

Bonamici bill seeks public defender aid

By PETER WONG
Oregon Capital Bureau

WASHINGTON — U.S. Rep. Suzanne Bonamici proposes \$250 million in federal grants to help pay for and address a shortage of public defenders nationwide.

Though the Ensuring Quality Access to Legal (EQUAL) Defense Act is unlikely to become law in the short post-election session of Congress, it could form the basis for a law in the 118th Congress or be attached to must-pass legislation. Control of the House will pass from a narrow Democratic to a narrow Republican majority after Jan. 3.

In addition to the grants, the legislation would require collection of workload data and pay parity between public defenders and prosecutors within five years. An additional \$5 million is proposed for training grants for government and nonprofit agencies.

Public defenders are often inexperienced, overworked and underpaid. Under a 1963 decision by the U.S. Supreme Court, criminal defendants are entitled to legal representation under the Sixth Amendment to the Constitution.

Bonamici, a Democrat from Beaverton, was elected Nov. 8 to a sixth full term from the 1st District seat of northwest Oregon.

She said in a statement that she was following up on the work of Rep. Ted Deutch, a Democrat from Florida who was in the U.S. House from 2010 until he resigned Sept. 30 to become chief executive officer of the American Jewish Committee.

Her statement: “Public defenders are an essential part of our criminal justice system, and people accused of a crime have a right to counsel.

“Right now, we have a dangerous shortage of public defenders and the public defenders we do have are struggling under burdensome caseloads and conditions. My former colleague, Congressman Ted Deutch, previously led this legislation to improve access to counsel nationally and limit unnecessary incarceration costs. I’m leading the EQUAL Defense Act to finally secure the resources that our public defenders and people in the criminal justice need and deserve.”

Bonamici herself is a lawyer, and her husband is Michael Simon, a U.S. District Court judge in Portland. The proposed legislation, however, is aimed at shoring up criminal defense representation in the states. (Federal public defenders fall under the federal court system.)

In addition to the provisions mentioned above, the legislation would do two other things:

- Require recipients of federal grants under a 1988 program to provide data on the extent to which the state is providing public defenders for indigent people in the criminal justice system. The program is the Edward Byrne justice assistance grants, which go to state and local governments.



Blue Mountain Eagle, File

The Grant County Courthouse in Canyon City.

• Reauthorize the student loan program, increase the overall authorization amount from \$25 million to \$75 million, and increase per-borrower repayment limits.

Shortage: ‘Urgent threat’

Criminal charges have been dismissed by judges in Multnomah County Circuit Court against an estimated 300 defendants since February. District Attorney Mike Schmidt said Nov. 21 that the shortage constituted an “urgent threat to public safety.”

His statement in Bonamici’s release said this:

“Absent counsel, criminal prosecutions cannot move forward.

“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 longterm 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.”

Shortages of public defenders also have been reported elsewhere in the state.

The Oregon Office of Public Defense Services, which oversees legal representation for criminal defendants, is in dis-

array after a controversy earlier this year that ultimately resulted in a reconstituted Commission on Public Defense Services firing Stephen Singer after just eight months as executive director of the agency. When the commission declined to fire him on Aug. 11, Oregon Chief Justice Martha Walters dismissed all nine members on Aug. 16. She reappointed four of them, but the new commission then voted 6-2 on Aug. 18 to fire Singer, who filed suit against the state on Oct. 11.

DA’s statement

Schmidt’s full statement from Nov. 21 is below:

“In February of this year, a Multnomah County Circuit Court judge dismissed the first of what is now nearing 300 cases due to a lack of defense counsel over my objection on the basis of victims’ rights. Every week since, case hearings have been set over in the hopes that a public defender may be available at a future date, dismissed outright, or dismissed after being set over, sometimes even past the statute of limitations for a given offense.

