

Office of Public Defense Services

Testimony on SB 321

Neutral

March 21, 2023

Presented by: Lisa Taylor, Government Relations Manager

Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee:

My name is Lisa Taylor, Government Relations Manager for the Office of Public Defense Services. I am testifying today on the agency neutrality to SB 321.

It is important to note that PDSC is currently dealing with an unrepresented crisis concerning the lack of resources to provide representation for qualified individuals. The cases returning to the trial courts following the *Watkins* decision will add stress to an already under resourced system. Currently, the agency is funding hourly rates for lawyers appointed to “unrepresented persons” cases. The *Watkins* cases that return to trial court will be added to the “unrepresented persons list” and compete with the cases already on that list for the same limited number of available attorneys. As a result, the agency anticipates the number of unrepresented persons to grow.

We have been planning for the return of *Watkins* cases since the ruling, including requesting supplemental funding through Ways and Means. The agency received \$1.1 million in funding for the remainder of the biennium to tackle the issue from two angles; adding two additional PCR attorney contracts and the remainder for attorneys paid hourly, who will be taking these cases as they are remanded for new trials. This planning is critical to mitigating the growth of unrepresented persons in Oregon but will not solve the systemic issues faced by public defense.

We appreciate the Legislature keeping the public defense crisis top of mind when discussing public safety matters. As the agency works to stabilize the system, we will continue to highlight when and how legislation could intersect with the current crisis.