

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF WASHINGTON

STATE OF OREGON,

Plaintiff,

vs.

SCOTT GARNETT BOYD,  
CARLOS SMITH,  
JEFFREY MICHAEL APPLGATE,

Defendants.

No. C130935CR (DA 310247)  
No. C053243CR (DA 208333)  
No. 23CR16895 (DA 420661)

**DECLARATION OF JENNIFER  
ROBINS**

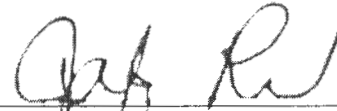
I, Jennifer C. Robins, make the following declaration in support of the State's Motion to Identify Defense Counsel Without Delay and Increase Defense Attorney Compensation:

1. I am a license attorney in good standing with the Oregon State Bar, have been so since 2003. I have practiced almost exclusively in criminal defense and juvenile law my entire career.
2. I previously worked for a firm in the Columbia River Gorge that provided indigent defense services for adult and juvenile clients, and representation in juvenile dependency cases. This office serviced the Seventh Judicial District as well as taking conflict cases in other counties around the State of Oregon. In 2010, I took a position with Harris Law Firm, P.C. (now Harris, Velazquez and Gibbens) in Hillsboro, OR. My practice consisted of a blend of indigent defense cases, as well as privately retained cases. By the end of my seven (7) years of employment at Harris Law Firm, P.C., I was **exclusively** handling privately retained cases.

- 1 3. Robert J. Harris was not only my employer, but the head of the Oregon Defense Attorney  
2 Consortium (ODAC). The consortium consists of attorneys who provide indigent defense  
3 services in criminal cases as well as juvenile delinquency and dependency attorneys. In 2017,  
4 Mr. Harris had an attorney leave the consortium and could not find anyone qualified to fill the  
5 position, so he asked me to leave Harris Law Firm P.C. to become a contract attorney with  
6 ODAC. At the beginning of 2018, I opened my own law office and went back to representing  
7 clients in indigent defense cases. I made this decision because I felt there was a dire need for  
8 attorneys to represent indigent clients. I want to stress that I left private practice to go back to  
9 doing court appointed attorney representation. I would not have done so without the structure  
10 and contract that ODAC provided to me, given the disgracefully low hourly compensation non-  
11 contract attorneys were (and are still being offered).
- 12 4. I am familiar with the public defense crisis in Oregon, and I am aware that there are dozens of  
13 defendants in Washington County currently facing criminal charges without representation.  
14 These include the defendants in the instant cases.
- 15 5. I know the compensation rate for indigent defense is set by the Office Public Defense Services  
16 (OPDS), and I believe that the hourly rate set by OPDS for complex or difficult cases is  
17 inadequate. I know the hourly rate set by OPDS in such cases to be substantially lower than that  
18 paid by privately retained clients in similar cases.
- 19 6. I know that OPDS has been unable to identify defense counsel able to represent the defendants at  
20 the current hourly rate.
- 21 7. I know there are defense attorneys in Washington County that are qualified to represent the  
22 defendants, and that those attorneys may be able to accept these cases if compensated at a higher  
23 rate than offered by OPDS.

1 8. I am familiar with the content of the State's requested order, and I believe that the proposed  
2 structure of compensation increases is likely to lead to qualified defense counsel accepting  
3 appointments to these cases.  
4

5 Dated this 13<sup>th</sup> day of June 2023.

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8 Jennifer C. Robins  
9 OSB # 034355  
10 Law Office of Jennifer Robins  
11 jennifer@robinslawsite.com  
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