“The courts are put in the position of releasing defendants without prosecutors having so much as an opportunity to request bail or release conditions. And it’s not getting any better. Just last week, a suspect

that allegedly ran a car into a school bus of children, which subsequently had to be evacuated due to a leak caused by the incident, was released within 24 hours of his arrest due to lack of a defense counsel.”

“For nearly every defendant without counsel, there are one or more victims awaiting justice. Months into this crisis, many are still waiting for their day in court while others have seen their cases dismissed altogether. This sends a message to crime victims in our community that justice is unavailable and their harm will go unaddressed. It also sends a message to individuals who have committed a crime that there is no accountability while burning through scarce police and prosecutor resources. Every day that this crisis persists presents an urgent and continuing threat to public safety.”

“Prosecutors in my office have and will continue to issue cases for prosecution and reissue cases that have been dismissed as soon as we are able. We refuse to turn our backs on victims simply because one pillar of our justice system is crumbling. Moreover, from this day forward, my office will publish every case dismissed or set over as a result of this crisis weekly until it is resolved. The public must be empowered with this information to understand the scope of this crisis.”

COPS AND COURTS

Arrests and citations in the Blue Mountain Eagle are taken from the logs of law enforcement agencies. Every effort is made to report the court disposition of arrest cases

Circuit Court Nov. 17

Matthew Aaron McCain, 32, of Prattville, Alabama, pleaded guilty to driving under the influence in connection with a May 20 incident. An additional count of reckless driving was dismissed. He was given a suspended sentence of 180 days in jail and placed on bench probation for 18 months. He was also ordered to serve 48 hours in jail with credit for time served and fined \$2,255. As conditions of probation, McCain was ordered to complete the Victim Impact panel Program, obtain a substance abuse evaluation and complete all recommended treatment, not use intoxicants and install an ignition interlock device on his vehicle.

Nov. 17

Justin Scheidegger, 28, of John Day pleaded to one count of driving under the influence and three counts of criminal driving while suspended or revoked in connection with four separate incidents that occurred between Feb. 23 and Nov. 15 of this year. Additional counts of felon in possession of a firearm, unlawful possession of a firearm, resisting arrest and possession of methamphetamine were dismissed. Scheidegger was sentenced to two years of bench probation, ordered to obtain a substance abuse evaluation and complete all recommended treatment, not use or possess intoxicants and perform 80 hours of community service or work crew time. In addition, he was fined \$2,250 and ordered to serve 35 days in jail, with credit for time served.

Grant County Sheriff

The Grant County Sheriff’s Office reported the following for the week ending Nov. 23:

Concealed handgun licenses: 9
Average inmates: 9
Bookings: 3
Releases: 6
Arrests: 0
Citations: 4
Fingerprints: 9
Civil papers: 19
Warrants processed: 4
Assist/welfare check: 1
Search and rescue: 0

Dispatch

Grant County dispatch worked 137 calls during the week ending Nov. 23, including:

• Grant County Sheriff Nov. 16

9:41 a.m.: Responded to Starr Ridge for a non-injury accident.
1:15 p.m.: Responded to Second Street in Prairie City for a trespassing complaint.
5:14 p.m.: Responded to West Main Street, John Day, for a driving complaint.
10:27 p.m.: Responded to Riverside Mobile Home Park, John Day, for an animal complaint.

Nov. 17

8:45 a.m.: Responded to Grant County Courthouse, Canyon City. Matika Long, 22, of John Day was arrested on three Grant County warrants.
9:37 a.m.: Responded to Elkhorn Motel, John Day, for suspicious circumstances.
5:10 p.m.: Responded to South Canyon Boulevard, John Day, for a report of a stolen chainsaw.
6:27 p.m.: Responded to Dairy Queen, John Day, for a report of a dispute.

Nov. 18

10:02 a.m.: Responded to Riverside Mobile Home Park, John Day, for a theft of services report.
5:22 p.m.: Received a report of a vehicle vs. deer accident. No injuries were reported.

