

SAFETY AND JUSTICE SUBCOMMITTEE RESEARCH RESOURCES

RESEARCH LINKS ON AN ELECTED PUBLIC DEFENDER

<https://hrlr.law.columbia.edu/hrlr-online/the-publics-defender-analyzing-the-impact-of-electing-public-defenders/>

<https://lvdsa.org/2020/12/04/erika-ballou-clark-county-district-court-judge/>

<https://aninjusticemag.com/when-public-defenders-run-for-da-d9bf77c535e5>

<https://www.oregonlive.com/portland/2022/04/oregons-chief-justice-sounds-alarm-on-public-defense-crisis-multnomah-county-da-prosecuting-only-most-serious-cases.html>

https://www.americanbar.org/groups/legal_aid_indigent_defense/indigent_defense_systems_improvement/publications/or-project/#:~:text=ABA%20SCLAID%20and%20Moss%20Adams,resulted%20in%20a%20attorney%20workload%20standards

RESEARCH LINKS ON EVICTIONS

[Here's the Sheriff Civil Support Unit that carries out evictions \(among other things\) website](#)

[2008 Mult co sheriff audit of civil process which includes evictions](#)

Something that stood out for me here, was how infrequent "high risk" evictions are according to this audit, compared to how the sheriffs frame the frequency in their budget asks for civil process.

"We found no evidence of increased injuries or use of force related to civil process work, and based on our interviews and our analyses of BOEC data, there are only a small percentage of higher-risk civil process calls."

Budget request: *"Civil Unit deputies experience incidents of physical resistance when performing their duties. In particular, evictions may involve subjects who barricade themselves requiring a substantial dedication of resources and time. Often times, these incidents require the skill of the Multnomah County Special Weapons and Tactics Team to perform a measured response tactical entry into the residence to execute the eviction while providing safety for nearby citizens. Persons subject to the court's*

orders have threatened to kill uniformed staff, displayed firearms, discharged firearms, and fortified apartments and homes to prevent the court action. It is routine for persons to hide within dwellings to avoid being contacted by civil deputies."

This was interesting about why they don't contract out the civil services from the audit.. "Multnomah County Sheriff's Office management has determined that the function should not be contracted out due to liability concerns. Previous audits of county contracting have pointed out that risk increases when services are contracted out, and in this case, the risk could possibly range from disruption of the civil court system to real harm to county residents. However, there are alternatives to how some civil process work is handled that have potential for creating savings and efficiencies"

Vehicle Repossession policy in Oregon

"Protection From Force

"Oregon law specifically states that lenders cannot use force to repossess your vehicle. This means your creditor can't enter your garage or your home and it can't tow your vehicle off with you inside. It can ask the court for an order allowing the police to force their way into your home or garage, however, if this will allow access to your car. Otherwise, you have a right to sue for damages if a creditor uses illegal force."

More on state law and evictions

["The Tip of The Spear: Sheriffs and Evictions" article](#)

This is from the Sheriff's Role in Eviction section of the article:

"In most places, sheriffs are the law enforcement officers who carry out evictions. (As a note: no state has evictions written directly into their state constitution as a power of the sheriff. In general, the power to execute evictions falls under the power to execute court orders or service of process, and eviction orders by a housing court are considered court orders) This can vary county-to-county, and some places, in lieu of sheriffs, use [private security officers](#), constables (locally-elected law enforcement figures) or other armed law enforcement to enforce evictions. As I mention above, sheriffs will say their office "[simply complies with its legal responsibilities to follow the judge's order](#)," as one sheriff said. ([This](#) is a good primer on the eviction process.)

The actual history shows how sheriffs are more similar [to private contractors](#) than one might think. Because sheriffs operated as work-for-hire, they used to get paid per eviction, often by the landlord themselves; this is still largely true. In some places, evictions don't happen until the landlord who won the eviction order calls to ask the sheriff's office for enforcement. (In some places, it appear to be automatic — but I have not seen any data on this issue.) The Philadelphia Sheriff's Office charges [\\$226](#) to serve the writ of possession – an order that eviction is impending required in that city before eviction.

Here's some recent news about fatal evictions across the country:

[NAACP calls for answers after Sarasota deputy shoots, kills man during eviction](#)

[San Diego law enforcement criticized over deadly shooting at Little Italy condo](#)

[Opinion: Police and deputies shot our colleague in her apartment. She should still be alive today.](#)

[Man fatally shot by Cleveland housing court bailiff during eviction fought to keep bailiffs from getting inside home, records say](#)

[Neighbor: Confrontation over eviction may have led to fatal police shooting in Plainsboro-](#)