

POLITICS

Congresswoman Bonamici introduces \$250 million bill to address public defender shortage

Oregon faces a particularly severe shortage of public defenders. The American Bar Association found the state is 1,300 defenders short of what it needs.



Author: **Daisy Caballero**
Published: **5:20 PM PST November 28, 2022**
Updated: **5:40 PM PST November 28, 2022**



PORTLAND, Ore — U.S. Congresswoman Suzanne Bonamici has introduced legislation aimed at tackling sprawling public defender shortages in Oregon and nationwide. The bill, titled the Ensuring Quality Access To Legal Defense Act or "[EQUAL Defense Act](#)" for short, would spread \$250 million in federal grant money across the country.

Oregon's shortage of court-appointed attorneys is [particularly dire](#). The [American Bar Association](#) recently found that the state only has about 31% as many public defenders as it needs needs — a shortage of about 1,300 defenders.

"I really want to make sure that our criminal justice system is working as it should and right now sadly, it's not," said Bonamici, who represents Oregon's 1st Congressional District. "And we've seen that particularly recently in Multnomah County where criminal cases had to be dismissed because with this right to counsel they can't prosecute a case."

Defendants who can't get a lawyer are unable to have their cases heard, so the shortage has led to Multnomah County judges dismissing [nearly 300 criminal cases](#) since February.

"If we only have the public defense lawyers we currently have, it's virtually impossible to meet the needs," Bonamici said. "We need more public defenders to have a functioning criminal justice system."

Related Articles

[Multnomah County DA calls the lack of public defenders an 'urgent threat to public safety'](#)

[Injustice: An investigation into Oregon's broken public defender system](#)

[Suspect in downtown Portland vandalism case released due to public defender shortage](#)

There's no shortage of lawyers; the problem in Oregon's case is they're just not choosing this type of work.

Oregon is the only state that relies entirely on contractors, like large non-profit defense firms or small private defense attorneys, to fill its public defender ranks. Many of them are not taking on new cases at the moment because of the workload and the poor pay rates.

"I started with a number of other attorneys and I am the only one still at this office from the people who have started on the same day I did," said Willy Chotzen, the chief attorney in the

misdemeanor unit of [Metropolitan Public Defender](#). "Because the work is so hard, because the work is underpaid, because the work is so much stress and vicarious trauma in a lot of ways

If passed, the EQUAL Defense Act would:

- Create a \$250 million grant program to help fund public defense, which will limit workload for full-time public defenders
- Establish pay parity between public defenders and prosecutors within five years
- Collect data on public defender workloads, including the number of hours worked per month and the percentage of hours worked per month on a range of tasks
- Provide \$5 million for nonprofit and government organizations to provide comprehensive training for public defenders
- Require Byrne-JAG recipients to provide data on the extent to which the state is providing public defenders for indigent people in the criminal justice system
- Reauthorize the student loan program, increase the overall authorization amount from \$25 million to \$75 million and increase per-borrower repayment limits

The EQUAL Defense Act is supported by the National Legal Aid & Defender Association, the National Association of Criminal Defense Lawyers, Gideon's Promise, the National Association for Public Defense and Project On Government Oversight.

"Absent counsel, criminal prosecutions cannot move forward," Multnomah County District Attorney Mike Schmidt said in a press release. "Victim and defendant's rights are equally essential to the administration of justice. When there is a lack of existing public defenders to handle cases, hollowed pipelines of new attorneys to enter the field due to both expense and long term financial stability, victims and the accused lose access to justice. The Ensuring Quality Access to Legal (EQUAL) Defense Act seeks to remedy all of these issues, for safer more just communities."

KGW8

KGW would like to send you push notifications about the latest news and weather.

Notifications can be turned off anytime in the browser settings.

No Thanks

ALLOW

LOADING NEXT ARTICLE...