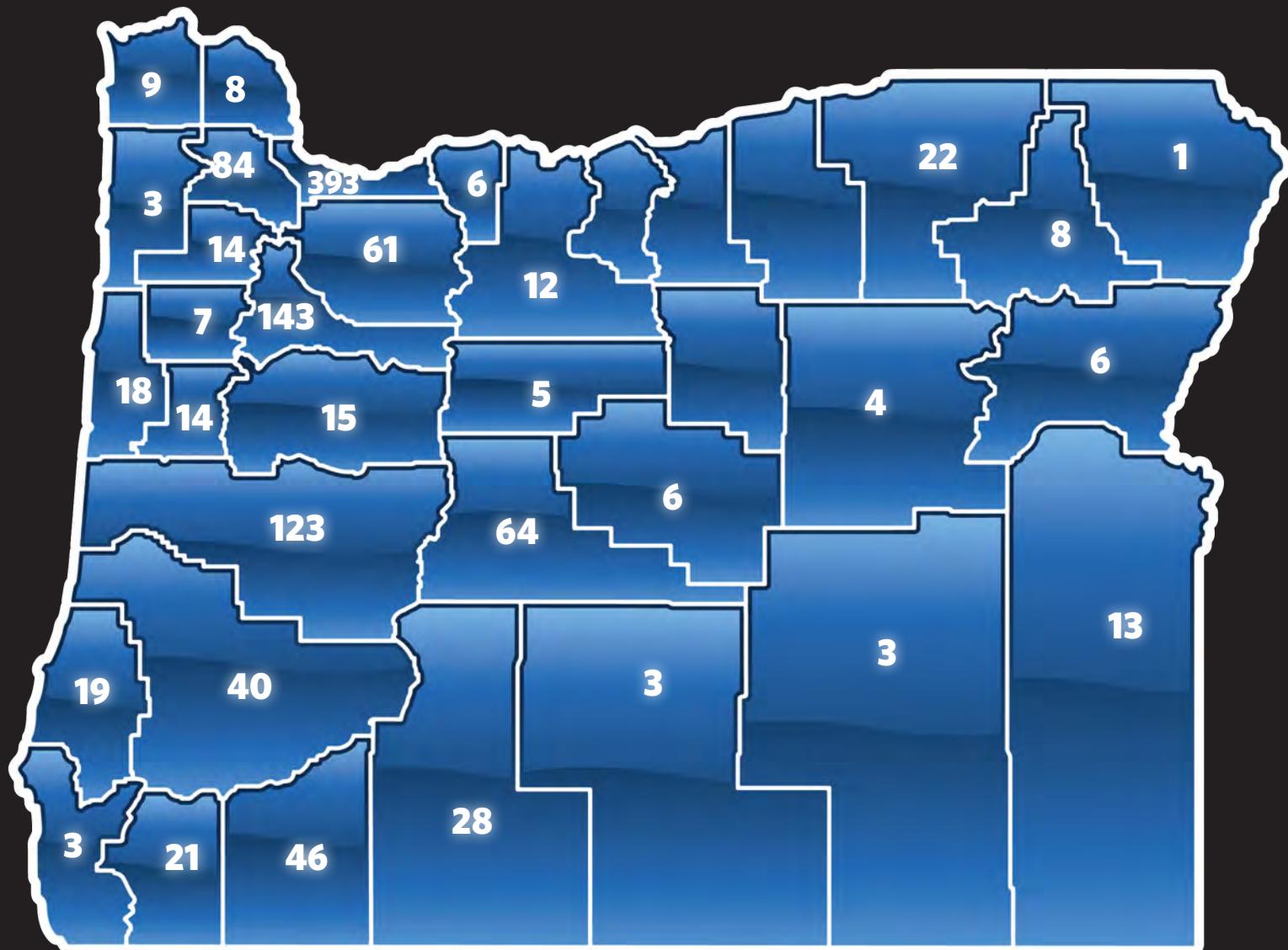
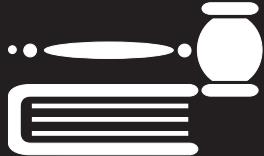


Oregon Criminal Defense Lawyers Association



WA 13
ID 5
CA 3

Strength in numbers since 1979.



2015 Membership Directory

OCDLA

Membership

Strength in numbers. Fairness in justice. OCDLA is a community—more akin to a family than an amorphous educational nonprofit. Our family offers the best training programs and seminars in the state. We produce trial books and aids that are the envy of the nation. And, we're harnessing the power of the web with the development of the Library of Defense, the best “find it when you need it” web resource of all. We support list serves, committees of all sorts, amicus action, expert witness databases, legislative advocacy and even great social events and BBQ's. All this helps cement us as a community, allowing both individual and collective growth. Members reap professional benefits, contribute to Oregon's family of defenders and help promote public awareness of our justice system.

Expert Witness Database

The Expert Witness Database contains reference information about hundreds of experts and is updated annually.

Legislative Representation, Analysis and Update

OCDLA sponsors legislation, presents the defense perspective, opposes efforts to dilute constitutional rights, and publishes a biennial *Legislative Analysis of Criminal and Juvenile Laws*. All members receive a free PDF version of the *Legislative Analysis*.

The Pond and other Email Services

OCDLA offers several lists for members to communicate with each other. In addition to “the Pond” as the members’ main email list is known, there are lists for juvenile and DUII practitioners. Email info@ocdla.org to subscribe.

Public Defense Coordination

OCDLA works closely with the Office of Public Defense Services, indigent defense contractors and appointed counsel to promote a fair system of public defense.

Publications

OCDLA trial books and guides are the best anywhere:

- *Criminal Law Formbook*
- *DUII Trial Notebook*
- *Felony Sentencing in Oregon: Guidelines, Statutes, Cases*
- *Investigator's Manual*
- *Legislative Analysis*
- *Mental Health & Criminal Defense*
- *Post-Judgment & Extraordinary Remedies*
- *Scientific Evidence Manual*
- *Search and Seizure Manual*
- *Trial Notebook*

Laminated Guides:

- *Blakely Sentencing Challenges*
- Constitution of Oregon—Criminal Justice Sections
- Expungement: Eligibility and Procedure
- Preservation of Legal Issues
- Repeat Property Offender (REPO) Guide
- Sentencing Guidelines Grid

Web Presence

OCDLA: ocdla.org

OCDLA's website offers all the services you would expect and so much more. Sure, you can download motions and memoranda, sign up for seminars, order and download publications, search the current roster of members or find helpful links to other websites relating to law and criminal defense. But you can also visit the Library of Defense, a vast and growing collection of helpful and up-to-date defense related information, which allows members to find exactly what you need when you need it.

Library of Defense: libraryofdefense.org

The OCDLA Library of Defense is a digital manual for criminal defense built by the collective contributions of OCDLA members. Ultimately, it will contain every law, every case, every expert, every resource and every good idea an Oregon defense attorney might need. Alex Bassos is editor-in-chief.

2015

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Oregon Criminal Defense Lawyers Association

101 East 14th Avenue • Eugene, OR 97401
(541) 686-8716 • fax: (541) 686-2319
ocdla.org • info@ocdla.org

OCDLA Board Districts

District 1 Counties

Baker • Crook
Deschutes • Gilliam
Grant • Harney
Hood River • Jefferson
Klamath • Lake
Malheur • Morrow
Sherman • Umatilla
Union • Wallowa
Wasco • Wheeler

District 2 Counties

Lane

District 3 Counties

Coos • Curry
Douglas • Jackson
Josephine

District 5 Counties

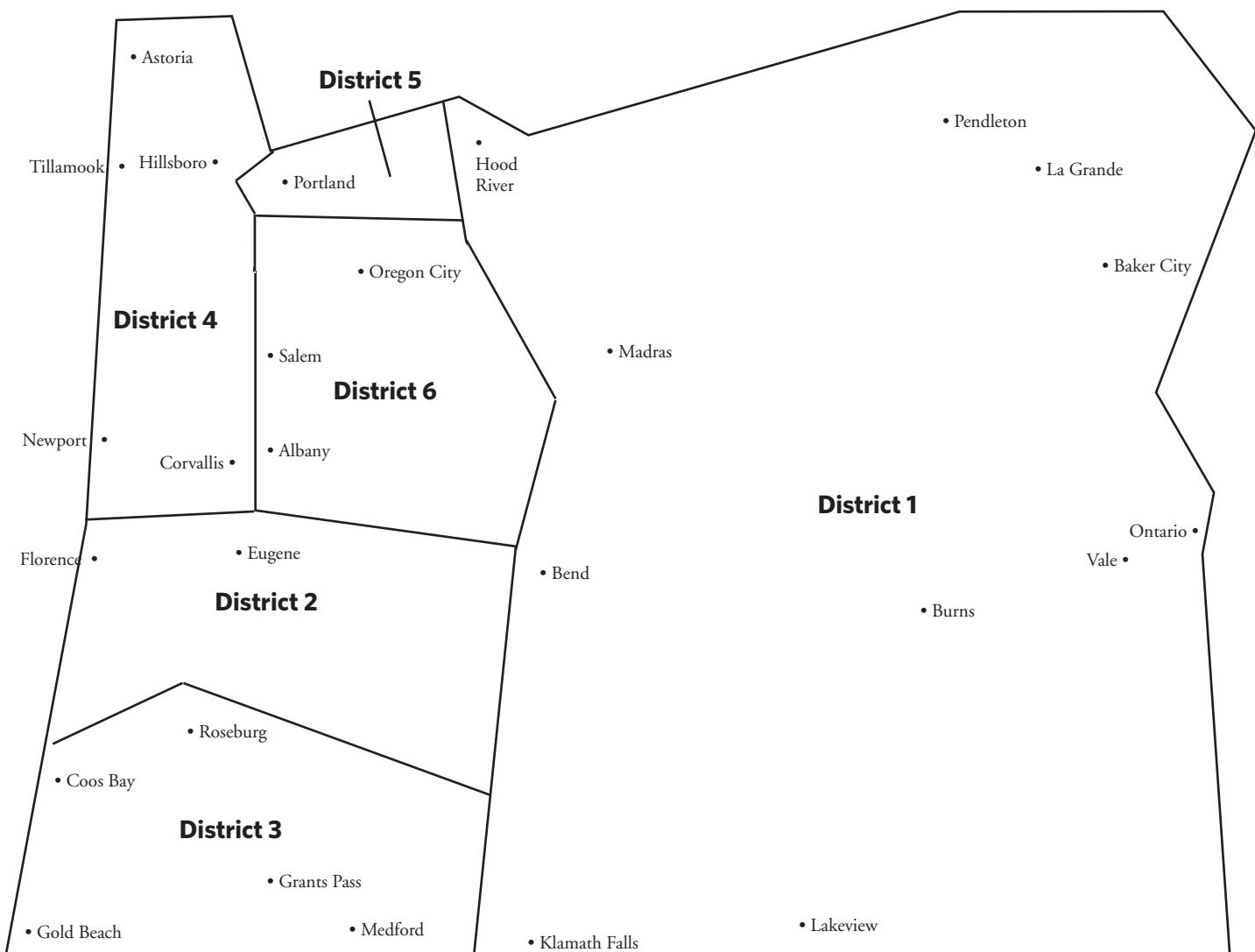
Multnomah

District 6 Counties

Clackamas • Linn
Marion

District 4 Counties

Benton • Clatsop
Columbia • Lincoln
Polk • Tillamook
Washington • Yamhill



OCDLA 2014/2015 Board of Directors

President



Evelyn Oldenkamp
District 1
200 Pine St.
Klamath Falls, OR 97601
(541) 882-1426
fax: 880-5564
eoldenkamp@aol.com
(term ends 2016)

Vice President



Edward A. Kroll
District 4
Corbridge & Kroll, LLC
19075 NW Tamasbourne Dr #100
Hillsboro OR 97124
(503) 352-9360
fax: 946-3067
ekroll.law@gmail.com
(term ends 2016)

Secretary



Gordon Mallon
District 6
827 Hawk Dr
Silverton OR 97381
(541) 873-5137
fax: 873-5139
gord.mallon@gmail.com
(term ends 2015)

Terms Ending June, 2015



Sara J. Collins
Southern Oregon
Public Defender Inc.
604 W Main St
Medford OR 97501-2742
(541) 779-5636
fax: 772-6222
sara@sopd.net



David O. Ferry
Office of Public Defense Services
1175 Court St NE, Ste 200
Salem OR 97301
(503) 378-2229
fax: 378-9701
david.o.ferry@opds.state.or.us



Celia Howes
District 5
Hoevet Boise & Olson, PC
1000 SW Broadway Ste 1500
Portland OR 97205
(503) 228-0497
fax: 228-7112
chowes@hoevet-boise.com



Megan Jacquot
District 3
455 S 4th St Ste 4
Coos Bay, OR 97420
(541) 267-2214
fax: 267-4764



Robert Kaiser
PD Services of Lane County, Inc.
1143 Oak St
Eugene OR 97401
(541) 484-2611, ext 155
fax: 484-5068
rkaiser@lanepds.org



Bradley Kalbaugh
Multnomah Defenders, Inc.
522 SW 5th Ave Ste 1500
Portland OR 97204-2116
(503) 226-3083
fax: 226-0107
bkalbaugh@multnomahdefenders.org

Terms Ending June, 2016



Russell Barnett
At-Large
Russell S. Barnett, III, PC
1500 SW 1st Ave Ste 780
Portland OR 97201
(503) 946-8000
BarnettLaw@me.com
fax: 388-3188
BarnettLaw@me.com



Alison M. Clark
Federal Public Defender
Suite 1700
101 SW Main Street
Portland, OR 97204
(503) 326-2123
fax: 326-5524
texclark@gmail.com



Greg Scholl
Metropolitan Public Defender
400 E Main, Ste 210
Hillsboro, OR 97123
(503) 726-7900
fax: 726-4950
gscholl@mpdlaw.com



Alex Spinks
Umpqua Valley Public Defender
505 SE Main
Roseburg OR 97470
(541) 957-5344
fax: 673-2748
alexspinks@gmail.com



Terri Wood
District 2
730 Van Buren
Eugene, OR 97402
(541) 484-4171
fax: 485-5923
twood@callatg.com

Past Presidents

Robert J. Larson • John Henry Hingson, III • Gregory E. Veralrud • Ross M. Shepard • Richard A. Cremer • Shaun McCrea
James A. Arneson • Edward Jones • Jack L. Morris • David G. Terry • James G. Rice • Michael E. Rose • Bob Thuemmel
David M. Audet • Paul Levy • Phil Studenberg • Lisa Greif • Daniel A. Cross • John Connors • Gordon Mallon
Greg Hazarabedian • Cate Wollam • Robert S. Raschio • Lane Borg

OCDLA Staff



*Staff, from left: Alene Sybrant, Tracye May, John Potter
and Jennifer Root*



*Jeff Richards, OCDLA's new
Development Coordinator*

John Potter, EXECUTIVE DIRECTOR • jpotter@ocdla.org

Tracye May, ADMINISTRATIVE ASSISTANT • tmay@ocdla.org

Jeff Richards, DEVELOPMENT COORDINATOR • jrichards@ocdla.org

Jennifer Root, ADMINISTRATIVE ASSISTANT • jroot@ocdla.org

Alene Sybrant, BOOKKEEPER • info@ocdla.org, asybrant@ocdla.org

101 East 14th Avenue, Eugene, OR 97401 • (541) 686-8716 • ocdla.org

Association By-Laws

I. Name and Purpose

The name of this organization is the Oregon Criminal Defense Lawyers Association. The purpose of the Oregon Criminal Defense Lawyers Association will be to provide and to promote scholarship in the area of legal representation in criminal, juvenile, and mental commitment proceedings. Furthermore, the organization will promote public awareness as to the function and duties of the criminal defense practice in general, within the limitations imposed by law on non-profit organizations.

II. Membership

- A. **REGULAR MEMBERSHIP.** Regular membership in the Association shall be open to 1) all attorneys in good standing with the Bar who are engaged in defense of criminal, juvenile or mental commitment cases and 2) faculty members of law schools.
- B. **SUSTAINING MEMBERSHIP.** The title of Sustaining Member shall be conferred by the Board of Directors on a Regular Member who, in lieu of the payment of the established regular membership dues, pays the Association a sum to be set by the Board of Directors.
- C. **LIFE MEMBERSHIP.** The title of Life Member shall be conferred by the Board of Directors on a Member who, in lieu of the payment of the established membership dues, pays a one-time payment to be set by the Board of Directors. That person shall not be required to pay annual membership dues. A Life Member who fails to meet the requirements for membership at any time shall be suspended from membership during the time of such ineligibility.
- D. **PROFESSIONAL NON-LAWYER MEMBERSHIP.** Professional Non-lawyer membership shall be open to individuals who provide substantial contributions and services to the defense of criminal cases. Included in this membership category shall be investigators and legal assistants.
- E. **LAW STUDENT MEMBERSHIP.** Law student membership shall be open to students enrolled in accredited law schools.
- F. **VOTING.** Each Regular, Sustaining and attorney Life Member shall be entitled to one (1) vote at the Association's proceedings. Professional Non-lawyer Members and Student Members are not entitled to vote.

III. Board of Directors

- A. **ELIGIBILITY.** Professional Non-lawyer or Student Members shall not be eligible to become elected members of the Board. Eligibility for election to the Board shall be extended to all other classes of membership.
- B. **NUMBER OF DIRECTORS.** The Board shall consist of fourteen (14) Directors. Private attorney representation shall be by seven members, one elected from each of the six regions established by ORS 9.025(2), and one to be elected at large. "Private attorneys" are those members who are not employed by those organizations designated in 1 through 7 of section B. Private attorney Directors must maintain their principal business office in the district from which they are elected.

Public defender representation shall consist of one representative each from the following offices: 1) the Metropolitan Public Defender, 2) Public Defender Services of Lane County, Inc., 3) the State Public Defender, 4) the Federal Public Defender, 5) Multnomah Defenders, Inc., 6) Southwest Oregon Public Defender Services, Inc./Umpqua Valley Defender Services, Inc. to share a representative, and 7) Southern Oregon Public Defender, Inc.

- C. **TERM OF OFFICE.** The members of the Board of Directors shall be elected at the Annual Meeting of the Association and hold office for a period of two years commencing with their election at said Annual Meeting.

- D. **ELECTION.** Private attorney Directors shall be elected by a majority vote of eligible and voting, dues-paid members at the Annual Meeting. Public Defender Directors shall be elected or appointed by their constituents in any manner determined by Public Defender Offices.

In odd-numbered years, Directors from Region 3, 5, 6 will be elected and Directors from the State Public Defender, Public Defender Services of Lane County, Inc., the Metropolitan Public Defender and Southern Oregon Public Defender, Inc. will be chosen. In even-numbered years, Directors from Region 1, 2, 4 and one At-Large will be elected and Directors from the Multnomah Defenders, Southwest Oregon Public Defender Services, Inc./Umpqua Valley Defense Services, Inc., and the Federal Defender will be chosen.

- E. **LIMITATION OF SERVICE.** In no event shall a Director hold that office for more than two (2) consecutive, complete two (2)-year terms.

- F. **ABSENCE.** A Director shall not accept office unless that Director intends to attend all meetings. A Director with more than two unexcused absences per year may be removed by a majority vote of the Board of Directors.

