

## IN BRIEF

## County reports 39th virus death

Clatsop County has reported a 39th death related to the coronavirus.

The county said an 80-year-old man died at home on Saturday.

The man, who had underlying conditions, had received a COVID-19 vaccine, the county said.

## Food carts burglarized in Astoria

Several food carts downtown were reported burglarized last week, the Astoria Police Department said.

At the food cart pod at Duane and 11th streets, Good Bowl, Roll & Bowl, Surf 2 Soul, Sasquatch Sandwich Shop and Coffee OR Waffle were hit. One cart had a cash box stolen.

Money was also taken from Wahoo Charlie's at the 13th Street pod.

Some carts were accessed through windows, others through doors whose locks had been drilled out.

No suspects have been identified.

Anyone with information is asked to contact Officer Cory Gerig at cgerig@astoria.or.us or 503-325-4411.

## State reports new virus cases for county

The Oregon Health Authority has reported new coronavirus cases for Clatsop County over the past several days.

The health authority reported 15 new cases on Tuesday and 30 new cases over the weekend.

Since the pandemic began, the county had recorded 4,424 virus cases as of Tuesday.

## Playground moves forward in Gearhart

GEARHART — The Planning Commission has moved forward with plans for a new playground at Centennial Park.

When the former Gearhart Elementary School was shut down, the playground was closed and equipment at the west end of the school transferred to the new Pacific Ridge Elementary School.

Berkley Sturgell, a local girl, dedicated herself to bringing a playground back to Gearhart, proposing a new location at Centennial Park, also known as Trail's End Park.

Sturgell launched a Quarter Mile Challenge to raise funds for the city's play equipment fund.

## Port accepting applications for budget committee

The Port of Astoria is taking applications for public member positions on the budget committee for the upcoming budget season.

The committee is made up of the five Port commissioners and five public members. Terms are set for three years.

Individuals can submit their resume and a letter to the Port Commission expressing interest in joining the committee to admin@portofastoria.com by April 11. Knowledge of local budget law and familiarity with the Port is considered helpful, but not required.

The commission will be filling the positions at a meeting on April 19.

— The Astorian

## DEATH

Feb. 13, 2022

INMAN, Jean Isabella, 99, of Seaside, died in Seaside. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

## CORRECTION

**Incorrect owner** — Property off Wahanna Road under consideration for Seaside High School softball fields is owned in part by the Seaside School District and the Union Health District. Providence Seaside Hospital leases the land from the health district. A story on A1 Tuesday incorrectly said Providence Seaside owned a portion of the land.

## ON THE RECORD

## Criminal mischief

• Robert Staszek, 74, of Astoria, was indicted in December for first-degree criminal mischief. The crime is alleged to have occurred in August 2019.

## DUI

• Patrick Cody Sewell, 29, of Grants Pass, was

arrested on Sunday for driving under the influence of intoxicants. He was in a car crash at E. Harbor Drive and King Avenue in Warrenton and taken to Columbia Memorial Hospital in Astoria, where he was cited.

## PUBLIC MEETINGS

THURSDAY

Seaside Transportation Advisory Commission, 6 p.m., City Hall, 989 Broadway.

## TRACKS

People work on the Astoria Riverfront Trolley tracks to prepare for a spring opening.

Lydia Ely/The Astorian



## State lawmakers agree to \$12 million Band-Aid for ailing public defense system

By CONRAD WILSON  
Oregon Public Broadcasting

Oregon lawmakers have reached an agreement to temporarily patch the state's public defense system, which for months has failed to meet its constitutional obligations and instead left some criminal defendants without an attorney.

Gov. Kate Brown and legislative leaders plan to spend an additional \$12.8 million through the end of 2023, Oregon Public Broadcasting has learned. The money would go to the Office of Public Defense Services, an independent state agency that's part of the Oregon Judicial Department. A recent report by the American Bar Association found Oregon has around 1,300 fewer public defenders than it needs to adequately provide criminal defense for people who cannot afford an attorney.

The extra funding would pay for the equivalent of 36 full-time public defense attorneys, as well as support staff and money for criminal defense investigations. Those resources are expected to target the counties where more than 100 indigent criminal defendants don't have a public defender.

"This is a civil rights crisis," state Rep. Tawna Sanchez, D-Portland, who co-chairs the Joint Committee on Ways and Means, said in a statement. "There are Oregonians who don't have access to any legal representation and our public defenders are completely overwhelmed. The \$12.8 million we are sending to OPDS will help address this urgent problem."

The funds are a fraction of what's needed to address the larger systemic failures surrounding the state's public defense system, which has essentially run out of public defenders in several of the most populous communities. At times that list has included Lane, Marion, Washington and Multnomah counties.

