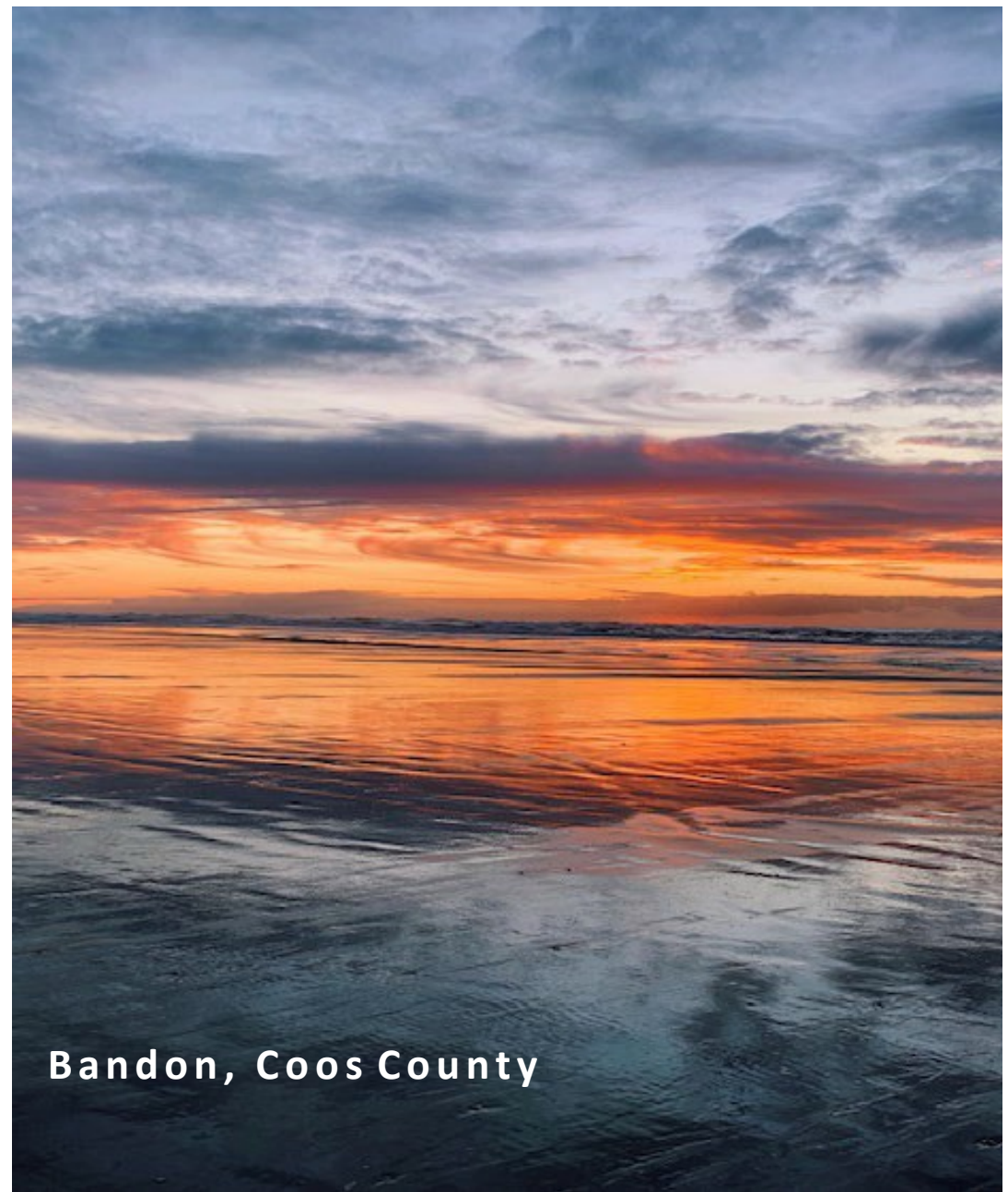
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Financial Update & HB 5030 Presentation Overview

- Who We Are/What We Do
- HB 5030 Reorganization & Modernization Report
- Next Steps
- Financial Services Update
- Agency Risks



Bandon, Coos County

Who We Are & What We Do

Public defense providers are critical to helping Oregon's most vulnerable people.