G. VACANCY. The unexpired term of a Board member shall be filled by majority vote of the Board of Directors.

H. QUORUM. A quorum for a Board of Directors meeting shall be seven (7) members.

I. BOARD OFFICERS. At the Annual Meeting and whenever necessary, the Board of Directors shall choose one (1) of its Directors as the President of the Board of Directors, one (1) of its Directors as Vice President, and one (1) of its Directors as Secretary to serve until the next Annual Meeting. The President shall have no greater powers than any other Director except to serve as spokesperson for the Board of Directors and to have ministerial authority subject to Board review. The President of the Association shall serve as Chairperson of meetings of the Board of Directors.

The Vice President shall assist the President in the performance of the President's duties and shall also perform such other duties as may be prescribed by the Board of Directors. In the case of the absence of the President, the Vice President shall act as President. In the case of the death of the President or in the event of resignation or removal from office, the powers and duties of the President shall devolve upon the Vice President who shall conclude the term of office of the President in accordance with the provisions of these by-laws.

The Secretary shall attend and keep minutes of all meetings of the Association and shall have such other powers and perform such other duties as are incidental to the office of Secretary or as may be assigned from time to time by the Board of Directors or by the President.

J. POWERS AND DUTIES. The Board of Directors may appoint such officers, agents, and committees including an executive officer as it may deem necessary. All such appointments shall serve at the pleasure of the Board. The Board shall set and annually review any and all compensation, if any, of such appointments. The Board shall organize all meetings of the membership. The Board as a body shall meet on a regular basis but not less than five (5) times in any one year. Furthermore, the Board of Directors shall have broad powers to carry out the purposes of the Oregon Criminal Defense Lawyers Association and to implement these by-laws.

IV. Meetings

A. TIME AND PLACE. The Association shall hold an Annual Meeting of all its members at a time and place as may be fixed by the Board of Directors and may hold such other meetings of all members when necessary.

B. QUORUM. Except for amendments to by-laws, those members who are eligible to vote and are present at any meeting of the Association shall constitute a quorum for the transaction of business at said meeting.

V. Membership Assessments

Individual membership assessments shall be set by the Board of Directors.

VI. Dissolution of Assets

In the event this Association shall dissolve, its assets shall be liquidated and distributed to charitable organizations.

VII. Amendments

Any amendment to the by-laws shall be made by a simple majority vote of all eligible and voting dues-paid Life, Sustaining and Regular Members. Only eligible, paid Life, Sustaining and Regular Members may vote for an amendment, and each member shall have only one vote. Each eligible member shall receive prior notice in writing of each proposed amendment and shall be given the opportunity to vote.

Original by-laws enacted July, 1978. By-laws amended September 22, 1978, October 27, 1979, March 21, 1980, October 16, 1980, September 18, 1981, March 16, 1984, March 28, 1986, May 8, 1987, May 13, 1988, May 1, 1989, April 9, 1996, March 5, 1997, and July 3, 2001.

Eve Oldenkamp, President

John R. Potter, Executive Director

OCDLA LEGISLATIVE COMMITTEE BYLAWS

Version 12/01/11

Pursuant to OCDLA Board action on July 15, 2011, the former Legislative Committee was disbanded. A new committee and structure was proposed that would allow a more efficient and effective system for addressing the challenges of legislative sessions. The following new Legislative Committee by-laws were approved by the Oregon Criminal Defense Lawyer's Association (OCDLA) Board of Directors on October 21 and December 1, 2011:

I. THE LEGISLATIVE COMMITTEE

The OCDLA Legislative Committee (hereinafter "Legislative Committee") will consist of nine voting Members comprised of two Co-chairs, a Board Liaison and six additional OCDLA members, and two non-voting Ex Officio members.

A. Legislative Committee Duties and Purpose

1. To advise OCDLA lobbyist(s) on legislation having an important and direct impact the OCDLA's primary function as a 501(c)(3) non-profit organization.
2. To develop, propose, and prioritize legislation of interest to OCDLA members.
3. To direct the lobbyist(s) positions regarding proposed legislation.
4. To assist lobbyist(s) in preparing testimony before legislative committees, work groups and meetings with legislators.
5. To research new legislation for the legislation's impact on the practice of criminal and juvenile law, to prepare position statements, to obtain witnesses for testimony, and to attend and participate in weekly meetings during the legislative session and other meetings as deemed necessary by the Co-chairs and/or lobbyist.

II. CO-CHAIRS

The Co-chairs will be appointed by the OCDLA Board for a period not to exceed two years from the date of appointment. The Board may reappoint a current sitting Co-chair for a second period not to exceed two years from the date of reappointment. The two-year appointments shall be staggered. The board liaison shall not be eligible to be appointed a chair.

A. Co-Chair Duties, Functions and Limitations

1. To schedule and convene, in consultation with the Lobbyist(s), general meetings of the Legislative Committee. Delegation of the communication of the meeting may be given to the Lobbyist(s), but the responsibility lies with the co-chairs. The co-chairs shall set a meeting each week of Legislative Session, defined as a session initiated by the opening gavel in the House of Representatives and/or the Senate of Oregon to Sine Die declaration in each chamber, unless in consultation with Lobbyist(s), it is determined that no meeting is necessary. The co-chairs will also call at a minimum two (2) pre-legislative meetings. The co-chairs shall attend each meeting of the Legislative Committee unless unavailable.
2. To preside over meetings of the Legislative Committee in a manner determined by the Co-chairs. The Co-chairs will use Roberts Rules of Order if deemed necessary by the Co-chairs to move the discussion or debate to a conclusion. The Co-chairs may neither make nor second motions while presiding over the meeting.
3. Ensure that decorum be maintained and all members of the committee are given appropriate time to present their views. Priority should be given to making sure all views are heard.
4. Consult with the Executive Director and/or the Board President on the activities of the Legislative Committee and to offer advise on Legislative Committee's positions on legislation to assist the Board President in the Board President's interactions with the Media and general public on the OCDLA legislative agendas.
5. Advise the Board on appointments of members to the Legislative Committee. The co-chairs will offer advise on what type of expertise is currently needed on the committee, and potential members who meet the need of the committee.
6. Advise the Board President, Lobbyist(s), and Executive Director if the co-chairs believes a decision of the Legislative Committee will have a negative impact on the image or status of the OCDLA for purposes of further Board of Directors action.
7. Report, in writing, to the OCDLA Board of Directors no later than 30 days from Sine Die of both chambers, a comprehensive review of the functioning of the Legislative Committee including the effectiveness of the members of the committee and the Lobbyists, major legislative achievements or losses, and areas needing Board action.
8. Hold and perform all responsibilities associated with a Legislative Committee Member, including responsibilities for a subject area of legislation.

III. COMMITTEE MEMBERS, ADVISORY MEMBERS, EX OFFICIO MEMBERS

There will be nine voting MEMBERS of the Legislative Committee including the Co-chairs and Board Liaison. All voting Members will have equal voting rights on any issue before the committee. Excluding the Co-chairs, each Member will be appointed by the OCDLA Board of Directors in consultation with the Co-chairs of the Legislative Committee. Each Member will have specific responsibilities to the Legislative Committee. Some or all will be assigned a specific topic area of potential legislation. The Member will be assigned specific research and writing assignments in that area during the legislative session. The Member will be responsible for providing the research and writing in a clear, concise and timely manner to the Legislative Committee and the Lobbyist(s). Each Member serves at the discretion of the OCDLA Board of Directors and are subject to removal from the Legislative Committee if they fail to meet the standards of care outlined.

Each Member will head a sub-committee responsible for legislation in a specific subject area, or general criminal practice, and will be available to take on a subject area as the need arises. Subject areas will be decided by the committee, by a majority vote. The goal is for Members to identify experts in the subject area and to recruit and mentor younger members of the OCDLA who have expressed an interest in a subject area or in legislative work in general. The sub-committees will research and prepare information for the committee and lobbyist(s). Ultimate responsibility for the preparation of the information rests with the committee member.

The sub-committee will consist of up to three non-voting ADVISORY members. Advisory members may become proxy voting members if a regular member is unable to attend a meeting and is so designated by the regular member. Advisory members may prepare assigned research and writing assignments and present them to the committee. The sub-committees will not have any recognized status outside of the Legislative Committee.

Non-voting EX OFFICIO members of the Legislative Committee will include the Executive Director of the OCDLA or designee, and the Executive Director of the Office of Public Defense Services (OPDS) or designee.

The Legislative Committee will be responsible for determining which pieces of legislation are the most important to the OCDLA and its membership. Each piece of legislation deemed by the lobbyist or Legislative Committee Member to have an impact on the core mission of the OCDLA and its members will be ranked by two-thirds vote in order of importance, with "1" being of the utmost importance and "5" being of no importance. All other votes will be passed by a majority vote of the Legislative Committee and if there is a tie on the vote, the matter dies for lack of a majority.

A. Committee Member Duties, Functions and Limitations

1. Attend every meeting of the Legislative Committee either in person or via electronic communications such as telephonically or through an internet site such as Skype. If a Member is unable to attend, they should notify the co-chairs of their absence prior to the meeting. The Member should notify and designate an Advisory member to attend the meeting in their stead as a proxy. If the Member fails to attend three (3) or more meetings without excuse, the Member is subject to removal from the Legislative Committee by the OCDLA Board of Directors.
2. Prepare position papers on specific legislation assigned for their review by researching the topic and critically analyzing the impact of the legislation on the core mission of the OCDLA and its members.
3. Present their findings to the Legislative Committee with recommendations on whether the OCDLA should take a position on the legislation and the priority the Committee should give to the advocacy for or against the legislation.
4. Confer with the other members of the Legislative Committee to determine which legislation is most important to the core mission of the OCDLA and its members.
5. Assist the lobbyist(s) in preparing for the lobbyist(s) testimony, work groups or conferences with legislators. The lobbyist(s) will assist said member in effectively communicating their position to the legislature.
6. Membership on the Legislative Committee represents a commitment to OCDLA, and willingly associating oneself to OCDLA's position and issues. A committee member may not lobby the legislature on an OCDLA issue contrary to the OCDLA position without approval of the committee. Only upon a majority vote of the committee shall such advocacy be allowed. Should the committee vote no, the committee member may only advocate on the issue by relinquishing his/her membership on the committee. For purposes of this section an "OCDLA issue" or "OCDLA position" means an issue selected or position arrived at, including the decision to remain silent on an issue, by the OCDLA Legislative Committee or the OCDLA Board of Directors.
7. Obtain expert testimony for hearings in front of legislative committees and coordinate with the lobbyist(s) in preparing that testimony. If there is a cost associated with the expert testimony, the member must get pre-approval for the cost from the Executive Director of the OCDLA prior to securing a final acceptance of any invitation.
8. Become the OCDLA's expert on legislation and its impact on the law in their specific subject area. As allowed by the Legislative Committee in consultation with the lobbyist, each member will present testimony to the legislature on their topic area.

OCDLA Committees

Amicus Curiae

Chair: Rankin Johnson, (503) 307-9560
Rebecca R. Davis, (541) 687-9219
Bronson James, (503) 943-6876
Kenneth Kreuscher, (503) 228-1889
Rosalind Manson Lee, (541) 485-5110
Trial Lawyer Seat
Ryan O'Connor, (503) 226-0923
Ramon Pagan, (971) 270-0421

Building Development

Chair: David T. McDonald, (503) 226-0188

Michelle R. Burrows, (503) 241-1955
Hugh Duvall, (541) 345-4500
Cynthia S. Hamilton, (503) 326-2123
Chris Hansen, (541) 484-2611, ext. 104
James D. Hennings, (503) 635-2907
John H. Hingson, (503) 656-0355
Gordon K. Mallon, (503) 873-5137
John Potter, (541) 686-8716

Capital Defenders

Co-Chairs:

Dennis Balske, (503) 222-9830
Jeff Ellis, (503) 222-9830
Richard Wolf, (503) 384-0910

Defendants' Rights

Chair: David T. McDonald (503) 226-0188

Lane Borg, (503) 225-9100
Shaun S. McCrea, (541) 485-1182
Yonit Sharaby, (971) 285-2300
Tahra Sinks, (503) 363-5588

Education

Chair: Elizabeth Wakefield, (503) 225-9100

Board Liaison: Edward A. Kroll, (971) 205-3266

Alex Bassos, (503) 225-9100
Leland R. Berger, (503) 432-8775
Sara J. Collins, (541) 779-5636
Joshua B. Crowther, (503) 378-2394
Ben Eder, (503) 227-4601
Laura Graser, (503) 287-7036
Noah A. Horst, (971) 229-1241
Celia A. Howes, (503) 228-0497
Paula Lawrence, (503) 434-9066
Paul E. Levy, (503) 378-2486
Lisa J. Ludwig, (503) 223-5570
Gordon K. Mallon, (503) 873-5137
Shaun S. McCrea, (541) 485-1182
David T. McDonald, (503) 226-0188
Matthew G. McHenry, (503) 546-3927
Max J. Mizejewski, (541) 505-9872
Laura Fine Moro, (541) 341-4542

Emily Oberdorfer, (503) 223-2313
Garren Pedemonte, (541) 772-3080
Rachel Philips, (503) 575-7062
John Potter, (541) 686-8716
Stacey M. Reding, (503) 226-3083
Susan Elizabeth Reese, (541) 265-5657
Steven J. Sherlag, (503) 227-5200
Sara Snyder, (503) 860-0041

Juvenile Law

Co-Chairs:

Sarah Peterson, (503) 378-5863

Board Liaison: Megan Jacquot, (541) 267-2214

Katherine O. Berger, (503) 288-2212
Meghan S. Bishop, (971) 237-8485
Nancy J. Cozine, (503) 378-2515
Thomas J. Crabtree, (541) 389-7723
Morgen Daniels, (503) 378-3349
Kevin J. Ellis, (503) 232-2540
Chris H. Gardner, (541) 410-9130
Maurisa R. Gates, (503) 225-9100
Lori A. G. Hellis, (541) 312-8864
Paul E. Levy, (503) 378-2486
Julie H. McFarlane, (503) 232-2540, ext. 227
Amy S. Miller, (503) 378-3495
Ricky R. Nelson, (541) 389-7723
Angela Sherbo, (503) 232-2540, ext. 233
Tahra Sinks, (503) 363-5588
Karen M. Stenard, (541) 343-9909
Elizabeth N. Wakefield, (503) 225-9100

Legislative

Co-Chairs:

Robert Homan, (541) 484-2611 ext. 125
DeAnna M. Horne, (503) 225-9100

Board Liaisons: Bradley Kalbaugh, (503) 226-3083

OCDLA Legislative Representatives:

Gail Meyer, (503) 799-8483

Justin Martin, (503) 375-0909

Bronson D. James, (503) 943-6876
Robert Kaiser, (541) 484-2611, ext. 155
Bradley Kalbaugh, (503) 226-3083
Richard L. McBreen, (503) 384-2420
Ruben Medina, (503) 775-2334
Thalia Sady, (503) 225-9100
Tom Sermak, (503) 480-0521
Neal Weingart, (503) 898-0779
Shawn E. Wiley, (503) 378-2330

Subcommittee

Mae Lee Browning, (310) 227-7659
Paul E. Levy, (503) 378-2486
Denny Maison, (503) 588-2687

Ex Officio

Nancy J. Cozine, (503) 378-2515
John Potter, (541) 686-8716

Law School Outreach

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If you or someone you know is participating on a committee, please tell us! Contact OCDLA at 541.686.8716 or info@ocdla.org with the name of the committee and OCDLA member participating. Thank you.

Amicus Curiae Committee Guidelines

(adopted 9/16/95)

The following procedure and guidelines have been established for OCDLA Amicus Curiae Committee requests and assistance:

I. Procedure

- A. A written request for *amicus curiae* assistance should be made by letter or fax to the committee chair. The request should include (1) a concise statement of the case, including its procedural background, the legal issues involved, the reasons why the case has broad importance, and the reasons for OCDLA intervention; and (2) supporting documentation—such as appellate briefs, court opinions, and the petition for review—to enable the committee to fully analyze the request. See generally ORAP 9.07. Requesting counsel may wish to initially phone any committee member to discuss the case and the appropriate contents to be included in the request.
- B. The request will be photocopied and mailed to committee members for their prompt review. If the committee decides that *amicus* intervention is appropriate, the chair will consult with the OCDLA President to determine whether the case raises a controversial issue requiring a full review and decision by the Board of Directors.
- C. After a final decision is reached, the requesting counsel will be notified of the decision.
- D. The requesting attorney and the committee shall work together to locate an OCDLA member with substantial appellate experience who is willing to serve as the *amicus* author. The *amicus* attorney shall consult with the committee chair before completing the *amicus* brief. The *amicus* attorney shall file copies of the *amicus* application, *amicus* brief, and the court's decision with the OCDLA office.

II. Guidelines

- A. The committee will consider the following factors in deciding whether to enter as *amicus curiae* in a proceeding:
 1. The importance of the case to OCDLA goals.
 2. Whether the case will advance OCDLA's special values including:
 - a. A strong and independent defense bar.
 - b. The right of effective assistance of counsel for accused persons.
 - c. The defense of accused persons subjected to public prejudice.
 3. The extent of OCDLA membership support for the positions to be advocated.
 4. The complexity of the case.
 5. Whether the claimed error is preserved.
 6. The anticipated quality of direct advocacy by the requesting attorney.
 7. Whether the case will have precedential value.
 8. Other relevant factors set forth in ORAP 9.07.
- B. Absent unusual circumstances, OCDLA will defer appearing as *amicus curiae* until a case reaches the Oregon Supreme Court or the United States Court of Appeals for the Ninth Circuit.

