

Submitter: Rachel Bengtson-Lang

On Behalf
Of:

Committee: Joint Committee On Ways and Means Subcommittee On Public
Safety

Measure: SB5532

Hello,

My name is Rachel Elizabeth Bengtson-Lang, and I work as a criminal defense investigator in public defense. I spent the last 5 years doing this at Metropolitan Public Defender (Washington County division) in Hillsboro, and since November, I've been doing this at Multnomah Defenders in Portland. I also have insight into what it means to be a non-profit attorney from my previous career in Minnesota as an immigration attorney in removal defense.

Lawyers who choose to serve the public by working for a non-profit organization do not have simpler or easier jobs to do than attorneys who work at major law firms, but their work is valued at a much lower rate by society as demonstrated by the size of their paychecks. Non-profit lawyers do not have smaller student loan debts than other attorneys either, and lawmakers should know that this student debt burden averages at \$130,000. This means that people with a law degree are frequently required to pay over \$500 a month in student debt alone. Coupled with the very high cost of housing in the greater Portland area, this leaves non-profit attorneys with little income left over to do things like save for retirement; pay for their children's expenses such as child care, health insurance, and tuition; or prepare for unexpected major expenses. So what incentive do law students have to enter into a career of public service rather than serving private interests that will pay much more? What incentive do criminal lawyers have to become public defenders when they can generally get paid quite a bit more to work for a District Attorney's office prosecuting people*? The Multnomah County District Attorney's Office, for example, offers a starting salary of \$90,000 while the organization that I work for, which happens to have Union representation, starts at around \$65,000. How can there be equal justice when the prosecution is paid so much more than the defense?

Public defense is the government's responsibility to provide at no expense to persons who cannot afford to hire a private criminal defense lawyer. The vast majority of criminal defendants fall into this category**, and under the United States Constitution, the State must provide free and competent counsel to indigent defendants. This responsibility is no less important than the responsibility the State has to provide free, high-quality education to the children of Oregon. In this regard, it is important to recognize that every criminal defendant is considered innocent until proven guilty. That means that every single criminal case must first be looked at from the perspective that the defendant is innocent and the accusations are false. This

requires just as much professional attention by criminal defense attorneys and investigators as the other side gives toward seeing the defendant convicted of a crime, if not more. But are criminal defense investigators valued by the State of Oregon at the same level as police officers and Sheriff's deputies? Not by a long shot, if you compare our incomes. At my previous employer, Metropolitan Public Defender, investigators that work on all levels of criminal cases except for aggravated murder, the top of the pay scale is \$60,000. Fresh recruits to the Washington County Sheriff's Office earn more than \$70,000***. Again, how can there be equal justice when those hired to prove that a crime has been committed earn so much more than those hired to prove that the defendant is innocent?

PLEASE heed our cries and fund public defense as if you or your own child were facing unfounded criminal charges. Thank you.

*https://multco.wd1.myworkdayjobs.com/en-US/Multco_Jobs/details/Deputy-District-Attorney-1_R-7808?q=District%20Attorney

**<https://ojrc.info/public-defense>

***<https://www.governmentjobs.com/careers/cowashingtonor/jobs/3592373/recruit-deputy-jail-and-patrol-divisions?keywords=sheriff%20deputy&pagetype=jobOpportunitiesJobs>