Strong Public Defense:

- Provides fair and efficient resolution of cases for the benefit of clients, victims, judges, and prosecutors, and the community;
- Keeps families together;
- Prevents the loss of hard-to-find housing;
- Protects jobs;
- Finds avenues to life-saving mental health and substance addiction treatment;
- Provides pathways from the justice system to the community;
- Serves as a foundational check against the power of the government.

Public Defense Services Commission

Judicial Branch



PDSC

Autonomous nine-member public service commission that directs agency business, such as approving contracts with public defense providers



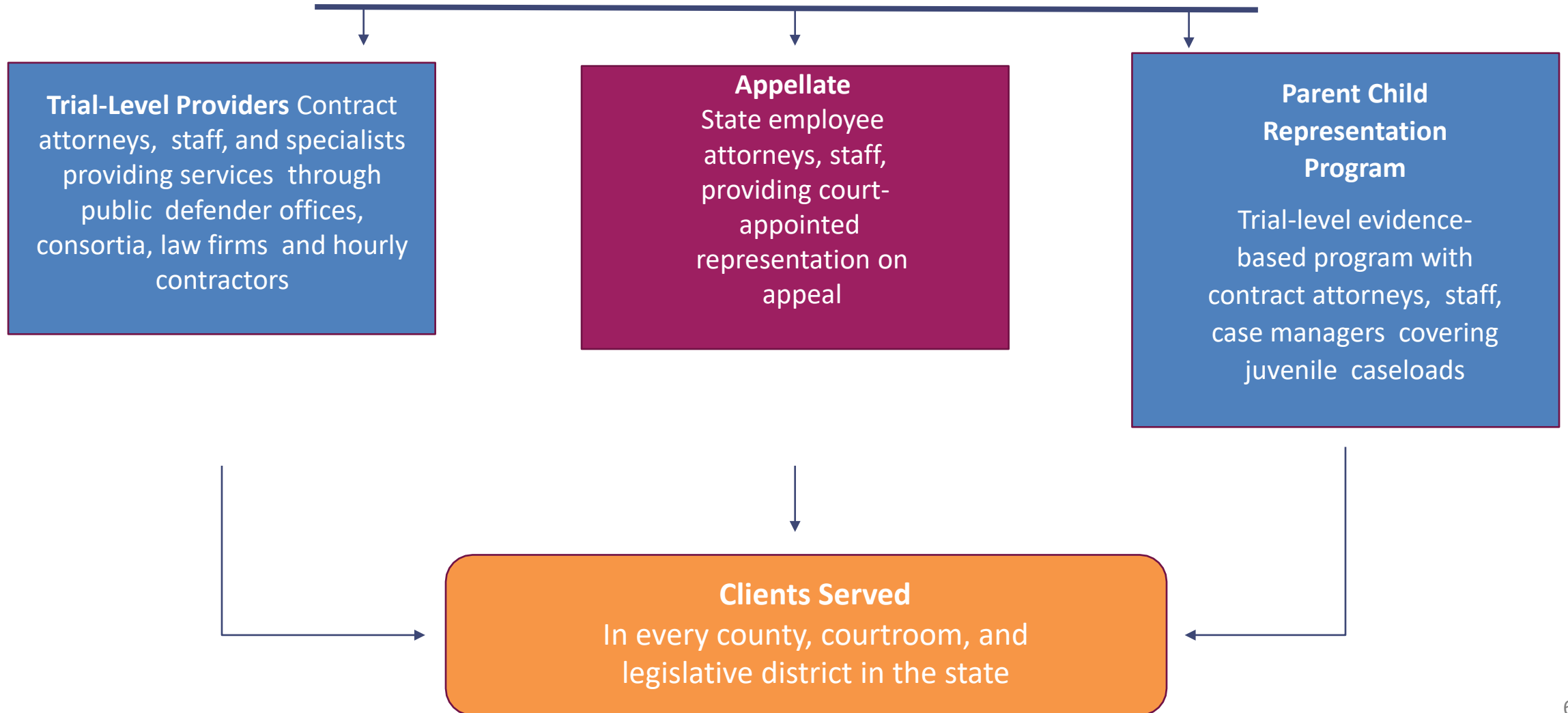
Office of Public Defense Services

State office that carries out day-to-day operational business of PDSC

Oregon Public Defense Structure

PDSC

OPDS



Types of Proceedings Funded by PDSC

- Adult criminal misdemeanors & felony charges
- Felony sentencing enhancement proceedings
- Criminal appeals
- Contempt, violations of court orders (FAPA, child support)
- Juvenile delinquency
- Juvenile delinquency appeals
- Juvenile care & dependency
- Juvenile care & dependency appeals
- Post-conviction relief, adult
- Post-conviction relief, juvenile
- Civil commitment hearings & appeals, & Psychiatric Security Review Board
- Probation violations
- Extraditions
- Guardianships & Conservatorships (started 2022)



Rogue River, Josephine County

Legislatively Commissioned Reports:

The Sixth Amendment Center Report (2019)

- Oregon has an unconstitutional and ineffective contracting model