For more information, contact

Bronson James, Chair, OCDLA Amicus Committee
522 NW 23rd Ave Ste A
Portland OR 97210
(503) 943-6876
bj@bronsonjames.com

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January 1, 2014 to December 31, 2014

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Jacob Accurso (N) (541) 444-1234 Fax: (541) 444-1234 jaybob44@yahoo.com Investigator PO Box 123 Siletz, OR 97380-0123	Amanda Alvarez (R) (503) 726-7900 Fax: (503) 726-4950 aalvarez@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	David Angeli (R) (503) 954-2232 Fax: (503) 227-0880 david@angelilaw.com www.angelilaw.com Angeli Ungar Law Group 121 SW Morrison St Ste 400 Portland, OR 97204-3134	Jonathan G. Ash (R) (541) 389-7100 Fax: (541) 382-3328 jonash61@msn.com Attorney at Law 974 NW Riverside Blvd Bend, OR 97701-2732
J. Brendon Alexander (R) (541) 322-0920 Fax: (541) 322-0932 brendona@bendcable.com Alexander & Associates PC 26 NW Hawthorne Bend, OR 97701-2916	Carleigh Anable (A) (503) 480-0521 Fax: (503) 480-0522 canable@willamette.edu Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Gina Anzaldua (A) (503) 714-5518 ganzaaldu@stanford.edu 11052 SW Legacy Oak Way Tigard, OR 97223-2702	Gardner Ashmanskas (R) (503) 226-3083 Fax: (503) 808-9116 gashmanskas@multnomahdefenders.or Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127
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Alphabetical Listing - B

Ernest H. Badeau (R) (503) 723-4383 Fax: (503) 656-0415 badeaulaw@gmail.com Ernest H Badeau Atty at Law 409 Center St Oregon City, OR 97045-2211	Dennis N. Balske (R) (503) 222-9830 Fax: (503) 274-8575 dennisbalske@gmail.com www.post-conviction.com Law Office of Dennis Balske 621 SW Morrison St Ste 1025 Portland, OR 97205-3813	Alyssa R. Bartholomew (R) (541) 779-5636 Fax: (541) 772-6222 alyssa@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Jordan Foy Bates (R) (503) 232-2540, ext. 142 Fax: (503) 231-4767 jordan.b@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800
Amy M. Baggio (R) (503) 222-9830 Fax: (503) 274-8575 amy@baggiolaw.com baggiolaw.com Baggio Law 621 SW Morrison St Ste 1025 Portland, OR 97205-3813	Emilio F. Bandiero (R) (541) 344-1637 Fax: (541) 344-2956 efband@aol.com Lane Juvenile Lawyers Assn Attorney at Law 975 Oak St Ste 625 Eugene, OR 97401-3156	Jesse Wm. Barton (R) (503) 391-6283 jwmb@jessbartonlaw.com www.jessbartonlaw.com Attorney at Law PO Box 5545 Salem, OR 97304-0545	Nancy M. Bates (N) (971) 235-8641 Fax: (971) 281-6842 nmbates@gmail.com Fact & Mitigation 2000 NE 42nd Ave PMB 323 Portland, OR 97213-1305
Robert S. Bain (R) (541) 472-5059 rbain@terragon.com Robert S. Bain PC 307 NW E St Grants Pass, OR 97526-2047	Kenneth A. Bardizian (R) (541) 523-9403 Fax: (541) 523-4202 kbar@thegeo.net Kenneth A. Bardizian PC 2015 First St PO Box 290 Baker City, OR 97814-0290	William A. Barton (R) (541) 265-5377 Fax: (541) 265-5614 attorneys@thebartonlawfirm.com The Barton Law Firm PC 214 SW Coast Hwy PO Box 870 Newport, OR 97365-0067	Leland Baxter-Neal (A) (541) 222-9019 leland.cedar@gmail.com 6818 NE Durham Ave Apt A Portland, OR 97211-3669
Brian V. Baker (R) (503) 232-2540, ext. 229 Fax: (503) 231-4767 brian.b@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Michael D. Barker (S) (503) 390-5704 michaelbarker2@comcast.net Michael D. Barker PC PO Box 21389 Keizer, OR 97307-1389	Jonathan Bartov (R) (541) 575-5750 Fax: (541) 575-5752 jonathan.bartov@gmail.com Law Ofc of Robert Raschio 206 South Humboldt Canyon City, OR 97820-6114	Tyler Beach (R) (503) 693-7505 Fax: (503) 693-7204 tyler@myfamilyfirm.com Ridehalgh & Associates LLC 233 E Main St Ste 200 Hillsboro, OR 97123-4066
Elizabeth J. C. Baker (R) (541) 345-5226 Fax: (541) 345-6938 ejcbakeratty@comcast.net Attorney at Law PO Box 5381 Eugene, OR 97405-0381	Russell S. Barnett III (R) (503) 946-8000 Fax: (503) 388-3188 BarnettLaw@me.com Russell S. Barnett, III, PC Crown Plaza Building 1500 SW 1st Ave Ste 780 Portland, OR 97201-5815	Michelle Bassi (R) (541) 747-3354 Fax: (541) 747-3367 MBassi@thorp-purdy.com www.thorp-purdy.com Thorp, Purdy, Jewett, et al 1011 Harlow Rd Ste 300 Springfield, OR 97477-1142	David T. Beal (R) (541) 265-2217 Fax: (541) 265-2699 beal@oregoncoastlawyers.com Pridgeon Bjornsen & McCrum LLC 515 W Olive St Newport, OR 97365-3718
Nena Baker (N) (971) 275-4575 nenabaker@comcast.net Intrepid Investigations, LLC 2417 NE 10th Ave Portland, OR 97212-4120	Steven Barnett (R) (503) 294-9616 Fax: (503) 220-2480 swbarnett@stoel.com Stoel Rives, LLP 900 SW 5th Ave Ste 2600 Portland, OR 97204-1268	Alex Bassos (R) (503) 225-9100 Fax: (503) 295-0316 abassos@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Timothy Beaubien (R) (541) 575-5750 Fax: (541) 575-5752 tdb.rrlaw@gmail.com Law Ofc of Robert Raschio 206 South Humboldt Canyon City, OR 97820-6114
Scott E. Baldwin (R) (971) 409-6055 oscar5@gmx.us Attorney at Law 1515 NW 133rd Ave Portland, OR 97229-4505	Kristy Barrett (R) (503) 893-2117 Fax: (503) 294-1429 kristy@sagepdx.org Sage Legal Center 335 NE 18th Ave Portland, OR 97232-2893	Andrew Bates (R) (503) 228-3608 Fax: (503) 227-5984 aquitinpdx@aol.com Attorney at Law 1001 SW 5th Ave Ste 1400 Portland, OR 97204-1144	Joseph Beck (R) (503) 648-4777 Fax: (503) 648-0989 jbeck@harrislawsite.com Harris Law Firm PC 165 SE 26th Ave Hillsboro, OR 97123-7024
John L. Ballard (R) (541) 564-2574 Fax: (541) 564-2577 jb97838@yahoo.com Attorney at Law 125 SW Third St PO Box 882 Hermiston, OR 97838-0882			Connor Beckley (R) (541) 683-0888 Fax: (541) 683-0889 cbeckley@beckley-law.com www.beckley-law.com Beckley & Bons PC PO Box 11098 Eugene, OR 97440-3298

Alphabetical Listing - B

Kelly R. Beckley (L) (541) 683-0888 Fax: (541) 683-0889 kbeckley@beckley-law.com www.beckley-law.com Beckley & Bons PC PO Box 11098 Eugene, OR 97440-3298	Kathryn A. Benfield (R) (541) 574-9043 Fax: (541) 574-9053 kab@actionnet.net Law Ofc of K A Benfield 830 N Coast Hwy Newport, OR 97365-3145	Gary A. Berlant (R) (541) 471-3363 Fax: (541) 471-3365 gary@sopd.net Southern Oregon Public Def., Inc. 215 SE 6th St 4th Flr Grants Pass, OR 97526-2471	Dennis A. Beyer (N) (541) 519-5267 Fax: (541) 610-1767 dennis@dennisbeyerinvestigations.com www.dennisbeyerinvestigations.com Dennis Beyer Agency Inc 1990 3rd St PO Box 549 Baker City, OR 97814-0549
Shirley Ann Beers (N) (503) 289-2280 Fax: (503) 285-7211 beersinvestigations@comcast.net Beers Investigations 6204 N Moore Ave Portland, OR 97217-2152	Bruce Benkle (N) (503) 990-0304 nostalgiccurmudgeon@hotmail.com 1182 Royonne Ave Salem, OR 97302-1968	Beth Bernier (N) (971) 237-8485 Fax: (503) 385-1936 staff@metrojuvenile.com Nitcher & Bishop Law Group 1367 Commercial St SE Salem, OR 97302-4205	Judith Bieberle (N) (503) 296-6878 Fax: (503) 292-9851 judithbpi@comcast.net Bieberle Investigations PO Box 3284 Portland, OR 97208-3284
Christopher Behre (R) (503) 726-7900 Fax: (503) 726-4950 cbehre@gmail.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Daniel C. Bennett (R) (503) 378-3349 Fax: (503) 375-9701 Dan.Bennett@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	James E. Bernstein (L) (503) 656-0801 Fax: (503) 656-6883 jamesbernsteinatty@comcast.net Schumaker & Bernstein 219 7th St Oregon City, OR 97045-1804	Alan H. Biedermann (R) (503) 648-0707 Fax: (503) 693-1353 alanb@hillsborolawgroup.com Hillsboro Law Group PC 9158 SW Wilshire St Portland, OR 97225-4058
Michael Beilstein (A) (541) 760-3105 michaelbeilstein@lclark.edu 1212 SE Miller St Portland, OR 97202-6368	Frederick Bennett Jr. (R) (541) 416-0133 fbennettrj@gmail.com Attorney at Law 7600 SW George Millican Rd Prineville, OR 97754-9336	John E. Bennington (L) (541) 484-2611, ext. 117 Fax: (541) 484-5068 john@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Gabriel M. Biello (R) (503) 693-8725 Fax: (855) 293-4893 gabebiello@gmail.com www.biellolaw.com Law Office of Gabriel Biello 126 NE 2nd Ave Portland, OR 97124-3042
Linda G. Beloof (R) (503) 656-0841 Fax: (503) 650-0810 linda@beloofhaines.com Beloof & Haines LLP 10121 SE Sunnyside Rd Ste 110 Clackamas, OR 97015-5755	Melissa J. Berg (R) (541) 957-5344 Fax: (541) 673-2748 mjberg.law@gmail.com Attorney at Law 2885 Harlow Rd Eugene, OR 97401	Michael P. Bertholf (R) (541) 779-5636 Fax: (541) 772-6222 michael@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Erin Biencourt (R) (541) 779-5636 Fax: (541) 772-6222 erin@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742
Laurie Bender (R) (503) 241-7075 Fax: (503) 241-1768 lbenderlaw@aol.com Attorney at Law 735 SW 1st Ave 2nd Flr Portland, OR 97204-3326	Katherine O. Berger (S) (503) 288-2212 Fax: (503) 287-6938 k.o.berger@comcast.net Katherine O. Berger PC 1631 NE Broadway Ste 523 Portland, OR 97232-1425	Thaddeus A. Betz (R) (541) 389-6964 Fax: (503) 295-0316 thadbetz@gmail.com Law Office of Thaddeus Betz 371 SW Upper Terrace Dr Ste 3 Bend, OR 97702-1560	Pamela Bilderbeck (N) (503) 480-0521 Fax: (503) 480-0522 pamela@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496
Cameron Bendixsen (R) (541) 567-5564 Fax: (541) 567-2599 susie@bendixsen.com Bendixsen Reynolds & Wallace PC 245 E Main St Ste E Hermiston, OR 97838-1870	Leland R. Berger (R) (503) 432-8775 Fax: (503) 287-6938 lelandberger@comcast.net Oregon CannaBusiness Compliance Counsel LLC 2613 NE MLK Jr Blvd Ste 200 Portland, OR 97212-3761	Kelsyn Bevins (R) (503) 726-7900 Fax: (503) 726-4950 kbevins@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Valerie Billington (N) (541) 389-7723 Fax: (541) 383-7177 valerieb@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040

Alphabetical Listing - B

Pat Birmingham (L) (503) 675-5355 Fax: (503) 675-5384 birminghampat01@gmail.com www.patbirminghamlaw.com Attorney at Law 696 McVey Ave Ste 203 Lake Oswego, OR 97034-4846	Matt Blythe (R) (503) 378-2452 Fax: (503) 378-2163 matthew.blythe@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	James Boness (R) (815) 727-6400 Fax: (815) 727-0778 jboness@jblawfirmllc.com JB Law Firm LLC 5 Nicholson St Joliet, IL 60435-7420	Anthony Bornstein (R) (503) 326-2123 Fax: (503) 326-5524 tony_bornstein@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225
Alexis A. Bishop (R) (503) 472-9555 Fax: (503) 472-9550 abishop@mcminnvillelawyer.com www.nworegonlaw.com Alexis A. Bishop PC 328 NE Davis St Ste 2 PO Box 355 McMinnville, OR 97128-0355	Blair Bobier (R) (503) 559-6176 blairbobier@hotmail.com www.blairbobier.com Law Offices of Blair Bobier PO Box 1233 Corvallis, OR 97339-1233	Steve Bonfiglio (R) (503) 468-7107 sb@bonfigliolawgroup.com Attorney at Law 7410 SW Oleson Ste 241 Portland, OR 97223-7475	Haley L. Borton (R) (503) 648-0707 Fax: (503) 693-1353 haleyg@hillsborolawgroup.com Hillsboro Law Group PC 5289 NE Elam Young Pkwy, Ste 110 Hillsboro, OR 97124-3398
Meghan S. Bishop (R) (971) 237-8485 Fax: (503) 385-1936 meghan@nblegalgroup.com www.nblegalgroup.com Nitcher & Bishop Law Group 1367 Commercial St SE Salem, OR 97302-4205	Christopher C. Bocci (R) (503) 363-9158 Fax: (503) 375-4214 c.bocci@comcast.net Christopher C. Bocci & Associates 1415 Liberty St SE Salem, OR 97302-4343	Joyce A. Bonk (N) (541) 888-6492 bonkpi@epuerto.us Bonk & Bonk Investigations 92094 Cape Arago Hwy Coos Bay, OR 97420-8742	Tom Borton (R) (503) 231-3419 Fax: (503) 231-3420 tborton@mpdlaw.com www.criminaldefenseoregon.com Cohen & Coit PC 9200 SE Sunnybrook Blvd Ste 430 Clackamas, OR 97015-5763
Casey R. Black (N) (541) 471-3363 Fax: (541) 471-3365 casey@sopd.net Southern Oregon Public Def., Inc. 215 SE 6th St 4th Flr Grants Pass, OR 97526-2471	Kay Bockman (N) (360) 666-9442 Fax: (360) 666-9442 k.bockman@earthlink.net Bockman Investigations PO Box 610 Vancouver, WA 98666-0610	Robert D. Bonk (N) (541) 888-6492 bonkpi@frontier.com Bonk & Bonk Investigations 92094 Cape Arago Hwy Coos Bay, OR 97420-8742	Lewis Cary Boté (N) (503) 366-4040 carybote@boteinvestigations.com Boté Investigations 32633 Church Rd Warren, OR 97053-9725
Everett D. Blehm (N) (541) 619-6423 ebis@centurytel.net Investigator 20 E Airport Rd #166 Lebanon, OR 97355-3094	Bryan R. Boender (R) ((54) 1) -338-, ext. 9111 Fax: (541) 338-9101 bryan@arnoldlawfirm.com Arnold Law Office LLC 401 E 10th Ave Ste 400 Eugene, OR 97401-2940	Kevin W. Bons (R) (541) 683-0888 Fax: (541) 683-0889 kbons@beckley-law.com Beckley & Bons PC 1257 High St PO Box 11098 Eugene, OR 97440-3298	Robert Botta (R) (503) 930-4789 Fax: (503) 990-8168 botro9@aol.com Attorney at Law 677 Cottage St NE Salem, OR 97301-2419
Shawn Blehm (N) (503) 409-3247 swbinvestigations@yahoo.com SWB Investigations PO Box 5786 Salem, OR 97304-0786	Whitney P. Boise (S) (503) 228-0497 Fax: (503) 228-7112 wboise@hoevet-boise.com Hoevet Boise Olson Howes PC 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	Cindy R. Borders (N) (503) 756-2133 Fax: (503) 257-2329 angelwatcher123@yahoo.com Investigator PO Box 3098 Oregon City, OR 97045-3098	Cambell Boucher (A) (928) 521-5937 boucher@lclark.edu 10825 SW 57th Pl Portland, OR 97219-6671
Erik Blumenthal (R) (503) 378-3349 Fax: (503) 378-2163 erik.blumenthal@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Rick Bojorquez (N) (503) 480-0521 Fax: (503) 480-0522 rbojorquez@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	C. Lane Borg (R) (503) 225-9100 Fax: (503) 295-0316 l.borg@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Daniel S. Bouck (R) (541) 957-5344 Fax: (541) 673-2748 dan.bouck@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933
	Pamela Bond (R) (503) 666-6000 Fax: (503) 667-4050 eleoheg@aol.com O'Halloran & Associates 18445 E Burnside St Portland, OR 97233-5314	Nancy A. Borneman (R) (541) 447-3910 Fax: (541) 447-7827 nancy@dutil-borneman.com Dutli & Borneman LLP 545 NE 7th St Prineville, OR 97754-3106	Timothy M. Bowman (L) (503) 224-7878 Fax: (503) 465-8931 tim@tbowmanlaw.com Attorney at Law 1001 SW 5th Ave Ste 1100 Portland, OR 97204-1127

Alphabetical Listing - B

Janet M. Boytano (R) (541) 791-5190 Fax: (541) 981-2742 janetboytano@qwestoffice.net Law Ofc of Janet Boytano 433 4th Ave SW Albany, OR 97321-2575	John Brinson (A) (407) 399-8024 cooperbrinson@gmail.com 84 W 19th Alley Eugene, OR 97405-2897	Max Brunke (R) (541) 276-0244 Fax: (541) 278-0529 maxb@ipdinc.org Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Deborah Burdzik (R) (503) 221-0520 Fax: (503) 221-1908 dburdzik@aol.com Attorney at Law 1906 SW Madison St Portland, OR 97205-1718
Squire Mathews Bozorth (R) (503) 266-1661 Fax: (503) 715-5745 squire@squirebozorth.com www.squirebozorth.com Squire M Bozorth PC 403 S McLoughlin Blvd Oregon City, OR 97035-0044	Bernard A. Brown (N) (541) 926-6614 Fax: (855) 926-6614 babrowninvest@aol.com www.BABrownInvestigations.com Brown Investigations PO Box 1723 Albany, OR 97321-0489	Erik M. Bucher (R) (503) 789-4134 Fax: (503) 214-7207 erik@erikbucher.com www.erikbucher.com Erik Bucher PC 101 SW Washington St Hillsboro, OR 97123-4091	Laura Burgee (R) (503) 648-4777 Fax: (503) 648-0989 lburgee@harrislawsite.com Harris Law Firm PC 165 SE 26th Ave Hillsboro, OR 97123-7024
Dana Brandon (N) (503) 226-3083 Fax: (503) 808-9116 dbrandon@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Marc D. Brown (R) (503) 378-2401 Fax: (503) 375-9701 marc.d.brown@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Thomas H. Buhler (N) (541) 484-2611 Fax: (541) 484-5068 tbuhler@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Paul R. Burgett (R) (541) 756-6301 Fax: (541) 808-2467 paulburgett@gmail.com Attorney at Law 93494 W Eagle Ln North Bend, OR 97459-8405
Carolyn Brazil (N) (503) 747-6560 carolyn@pdxinterlock.com 7913 SW Nimbus Ave Beaverton, OR 97008-6436	Claudia E. Browne (L) (541) 474-0234 Fax: (541) 479-7060 brownneclaudia@gmail.com Burrows, Hull & Browne 4641 Averill Dr Grants Pass, OR 97526-4115	Jacquelyn Bunick (R) (541) 779-5636 jacquelyn@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Christopher Edward Burris (L) (503) 650-8010 Fax: (503) 650-9313 cebesjustice@cs.com Attorney at Law 704 Main St Ste 220 Oregon City, OR 97045-1883
Michael Breiling (R) (541) 278-9625 Fax: (541) 278-9626 michaelbreiling@yahoo.com Breiling & Van Kirk 225 SW Emigrant Ave Pendleton, OR 97801-2133	Elizabeth Brownhill (R) (503) 232-2540 Fax: (503) 231-4767 ebrownhill@youthrightsjustice.org Youth, Rights & Justice, Attns at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Cynthia L. Bunker (R) (503) 226-3083 Fax: (503) 808-9116 cbunker@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Lindsey Burrows (R) (503) 378-8399 Fax: (541) 278-0529 lindsey.burrows@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
Alana Brown Brenneman (R) (541) 633-3057 Fax: (541) 639-3693 alanabrenneman@gmail.com Bend Attorney Group Attorney at Law 990 NW Brooks St Ste 1 Bend, OR 97701-2033	Mae Lee Browning (R) (971) 279-7704 MaeLee@BrowningLegalCounsel.com BrowningLegalCounsel.com Browning Legal Counsel, LLC PO Box 42152 Portland, OR 97242	Richard Bunney (R) ((50) 3) -325-, ext. 3096 Fax: (503) 325-5893 richardbunneylaw@gmail.com Attorney at Law 552 Commercial St PO Box 783 Astoria, OR 97103-0783	C. Fredrick Burt (R) (503) 585-2450 Fax: (503) 585-0205 fburt55@gmail.com Attorney at Law 429 Court St NE Salem, OR 97301-3639
Russ Bretan (N) (503) 454-0444 rbretan@courtdiscovery.com Court Discovery Management 10117 SE Sunnyside Rd Ste F-731 Clackamas, OR 97015-7708	Warren K. Bruhn (R) (541) 957-5344 Fax: (541) 673-2748 warren.bruhn@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	James Bunts (A) (503) 593-3524 Fax: (541) 673-2748 jbunts@oregon.edu Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Grant R. Burton (R) (503) 648-0707 Fax: (503) 693-1353 grantb@hillsborolawgroup.com hillsborolawgroup.com Hillsboro Law Group PC 5289 NE Elam Young Pkwy, Ste 110 Hillsboro, OR 97124-3398
Theodore M. Brindle (R) (503) 224-4825 Fax: (503) 228-7924 tmb@bmllaw.net www.bmllaw.net Brindle McCaslin & Lee PC 101 SW Main St Ste 950 Portland, OR 97204-3217	Mary Bruington (R) (503) 726-7900 Fax: (503) 726-4950 mbruington@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160		

