

TO: Joint Ways & Means Committee

SUBJECT: Support nonprofit public defenders

Co-Chairs Lieber, Sanchez, Vice-Chairs Girod, Gomberg, Smith, and Members of the Committee,

My name is Angela Smith, and I am a public defender at Southern Oregon Public Defenders, Inc. serving Jackson County in Southern Oregon. I have worked in public defense for six years.

- Everyone who faces charges deserves a lawyer, not just those who can afford it. That's what the constitution requires, and it's really essential to a fair and just system.
- As someone who works in a nonprofit public defense office, I know firsthand the impacts of quality representation by our integrated teams.
- Nonprofit providers are a cost-efficient and versatile part of the system. We handle thousands of cases every month. We train dozens of new public defenders every year. Nonprofit public defenders have successfully recruited 160+ new attorneys since 2019. I myself am one of those attorneys who interned with the public defender's office while in law school and then began my legal career directly with the public defender's office when I graduated. It has been an excellent place for me to learn and grow as an attorney, but I fear without higher pay the public defender's will not be able to continue to do this essential training because they will no longer be able to attract new attorneys to the practice.
- Nonprofit public defenders recruit and train dozens of new public defenders every year. Nonprofit defenders will be able to recruit and retain even more attorneys—and help solve this crisis—if we close the salary gap for our offices.
- Nonprofit defenders will be able to recruit and retain even more attorneys—and help solve this crisis—if we are compensated fairly. This includes a necessary cost-of-living increase. The estimated cost of raising nonprofit salaries to state trial division levels is \$19 million.

Personal Experience

- In my current role, I manage 70-90 active cases on behalf of Oregonians whose freedom and future depend on adequate representation. Ranging from misdemeanors to major felony cases.

- Last month alone, I reviewed hundreds of hours of body camera footage, conducted client interviews, filed motions—all while preparing for trials. In my day to day I have multiple court appearances, I need to talk to clients who are in custody in jail, and try and work through cases for clients who are out of custody as well.
- As a public defender who works on Recovery Opportunity Court (ROC), the court that helps defer clients from prison in exchange for substance abuse treatment, mental health treatment, sober living, amongst many other requirements, I've seen how our whole community is safer when we can help clients access the housing, mental health, or substance use treatment they desperately need. These services are also essential to protecting their access to justice. When someone is in the throes of addiction or living on the streets, it is extremely difficult for them to assist in their own case. ROC continues to prove, time and time again, that there are lower rates of recidivism when clients have access to the services they need. ROC is wildly more successful than prison for those struggling with addiction. The state needs more people who can help their clients into ROC, help them access the program, and more people who are educated about the program.

Nonprofit public defenders are essential to a healthy public safety system. We must close the salary gap, or we will see more experienced staff leave and the unrepresented crisis will worsen. More so than we are already seeing leave. Over my six years of practice, I have seen over seven attorneys, just from the office, leave to do court appointed work through the consortia, because of higher pay, or the newer Trial Division, also because of the higher pay. More will continue to do so if nothing changes.

Our communities deserve a legal system that works for everyone, not just those who can afford it. Thank you for your consideration and your commitment to upholding constitutional protections for all Oregonians.

Sincerely,

Angela Smith

Medford, Oregon