- Modernize organizational structure to increase accountability and transparency

The American Bar Association “Oregon Report” (2022)

- Oregon has only 31% of needed attorney capacity
- PDSC requires a modern, centralized data system to capture basic, critical public defense information

HB 5030 Update

House Bill 5030

- Allocated \$339,824,249 Total Funds to the PDSC
- Held back \$100 million General Fund in a SPA

“ . . . The release of the holdback is contingent upon the Commission’s satisfactory progress, as determined by the Legislature and/or the Legislative Emergency Board, in executing Legislative expectations regarding the restructuring, modernization, financial controls, quality management, performance metrics, and governance of the agency. The holdback also is reflective of an inordinately high degree of uncertainty related to the procurement costs.” – HB 5030 LFO Recommendation (2021)

HB 5030 Overview

- Reorganization of the agency's budget structure along business lines
- Augmenting and reorganizing the agency's internal structure and operations
- Adding Compliance, Audit, and Performance (CAP)
- Obtaining a comprehensive external financial and performance audit
- Specific report-backs to legislature

More transparency

Improved financial controls

Better program management

Increased accountability and oversight

HB 5030 Update

PDSC contracted with Coraggio Group to assist with:

- Agency reorganization and modernization;
- Improving agency processes and internal controls;
- Performance metrics and management;
- Improved governance; and
- Stakeholder engagement.