Alphabetical Listing - B

Michael J. Buseman (R) (541) 344-0004 Fax: (541) 344-8443 mjbuseman@hotmail.com Attorney at Law 801 E Park St Eugene, OR 97401-2909	Vada Camacho (R) (541) 362-5602 vadacamacho@yahoo.com Attorney at Law 231 N Main St Ste 201 Prineville, OR 97754-1833	William E. Carl (R) (541) 475-2272 Fax: (541) 475-3944 william@madrasattorneys.com Glenn Reeder Gassner LLP 205 SE 5th St Madras, OR 97741-1632	Jeff J. Carter (R) (503) 588-8081 Fax: (503) 588-8151 jeff@jeffcarter-law.com Jeff J. Carter PC 1386 State St PO Box 973 Salem, OR 97308-0973
Neil F. Byl (R) (503) 378-5845 Fax: (503) 378-2163 neil.f.byl@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Alex C. Cambier (R) (503) 226-3083 Fax: (503) 226-0107 acambier@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	David A. Carlson (N) (503) 544-2554 david@carlsoninvestigations.com www.carlsoninvestigations.com Carlson Investigations PO Box 2957 Tualatin, OR 97062-2957	Scott O. Carter (R) (541) 882-4504 Fax: (541) 884-0959 scottcarterlegal@hotmail.com Klamath Defender Services Scott O Carter PC 125 S 6th St Klamath Falls, OR 97601-6144
Herman Bylenko (R) (541) 276-0244 Fax: (541) 278-0529 herman@ipdinc.org Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Patti Campbell (N) (503) 913-3435 Fax: (503) 465-9726 patti10452@aol.com Investigator 2870 NE Hogan Rd Ste E Box 244 Gresham, OR 97030-3175	David R. Carlson (L) (541) 473-3351 Fax: (541) 473-3352 carlsonlaw@fmtc.com Attorney at Law 449 Washington St E Vale, OR 97918-1254	Lemarr Carver (R) (503) 585-0515 Fax: (503) 587-7870 lemarr@carver-law.com Law Office of Lemarr E. Carver 161 High St SE Ste 223 Salem, OR 97301-3621
Joe Calhoun (R) (503) 224-7977 Fax: (503) 224-8288 jcalhoun@cfelaw.com Calhoun & Fishback PC 610 SW Alder St Ste 803 Portland, OR 97205-3609	Barbara Gay Canaday (R) (503) 635-7773 Fax: (503) 636-3409 gay@canadaylaw.com Independent Defenders, Inc. 4040 Douglas Way PO Box 1708 Lake Oswego, OR 97035-0708	Richard A. Carlson (R) (503) 635-7773 Fax: (503) 635-1526 rich@teleport.com Drakulich & Carlson PC 4040 Douglas Way PO Box 1708 Lake Oswego, OR 97035-0708	Kristin A. Carveth (R) (503) 378-3349 Fax: (503) 375-9701 kristin.carveth@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
John-Michael Callaghy M.A. (N) (503) 360-4273 callaghyinvestigations@gmail.com Callaghy Investigations 4110 SE Hawthorne Blvd Ste 226 Portland, OR 97214-5246	Carl Caplan (R) (541) 773-1672 Fax: (541) 773-8483 carlcaplan@hotmail.com Attorney at Law 10 Crater Lake Ave Medford, OR 97504-7445	Bill Carroll (N) (503) 879-9016 carrollconsultingllc@gmail.com www.Carroll-ConsultingLLC.com Carroll Consulting LLC PO Box 126 Grand Ronde, OR 97347-0126	Bradley A. Cascagnette (R) (541) 687-9001 Fax: (541) 338-4673 brad@gardnerpotter.com Gardner Potter Budge Spickard & Cas 725 Country Club Rd Eugene, OR 97401-6008
Robert A. Callahan (R) (503) 228-0930 Fax: (503) 221-1632 racallahan@nwlawcenter.com www.nwlawcenter.com Robert A. Callahan PC Northwest Law Center 405 NW 18th Ave Portland, OR 97209-2217	Jason D. Caplan (R) (541) 779-5636 Fax: (541) 772-6222 jason@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Harry R. Carson (R) (503) 225-9100 Fax: (503) 295-0316 hcarson@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Daniel J. Casey (R) (503) 774-3283 djcpdx@msn.com Attorney at Law 6723 SE 16th Ave PO Box 82818 Portland, OR 97282-0818
Robert R. Calo (R) (503) 778-2100 Fax: (503) 778-2200 calor@lanepowell.com www.lanepowell.com Lane Powell PC 601 SW 2nd Ave Ste 2100 Portland, OR 97204-3158	Juliet Cardinal (N) (503) 704-4390 julietcardinal@gmail.com Investigator PO Box 15097 Portland, Or 97293-5097	Andrew W. Carter (R) (541) 296-5424 Fax: (541) 296-2550 awcarter@thedallesattorneys.com Dunn Toole Carter & Coats, LLP 112 W 4th St The Dalles, OR 97058-1804	Rogelio C. Cassol Jr. (R) (541) 338-9111 Fax: (541) 338-9101 rogelio@arnoldlawfirm.com www.arnoldlawfirm.com Arnold Law Office LLC 401 E 10th Ave Ste 400 Eugene, OR 97401-2940
	Peter J. Carini (L) (541) 779-5000 Fax: (541) 734-9818 carinifrancis@gmail.com www.carinifrancis.com CARINI FRANCIS LLC 1555 E McAndrews Rd Ste 302 Medford, OR 97504-5568		

Alphabetical Listing - C

Pete Castleberry (R) (503) 223-0022 Fax: (503) 223-1516 pete@castleberryelison.com Castleberry & Elison PC 500 Yamhill Plaza Bldg 815 SW 2nd Ave Ste 500 Portland, OR 97204-1001	Brett Claar (R) (541) 479-3129 Fax: (541) 471-9288 bclaar01@gmail.com Attorney at Law 242 NW E St Grants Pass, OR 97526-2046	Jane Marie Claus (R) (503) 228-7154 Fax: (503) 961-7553 clauslaw@comcast.net www.clauslaw.com Attorney at Law 520 SW 6th Ave Ste 600 Portland, OR 97204-1516	Joshua Cohen (N) (503) 465-4533 jcohen71@gmail.com fatpencilstudio.com Fat Pencil Studio 2505 SE 11th Ave Ste 344 Portland, OR 97202-1063
Helen Caswell (N) (503) 990-6717 helenjcawell@gmail.com 4190 12th St SE Salem, OR 97302-1873	Greg A. Claessens (R) (503) 689-5093 greg.a.claessens@gmail.com Law Ofc of Greg Claessens 1550 Boone Rd SE Salem, OR 97306-1035	Christopher M. Clayhold (R) (503) 347-7636 Fax: (503) 243-1820 cclayhold@msn.com www.forrestrikee.com Attorney at Law Congress Center 1001 SW 5th Ave Ste 1520 Portland, OR 97204-1131	Martin R. Cohen (R) (503) 635-5805 Fax: (503) 632-5886 mcpdx@aol.com www.coehendisabilitylaw.com Independent Defenders, Inc. PO Box 1229 Lake Oswego, OR 97035-0229
David J. Celuch (R) (503) 224-4045 Fax: (503) 224-6278 davidjceluch@mac.com www.djccriminaldefense.com Attorney at Law 1318 SW 12th Ave Portland, OR 97201-3367	Michael J. Clancy (R) (503) 266-7234 Fax: (503) 263-2224 mclancy@canbylawoffice.com Clancy & Slininger, Lawyers 549 NW 2nd Ave Canby, OR 97013-3529	Thomas K. Coan (R) (503) 221-8736 Fax: (503) 227-5984 tom@tomcoan.com Attorney at Law 1001 SW 5th Ave Ste 1400 Portland, OR 97204-1144	Richard David Cohen (R) (503) 231-3419 Fax: (503) 231-3420 rich@cohencoit.com www.cohencoit.com Cohen & Coit PC 9200 SE Sunnybrook Blvd Ste 430 Clackamas, OR 97015-5763
Rond Chananudech (R) (503) 378-2369 Fax: (503) 378-2163 rond.chananudech@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Alison Clark (R) (503) 326-3495 Fax: (503) 326-5524 texclark@gmail.com Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225	Rhonda L. Coats (N) (541) 604-4518 Fax: (541) 728-0455 rlc.mitig8s@gmail.com RL COATS Investigations, Inc. PO Box 2117 Bend, OR 97709-2117	Andrew D. Coit (R) (541) 685-1288 Fax: (541) 653-8224 andrew@cohencoit.com www.cohencoit.com Cohen & Coit PC 800 Willamette St Ste 700 Eugene, OR 97401-2991
Jonathan M. Char (R) (541) 977-1383 Fax: (541) 312-2682 jonathan@jonathanchar.com Bend Attorney Group 327 NW Greenwood Ave Ste 300 Bend, OR 97701-1946	Jennie L. Clark (R) (503) 238-1010 Fax: (503) 238-1212 jennie@clarklawandassociates.com www.jennieclark.com Attorney at Law 4516 SE Milwaukie Ave Portland, OR 97202-4726	Laura E. Coffin (R) (503) 378-2344 Fax: (503) 378-4462 Laura.Coffin@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Valerie Colas (R) (503) 378-3349 Fax: (541) 278-0529 valerie.colas@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
Michael Charlton (R) (541) 636-2793 Fax: (541) 833-5013 charltonlegal@gmail.com Attorney at Law PO Box 51075 Eugene, OR 97405-0994	Jonathan A. Clark (R) (503) 581-1229 Fax: (503) 581-2260 jonathan@jonathanclarklaw.com Jonathan A Clark PC 317 Court St NE Salem, OR 97301-3564	Mark C. Cogan (S) (503) 827-8092 Fax: (503) 208-3410 mark@coganlawoffice.com www.coganlawoffice.com Mark Cogan Law Office PC Crown Plaza Building 1500 SW 1st Ave Ste 780 Portland, OR 97201-5815	Christopher C. Colburn (R) (503) 726-7900 Fax: (503) 726-4950 ccolburn@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160
Jane Chausova (R) (503) 224-4825 Fax: (503) 228-7924 jc@bmlaw.net Brindle McCaslin & Lee PC 4660 NE Belknap Ct Ste 123 Hillsboro, OR 97124-3217	Thomas Clark (R) (541) 388-4053 Fax: (541) 617-9810 LThomasClarkPC@aol.com Bend Attorney Group L Thomas Clark PC 521 NW Harriman Bend, OR 97701-2816	Jesse Coggins (S) (541) 269-1791 wjcoggins3@gmail.com Attorney at Law 1225 Bayview St North Bend, OR 97459-3603	Grant Cole (R) (925) 324-5880 grantscole@gmail.com Vancouver Defenders 500 W 8th St Ste 230 Vancouver, WA 98660
Ann S. Christian (R) (503) 851-1460 annchristian@comcast.net Attorney at Law 4114 Idaho St Vancouver, WA 98661-6315	David C. Clarke (R) (503) 686-0981 dcclarke@dcc-attyatlaw.com Attorney at Law 18861 SW Martinazzi Ave Ste 205 Tualatin, OR 97062-7590		

Alphabetical Listing - C

Howard W. Collins (R) (503) 399-9778 Fax: (503) 399-0063 hc@howardcollinslaw.com www.howardcollinslaw.com Attorney at Law 388 State St Ste 602 Salem, OR 97301-3583	Ryan C. Connell (R) (503) 812-1561 Fax: (503) 214-6488 ryan@ryancconnell.com www.ryanconnell.com Attorney at Law 233 E Main St Ste 211 Hillsboro, OR 97123-4066	Steven J. Copple (N) (503) 366-0661 Fax: (503) 366-0661 steve@stevecoppleinvestigations.com S. Copple Investigations, Inc. 56506 Turley Rd Warren, OR 97053-9741	Lori L. Coukoulis (R) (503) 472-5674 Fax: (503) 474-0389 lcoukoulis@onlinemac.com Attorney at Law 606 NE 2nd St McMinnville, OR 97128-4514
Sara J. Collins (R) (541) 779-5636 Fax: (541) 772-6222 sara@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Joseph M. Connelly (R) (541) 343-8111 Fax: (541) 343-8021 joe@rosta-connelly.com www.rosta-connelly.com Rosta & Connelly PC 795 W 7th Ave Eugene, OR 97402-5483	Ryan R. Corbridge (R) (503) 352-9360 Fax: (503) 946-3067 ryan@corbridgelaw.com www.corbridgelaw.com Corbridge Law Offices PC 19075 NW Tanasbourne Dr Ste 100 Hillsboro, OR 97124-5824	Richard L. Cowan (L) (503) 585-3351 Fax: (503) 364-7689 rlcowan@pcrcrimlaw.com Attorney at Law PO Box 965 Salem, OR 97308-0965
Thomas Collins (R) (503) 648-3020 Fax: (503) 693-6694 lawdawgs1@aol.com Tom Collins PC 249 NE Lincoln St Hillsboro, OR 97124-3038	Brian Patrick Conry (S) (503) 274-4430 Fax: (503) 274-0414 bpconry@gmail.com www.brianpatrickconry.com Brian Patrick Conry PC Willamette Bldg Ste 711 534 SW Third Ave Portland, OR 97204-2546	David A. Corden (R) (541) 752-1422 Fax: (541) 752-2282 davidcorden@gmail.com Attorney at Law PO Box 965 Corvallis, OR 97339-0965	Brian D. Cox (S) (541) 683-7151, ext. 305 Fax: (541) 485-7742 bccox@coxassociates.info Cox & Associates LLC 142 W 8th Ave Eugene, OR 97401-2940
Jovana Combs (A) (503) 887-9746 jovana.combs@gmail.com 2033 SE Night Heron Pl Gresham, OR 97080-3919	Jace Cook (A) (503) 226-3083 Fax: (503) 226-0107 jcook@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Robert D. Corl Jr. (R) (541) 757-8151 Fax: (541) 752-5224 robcorl@comcast.net Attorney at Law 455 SW Madison Ave PO Box 585 Corvallis, OR 97339-0585	Ronald K. Cox (R) (541) 267-2472 Fax: (541) 267-6853 ronc@swopds.org SWOPDs, Inc. 465 Elrod Ave Coos Bay, OR 97420-1532
James Comstock (N) (503) 510-0559 james@comstocklegal.com Investigator PO Box 230204 Portland, OR 97281-0204	Nancy E. Cook (R) (541) 957-5344 Fax: (541) 673-2748 nancy.cook@upvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Kathleen M. Correll (S) (503) 284-0763 Fax: (503) 244-2084 kmc@kmcorrellattny.com Attorney at Law PO Box 13351 Portland, OR 97213-0351	Nancy J. Cozine (R) (503) 378-2515 Fax: (503) 375-9701 nancy.cozine@opds.state.or.us Office of Public Defense Svcs Executive Director 1175 Court St NE Salem, OR 97301-4030
William J. Condron (R) (541) 447-2959 Fax: (541) 447-7897 attycondron@aol.com Attorney at Law PO Box 133 Prineville, OR 97754-0133	Jenny Cooke (L) (503) 656-9261 Fax: (503) 282-7077 nt2gfty@aol.com Attorney at Law PO Box 83925 Portland, OR 97283-0925	Mark L. Costello (R) (541) 882-1426 Fax: (541) 205-6965 markcostellolaw@gmail.com Klamath Defender Services Mark Costello Law Inc 200 Pine St Klamath Falls, OR 97601-6337	Thomas J. Crabtree (R) (541) 389-7723 Fax: (541) 383-7177 tc@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040
Jeffrey A. Cone (N) (503) 829-6323 Fax: (503) 829-6320 jeff@coneroup.com Cone Consulting Group Ltd 15582 S Howards Mill Rd Mulino, OR 97042-9758	Norvin (Jake) Cooley (N) (503) 657-7235 Fax: (503) 657-7676 jakecooley@aol.com Willamette Valley Family Center LLC 610 Jefferson St Oregon City, OR 97045-2396	Michael Cougar (R) (503) 338-0049 Fax: (503) 338-0121 michael@michaelcougar.com www.michaelcougar.com Law Ofc of Michael Cougar 818 Commercial St Ste 200 Astoria, OR 97103-4550	Liann Crane (R) (503) 721-0140 Fax: (503) 220-1913 lcrane@karbinskilaw.com Law Ofc of Alan W Karbinski PC 621 SW Alder St Ste 621 Portland, OR 97205-3621

