



A Long List of Thank You's

by Rob Raschio

"Thank you! If not for your membership and commitment to the accused, I would not have volunteered."

Only one place to begin this list: Thank you! I've had a great time this year being your president. If not for your membership and commitment to the accused, I would not have volunteered. Knowing you are out there, fighting for justice, insisting the system respect your client's dignity and ensuring the constitutions of Oregon and the United States are alive made the service worth the work.

Thank you to John Potter, 32 years at the helm of this organization. Every day, including early morning calls on Sunday, he works for the OCDLA, promoting our agenda, ensuring the finest CLE's, moving in the highest levels of Oregon's political system protecting our interests.

Behind his good work sits his fantastic staff—Tracye, Jennifer and Alene. Thank you three for all you do to make this a successful organization. And for keeping on me to get my duties done. Only a week late this time, Tracye!

Red Meat Alert (meaning I will have a thank you with a call to action to call your legislator). Gail Meyer and Jennifer Williamson, our lobby team, thank you for all of your hard work this session. I can tell you the view from here is we are on the edge of having one of the most successful substantive lobbying years in the history of this organization! Here is a quick recap as of April 22, 2011 (Earth Day):

(1) We introduced an enhancement facts bill (SB 378) and struck a deal with the system players requiring notice of enhancement facts: (1) no later than 60 days after arraignment on the indictment (in order to exempt out treatment/early dispute resolution courts); or (2) 14 days prior to trial, whichever is sooner, or (3) less time if by mutual agreement of the parties or order of the court for good cause shown. The vote out of the Senate committee was 5-0 to the floor and we anticipate passage of the legislation.

(2) PCS/user quantity bills: we introduced HB 2673, 2674, and 2675 to substantially change our controlled substances laws in Oregon and here is the result of the work in a brokered deal with ODAA: Crime classification will no longer be dependent on schedule of the drugs (we're talking Schedule I and II), but rather on the quantity of drugs possessed. For example, if someone possesses a "substantial quantity" or more, it's a class B felony (even for a Schedule II drug); if someone possesses less than a "substantial quantity," it is a class C felony (even for a Schedule I drug); for the first conviction, it is an A misdemeanor if the person possesses one-tenth of the "substantial quantity" amount. As to the B felonies, if the defendant successfully completes conditions of probation, the court would have discretion to make the conviction a C felony, which would be expungeable.

I want to say thank you to Lee Berger and Bear Wilner-Nugent for their leadership on the drug policy issues in our Legislative Committee. Without them, I firmly believe we would not be on the precipice of this historic change to our controlled substances laws.

(3) Ross Shepard, former OCDLA president, has shepherded a bill through the legislature carving out exceptions to Measure 57 and other repeat offender statutes, allowing for intensive supervision rather than prison for a large swath of individuals. Thank you, Ross, for your work on a bill that will definitely be part of a "larger package" of cost-savings bills coming to Ways & Means.

(4) *Godines* fix: Thank you to Bronson James and Shawn Wiley for fixing the law so no 19-year-old in

Continued on next page

OCDLA Board President **Rob Raschio** is with Morris Olson Smith Starns Raschio in the Dalles. He serves on the Legislative and PAC committees.

VIEW Continued from previous page.

Oregon will be charged and convicted of Measure 11 crimes for conduct that occurred when he was 12.

(5) Juvenile Second-Look: the concept resurfaced for hearing and passed out of committee with a 3-2 vote and a referral to Ways & Means. Yes, the DAs and crime victims groups hate this, so there will be another fight to keep it alive. **RED MEAT.** Only you can keep this alive by calling your legislator today to share your stories.

A number of bills have not come out of committee, leading Gail to write, "Here's the utterly fantastic, groovy news of the week: Nothing awful, terrible, can't-live-with-it-and-need-to-call-out-all-the-troops is still alive. Hard to believe, but good stuff is in flow; really bad stuff has died in committee."

Thank you to all the volunteer members of the OCDLA Legislative Committee who give up significant time each week assisting our lobbyists. Bob Homan, our chair, leads us well. Join next session or even for the rest of this session.

Red Meat Alert: we are not to the final budget stage. Your help is needed protecting the Oregon Public Defense Services budget in the coming weeks. You will receive a one-page talking points flyer from the OCDLA soon. Make the call to your legislator. Thank you to Ingrid Swenson and Kathryn Aylward for an amazing budget hearing process. Please don't go, Ingrid! Now it is up to our members to remind legislators we are small businesses too!

Thank you also to our Education Committee for developing some great CLEs this year. The content and the passion in each program is inspired. Special thank you's to our co-chairs: Liz Wakefield and David McDonald.

A huge Thank You to all our volunteer members. The organization would not work without your donation of time preparing and presenting CLEs, writing chapters in our publications, cooking burgers, and giving your resources making

our auctions and other fund-raisers work. Phenomenal membership.

Of special note, Henry Owren, a web designer in Oak Grove giving his time pro-bono, and our own Alex Bassos, due to his and Metropolitan Public Defenders' commitment to statewide excellence in our field, are creating a new website for our organization. Once completed, the site will be the hub of all things criminal defense law in Oregon. The work of Owren and Bassos is inspired. (See "Library of Defense" on page 13.)

Three more thank you's and I am done with what is an incomplete list. Those I have missed know I am thankful for all you have done to make this a successful year.

First, our Board of Directors. Your leadership, direction, input, contribution and passion for our work has made for a great year. Thank you all. We are losing four members and here I wish to thank each personally.

I want to thank Vice President Tahra Sinks for her hard work making all the fund-raising efforts work this year. You have been a great Vice President and a strong advocate for our juvenile-lawyer members, and your presence on the board will be missed.

Susan Russell, thank you for your time on the board, someday I hope to get a hat. I appreciated your work reminding the board we need to make the organization valuable to all lawyers in Oregon, state and federal. I, also, note your guidance and leadership during the moment of tragedy around the loss of our colleague. As a result, this July 21 will mark the first Nancy Bergeson Ardent Advocate Lecture Series, in what will be an annual event. (See "Introducing the Nancy Bergeson Ardent Advocate Lecture Series," page 18.)

Thank you, Dawn Andrews, for all of your work promoting this organization, mustering the resources of the Metropolitan Public Defender's office to assist the board in all of its projects. You are a clear leader, and I will miss your

Lunch of the Paisanos



OCDLA President Rob Raschio (left) meeting on April 7 with Tom D'Amore, Oregon Trial Lawyers Association President, and Steve Piucci, Oregon State Bar President. Discussion topics were pasta and each organization's 2011 legislative agenda.

vision and voice on the board.

Thank you, Jesse Coggins. Your humor and insight were a much needed diversion in difficult moments. Keep up your good work on the southern coast.

As for the rest of the board, we still have work to do moving the OCDLA forward for the next 32 years. Thank you for your special commitment.

My coworkers at Morris, Olson, Smith, Starns & Raschio. Each of you have sacrificed to make it possible for me to do this work. Thank you for your support. To my coworkers in The Dalles, are you feeling lucky yet? Jack Morris, former president and my partner-boss, is a great leader and supporter of OCDLA. Thanks, Jack.

Last in this list but first on my own, Sena and Vincent. Thank you for being my inspiration. Love you. 🍷