Restructuring and Modernization Progress Report

2022 Joint Committee on Ways and Means

January, 2022

Prepared By: Coraggio Group



Coraggio Group

An experienced partner with Oregon government agencies

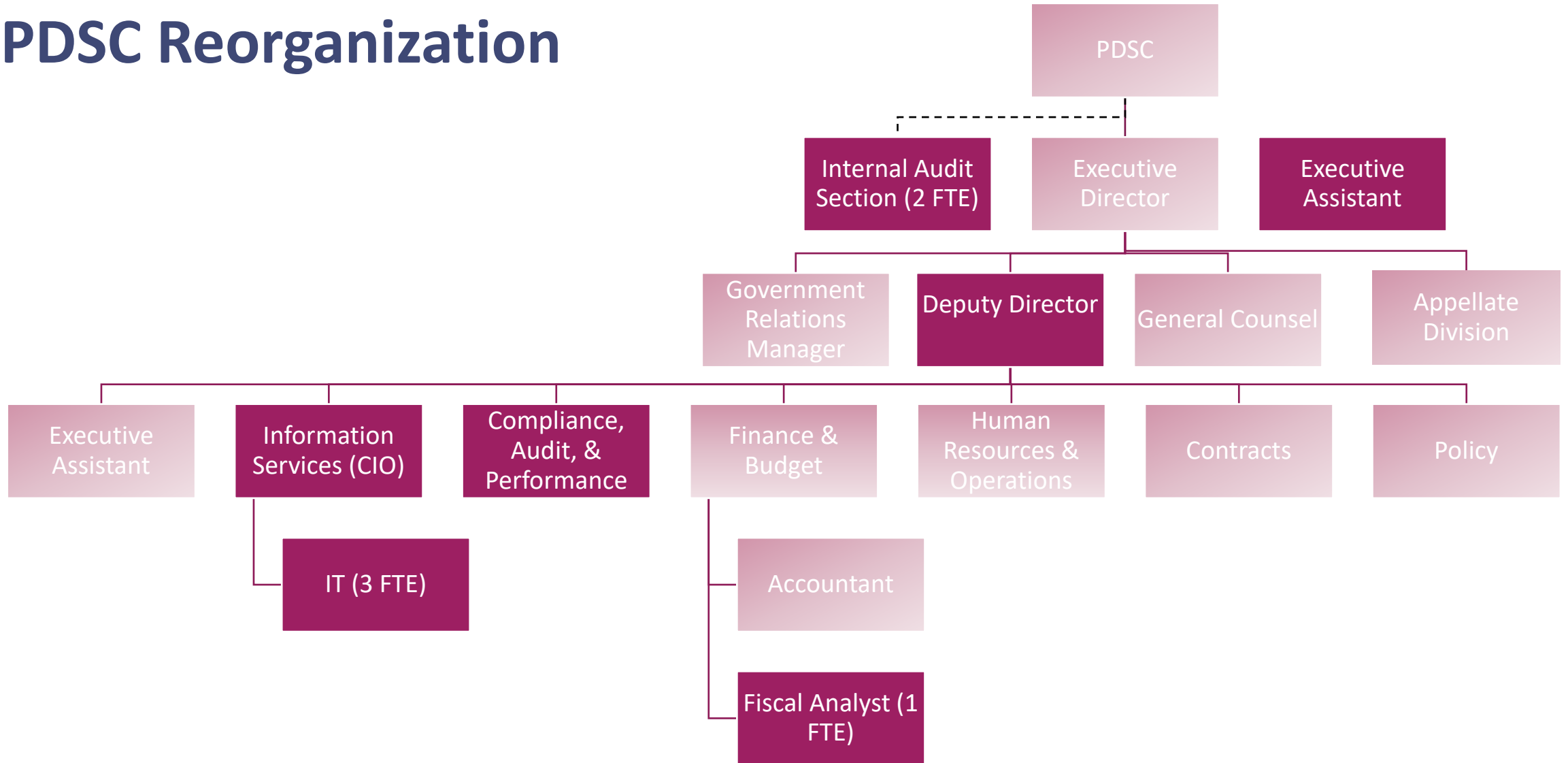
- Helped Oregon Governor's Office, Oregon Department of Human Services, and Oregon Health Authority (OHA) create the COVID-19 Response and Recovery Unit
- Assisted OHA with its Public Health Organizational Change Plan
- Has also worked with: Business Oregon, Department of Energy, Department of Environmental Quality, Enterprise Technology Services, Higher Education Coordinating Commission, Oregon Housing & Community Services, Oregon Lottery, Oregon State Library, Travel Oregon, and Workforce Talent and Development Board.