Alphabetical Listing - C

Richard A. Cremer (L) (541) 672-1955 Fax: (541) 672-1788 rcremer@rosenet.net Richard A. Cremer PC Pacific Building 727 SE Cass Ave Ste 400 Roseburg, OR 97470-4955	John B. Culver (R) (503) 225-9100 Fax: (503) 295-0316 jculver@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Megan Daniels (R) (503) 636-3409 Fax: (503) 345-6691 megan.c.daniels@gmail.com Megan Daniels Law 4040 Douglas Wy Lake Oswego, OR 97035-0708	Joseph DeBin (R) (503) 226-3083 Fax: (503) 226-0107 jdebin@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127
Sheryl Cremer (N) (541) 672-1955 Fax: (541) 672-1788 morningglorylane@gmail.com Richard A. Cremer PC Pacific Building 727 SE Cass Ave Ste 400 Roseburg, OR 97470-4955	Deborah K. Cumming (R) (541) 479-2210 Fax: (541) 479-3644 dkcumming2003@yahoo.com Attorney at Law 247 NW E St Grants Pass, OR 97526-2045	Morgen Daniels (R) (503) 378-3349 Fax: (541) 278-0529 morgen.e.daniels@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Jacques A DeKalb (R) (541) 388-1660 Fax: (541) 383-0610 dekalb@thedekalbgroup.com DeKalb & Associates 1345 NW Wall St Ste 101 Bend, OR 97701-1971
Daniel L. Cronin (R) (541) 575-2137 Fax: (541) 575-2138 dcronin2000@hotmail.com Daniel L. Cronin PC 235 S Canyon Blvd John Day, OR 97845-1044	Michael D. Curtis (L) (503) 804-6594 Fax: (503) 235-0701 michaelcurtis@michaelcurtispdx.com Michael Curtis, Attorney at Law 1631 NE Broadway St Portland, OR 97232-1425	Jossi K. Davidson (R) (503) 873-5366 Fax: (503) 873-5368 jossi@silvertonlaw.com Law Office of Jossi Davidson LLC 104 S Water St PO Box 565 Silverton, OR 97381-0565	Thomas F. Della-Rose (R) (541) 883-7754 Fax: (541) 883-1756 tomdellarose@gmail.com Klamath Defender Services Thomas F. Della-Rose 6563 Osprey Lane Klamath Falls, OR 97601-8663
Daniel A. Cross (S) (503) 640-9509 Fax: (503) 640-8450 crosslaw@msn.com www.dancrossattorney.com The Law Offices of Daniel A. Cross 330 NE Lincoln St Ste 200 Hillsboro, OR 97124-3264	Kittee Custer (R) (541) 276-7139 Fax: (541) 276-0564 custerlaw@qwestoffice.net Custer Law Office 125 SE Court Ave Ste 4 Pendleton, OR 97801-2251	Kara K. Davis (R) (541) 276-0244 Fax: (541) 278-0529 attorneykaradavis@yahoo.com Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Joan Demarest (R) (541) 928-7004 Fax: (206) 984-9798 attorney.demarest@gmail.com www.joandemarest.com Joan Demarest LLC Attorney 430 Washington St SW Albany, OR 97321-2372
Mark Austin Cross (L) (503) 655-0037 Fax: (503) 650-0367 yomarko@mac.com Courtroom Lawyer 294 Warner Milne Rd Oregon City, OR 97045-4044	Elizabeth Daily (R) (503) 378-2452 Fax: (503) 378-2163 elizabeth.daily@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Rebecca R. Davis (R) (541) 687-9219 bdavis_409@msn.com Attorney at Law 259 E 5th Ave Ste 300-C Eugene, OR 97401-2677	Julia Demorest (N) (503) 867-0249 juliademorestpi@comcast.net Investigator 6917 N Denver Ave Portland, OR 97217-5340
Robert Crow (R) (503) 319-9111 Fax: (503) 227-4702 robert@robertcrowlaw.com robertcrowlaw.com Robert G. Crow, PC 2121 SW Broadway Ste 130 Portland, OR 97201-3180	Richard Dall (R) (541) 963-8485 Fax: (541) 963-6614 dalllaw@msn.com Attorney at Law 1609 4th St La Grande, OR 97850-2505	Gregory T. Day (R) (541) 476-6627 Fax: (541) 476-7048 gregoryd@roguefirm.com www.roguefirm.com Davis Adams Freudenberg Day 600 NW 5th St Grants Pass, OR 97526-2024	Rene Denfeld (N) (971) 322-8331 renedenfeld@gmail.com Mitigation Specialist/Investigator 7432 N Kellogg St Portland, OR 97203-3920
Joshua B. Crowther (R) (503) 378-2394 Fax: (503) 375-9701 joshua.b.crowther@opds.state.or.us www.opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Todd Dalotto (N) (541) 752-9053 Fax: (541) 752-9417 todd@canresearch.net www.CanResearch.net CAN! Research Education & Consulti 568 SW 3rd St Corvallis, OR 97333	Mike De Muniz (R) (503) 507-1269 mike@demuniz.com De Muniz Law LLC 111 SW 5th Ave Ste 2080 Portland, OR 97204-3651	Renee Denison (R) (541) 889-2351 Fax: (541) 889-6672 rdenison@malheurlawyers.com Stoddard & Denison Law PC 381 W Idaho Ave Ontario, OR 97914-2344
		Gary F. Deal (R) (541) 484-5937 Fax: (541) 683-9240 basswap1@yahoo.com Attorney at Law 750 Lawrence St Eugene, OR 97401-2545	

Alphabetical Listing - D

Jacques P. DePlois (L) (541) 888-6338 Fax: (541) 888-3247 jdeplois@lawoffices@deplois.com Jacques DePlois, Attorney 650 Newmark Ave PO Box 3159 Coos Bay, OR 97420-0406	William D. Dials (R) (503) 661-6009 Fax: (503) 661-0660 wddials@msn.com Attorney at Law PC 103 SE 223rd Ave Ste B Gresham, OR 97030-7489	Majie M. Dodge (R) (503) 603-0330 Fax: (971) 200-2664 majie@majielawpdx.com Attorney at Law PC 16200 SW Pacific Hwy Ste H172 Portland, OR 97224-3471	Stacy Du Clos (R) (503) 225-9100 Fax: (503) 295-0316 sduclos@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
George L. Derr (R) (541) 683-7473 Fax: (541) 345-7098 george@gderrlaw.com www.gderrlaw.com Attorney at Law 260 Country Club Rd Ste 210 Eugene, OR 97401-6026	Carolyn A. Dickey (N) (503) 283-4847 Fax: (503) 247-9247 cdickeypi@msn.com Investigator 580 N Tomahawk Island Dr Portland, OR 97217-7924	Damien S. Donnelly-Cole (R) (503) 943-9659 damien@stumptownlegal.com www.stumptownlegal.com Stumptown Legal LLC 6116 NE 8th Ave Portland, OR 97211-3759	Kyle B. Dukelow (R) (503) 288-1992 Fax: (503) 282-8047 kbdukelow@msn.com Kyle Dukelow Law Office 6007 NE Stanton St Portland, OR 97213-3974
Marie B. Desmond (R) (541) 484-2611, ext. 129 Fax: (541) 484-5068 desmond@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Jeffrey Dickey (R) (503) 969-1919 Fax: (503) 296-2920 dickey.js@gmail.com Attorney at Law 0510 SW California St Portland, OR 97219-2333	Blake Dore (R) (503) 683-3642 Fax: (503) 482-7424 blake@blakedore.com www.pdxnotguilty.com Doré Law Firm LLC 6637 SE Milwaukie Ave Ste 207 Portland, OR 97202-5658	Carol Duncan (N) (503) 226-0188 Fax: (503) 226-1136 carol@mcdonaldpc.com David T. McDonald PC 510 SW 3rd Ave Ste 400 Portland, OR 97204-2404
Victoria Dethloff (R) (541) 678-5614 Fax: (541) 633-7383 victoria@angelaleelaw.com The Law Office of Angela Lee 360 NW Vermont Place Ste 100 Bend, OR 97701-1933	Travis R. Dickey (R) (503) 581-5562 Fax: ((50) 3) -588-, ext. 5895 travisdickeylaw@gmail.com www.travisdickeylaw.com Attorney at Law 456 State St Ste 200 Salem, OR 97301-3619	Dinah Dosien (R) (541) 389-7723 Fax: (541) 383-7177 dinah@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Anthony Dundon (R) (541) 779-5636 Fax: (541) 772-6222 anthony@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742
Morgan Dethman (R) (503) 225-9100 Fax: (503) 295-0316 mdethman@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Lynne A. Dickison (R) (503) 808-9008 Fax: (503) 445-0405 ld@ dickisonlaw.com Dickison Law LLC 522 SW 5th Ave Ste 705 Portland, OR 97204-2124	Shannon Rae Douglass (R) (541) 673-0696 Fax: (541) 673-9791 sdouglass@arnesongroup.com James A. Arneson PC 318 SE Jackson St Roseburg, OR 97470-3342	Chris W. Dunfield (L) (541) 752-5119 Fax: (541) 752-1554 cdunfield@proaxis.com www.petersen-dunfield-fahy.com Dunfield & Fahy 310 NW 5th St Ste 101 PO Box 1145 Corvallis, OR 97339-1145
Lindsey Detweiler (R) (503) 378-3350 lindsey.detweiler@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Janmarie Dielschneider (R) (503) 435-2725 Fax: (503) 435-2715 janmarie-justice@comcast.net The Justice Center 235 E 3rd St McMinnville, OR 97128-4829	Jeffrey Dovci (N) (541) 499-0315 dovciforensicconsulting@gmail.com Dovci Forensic Consulting 3659 Harbrooke Rd Medford, OR 97504-9312	Edward L. Dunkerly (L) (360) 607-9243 eldunkerly@yahoo.com Attorney at Law 1014 Franklin St Ste 24B Vancouver, WA 98660-3040
Peter L. Deuel (R) (541) 728-0877 Fax: (541) 382-4297 pldeuel@bendlbroadband.com Bend Attorney Group PO Box 908 Bend, OR 97709-0908	Kelly Diephuis (R) (503) 227-2796 Fax: (503) 227-3194 kelly@jaskelaw.com Jaske Law LLC 521 SW Clay St Ste 209 Portland, OR 97205-5407	Andrew R. Doyle (R) (541) 389-7723 Fax: (541) 383-7177 andrewrdoyle@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Kathy Dunleavy (N) (971) 570-1071 Fax: (503) 206-7402 kathy.dunleavy@gmail.com Kathy Dunleavy Investigations 1402 E Monterey Dr Boise, ID 83706-5079
		Stephen J. Doyle (R) (503) 208-9017 Fax: (971) 232-5455 stephenjdoyle@teleport.com Law Offices of Stephen J. Doyle 111 SW Columbia St Ste 1010 Portland, OR 97201-5844	

Alphabetical Listing - D

Kathleen E. Dunn (R) (503) 225-9100 Fax: (503) 295-0316 kdunn@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Ben Eder (R) (503) 227-4601 Fax: (503) 243-3274 eder.ben@gmail.com www.thuemmel-uhle-eder.com Thuemmel Uhle & Eder 1300 SW 5th Ave Ste 2135 Portland, OR 97201-5647	Erik E. Eklund (R) (503) 225-9100 eeklund@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Cole W. Enabnit (R) (503) 674-7434 cole@nwicd.com NW Immigration & Criminal Def 18210 E Burnside St Ste E Portland, OR 97233-5343
Linda Dunn (N) (208) 861-8654 ldunn4695@aol.com Investigator 4695 Arrowhead Way Boise, ID 83709-5902	Carla Edmondson (A) (971) 313-2527 cedmondson@lclark.edu 4912 SE 62nd Ave Portland, OR 97206-4610	Emily E. Elison (R) (503) 223-0011 Fax: (503) 223-1516 attorneyelison@gmail.com Castleberry & Elison PC 500 Yamhill Plaza Bldg 815 SW 2nd Ave Ste 500 Portland, OR 97204-3026	Stephanie J. Engelsman (R) (503) 225-9100 Fax: (503) 295-0316 sengelsman@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Patrick Dunn (N) (208) 861-1355 pdunn4695@aol.com Investigator 4695 Arrowhead Way Boise, ID 83709-5902	Dolores J. Edson (N) (541) 884-0333 Fax: (541) 884-0959 djedson@fireserve.net Klamath Defender Services Director, Ind. Defense Contract 525 Main St Klamath Falls, OR 97601-6031	John M. Elliott (R) (503) 648-3146 Fax: (503) 648-3147 jmedrum@earthlink.net Attorney at Law 122 NE 3rd Ave PO Box 69 Hillsboro, OR 97123-0069	Barry W. Engle (R) (503) 224-2171 Fax: (503) 222-0693 barry@benglelegal.com Engle & Giles, PC 4614 SW Kelly Ave Ste 201 Portland, OR 97239-4277
Bert Dupre (R) (503) 701-3188 Fax: (503) 575-9231 bert.dupre@gmail.com Attorney at Law 3810 SE Salmon St Portland, OR 97214-4340	Jay Edwards (L) (503) 399-7098 jayedwardsisins@yahoo.com Attorney at Law 388 State St Ste 875 Salem, OR 97301-3866	Jeffrey E. Ellis (R) (503) 222-9830 jeffreyerwinellis@gmail.com www.orcrc.org Oregon Capital Resource Counsel 621 SW Morrison St Ste 1025 Portland, OR 97205-3813	Douglas M. Engle (R) (541) 779-5636 Fax: (541) 772-6222 doug@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742
Drake Durham (R) (503) 224-7977 Fax: (503) 224-8288 drakedurham@gmail.com Calhoun & Fishback PC 610 SW Alder St Ste 803 Portland, OR 97205-3609	Christopher Eggert (R) (503) 837-6111 Fax: (866) 225-7821 chriseggert@eggertattorney.com www.eggertattorney.com Eggert & Associates 960 Broadway St NE Ste 2 Salem, OR 97301-1275	Kevin J. Ellis (R) (503) 232-2540 Fax: (503) 231-4767 kevin.e@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Conrad Engweiler (N) (541) 588-6459 cengweiler@gmail.com 1617 W Williamson Ave Sisters, OR 97759-1757
Hugh Duvall (R) (541) 345-4500 Fax: (541) 345-8846 hughduvall@oregoncriminalattorney.c www.oregoncriminalattorney.com Duvall Law Office PC 856 Olive St Ste 101 Eugene, OR 97401-2908	Patrick J. Ehlers Jr. (R) (503) 326-2123 Fax: (503) 326-5524 patrick_ehlers@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3228	Matthew E. Ellis (R) (541) 296-9601 Fax: (541) 296-8269 matthew.ellis.esq@gmail.com Morris Smith Starns & Sullivan PC 414 Washington St Ste 3 The Dalles, OR 97058-2216	Stephen R. Ensor (R) (541) 757-1414 Fax: (541) 753-0884 ensor@ringostuber.com Ringo Stuber Ensor & Hadlock PC 605 SW Jefferson Ave Corvallis, OR 97333-4509
Lori Dynge (N) (541) 779-5636 Fax: (541) 772-6222 lori@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Christian Eickelberg (R) (480) 215-8818 christian_eickelberg@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204	Alice D. Ellis Gaut (N) (503) 639-7252 aegpro@gmail.com Mitigation Specialist and Investigator 16200 SW Pacific Hwy Ste H135 Tigard, OR 97224-3471	Braulio Escobar (R) (541) 265-7717 Fax: (541) 265-7415 brauliolaw@gmail.com Attorney at Law 530 NW 3rd Ste F PO Box 747 Newport, OR 97365-0056
Steve W. Eberlein (R) (503) 726-7900 Fax: (503) 726-7900 seberlein@mpdlaw.com www.mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Sallie J. Eimstad (N) (541) 337-2250 Fax: (541) 935-4319 probesone@hotmail.com Probes International 3130 University St Eugene, OR 97405-4242	Jerry W. Elshire (N) (503) 516-7798 jewwin@aol.com Jerry W Elshire Investigator 8205 SE Harney St Unit 10 Portland, OR 97266-6577	John Paul Evans (R) (503) 378-3349 john.p.evans@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030

Alphabetical Listing - E

Samantha Evans (R) (541) 779-5636 Fax: (541) 772-6222 samantha@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Danielle Farmer (N) (503) 706-2723 daniellefarmerpi@gmail.com Investigator PO Box 17603 Portland, OR 97217-0603	Mary Jane Ferguson (N) (206) 296-2882 Fax: (206) 296-0587 maryjane.ferguson@kingcounty.gov King Co Dept of Public Defense Chinook Bldg 401 5th Ave 2nd Flr Seattle, WA 98104-2378	Ginger Fitch (R) (503) 954-9829 gingfitch@yahoo.com Attorney at Law PO Box 2656 Wilsonville, OR 97070-2656
Valerie Eves (R) (541) 389-7723 Fax: (541) 383-7177 eves@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Emily Feenstra (R) (541) 388-1660 Fax: (541) 383-0610 emily@thedeckalgroup.com DeKalb & Associates 1345 NW Wall St Ste 101 Bend, OR 97701-1971	David O. Ferry (R) (503) 378-2229 Fax: (503) 375-9701 david.o.ferry@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Lisa Fitzgerald (A) (503) 225-9100 Fax: (503) 295-0316 lfitzgerald@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
D. Michael Fagan (R) (503) 362-1601 Fax: (503) 362-1630 cometowin@live.com D Michael Fagan Attorney and Couns 681 Cottage St NE Salem, OR 97301-2419	Jenifer Feinberg (S) (541) 779-8916 Fax: (541) 773-8483 JeniFeinberg@hotmail.com Attorney at Law 10 Crater Lake Ave Medford, OR 97504-7445	Douglas M. Fischer (Retired) (R) (541) 276-0244 Fax: (541) 278-0529 doug@ipdinc.org Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Shirley Fitzgerald R.N. (N) (503) 998-5109 sfitzrn@gmail.com 10835 NW Brooks Rd Portland, OR 97231-2506
Thomas L. Fagan (L) (541) 484-2611, ext. 103 Fax: (541) 484-5068 fagan@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Daniel L. Feiner (L) (503) 228-2822 Fax: (503) 296-2217 dan@danfeiner.com Attorney at Law 1221 SW 10th Ave Ste 1103 Portland, OR 97205-2476	Ronald M. Fishback (R) (503) 224-7977 Fax: (503) 224-8288 rfishback@cfelaw.com Calhoun & Fishback PC 610 SW Alder St Ste 803 Portland, OR 97205-3609	Timothy P. Fleming (R) (541) 389-7723 Fax: (541) 383-7177 timfleming@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040
Peter B. Fahy (S) (541) 752-5119 Fax: (541) 752-1554 pfahy@proaxis.com www.petersen-dunfield-fahy.com Dunfield & Fahy 310 NW 5th St Ste 101 PO Box 1145 Corvallis, OR 97339-1145	Timothy J. Felling (R) (541) 926-1554 Fax: (541) 967-8721 tfelling@fellinglawcounsel.com Merkel & Felling 135 5th Ave SW Albany, OR 97321-2856	Graham C. Fisher (R) (503) 517-7000 Fax: (503) 244-2084 grahamfisherlaw@gmail.com www.grahamfisherlaw.com Graham C. Fisher LLC 1549 SE Ladd Ave Portland, OR 97214-4700	Shannon L. Flowers (R) (503) 378-3349 Fax: (503) 378-2163 shannon.l.flowers@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
James M. Fallman (R) (707) 464-1858 Fax: (707) 465-6284 jfallman@yahoo.com Attorney at Law 250 Leavitt Mall Crescent City, CA 95531-4340	Patrick Fenner (N) (541) 884-0333 Fax: (541) 884-0959 patrick@fireserve.net Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031	Kenna J. Fisher (R) (503) 226-3083 Fax: (503) 808-9116 kjfisher@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Ashley Flukinger (R) (503) 738-6380 Fax: (503) 738-6325 aflukinger@seasideattorneys.com www.seasideattorneys.com Moberg & Rust PC 842 Broadway St Seaside, OR 97138-6824
Wm. David Falls (R) (503) 699-1107 Fax: (503) 699-1108 wmdavidfalls@gmail.com Attorney at Law 19363 Willamette Dr #223 West Linn, OR 97068-2010	Paul M. Ferder (L) (503) 585-9197 Fax: (503) 399-7904 pferder@ferder.com Ferder Casebeer French & Thompson 515 High St SE PO Box 843 Salem, OR 97308-0843	L. Kent Fisher (R) (541) 276-0244 Fax: (541) 278-0529 kent@ipdinc.org Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Patrick R. Foley (R) (541) 412-7829 Fax: (541) 412-8380 prfoley@charter.net Attorney at Law PO Box 2036 Harbor, OR 97415-0301
			Cheri Folsom (N) (503) 807-0372 cfolsom@nwinvestigator.com Cheri Folsom Legal Investigations 1631 NE Broadway Ste 716 Portland, OR 97211-1425