Nov. 19

10:02 a.m.: Received a report of sexual abuse from Blue Mountain Hospital, John Day.
11:30 a.m.: Responded to Jenkins Road, Mt. Vernon, for a

death investigation.

1:26 p.m.: Responded to East Main Street, John Day, for a parking complaint.

4:35 p.m.: Responded to Indian Creek Road, Prairie City, for an animal complaint.

7:05 p.m.: Responded to Riverside Mobile Home Park, John Day, for a report of shots fired.

Nov. 20

1:30 p.m.: Traffic stop near Mobil station, Canyon City. Driver warned for speeding.

8:31 p.m.: Responded to Triangle Mini-Mart, Mt. Vernon, for a report of suspicious activity.

Nov. 21

12:11 a.m.: Responded to Little Dog Creek Lane near John Day for a burglar alarm.

12:38 p.m.: Responded to storage units near Napa Auto Parts, John Day, for a theft report.

Nov. 22

9:24 a.m.: Responded to Russell’s Meats, Canyon City, for a welfare check.

12:09 p.m.: Responded to

Mt. Vernon for a car prowl.

2:44 p.m.: Responded to John Day Trailer Park for a civil standby.

8 p.m.: Responded to Highway 26 near milepost 144 to assist a motorist.

Nov. 23

10:55 a.m.: Responded to Davis Creek Park, John Day, for a suspicious vehicle.

1:27 p.m.: Responded to Adam Road, Canyon City, for a hit and run.

3:29 p.m.: Responded to Valley View Drive, John Day, for a welfare check.

• Oregon State Police Nov. 17

12:51 p.m.: Advised of an injured deer on Southwest Fourth Avenue, John Day.

1:15 p.m.: Advised of a suspicious person on Highway 26 near Luce Creek Road.

2:03 p.m.: Advised of a driving complaint on Highway 395 South near Gibco, Canyon City.

Nov. 22

7:19 a.m.: Responded to Highway 26 between Mt. Ver-

non and Clyde Holliday State Park to assist a motorist with a disabled vehicle.

• John Day Ambulance Nov. 16

7:51 a.m.: Patient transport to Boise.

Dispatched to East Fifth St., Prairie City, for a patient transport.

Nov. 18

12:25 a.m.: Patient transport to Blue Mountain Hospital.

10:26 a.m.: Responded to Highway 26 west of John Day for a male patient having seizures.

5:02 p.m.: Patient transport to Blue Mountain Hospital.

5:56 p.m.: Dispatched to the airport for a patient transport.

Nov. 19

7:53 a.m.: Dispatched to Charolais Heights for a medical call.

10:47 a.m.: Dispatched to Trafton Lane for a medical call.

11:24 a.m.: Dispatched to Riverside Mobile Home Park for a medical call.

Nov. 21

1:39 p.m.: Dispatched to

Hillcrest Road for an 88-year-old male who fell.

11:25 a.m.: Dispatched to West Third Street, Prairie City, for an 83-year-old male with a medical issue. Patient transported.

Nov. 22

1:38 a.m.: Dispatched to Northeast Dayton Street for a female with a fall injury.

6:01 p.m.: Dispatched to Grant Union High School for a medical issue.

7:36 p.m.: Dispatched to Riverside Mobile Home Park for a medical issue.

Nov. 23

3:48 a.m.: Dispatched to Riverside Mobile Home Park for an unresponsive male.

8:03 a.m.: Patient transport to St. Luke’s Nampa Medical Center.

• Prairie City Ambulance Nov. 16

7:02 p.m.: Dispatched to South Main Street for a woman with a possible allergic reaction. John Day Ambulance also responded.



Merry Christmas Open House

COME & JOIN US!

We Invite you to celebrate the most beautiful time of the year with us for hot cocoa & cookies.

FRIDAY DEC 2
2P - 6P

SATURDAY DEC 3
11A-3P

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COUNTY

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