Budget & Cost Center Reorganization

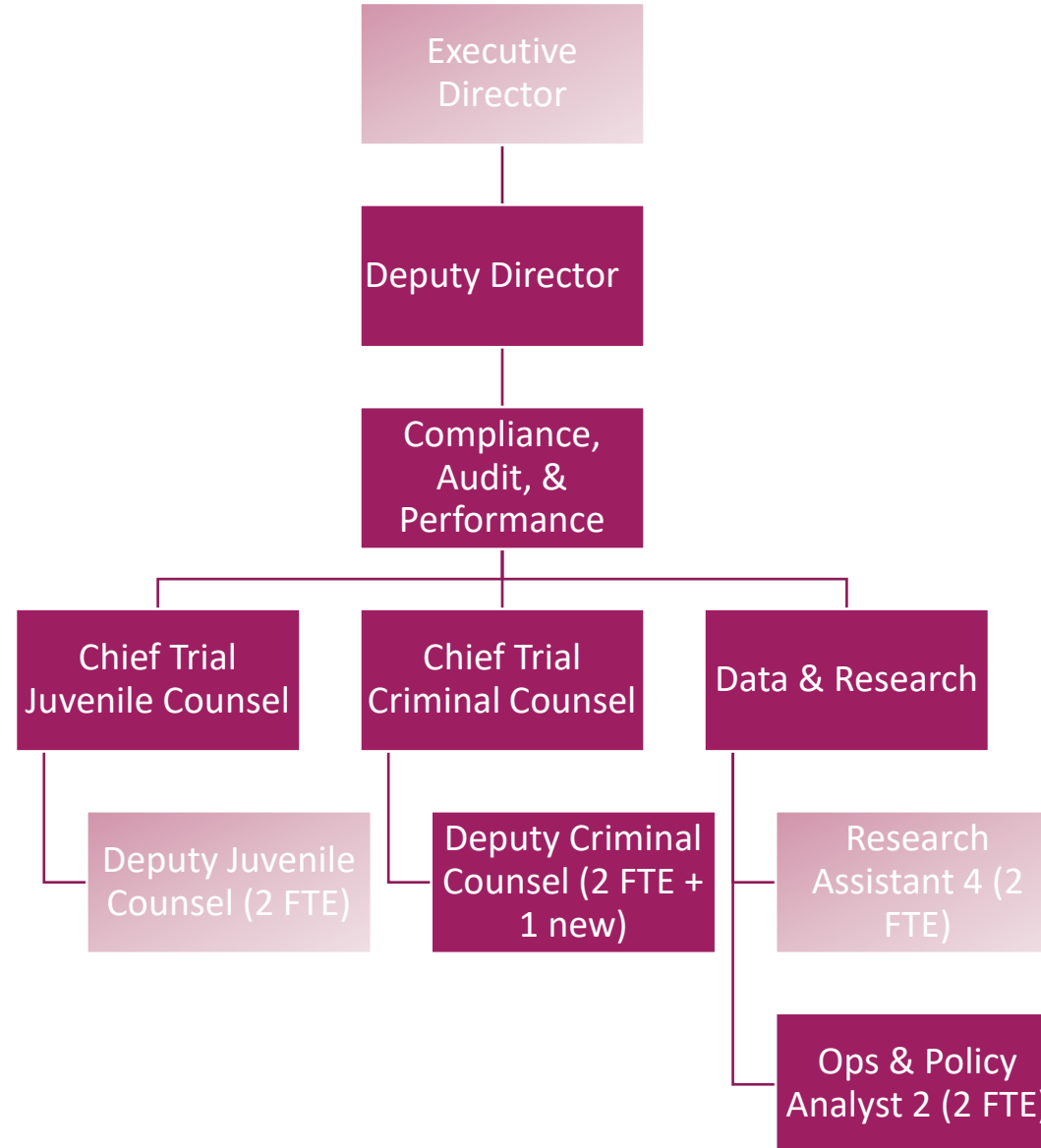
Budget categories compared

2019-21	2021-23
Appellate	Appellate
Contract	Executive
Business Services	CAP
Professional	Trial Criminal
Services Account	Case Support
	Services
	(formerly NRE)
	Court-mandated
	expenses
	Juvenile
	Administrative
	Services

PDSC Reorganization



Compliance, Audit & Performance



Progress towards modernization

- The agency conducted an organizational risk assessment and is in the process of designing and developing improved internal and financial controls, performance metrics, and a continuous improvement plans for high-risk processes.
- The PDSC is in the process of creating a five-year strategic plan.
- The agency has created an internal equity workgroup which will create an equity framework to inform strategic planning and future agency work.
- The PDSC is in the process of improving agency governance through the creation of appropriate subcommittees and engaging in sessions to clarify roles and responsibilities.

Other HB 5030 Deliverables

- Contracts are now aligned with fiscal-year budget cycles
- Adult criminal and juvenile-trial level contracts are now separate
- Caseload forecasts currently rely on OJD and contractor-provided data. The agency is working with Criminal Justice Commission (CJC) for future caseload modeling.
- The agency is working to implement new information technology systems to improve financial and workload forecasting, to increase accountability and transparency.
- The agency hired new positions with competitive recruitments.
- The agency completed a staff climate survey and improved internal lines of communication.

Next steps

Next Steps

Continued Modernization of the Agency

Over the next six months, the PDSC will work with Coraggio Group to implement the following to support the Agency's modernization:

- Establishing an approach for continuous improvement for high-risk processes identified by the Agency and Commission
- Defining the Agency's performance metrics and performance management approach
- Enhancing the interactions of the Public Defense Service Commission and the Agency Executive Team
- Developing the Agency's strategic plan
- Completing Comprehensive Program Plan for CAP

Thank you.