Alphabetical Listing - F

Robert J. Folty (R) (541) 884-1721 Fax: (541) 883-1923 rfolty@msn.com Klamath Defender Services 514 Walnut Ave Klamath Falls, OR 97601-6155	Richard L. Fredericks (R) (541) 343-6118 Fax: (541) 683-9240 rlfred@comcast.net Richard L. Fredericks PC 750 Lawrence St Eugene, OR 97401-2545	Richard L. Garbutt (R) (541) 884-0333 Fax: (541) 884-0959 rlgarbutt@hotmail.com Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031	Amanda Garty (R) (503) 225-9100 agarty@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Laura Forester (N) (503) 810-0956 laura.forester@gmail.com Paralegal 11730 SW Bel Aire Ln Beaverton, OR 97008-5954	Carol J. Fredrick (R) (503) 435-1455 Fax: (503) 474-1116 cfredrick@frontier.com Fredrick & Finch LLP 2046 N Hwy 99W Ste D McMinnville, OR 97128-1252	Jesus H. Garcia (N) (541) 212-9290 jgarciainvestigations@outlook.com Investigator 713 N 4th St Nyssa, OR 97913-3147	Timothy R. Gassner (R) (541) 475-2272 Fax: (541) 475-3944 tim@madrasattorneys.com Glenn Reeder Gassner LLP 205 SE 5th St Madras, OR 97741-1632
Sara Foroshani (R) (503) 480-0521 Fax: (503) 480-0522 sforoshani@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Thomas Freedman (R) (503) 467-7256 Fax: (503) 467-7258 thomas@prllaw.com www.pearllawllc.com Pearl Law LLC 522 SW 5th Ave Ste 1100 Portland, OR 97204-2128	Melissa D. Garcia (R) (503) 726-7900 Fax: (503) 726-4950 mgarcia@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Maurisa R. Gates (R) (503) 225-9100 Fax: (503) 295-0316 mgates@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Lindsay H. Fowler (R) (541) 345-3333 Fax: (541) 342-1908 fowler@oregonattorney.com www.oregonattorney.com Veralrud & Fowler 975 Oak St Ste 625 Eugene, OR 97401-3156	Lauren F. Freeman (R) (503) 232-2540, ext. 248 Fax: (503) 231-4767 lauren.f@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Chris H. Gardner (R) (541) 410-9130 Fax: (541) 617-5955 chgatt@bendnet.com Bend Attorney Group 360 NW Vermont Pl PO Box 564 Bend, OR 97709-0564	Gareld J. Gedrose (R) (503) 225-9100 Fax: (503) 295-0316 ggedrose@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Jane Fox (R) (503) 726-7900 Fax: (503) 726-4950 jfox@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Marc P. Friedman (R) (541) 686-4890 Fax: (541) 344-6254 attyfriedman@yahoo.com Friedman Law Office PC 245 West 13th PO Box 11167 Eugene, OR 97440-3367	James W. Gardner (S) (541) 247-6615 Fax: (541) 247-4585 jim@goldbeachlaw.com Curry Consortium PO Box 1286 Gold Beach, OR 97444-1286	Mark J. Geiger (R) (503) 588-1723 Fax: (503) 371-8195 mark@markgeiger.com Attorney at Law 317 Court St NE Ste 211 Salem, OR 97301-3564
Bryan B. Francesconi (R) (503) 225-9100 Fax: (503) 295-0316 bfrancesconi@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Laura Frikert (R) (503) 378-3479 Fax: (503) 375-9701 laura.frikert@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Barbara J. Garland (R) (503) 615-8233 Fax: (503) 693-0139 bjgarland@frontier.com Barbara J. Garland Law Office PC 230 NE 2nd Ave Ste H Hillsboro, OR 97124-3074	Donald C. Geistlinger (N) (971) 563-7785 leaglebeagle@comcast.net Leagle Beagle Investigations 4020 SE International Wy Ste C102 Portland, OR 97222-6068
Pamela D. Frazier Jr. (R) (541) 947-3355 Fax: (541) 947-4879 pfrazier@lakevieworegonlaw.com Klamath Defender Services Bogardus & Hedlund PC 35 G St South Lakeview, OR 97630-1897	Matthew Galli (R) (541) 476-6627 Fax: (541) 476-7048 matthewg@roguefirm.com www.roguefirm.com Davis Adams Freudenberg Day 600 NW 5th St Grants Pass, OR 97526-2024	Sarah Garrett (A) (650) 278-2979 sgarrett@lclark.edu 5875 SW Spruce Ave Beaverton, OR 97005-3504	Dianna J. Gentry (R) (503) 629-2121 Fax: (503) 221-1908 gentry@lawyergentry.com www.lawyergentry.com Dianna J. Gentry LLC 1906 SW Madison St Portland, OR 97205-1718
		Peter Gartlan (R) (503) 378-2371 Fax: (503) 375-9701 peter.gartlan@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	James Patrick Geocaris (R) (541) 357-9369 Fax: (541) 686-2137 geolawyers@hotmail.com The Geocaris Law Firm 259 E 5th Ave Ste 300-C Eugene, OR 97401-2677

Alphabetical Listing - G

Marlene L. George (N) (503) 226-0101 Fax: (503) 226-0101 marleneonline@comcast.net Investigator PO Box 4093 Portland, OR 97208-4093	Jim Gibson (N) (503) 728-0764 Fax: (888) 313-0650 jim@gibson-us.com www.gibson-us.com Jim Gibson & Associates, Inc. 19467 Highway 30 PO Box 479 Clatskanie, OR 97016-0479	David C. Glenn (R) (541) 475-2272 Fax: (541) 475-3944 dave@madrasattorneys.com madrasattorneys.com Glenn Reeder Gassner LLP 205 SE 5th St Madras, OR 97741-1632	Eidar Gonzales (N) (503) 740-6485 Fax: (503) 512-6102 einvestigations@frontier.com E Investigations PO Box 1517 Fairview, OR 97024-1517
Alyssa Gerber (A) (503) 480-0521 Fax: (503) 480-0522 agerber@willamette.edu Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Francis C. Gieringer (R) (503) 225-9100 Fax: (503) 295-0316 fgieringer@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	James A. Glover (R) (503) 241-0504 Fax: (503) 241-3544 gloverlaw@aol.com Attorney at Law PO Box 42128 Portland, OR 97242-0128	Mary C. Goody (N) (360) 238-5219 Fax: (360) 238-5189 marygoody65@gmail.com Mitigation Specialists LLC PO Box 23 Cougar, WA 98616-0023
Susan R. Gerber (N) (541) 889-0084 gerblaw@msn.com Gerber Law LLC 93 SW 2nd St Ontario, OR 97914	Gregory E. Gill (R) (541) 687-9001 Fax: (541) 484-7404 ggill@gardnerpotter.com Gardner Potter Budge Spickard & Cascagnette LLC 725 Country Club Rd Eugene, OR 97401-6008	Laurie J. Godfrey (N) (541) 760-1567 goldstarpi@comcast.net Goldstar Consulting & Investigations PO Box 698 Corvallis, OR 97339-0698	W. Keith Goody Esq. (R) (360) 238-5211 Fax: (360) 238-5189 wkeithgoody@gmail.com Attorney at Law PO Box 23 Cougar, WA 98616-0023
Jamie Gerlitz (R) (541) 389-6964 Fax: (541) 389-6969 jamie@gerlitzlaw.com www.gerlitzlaw.com Bend Attorney Group Jamie L Gerlitz LLC 371 SW Upper Terrace Dr Ste 3 Bend, OR 97702-1560	Charles Gillis (R) (541) 963-2700 Fax: (541) 963-2711 charlie@gillis-law.com Charles H Gillis Atty at Law 1306 Adams Ave La Grande, OR 97850-2610	Geoffrey J. Gokey (R) (541) 923-1159 Fax: (541) 923-6718 gokey@bendable.com Geoffrey J. Gokey AAL 1011 SW 17th St Redmond, OR 97756-2517	Steven H. Gorham (L) (503) 364-6494 Fax: (503) 364-4773 grumpy@teleport.com Attorney at Law 341 State St Salem, OR 97301-3534
David D. Ghazi (N) (503) 224-3844 Fax: (503) 224-0235 dg.law@outlook.com Attorney at Law 620 SW Main St Ste 702 Portland, OR 97205-3030	John Gilroy (R) (503) 620-9887 Fax: (503) 620-4884 jgilroy@gilroynapoli.com www.gilroynapoli.com Gilroy & Napoli PO Box 2150 Lake Oswego, OR 97035-0044	Lorraine Gokey (N) (720) 425-5677 Fax: (541) 889-6672 lorri423@gmail.com Gokey Investigation 381 W Idaho Ave Ontario, OR 97914-2344	Mark S. Gorski PC (R) (503) 224-1843 Fax: (503) 573-4283 goresq@comcast.net Attorney at Law PO Box 56761 Portland, OR 97238-9998
Barbara G. Ghio (R) (503) 588-0313 Fax: (503) 588-1015 barbara_ghio@yahoo.com Muntz & Ghio 3000 Market St NE Ste 252 Salem, OR 97301-1809	Jerrett Glass (R) (541) 296-9601 Fax: (541) 296-8269 jerrettgc@gmail.com Morris Smith Starns & Sullivan PC 414 Washington St Ste 3 The Dalles, OR 97058-2216	Allen Goldman (R) (541) 267-2472 Fax: (541) 267-6853 agoldman@swopds.org SWOPDs, Inc. 465 Elrod Ave Coos Bay, OR 97420-1532	Rebecca Gouge (R) (541) 870-3483 rebagouge@gmail.com Attorney at Law 259 E 5th Ave Ste 200-A Eugene, OR 97401-2677
Joshua C. Gibbs (R) (503) 223-3422 Fax: (503) 715-2554 josh@reynoldsdefensefirm.com Reynolds Defense Firm 1512 SW 18th Ave Portland, OR 97201-2517	Patricia Gleitsmann (N) (541) 482-2696 Fax: (541) 482-2696 p.g@hughes.net Gleitsmann Associates 708 Pompadour Dr Ashland, OR 97520-9399	James Goldstein Jr. (R) (503) 615-8336 Fax: (503) 726-2220 jim@mcmillawoffice.com www.mcmillawoffice.com McNeil & Goldstein LLC 1323 NE Oreenco Station Pkwy Ste 31 Hillsboro, OR 97124-5416	Terrance P. Gough (R) (541) 302-9448 terrancepgough@msn.com Attorney at Law PO Box 1187 Eugene, OR 97440-1187
		Antonio Gomes (N) (503) 312-2430 pdxprivateinvestigator@gmail.com Gomes Investigative Services, LLC PO Box 1570 Sandy, OR 97055-1570	William Gourley (R) (541) 850-3883 Fax: (541) 850-2021 bill@billgourley.com Klamath Defender Services Attorney at Law 303 Pine St Ste 101 Klamath Falls, OR 97601-6337

Alphabetical Listing - G

Karen Graham (N) (503) 580-1689 Fax: (503) 477-8373 karenjgraham@gmail.com JUST Investigations PO Box 10292 Portland, OR 97296-0292	James A. Green (N) (888) 485-0832 Fax: (541) 485-0832 jgreen@documentexaminer.info www.documentexaminer.info Forensic Document Examiner PO Box 5379 Eugene, OR 97405-0379	Anthony F. Griffin (R) (541) 492-2875 Fax: (541) 672-5446 tony@tkdlawgroup.com www.tkdlawgroup.com TKD Law Group PO Box 1578 Roseburg, OR 97470-0364	Todd H. Grover (R) (541) 312-5150 Fax: (541) 318-8966 todd@wardgrover.com www.wardgrover.com Ward Grover LLP 516 SW 13th St Ste 201 Bend, OR 97702-3442
Laura Graser (S) (503) 287-7036 Fax: (503) 287-1365 graser@lauragraser.com Attorney at Law PO Box 12441 Portland, OR 97212-0441	Adam Greenman (R) ((503) 3) -227-, ext. 3800 Fax: (503) 227-2477 adam@adamgreenmanlaw.com Attorney at Law 208 SW 1st Ave Ste 220 Portland, OR 97204-3514	Kathryn F. K. Griffin (R) (541) 492-2868 Fax: (541) 672-5446 kat@tkdlawgroup.com www.tkdlawgroup.com TKD Law Group PO Box 1578 Roseburg, OR 97470-0364	Marc William Gunn (R) (503) 362-6528 Fax: (503) 581-3212 mgunn@gunnlawfirm.com www.gunnlawfirm.com Gunn & Gunn 3635 Liberty Rd S PO Box 4057 Salem, OR 97302-1057
Ronald L. Gray (R) (503) 655-1111 Fax: (503) 655-1112 rongraylaw@gmail.com Attorney at Law 802 Main St Ste 103 Oregon City, OR 97045-1863	Jeffrey C. Greenwood (R) (541) 672-1955 Fax: (541) 672-1788 ntgltcremerlaw@rosenet.net Richard A. Cremer PC Pacific Building 727 SE Cass Ave Ste 400 Roseburg, OR 97470-4954	Jacob A. Griffith (R) (503) 648-7383 Fax: (503) 648-0907 jake@karpstein-verhulst.com Karpstein & Verhulst PC 220 NE 3rd Ave Hillsboro, OR 97124-3119	Dean F. Gushwa (R) (541) 276-6458 Fax: (541) 276-1354 deangushwa@gmail.com www.deangushwa.com Attorney at Law 412 SE Dorion PO Box 1027 Pendleton, OR 97801-1027
Shanon Gray (R) (503) 957-9699 shanon@graylaw.org www.sgandasociates.com Gray Law Criminal Defense 644 N State St Lake Oswego, OR 97034	Noel Grefenson (R) (503) 371-1700 Fax: (503) 375-4214 ngrefenson@aol.com Noel Grefenson PC 1415 Liberty St SE Salem, OR 97302-4343	Lee Griffith (R) (503) 480-0521 Fax: (503) 480-0522 lgriffith@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	John E. Gutbezahl (R) (503) 594-1919 Fax: (503) 431-2441 gutbezahl@me.com www.gutbezahl.com John E Gutbezahl LLC 5 Centerpointe Dr Ste 250 Lake Oswego, OR 97035-8652
Thomas J. Gray (R) (541) 276-0244 Fax: (541) 278-0529 tomgrayesquire@hotmail.com Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Tracy L. Gregg (R) (503) 585-0700 Fax: (503) 585-9181 tracy@salemlegalgroup.com www.salemlegalgroup.com Tracy L Gregg PC 2659 Commercial St Ste 228 PO Box 2780 Salem, OR 97308-2780	Sandra Grizzle (R) (210) 621-7924 skgrizzle@hotmail.com Attorney Sandra Grizzle 61342 Orion Dr Bend, OR 97702-2452	Martin C. Habekost (R) (503) 378-0405 Fax: (503) 399-0867 martin@habekost-foster.com www.habekost-foster.com Martin C Habekost PC 344 Norway St NE PO Box 725 Salem, OR 97308-0725
Guy B. Greco (R) (541) 265-2801 Fax: (541) 265-8106 greco@pioneer.net Law Office of Guy Greco 111 SE Douglas St Ste C PO Box 1070 Newport, OR 97365-0081	James R. Gregory (R) (503) 267-5826 jamesrgregory@comcast.net Attorney at Law 4025 SE King Rd Portland, OR 97222-5891	David E. Groom (R) (971) 275-6342 grmdvd@yahoo.com Attorney at Law 5305 SW Nevada Ct Portland, OR 97219-1390	Louis J. Grossman (R) (541) 296-1106 Fax: (541) 296-4654 louisglaw@yahoo.com VanValkenburgh & Associates PC 204 E 4th St The Dalles, OR 97058-2206
Andy Green (R) (503) 471-1385 Fax: (503) 471-1386 andy@andygreenlaw.com www.andygreenlaw.com Attorney at Law 121 SW Salmon St Ste 1100 Portland, OR 97204-2921	Shari R. Gregory (R) (503) 226-1057, ext. 14 Fax: (503) 226-7158 sharig@oaap.org www.oaap.org Oregon Attorney Assistance Program Assistant Director 520 SW Yamhill St Ste 1050 Portland, OR 97204-1300	Julia M. Hagan (R) (503) 227-1515 Fax: (503) 243-2038 jhagan@gevurtzmenashe.com Gevurtz Menashe et al 115 NW 1st Ave Ste 400 Portland, OR 97209-4024	Joseph S. Hagedorn (R) (503) 225-9100 Fax: (503) 295-0316 jhagedor@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411

Alphabetical Listing - H

Tricia Hahn (R) (541) 708-5305 Fax: (541) 482-4941 tricia@triciahahnlaw.com Law Office of Tricia D Hahn 21 S 2nd St Ashland, OR 97520-2818	John M. Halpern Jr. (L) (541) 484-4995 Fax: (541) 484-4996 johnhalpern@outlook.com Attorney at Law 130 S Park St Eugene, OR 97401-2931	S. Delaney Hanlon (R) (503) 588-3088 Fax: (503) 588-3480 delaney_hanlon@yahoo.com S. Delaney Hanlon PC 1250 Cannon St SE Salem, OR 97302-2855	Tiffany A. Harris (R) (503) 546-2927 Fax: (503) 546-2725 tiff@harrisdefense.com Attorney at Law 1420 World Trade Ctr 121 SW Salmon St Ste 1420 Portland, OR 97204-2924
Michael C. Haines (R) (503) 656-0841 Fax: (503) 650-0810 mike@beloofhaines.com www.beloofhaines.com Beloof & Haines LLP 10121 SE Sunnyside Rd Ste 110 Clackamas, OR 97015-5755	A. Alexander Hamalian (R) (503) 222-3641 Fax: (503) 274-7975 mistrial@rosecitylaw.com www.rosecitylaw.com Law Ofc of Alex Hamalian 4228 SE Powell Blvd Portland, OR 97206-3137	Thomas Hanrahan (R) (503) 821-7449 Fax: (503) 224-9417 tom@kshlawyers.com www.kshlawyers.com Kohlmetz Steen & Hanrahan PC 741 SW Lincoln St Portland, OR 97201-3178	Larry S. Hart PhD, ABPP, FAACP (N) (503) 380-3777 Fax: (503) 350-2816 hartpdx@earthlink.net Affiliated Psychological Associates, Inc PO Box 219127 Portland, OR 97225-9127
Eric J. Hale (R) (503) 224-1212 Fax: (503) 224-6278 ericjhale@comcast.net Hale & Kelly, LLP 1318 SW 12th Ave Portland, OR 97201-3367	Carole M. Hamilton (R) (541) 267-2472 Fax: (541) 267-6853 caroleh@swopds.org SWOPDs, Inc. 465 Elrod Ave Coos Bay, OR 97420-1532	Chris Hansen (L) (541) 484-2611, ext. 104 Fax: (541) 484-5068 hansen@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Grant Hartley (R) (608) 320-4538 hartley.grant@gmail.com Attorney at Law 7852 SE 68th Ave Portland, OR 97206-8053
David M. Hall (R) (541) 672-4693 Fax: (541) 672-4420 carpoforo.dave@gmail.com Law Offices of David Hall 1228 SE Douglas Ave Roseburg, OR 97470-4346	Cynthia S. Hamilton (N) (503) 326-2123 Fax: (503) 326-5524 cynthia_hamilton@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225	Lisa M. Harmening (N) (480) 748-4964 lmharmenin@aol.com Mitigation Specialist/Investigator PO Box 13303 Chandler, AZ 85248-0039	Fredrick R. Hass (L) (503) 387-3768 hass3346@comcast.net Attorney at Law 1550 SE Lava Dr Apt 3 Milwaukie, OR 97222-7446
Risa L. Hall (R) (541) 664-7785 Fax: (541) 664-8008 Risa@esquirehall.com Attorney at Law 44 S 1st St Central Point, OR 97502-2201	John A. Hamilton (R) (541) 779-5636 Fax: (541) 772-6222 john@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Amanda Harmon (R) (503) 480-0521 Fax: (503) 480-0522 aharmon@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Lynn Haxton (R) (503) 232-2540, ext. 241 Fax: (503) 231-4767 lynn.h@youthrightsjustice.org Youth, Rights & Justice, Atrys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800
James F. Halley (R) (503) 295-0301 Fax: (503) 228-6551 jimhalley@halleylaw.com www.halleylaw.com Attorney at Law Stowbridge Bldg, 2nd Flr. 735 SW 1st Ave Portland, OR 97204-3326	Robert O. Hamilton (R) (503) 707-5227 hamilrob@gmail.com Attorney at Law 6594 SW Firlock Way Apt 1 Portland, OR 97223-7959	Jennifer L. Harrington (R) (503) 726-7900 Fax: (503) 726-4950 jharring@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Lisa Hay (R) (503) 326-2123 Fax: (503) 326-5524 lisa_hay@fd.org Asst. Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225
David J. Halloran (N) (503) 583-7903 dhalloran@pcez.com Investigator 11124 NE Halsey St #490 Portland, OR 97220-2021	Joseph Hampton (A) (541) 957-5344 Fax: (541) 673-2748 jhampto@uoregon.edu Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Robert J. Harris (R) (503) 648-4777 Fax: (503) 648-0989 rharris@harrislawsite.com Harris Law Firm PC 165 SE 26th Ave Hillsboro, OR 97123-7024	Erica Hayne (A) (505) 429-2806 erica hayne@lclark.edu 7929 N Willamette Blvd Portland, OR 97203-4952
	Janell Hamrick (N) (541) 318-7056 Fax: (541) 388-8170 bagcoord@gmail.com Bend Attorney Group 327 NW Greenwood Ave Ste 303 Bend, OR 97701-1946	Roger K. Harris (N) (503) 266-8978 myfriendroger@aol.com R.K. Harris Investigations PO Box 357 Canby, OR 97013-0357	Sarah M. Hays (R) (541) 882-6331 Fax: (541) 883-8494 sarah_hays@parksandratliff.com Parks & Ratliff PC 620 Main St Klamath Falls, OR 97601-6008

