



Office of Public Defense Services

OPDS Teleconference with Oregon Public Defense Providers
May 26th, 2020 10:30am – 11:30am PST

Teleconference Recap

Questions? Please send them to Kaysea.R.Dahlstrom@opds.state.or.us.

Greeting & Welcome (Kimberly McCullough)

Updates from the Executive Director (Lane Borg)

- We will have limited staff in the OPDS office until at least August. Then we will reassess the extent to which we reopen the office.
- OPDS has been going through budget reduction exercises. We have not received any direction to cut anything at this point. Note that any cuts would have to go through the PDSC for approval. OPDS would make recommendations to PDSC and PDSC would discuss/vote on them.
- Exciting news! We have had no new aggravated murder cases since an indictment with an October alleged incident date.

PDSC Meeting Overview (Lane Borg)

- Our PDSC meeting was on Thursday, May 21st. It was the 2nd virtual meeting the commission has held since COVID. Expects more virtual meetings in the future.
- Takeaway from PDSC meeting – commissioners are concerned about what the next contracts will look like, especially because the \$17 million from the SPA was not disbursed to practitioners and the budget forecast for the state. Commissioners wants OPDS to address equity and parity where OPDS can. OPDS wants stakeholders to give input on how we achieve equity and transparency in our contracting process.

Revenue Forecast (Kimberly McCullough)

- The revenue forecast was released on May 20th. The projected general fund for this biennium is down \$1.8 billion. Lottery resources are down \$364 million. Some assumptions in the forecast: social distancing restrictions are beginning to lift, and the health crisis will wane by the end 2021. Assuming that happens, there will be an initial rebound, but it will not be complete. One problem is that Oregon is reliant on income tax. However, Oregon has some sizable reserves, such as the rainy-day fund and education fund.
- Much of what happens in the legislature in the 2021 session will be focused on the budget.
- Policy changes that the legislature is likely to focus on are those that have positive impact on revenue or budget. This provides some opportunities in the criminal justice reform realm. For example, reducing the number of people are we incarcerating; pre-trial issues; etc.

Interpreter Rates (Lane Borg)

- At the Emergency Board meeting in April, money was released to PDSC to increase interpreter rates. This was requested to match an anticipated increase by OJD. OPDS was caught behind in

2018 because OJD increased rates and OPDS did not. OJD had informed us that OJD was going to increase interpreter rates again. After the E-Board made their decision in April, OJD decided not to implement the increase because of the impending budget issues. So, we will not be increasing our interpreter rates, in order to keep the rates the same. When OJD agrees to increase their rates, then OPDS will.

Legislative Days (Kimberly McCullough)

- Still no word on when there will be special session.
- Legislative Days are every three months in the interim. The first set of House Legislative Days is this week. House Judiciary meets on 5/28 at 3pm. All informational hearings will be COVID-related, including information about COVID at DOC, victims' services, and more. Senate Judiciary will meet on 6/3 at 8am and hold similar hearings to House Judiciary.

Jail RFPs (Kimberly McCullough)

- OPDS is in regular conversations with sheriffs and jail commanders. Note that jails engage in RFP processes regarding communication technology in jails. Reach out to your local jail commanders if you want to be involved in this process when it happens at your local jail. Reach out to Kimberly if you want to know more information and if you have tried to do this but had some challenges.

Open Q&A With Providers (Kimberly McCullough)

- Comment: Call Steve Gorham on his cell at 503-871-9061 if you need help communicating with clients in Marion County jail.
- Q: When does investigator rate go to \$40? A: We have put out a formal answer to this question here: <https://www.oregon.gov/opds/provider/PoliciesProcedures/Memo%20-%20Investigator%20Rate%20Increase%20-%202006022020.pdf>
- Q: Someone has three Murder 1 cases in the pipeline. Hasn't heard from OPDS about his contract. A: (Lane) He should not anticipate getting off these cases, but he should send specific information/questions to Lane.
- Comment from Adrian (interpreter):
 - Interpreters attended training for how remote interpretation will be handled in the courtroom once courts are on the WebEx platform. Interpreters received training on this last week. Everyone will connect to video hearing through WebEx. If client needs an interpreter, an interpreter will be provided.
 - 2 basic modes of interpretation:
 - 1. Consecutive. Question asked. Interpreted. Question answered. Interpreted.
 - 2. Simultaneous (real-time). Simultaneous speaking in a low tone.
 - Interpreters are encouraged to use simultaneous interpretation, as this does not take as long as consecutive interpretation, but WebEx is not set up for simultaneous interpretation. Interpreters can get around this by asking the judge for permission to call the client on the interpreter's smartphone. Interpreter will place earbud in one of their ears. Other ear will listen to parties on WebEx.
 - OJD posted guidelines for video remote interpreting resources. Interpreters' names and contact info is on the OJD website.

Next OPDS call-in meeting is Tuesday, June 9 at 10:30am.