"We still have a huge amount of work to do to address the chronic underfunding and structural issues that are plaguing our public defense system," Sanchez said.

## A growing crisis

Last fall, courts across the state noticed an uptick in the number of defendants who didn't have the legal representation they are constitutionally guaranteed. In December, officials with the Office of Public Defense Services said there were more than 60 people charged with crimes who didn't have a defense attorney.

Since then, the crisis has ballooned. In Multnomah County alone, more than 80 people were without a defense attorney as of Tues-



Conrad Wilson/Oregon Public Broadcasting

Kacy Jones speaks with a client during a hearing at Multnomah County Courthouse in Portland in 2019. Jones was an attorney with the nonprofit Metropolitan Public Defender until 2021.

day, according to court staff. As of Monday, at least 20 people were in custody. In Marion County, court staff said Tuesday 21 people were unrepresented, including three people in custody. In Washington County, eight of the nine people without attorneys were in custody, including one person charged in 2019 with attempted murder. That person has not had an attorney since November.

"Our system is not set up to work well for defendants or lawyers," said Sen. Elizabeth Steiner-Hayward, D-Portland, who co-chairs the Joint Committee on Ways and Means. "We are working on a variety of strategies including addressing some very acute needs related to high caseload in four counties."

A combination of factors has led to the state's public defense crisis.

For two years, the pandemic has slowed hearings and trials in parts of the state. At the same time, police and district attorneys continue to make arrests and investigate crimes — which have increased in some communities — leaving some public defenders with hundreds of open cases. Several public defense firms have stopped taking new clients charged with certain crimes, saying the loads are so high that attorneys risk violating their ethical obligation to adequately represent clients.

Still, many in the public defense community have said today's problems long predate the pandemic and are the result of chronic underinvestment, mismanagement and a lack of political will.

Oregon's rules of professional conduct, as well as the American Bar Association's Criminal Justice Standards, require defense attorneys to perform tasks such as establishing trust with their clients, keeping them informed and independently investigating the case.

"You're not to be recommending a plea to your client, which after all affects his or her liberty, without completing your investigation and study of the case," Stephen Hanlon, the bar association's project director for its report on Oregon, said last month during a public meeting on the findings.

Put another way: public defense is more involved than an attorney simply showing up to court to represent a person.

## 'More work to be done'

Public defense leaders welcomed news of the additional \$12.8 million in funding, even if it is far short of a permanent fix. They said the situation in some counties is so dire that they'll take any help the Legislature is willing to provide.

"Your brain, your body cannot sustain that level of trauma for an unlimited amount of time," said Shannon Wilson, executive director at Public Defender of Marion County. "By bringing more attorneys in, we're going to help improve retention for the attorneys who stayed ... It's a glimmer of hope."

Wilson said their office has had considerable turnover and no applications. They said they recently rewrote a job description and noted the office is dedicated to reducing the caseload so the public defenders can provide effective counsel. After changing that, Wilson said, they got six applications.

"We have a lot of appreciation for all the folks that are making this happen because it's so vital for public defense," said Autumn Shreve, government relations manager for OPDS. "We are in a crisis state and I think these dollars are going to be extremely important for addressing that. There's more work to be done. For now, it's a step in the right direction."

Gov. Brown, who as the

head of the executive branch has no oversight of public defense, "convened a meeting" Feb. 7 via video about the ongoing failure to provide a constitutional right to Oregonians.

Brown, Senate President Peter Courtney, House Speaker Dan Rayfield, Steiner-Hayward and Sanchez were all in attendance, according to the governor's staff. Oregon Supreme Court Chief Justice Martha Walters, who oversees the judicial branch, also attended.

The meeting was to discuss short-term funding solutions for OPDS "in light of the challenges that public defenders continue to face," Brown's office said in a statement. "The governor is supportive of devoting additional funds this biennium to the agency to hire more public defenders."

Oregon's chief justice, too, has expressed concerns about public defense in the state. After the American Bar Association study, Walters released a statement, saying public defense "is in desperate need of improvement and support."

Despite Walters' stated support for public defense, privately, some attorneys have questioned whether leaders in the judiciary appreciate the harm playing out in many of Oregon's courtrooms.

On the same day Walters met with the governor and legislative leaders, she testified before lawmakers on behalf of Senate Bill 1581, which would raise the salaries for judges, including her. When adjusted for the costs of paying, Oregon's judges are paid the lowest of any state, according to the National Center on State Courts.

Like judges, public defenders argue they are underpaid and overworked, and the public defense crisis is playing out at a time when the state is awash in cash due to higher-than-expected revenue.

## the Astorian

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