Alphabetical Listing - H

Gregory J. Hazarabedian (L) (541) 484-2611, ext. 101 Fax: (541) 484-5068 greghaz@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Lori A. G. Hellis (R) (541) 312-8864 Fax: (541) 312-4473 lhlaw@bendlbroadband.com Bend Attorney Group Lori A G Hellis PC 990 NW Brooks St Ste 1 Bend, OR 97701-2033	Tara J. Herivel (R) (503) 893-5525 Fax: (503) 828-9055 tara@heriveldefense.com Attorney at Law 811 SW Naito Parkway Ste 420 Portland, OR 97204-3334	Thomas A. Hill (R) (541) 647-1496 Fax: (541) 647-6779 mail@thomashill.attorney Law Office of Thomas A. Hill, PC 327 NW Greenwood Ave Ste 303 Bend, OR 97701-1946
Kyra Hazilla (R) (503) 226-1057, ext. 13 Fax: (503) 226-7158 kyrah@oaap.org www.oaap.org Oregon Attorney Assistance Program 520 SW Yamhill St Ste 1050 Portland, OR 97204-1300	Samantha Hellwig (A) (206) 446-1780 shellwig@willamette.edu 1979 Linwood St NW Apt 243 Salem, OR 97304-2181	Josie A. Hermann (N) (541) 523-2565 Fax: (541) 523-9145 hermannfj@msn.com J. Hermann Investigations PO Box 1072 Baker City, OR 97814-1072	Elizabeth Hilliard (A) (703) 346-1809 lhilliard@lclark.edu 7722 SW 45th Ave Apt 15 Portland, OR 97219-1588
Tricia D. Hedin (N) (541) 484-2611, ext. 102 Fax: (541) 484-5068 tricia@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Mark Hendershott (R) (541) 459-9501 Fax: (541) 459-9878 crimlaw@jeffnet.org Attorney at Law 251 N Umpqua PO Box P Sutherlin, OR 97479-1916	Marisa Herrera (N) (541) 484-2611, ext. 167 Fax: (541) 484-5068 mherrera@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	John H. Hingson III (L) (503) 656-0355 Fax: (503) 656-0415 johnh@hingson.com Attorney at Law 409 Center St PO Box 1448 Oregon City, OR 97045-0448
Jeffrey D. Hedlund (R) (541) 947-3355 Fax: (541) 947-4879 jhedlund@lakevieworegonlaw.com Klamath Defender Services Bogardus & Hedlund PC 35 G St South Lakeview, OR 97630-1897	James D. Hennings (S) (503) 635-2907 hennings@easystreet.net Attorney at Law 10232 SW Terwilliger Portland, OR 97219-7703	Mark A. Heslinga (R) (541) 928-9975 Fax: (541) 928-0388 heslingalaw@gmail.com Heslinga Law Office, PC 430 Washington St SW Albany, OR 97321-0582	Daniel M. Hinrichs (R) (541) 267-0229 Fax: (541) 267-0154 d.hinrichs@yahoo.com Attorney at Law 590 Commercial Ave Coos Bay, OR 97420-1808
Stephen Hedlund (R) (541) 883-3460 sheldlund@charter.net Klamath Defender Services Hedlund & Hedlund 303 Pine St Ste 201 Klamath Falls, OR 97601-6365	Erica Herb (R) (503) 378-3349 Fax: (503) 378-2163 erica.herb@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Jason Hess (N) (503) 930-5725 jason.f.hess@gmail.com NW Premier Investigations LLC PO Box 20471 Keizer, OR 97307-0471	Margaret Hix (N) (213) 999-3126 mhix75@gmail.com 4265 NE Halsey St Apt 715 Portland, OR 97213-1562
Valerie Beth Hedrick (R) (541) 205-5501 Fax: (541) 205-5503 valerie@hedricklawoffice.com Klamath Defender Services Law Ofc of Valerie Hedrick PC 533 Main St Klamath Falls, OR 97601-6031	Christine K. Herbert (R) (541) 779-2006 Fax: (541) 608-6888 christine@christineherbert.com www.christineherbert.com Attorney at Law 219 S Holly St Medford, OR 97501-3150	Kent L. Hickam (R) (541) 928-9304 Fax: (541) 924-6810 hicklaw@comcast.net Kent Hickam PC 250 Broadalbin St SW Ste 210 PO Box 1041 Albany, OR 97321-0399	Rush M. Hoag II (L) (541) 484-2611, ext. 111 Fax: (541) 484-5068 hoag@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518
Ron M. Hellewell (R) (503) 399-7430 Fax: (503) 399-0545 rhellewell@aol.com Attorney at Law 1596 Liberty St SE Salem, OR 97302-4346	Alicia Hercher (R) (503) 367-0300 Fax: (866) 217-2736 alicia.hercher@comcast.net Law Ofc of Alicia Hercher 1020 SW Taylor St Ste 230 Portland, OR 97205-2555	David A. Hill (S) (541) 683-4808 Fax: (541) 345-1029 dhill@callatg.com www.davidahilllaw.com Attorney at Law 1147 High St Eugene, OR 97401-3206	V. David Hocraffer (R) (206) 263-2163 Fax: (206) 296-0587 david.hocraffer@kingcounty.gov King Co Dept Public Defense, Legal A Chinook Bldg 401 5th Ave Ste 213 Seattle, WA 98104-2378
	Jonathan C. Heritage (A) (541) 957-5344 Fax: (541) 673-2748 heritage@uoregon.edu Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933		Ronald H. Hoevet (S) (503) 228-0497 Fax: (503) 228-7112 rhoevet@hoevet-boise.com Hoevet Boise Olson Howes PC 1000 SW Broadway Ste 1500 Portland, OR 97205-3081

Alphabetical Listing - H

Victor J. Hoffer (L) (503) 845-6650 Fax: (503) 845-6677 vichoffer2@gmail.com Attorney at Law 240 N Garfield St PO Box 213 Mt. Angel, OR 97362-0213	Stephanie Hortsch (R) (503) 378-2308 Fax: (503) 378-2163 stephanie.j.hortsch@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Erin Howell (N) (503) 730-1671 erinhowellpi@gmail.com E Howell Investigation LLC 3519 NE 15th Ave #164 Portland, OR 97212-2356	David Huckins (N) (541) 957-5344 Fax: (541) 673-2748 dave.huckins@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933
Janet L. Hoffman (R) (503) 222-1125 Fax: (503) 222-7589 janet@jhoffman.com www.hoffmanangeli.com Janet Hoffman & Associates 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	Barry R. Hostetler (N) (541) 472-0312 bhandsf@gmail.com Capital Investigation & Mitigation PO Box 901 Grants Pass, OR 97528-0076	Scott B. Howell (R) (503) 623-0529 Fax: (503) 623-0533 howelllegal@yahoo.com Howell Law PC 289 E Ellendale Ste 604 PO Box 449 Dallas, OR 97338-0449	James Hudson (N) (360) 263-1043 Fax: (360) 263-1012 jameshudson@tds.net Pacific Mitigation Specialists LLC PO Box 739 La Center, WA 98629-0739
Brian E. Holmes (N) (503) 806-4222 holmeslaw6@aol.com Holmes Investigations 690 Rotan Ave Meridian, ID 83642-5458	Jacob G. Houze (R) (503) 225-9100 Fax: (503) 295-0316 jhouze@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Tracey Rae Howell (R) (541) 779-5636 Fax: (541) 772-6222 tracey@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Robert L. Huggins Jr. (R) (503) 473-8958 Fax: (503) 244-2084 bob@scotthugginslaw.com Scott & Huggins 1549 SE Ladd Ave Portland, OR 97214-4700
Robert C. Homan (L) (541) 484-2611, ext. 125 Fax: (541) 484-5068 homan@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Stephen A. Houze (R) (503) 299-6426 Fax: (503) 299-6428 stephen@shouze.com Attorney at Law 1240 Pacwest Center 1211 SW 5th Ave Ste 1240 Portland, OR 97204-3711	William H. Howell (R) (541) 296-1212 Fax: (541) 296-9382 billyhowell86@gmail.com Attorney at Law 106 E 4th St PO Box 1757 The Dalles, OR 97058-8007	Michael R. Hughes (R) (541) 408-9884 Fax: (541) 408-9894 mrhughes@mrhugheslaw.com Hughes Law/The Hughes Companies 1133 NW Wall St Ste 202 Bend, OR 97701-1966
Paul Hood (R) (503) 222-1125 Fax: (503) 222-7589 paul@jhoffman.com Janet Hoffman & Associates 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	Christopher W. Howard (R) (503) 225-9100 Fax: (503) 295-0316 choward@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Ronald D. Howen (R) (541) 947-4752 Fax: (541) 947-5689 ronhowen@centurytel.net Klamath Defender Services 100 North D Street #123 PO Box 1398 Lakeview, OR 97630-0054	Richard J. Hulteng Ph.D. (R) (503) 223-3127 Fax: (503) 248-6385 richardhulteng@gmail.com Attorney at Law 5441 SW Macadam Ave Ste 104 Portland, OR 97239-3821
DeAnna M. Horne (R) (503) 225-9100 Fax: (503) 295-0316 dhorne@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Katie Howard (N) (541) 913-3090 khowardpi@hotmail.com Northwest Investigations PO Box 23551 Eugene, OR 97402-0429	Celia A. Howes (S) (503) 228-0497 Fax: (503) 228-7112 chowes@hoevet-boise.com Hoevet Boise Olson Howes PC 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	J. Kevin Hunt (L) (503) 650-7782 Fax: (503) 655-8900 jkhesq@comcast.net Attorney at Law 1145 Sunny Ln Oregon City, OR 97045-3842
Noah A. Horst MPH (R) (971) 229-1241 Fax: (971) 544-7092 noah@lmhlegal.com http://www.lmhlegal.com/ Levi Merrithew Horst PC 610 SW Alder St Ste 415 Portland, OR 97205-3605	Mike A. Howard (N) (541) 663-1392 4nsic1@eoni.com Michael A Howard Forensic Analysis 1501 Cedar St La Grande, OR 97850-1425	Michael Hsu (R) (503) 225-9100 Fax: (503) 726-4950 mhsu@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Terrance C. Hunt (R) (503) 296-9647 Fax: (503) 646-2227 terry@nwdefenselaw.com Terrance C Hunt Attorney PC 4500 SW Hall Blvd Fl 2 Beaverton, OR 97005-0504
	Justin Howe (R) (602) 448-9454 justin@jhowelaw.com www.jhowelaw.com The Howe Law Firm 1327 SE Tacoma St #214 Portland, OR 97202-6639		Jordon Huppert (R) (541) 357-7109 Jordon@huppertlawoffice.com www.huppertlawoffice.com Huppert Law Office LLC 101 E 14th Ave Eugene, OR 97401-3517

Alphabetical Listing - H

Richard Hursey (N) (541) 345-0199 Fax: (541) 683-0889 richhursty@gmail.com Hursey Investigations LLC 1257 High St Ste 2 Eugene, OR 97401-3279	Megan L. Jacquot (R) (541) 267-2214 Fax: (541) 267-4764 meganjacquot@hotmail.com Attorney at Law 455 S 4th St Ste 1 Coos Bay, OR 97420-1546	D. Aaron Jeffers (R) (503) 480-0521 ajeffers@pdmarion.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Robin A. Jones (R) (503) 378-2271 Fax: (503) 375-9701 robin.jones@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
Conor T. Huseby (R) (503) 225-9100 Fax: (503) 295-0316 conorhuseby@gmail.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	James C. Jagger (R) (541) 343-1257 Fax: (541) 343-7185 jaggerpc@aol.com www.jaggerlaweugene.com James C. Jagger PC 541 Willamette St Ste 314 Eugene, OR 97401-2692	Eric R. Johansen (R) (503) 378-5818 Fax: (503) 375-9701 eric.r.johansen@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Susan E. Jordan (R) (541) 342-8110 Fax: (541) 683-9240 susanjordan.attorney@gmail.com Lane Juvenile Lawyers Assn Jordan Law PC 74 E 18th Ave Ste 14 Eugene, OR 97401-4081
Julia Hyde (R) (503) 480-0521 Fax: (503) 480-0522 jhyde@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Bronson D. James (R) (503) 943-6876 bj@bronsonjames.com www.bronsonjames.com Bronson James LLC 917 SW Oak St Ste 219 Portland, OR 97205-2805	Andrew D. Johnson (R) (541) 673-4466 Fax: (541) 957-8901 ljasna@msn.com Andrew D Johnson PC 840 SE Rose St Roseburg, OR 97470-3942	Jacqueline A. Joseph BFDE (N) (800) 698-8954 info@jjhandwriting.com www.jjhandwriting.com Handwriting Examiner Board Certified 921 SW Washington St Ste 708 Portland, OR 97205-2827
Christine L. Inglis (N) (503) 366-7131 cipihome@msn.com Investigation & Mitigation Services, Inc PO Box 1443 Scappoose, OR 97056-1443	Andrea M. Janney (R) (541) 884-0333 Fax: (541) 884-0959 andreajanney@fireserve.net Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031	Jeff R. Johnson (R) (541) 345-9129 johnsonagate@aol.com Attorney at Law PO Box 10754 Eugene, OR 97440-2754	Jared Brandon Justice (R) (503) 722-3981 Fax: (503) 656-0415 jaredjustice@me.com www.jaredjustice.com Jared Justice, Attorney at Law, P.C. 409 Center St Oregon City, OR 97045-2211
Temojai Inhofe (R) (503) 224-4825 Fax: (503) 228-7924 twi@bmlaw.net Brindle McCaslin & Lee PC 101 SW Main St Ste 950 Portland, OR 97124-3217	Patricia Jaqua (N) (541) 485-0416 Fax: (541) 485-1176 jaquapo@yahoo.com Mitigation & Investigation 541 Willamette St Ste 411 Eugene, OR 97401-2612	Jennelle Johnson (R) (503) 693-7505 Fax: (503) 693-7204 jennelle@myfamilyfirm.com Ridehalgh & Associates LLC 233 E Main St Ste 200 Hillsboro, OR 97123-4066	Chris Kaber (N) (541) 331-4992 chriskaber@gmail.com Chris Kaber Polygraph Svcs & Investigations 4845 Sunset Ridge Rd Klamath Falls, OR 97601-9310
Rick Inokuchi (R) (541) 267-4198 Fax: (541) 269-5294 rinokuchi@earthlink.net Attorney at Law 895 Commercial Ave Coos Bay, OR 97420-1765	Matthew Jarvis (R) (503) 623-6676 Fax: (503) 623-8339 cllpca@aol.com www.lillegardlaw.com Chris L. Lillegard PC 236 SW Mill St Dallas, OR 97338-3114	M. Westbrook Johnson (R) (503) 226-3083 Fax: (503) 226-0107 wjohnson@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Katherine Kahl (R) (503) 480-0521 Fax: (503) 480-0522 kkahl@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496
Susan D. Isaacs (R) (503) 646-4200 Fax: (503) 672-7185 law@sisaacs.com Attorney at Law 4915 SW Griffith Dr #105 Beaverton, OR 97005-2933	Brett C. Jaspers (R) (541) 752-0488 Fax: (541) 757-3538 brettjaspers@hotmail.com Brett Jaspers Atty at Law PC 129 NW 4th St Ste 205 Corvallis, OR 97330-4771	Rankin Johnson IV (R) (503) 307-9560 Fax: (503) 227-2477 rankin@briefwright.com www.briefwright.com Law Ofc of Rankin Johnson IV LLC 208 SW 1st Ave Ste 220 Portland, OR 97204-3514	Jasmin Afarin Kahn (R) (315) 276-5710 jasminaafarin@yahoo.com Attorney at Law PO Box 11852 Portland, OR 97211-0852
Steven Jacobson (L) (503) 819-2362 sjakeor@yahoo.com Attorney at Law 4327 SW Tunnelwood St Portland, OR 97221-3748		Jeffrey M. Jones (R) (503) 588-2687 Fax: (503) 588-9535 jeff@jeffreymjonespc.com Jeffrey M Jones PC 1840 W Nob Hill St SE PO Box 3922 Salem, OR 97302-0922	Kris A. Kaino (R) (503) 325-5157 Fax: (503) 325-1103 kris.kaino@gmail.com Kristopher A. Kaino PC PO Box 294 Astoria, OR 97103-0294

