

May 12, 2022

Dear Attorney General Rosenblum,

Paige Clarkson, the Marion County District Attorney, and President of the Oregon District Attorney's Association, sent out 2 mailers that blatantly disparaged and defamed all individuals who take on the constitutionally mandated, and highly valued, work of representing individuals accused of crimes, especially those individuals who do not have the means to hire attorneys. She explicitly stated that Spencer Todd, a person who has provided representation for indigent defendants, was disqualified from being the Marion County District Attorney for the sole reason that he "paled" (sic) around with individuals who worked for the Marion County Defense Consortium and because they provided him with some small campaign contributions. Ms. Clarkson's misrepresentations and denigrations were so severe that even the Chief Justice of the Oregon Supreme Court found them to be "disturbing".

Ms. Clarkson's comments putting those attorneys in a class of deplorables would be offensive to our system of justice in ordinary times, but they are even more offensive in a time when it is difficult to recruit and maintain qualified attorneys to represent indigent individuals.

Although we are aware that Ms. Clarkson's true belief that public defenders are to be demonized was not known to you at the time that you formally endorsed her, we fervently believe that the positions taken by Paige Clarkson in her mailers do not reflect your values, or the values of the Attorney General's office for the State of Oregon. Therefore, based upon her egregious and, frankly, disheartening public statements that vilified members of the criminal justice system, the undersigned call on you to support the work of those of us who work tirelessly to uphold our constitutional mandate and withdraw your endorsement of Paige Clarkson.

All of us understand, and appreciate, that you know that public defenders are a critical part of the public safety system and that we defense attorneys, just like the prosecutors, are mandated to pursue justice. As the chief law enforcement attorney for our state, you are charged with upholding the foundation of our criminal justice system which mandates that any person accused of a crime has the right to have a lawyer appointed to represent them and to steadfastly and zealously protect and assert their constitutional and procedural rights.

We also know that you have continually recognized, and stated, that you believe that all people accused of crimes have the right to counsel regardless of income, age, gender, race, sexual orientation, nationality, or any other socio-economic factor. We know that you support having a robust and competent defense bar, believe in civil and constitutional rights and believe that public defenders are dedicated public servants who make these rights a reality for the most vulnerable members of our communities.

On a personal note as the author of this letter, I worked as a public defender in Marion County for ten years, both as a lawyer at the Public Defender of Marion County and then as the Executive Director of that office. I have seen first-hand how hard defense attorneys in Marion County work to advocate for their clients in ways that improve public safety. Public defenders help people who have been charged with crimes and who are also frequently experiencing barriers to housing, health care, employment, and behavioral health. Many of our clients have trauma history and are survivors of domestic and sexual violence. Public defenders work with community providers to assess and mitigate

their clients' needs so that they can rebuild the social support systems necessary to keep people safe in our communities. Thus, it is clear that our communities are improved by the hard work that public defenders do every day.

For decades Oregon has underappreciated public defense. Statewide leaders largely sat on the side lines while public defenders struggled with high caseloads, low pay, and disparaging treatment from other public safety stakeholders while money flowed to the District Attorney's offices. As a result, Oregon is currently experiencing a crisis in public defense. The state is violating people's constitutional rights to counsel because it does not have enough public defenders to meet the need. At the same time as the need for public defenders is great, the ability to recruit and retain people in the profession is extremely difficult. DA Clarkson's statements about public defenders reflect the outdated attitudes that have brought us to this point and, frankly, openly chastises and defames those who would want to take on this underpaid but personally and professionally rewarding career.

Public defenders need the support of statewide leaders such as yourself. You have shown support for us in the past and we hope that support continues into the future. DA Clarkson's statements about the defense bar display contempt for the constitution and for the people who work tirelessly to uphold its promise. We believe her statements are antithetical to your beliefs. Therefore, the defense community respectfully calls on you to acknowledge how disturbing, and detrimental to the defense role in our criminal justice system, these statements are and to withdraw your endorsement of Paige Clarkson for Marion County District Attorney.

Sincerely,



Jessica Kampfe, Public Defender in Multnomah County

Shannon Wilson, Public Defender in Marion County

Kaiti Dunn, Public Defender in Grant, Harney, Malheur, and Baker Counties

Stacey Lowe, Public Defender in Coos County

Justin Morton, Public Defender in Umatilla County

Brook Reinhard, Public Defender in Lane County

Carl MacPherson, Public Defender in Multnomah and Washington Counties

Bruce Tarbox, Public Defender in Clackamas County