Alphabetical Listing - K

Robert Kaiser (R) (541) 484-2611, ext. 155 Fax: (541) 484-5068 rkaiser@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Alan W. Karpinski (R) (503) 721-0140 Fax: (503) 220-1913 akarpinski@karpinskilaw.com Law Ofc of Alan W Karpinski PC 621 SW Alder St Ste 621 Portland, OR 97205-3621	Carter Kerns (L) (541) 379-3124 Fax: (541) 276-3268 carterkerns@yahoo.com Carter Kerns Investigations 203 S Main St Pendleton, OR 97801-2243	Ken A. Kissir (R) (503) 667-6114 Fax: (503) 661-3155 ken@kissir.com www.kissir.com Attorney at Law PO Box 594 Gresham, OR 97030-1094
Reid K. Kajikawa (R) (541) 389-7723 Fax: (541) 383-7177 reidk@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Gregory A. Karpstein (R) (503) 648-7383 Fax: (503) 648-0907 greg@karpstein-verhulst.com Karpstein & Verhulst PC 220 NE 3rd Ave Hillsboro, OR 97124-3119	Douglas P. Killian (R) (503) 726-7900 Fax: (503) 726-4950 dkillian@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Gary K. Kiyuna (R) (541) 372-2268 Fax: (541) 372-2848 nyssalaw@fmltc.com Stunz, Fonda, Kiyuna & Horton, LLP 106 Main St PO Box 1565 Nyssa, OR 97913-0065
Bradley Kalbaugh (R) (503) 226-3083 Fax: (503) 226-0107 bkalbaugh@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Samuel C. Kauffman (R) (503) 224-2595 Fax: (503) 224-3203 sam@kauffmankilberg.com www.kauffmankilberg.com Kauffman Kilberg LLC 1001 SW 5th Ave Ste 1414 Portland, OR 97204-1130	Teena Killian (R) (541) 505-9379 tmkillian@msn.com Attorney at Law 2863 Lord Byron Pl Eugene, OR 97408-4636	Robert G. Klahn (R) (541) 276-2560 Fax: (541) 278-1767 rklahn@360comm.net Attorney at Law 125 SE Court Ave Ste 5 Pendleton, OR 97801-2251
Audra Kaleta (R) (503) 226-3083 Fax: (503) 226-0107 akaleta@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Oliver Kaufman (R) (971) 221-1128 oliverkaufman27@gmail.com Attorney at Law 1314 NW 24th Ave Portland, OR 97210-2604	Benjamin Kim (R) (503) 344-6251 Fax: (503) 344-6253 benkimlaw@me.com www.benkimlaw.com Law Office of Benjamin Kim 294 Warner Milne Rd Oregon City, OR 97045-4288	Allison Knight (R) (541) 957-5344 Fax: (541) 673-2748 allison.knight@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933
Jessica Owen Kampfe (R) (503) 480-0521 Fax: (503) 482-0522 jkampfe@pdmarion.org Public Defender of Marion Co., Inc. 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Cynthia Kaufman Noble (R) (503) 472-5297 Fax: (503) 472-9850 cynthia@noblelawfirm.net Noble Law Firm LLC 414 NE Galloway St McMinnville, OR 97128	John H. Kim (R) (541) 689-3066 Fax: (541) 485-7182 johnhkimp@gmail.com www.johnkimattorney.com Lane Juvenile Lawyers Assn John H Kim PC 856 Olive St Ste 103	Gary Knowles (N) (541) 890-3334 gaknowles1@gmail.com IWitness-Forensic LLC 2101 Knowles Rd Medford, OR 97501-8501
Mary Kane (R) (503) 232-2540, ext. 232 Fax: (503) 231-4767 mary.k@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Lisa Ann Kay (R) (503) 232-2540, ext. 251 Fax: (503) 231-4767 lisa.k@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Jennifer F. Kimble (R) (541) 475-4500 Fax: (541) 475-0137 jenniferfkimble@aol.com Attorney at Law 35 SE C St Ste A Madras, OR 97741-1417	William C. Knox III (R) (503) 335-3800 Fax: (503) 786-3885 bill@007law.com www.007law.com Oliveros Law Group PC 9200 SE Sunnybrook Blvd Ste 150 Clackamas, OR 97015-5766
Amit Kapoor (R) (541) 484-2611 Fax: (541) 484-5068 akapoor@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Kristina Kayl (R) (541) 265-2801 kkayl@peak.org Law Office of Guy Greco 111 SE Douglas St Ste C PO Box 1070 Newport, OR 97365-3718	Mark Kimbrell (A) (503) 225-9100 markkimbrell@clark.edu 1534 N Ainsworth St Portland, OR 97217-4706	Charles G. Kochlacs (L) (541) 608-9122 Fax: (541) 779-0705 charleskochlacs@gmail.com www.charleskochlacs.com Attorney at Law 3235 Hillcrest Park Dr Ste 106 Medford, OR 97504-7691
Gabrielle E. Karl (R) (513) 218-8945 gabrielle.e.karl@gmail.com Attorney at Law 1575 19th St NE Salem, OR 97301-7931	Linda Kendrick (A) (503) 480-0521 Fax: (503) 480-0522 lkendric@willamette.edu Public Defender of Marion Co., Inc. 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Vicki Kipp (N) (541) 389-7723 Fax: (541) 383-7177 vicki@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	

Alphabetical Listing - K

Daniel H. Koenig (R) (541) 913-7599 Fax: (541) 895-2872 dkoffice48@yahoo.com Attorney at Law PO Box 186 Creswell, OR 97426-0186	Andrew L. Kraushaar (R) (541) 484-1066 Fax: (541) 344-4151 kraushaarlaw@gmail.com Andrew L Kraushaar Atty at Law LLC 804 Pearl St Eugene, OR 97401-2727	Wendy Kunkel (N) (503) 326-2123 Fax: (503) 326-5524 wendy_kunkel@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225	Amy Lammers (R) (541) 296-9601 Fax: (541) 296-9601 lammerslegal@gmail.com Morris Smith Starns & Sullivan PC 414 Washington St Ste 3 The Dalles, OR 97058-2216
Andrew M. Kohlmetz (R) (503) 821-7449 Fax: (503) 224-9417 andy@kshlawyers.com www.kshlawyers.com Kohlmetz Steen & Hanrahan PC 741 SW Lincoln St Portland, OR 97201-3178	Kenneth A. Kreuscher (R) (503) 228-1889 Fax: (503) 223-4518 kennethkreuscher@gmail.com www.portlandlawcollective.com Portland Law Collective 1130 SW Morrison St Ste 407 Portland, OR 97205-2215	Gayle Kverland (R) (503) 274-9566 Fax: (503) 274-9588 gaylek@teleport.com Attorney at Law 520 SW 6th Ave Ste 1108 Portland, OR 97204-1514	Stacey L. Lamont (R) (503) 693-7505 Fax: (503) 693-7204 stacey@myfamilyfirm.com www.myfamilyfirm.com Ridehalgh & Associates LLC 233 E Main St Ste 200 Hillsboro, OR 97123-4066
John J. Kolego (N) (541) 484-1066 Fax: (541) 344-4151 johnkolego@yahoo.com 804 Pearl St Eugene, OR 97401-2727	Kyle Krohn (R) (503) 378-3349 kyle.krohn@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Margaret Laffan (A) (503) 225-9100 Fax: (503) 295-0316 mlaffan@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Kathy R. Lamoreaux (N) (541) 296-9601 Fax: (541) 296-8269 klamoreaux@gorge.net Morris Smith Starns & Sullivan PC 414 Washington St Ste 3 The Dalles, OR 97058-2216
Shawn A. Kollie (R) (503) 747-7198 Fax: (503) 747-2951 shawn@shortlawgroup.com www.shortlawgroup.com Short Law Group PC 12755 SW 69th Ave Ste 200 Portland, OR 97223-8373	Edward A. Kroll (R) (971) 205-3266 Fax: (503) 926-9332 ekroll.law@gmail.com www.portlandcriminallawfirm.com Kroll & Johnson PC 6125 NE Cornell Rd Ste 360 Hillsboro, OR 97124-5412	Terry Lahman (N) (425) 200-4271 Fax: (425) 996-3073 terry@eforensicspro.com www.eforensicspro.com eForensicsPro 7829 Center Blvd SE Ste 214 Snoqualmie, WA 98065-9096	Brenda Lancaster (N) (541) 884-0333 Fax: (541) 884-0959 blancaster@fireserve.net Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031
Casey Kovacic (R) (503) 225-9100 Fax: (503) 295-0316 ckovacic@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Daniel R. Kruse (R) (541) 870-0605 Fax: (541) 484-4996 dkruse@cascwild.org Attorney at Law 130 S Park St Eugene, OR 97401-2931	Sarah Laidlaw (R) (503) 378-8399 Fax: (541) 278-0529 sarah.laidlaw@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Lissa Landau (R) (541) 338-9111 Fax: (541) 338-9101 lissa@arnoldlawfirm.com Arnold Law Office LLC 401 E 10th Ave Ste 400 Eugene, OR 97401-2940
Edward J. Kraft (N) (503) 375-6315 Fax: (503) 587-9812 ed@kraftinvestigations.com Kraft Investigations 190 Wilson St S Salem, OR 97302-4233	Paul H. Kuebrich (L) (541) 926-4417 Fax: (541) 967-8721 paulkuebrich@qwestoffice.net Attorney at Law 135 5th Ave SW PO Box 1557 Albany, OR 97321-0466	Bonnie Lam (R) (541) 850-5966 Fax: (541) 850-5246 fbhclam@hotmail.com Klamath Defender Services Lam & Richard PC 111 N 7th St Klamath Falls, OR 97601-6003	Danny R. Lang (R) (541) 459-9898 Fax: (541) 459-1230 attorneylang@paccomm.net Attorney at Law 140 South State Sutherlin, OR 97479-9566
Steven L. Krasik (L) (503) 362-4442 Fax: (877) 772-5372 Krasik@TelePort.com Attorney at Law 341 State St Salem, OR 97301-3534	D. Lady Kuenzi (N) (503) 871-6044 dk.pi@hotmail.com 476 W D St Springfield, OR 97477-3864	John B. Lamborn (R) (541) 573-2066 Fax: (541) 573-2068 jblamborn@gmail.com John B Lamborn Atty at Law PC 191 West A St Burns, OR 97720-1502	James D. Lang (S) (503) 227-4533 Fax: (503) 274-8575 jim@pdslaw.com Attorney at Law 621 SW Morrison St Ste 1025 Portland, OR 97205-3813
	David B. Kuhns (R) (503) 588-3088 Fax: (503) 588-3480 davidbkuhns@comcast.net Attorney at Law 1250 Cannon St SE Salem, OR 97302-2855		

Alphabetical Listing - L

Mark J Lang (R) (503) 325-2884 Fax: (503) 567-7665 mark@mlanglaw.com www.mlanglaw.com Mark J. Lang, Attorney at Law PO Box 1611 St. Helens, OR 97051-0936	Neil F. Lathen (L) (503) 581-2421 Fax: (503) 588-7179 nlathen@slamlaw.com www.slamlaw.com Swanson Lathen Alexander et al 3040 Commercial St SE Ste 200 Salem, OR 97302-4570	Eric C. Lee (R) (503) 225-9100 Fax: (503) 295-0316 elec@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	James E. Leuenberger (R) (503) 679-8473 Fax: (503) 210-7290 jim@fights4rights.com www.fights4rights.com Attorney at Law 5200 SW Meadows Rd Suite 150 PO Box 1684 Lake Oswego, OR 97035-1684
Angie LaNier (L) (541) 770-7407 Fax: (541) 734-4942 angielanierlaw@gmail.com Attorney at Law 2 North Oakdale PO Box 156 Medford, OR 97501-0156	David Lauer (A) (617) 646-9168 evaddivad@gmail.com 3615 SW Dosch Ct Portland, OR 97221-4135	Rosalind Manson Lee (S) (541) 485-5110 Fax: (541) 683-3149 ros@mansonlee.com Rosalind Manson Lee LLC 245 E 4th Ave Eugene, OR 97401-2429	Jacqueline Leung (A) (503) 480-0521 Fax: (503) 480-0522 jleung@willamette.edu Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496
Ernest G. Lannet (R) (503) 378-3479 Fax: (503) 375-9701 ernest.lannet@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Kareen L. LaValley (R) (541) 957-5344 Fax: (541) 673-2748 KLaValley@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Angela T. Lee-Mandlin (R) (541) 678-5614 Fax: (541) 633-7383 angela@angelaleelaw.com The Law Office of Angela Lee 360 NW Vermont Place Ste 100 Bend, OR 97701-1933	Elizabeth Levi (R) (971) 229-1241 Fax: (971) 544-7092 elizabeth@lmhlegal.com www.lmhlegal.com Levi Merrithew Horst LLP 610 SW Alder St Ste 415 Portland, OR 97205-3605
Randall R. Lapp (N) (503) 357-6548 Fax: (503) 357-0531 randy@lappinvestigations.com Lapp Investigations, Inc PO Box 245 Forest Grove, OR 97116-0245	Kathryn Lavenne (N) (503) 928-2377 lavenne@investigationspdx.com Investigator 8316 N Lombard St #309 Portland, OR 97203-3727	Eric A. Lentz (R) (503) 222-3641 Fax: (503) 274-7975 eric@rosecitylaw.com Law Ofc of Alex Hamalian 4228 SE Powell Blvd Portland, OR 97206-3137	Ethan Levi (R) (971) 229-1241 Fax: (503) 726-4950 ethan@lmhlegal.com Levi Merrithew Horst LLP 610 SW Alder St Ste 415 Portland, OR 97205-3605
Rita Lapp (N) (503) 357-6548 Fax: (503) 357-0531 rita@lappinvestigations.com Lapp Investigations, Inc PO Box 245 Forest Grove, OR 97116-0245	Nathan Law (R) (503) 648-7383 Fax: (503) 648-0907 nathan@karpstein-verhulst.com Karpstein & Verhulst PC 220 NE 3rd Ave Hillsboro, OR 97124-3119	Kenneth Lerner (S) (503) 223-0442 Fax: (503) 223-3151 ken@klerner.com Attorney at Law 3439 NE Sandy Blvd #286 Portland, OR 97232-1959	Michael R. Levine (R) (503) 546-3927 Fax: (503) 224-3203 michael@levinemchenry.com Levine & McHenry LLC 1001 SW 5th Ave Ste 1414 Portland, OR 97204-1130
Christopher A. Larsen (R) (503) 223-7770 Fax: (503) 227-2530 chris@pickettduffy.com Pickett Dummigan LLP 621 SW Morrison St Ste 900 Portland, OR 97205-3823	Karen Lawless (N) (503) 880-5227 Fax: (866) 299-5008 kll@forensicedge.com Forensic Edge PO Box 350 Forest Grove, OR 97116-0350	David N. Lesh (R) (503) 389-0610 Fax: (503) 296-2935 info@davidlesh.net www.davidlesh.net Attorney at Law 434 NW 19th Ave Portland, OR 97209-2004	Paul E. Levy (R) (503) 378-2486 Fax: (503) 378-4462 Paul.Levy@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
Alisa Larson-Xu (A) (503) 358-9804 alarsonxu@lclark.edu 1828 NE 1st Ave Portland, OR 97212-3953	Paula Lawrence (R) (503) 434-9066 Fax: (503) 435-1158 bross@onlinemac.com The Lawrence Law Firm 235 E 3rd St Ste 1 McMinnville, OR 97128-4829	Cindy Lester (N) (503) 933-4700 cindylester309@msn.com 7027 N Lancaster Ave Portland, OR 97217-5631	John Lewis (N) (503) 816-1225 Fax: (503) 200-1156 JLInvestigations@hotmail.com www.jlewisinvestigations.com John Lewis Investigations, LLC PO Box 42071 Portland, OR 97242-0071
	Lynette Lazenby (N) (503) 226-3083 Fax: (503) 226-0107 llazenby@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127		

Alphabetical Listing - L

Philip A. Lewis (S) (503) 226-3498 Fax: (503) 226-0455 kathy@phillewis.com Attorney at Law 210 SW Morrison St Ste 500 Portland, OR 97204-3149	Jennifer List (R) (503) 226-3083 Fax: (503) 226-0107 jlist@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Barbara Long (R) (503) 228-9858 Fax: (503) 228-9860 blong.law@gmail.com Law Ofc of Randall Vogt 1314 NW Irving St Ste 207 Portland, OR 97209-2722	Lisa J. Ludwig (R) (503) 223-5570 Fax: (503) 721-9050 lisa@ludwiglegaldefense.com Attorney at Law 811 SW Naito Pkwy Ste 500 Portland, OR 97204-3335
Bruce A. Liebowitz (R) (503) 295-2996 Fax: (503) 295-6344 bruce@liebowitzandassoc.com Liebowitz & Associates 522 SW 5th Ave Ste 1100 Portland, OR 97204-2128	Jill S. Littlejohn (R) (541) 389-7723 Fax: (541) 383-7177 jlittlejohn@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Kayla K. Long (R) (503) 842-6800 Fax: (503) 842-4755 klong@mcmintoshlong.com www.mcmintoshlong.com McIntosh & Long PC PO Box 790 Tillamook, OR 97141-0790	Courtney Lynch (A) (503) 225-9100 Fax: (503) 295-0316 clynch@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Anthony Liese (N) (503) 734-7592 tony.liese@gmail.com Deep Blue Investigations 4064 NE Mallory Ave Portland, OR 97212-1040	Thomas W. Lloyd (R) (541) 482-4810 Fax: (541) 482-9173 Attorney at Law 125 North 2nd PO Box 425 Ashland, OR 97520-0015	Morgan Long (R) (971) 266-3882 Fax: (971) 266-6938 morgan@morganlonglaw.com Law Offices of Morgan Long 4110 SE Hawthorne Blvd #241 Portland, OR 97214-5246	Mark W. Lyons (R) (503) 656-2505 Fax: (503) 656-2887 mrklyons@gmail.com Attorney at Law 219 7th St Oregon City, OR 97045-1804
Jon Lieuallen (R) (541) 938-3377 Fax: (541) 938-6112 jon@mgflegal.com Monahan, Grove & Tucker 105 North Main Milton Freewater, OR 97862-1846	Elizabeth Logsdon (R) (503) 325-2940 Fax: (855) 396-4050 elizabeth@lawastoria.com Attorney at Law 1378 Jerome Ave Astoria, OR 97103-3940	Michael J. Love (R) (541) 265-8877 mjlove@me.com Love Law Firm, LLC 206 Sea Crest Way Otter Rock, OR 97369-9762	Ingrid A. MacFarlane (R) (503) 378-5850 ingrid.a.macfarlane@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
Zachary W. Light (R) (541) 494-0355 Fax: (541) 494-0354 zachlightlaw@gmail.com www.zachlightlaw.com Zachary W Light PC 33 N Central Ave Ste 301 Medford, OR 97501-5939	Jesse Lohrke (R) (541) 357-6788 Fax: (541) 686-2137 jesse@lohrkelaw.com www.lohrkelaw.com Law Ofc of Jesse Lohrke LLC 795 W 7th Ave Eugene, OR 97402-5483	Gari Lynn Lovejoy (R) (541) 996-9111 garilovejoylawoffice@gmail.com Attorney at Law PO Box 411 Lincoln City, OR 97367-0411	Wayne Mackeson (R) (503) 224-2782 Fax: (503) 675-5384 waynemackeson@waynemackeson.com Wayne Mackeson PC Griffon May Bldg 696 McVey Ave Ste 203 Lake Oswego, OR 97034-4847
Chris L. Lillegard (R) (503) 623-6676 Fax: (503) 623-8339 cllpc@aol.com Chris L. Lillegard PC 236 SW Mill St Dallas, OR 97338-3114	Liz Lohrke (A) (541) 357-6788 liz.lohrke@gmail.com www.lohrkelaw.com Law Ofc of Jesse Lohrke LLC 795 W 7th Ave Eugene, OR 97402-5483	Stephen A. Lovejoy (R) (541) 994-8150 Fax: (541) 994-8150 stephenlovejoyattorney@gmail.com Attorney at Law 3132 NE Loop Dr Otis, OR 97368-9629	Thomas MacNair (R) (503) 225-9100 Fax: (503) 295-0316 tmacnair@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Greta Therese Lilly (R) (541) 779-5636 Fax: (541) 772-6222 greta@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Paul T. Loney (R) (503) 234-2694 Fax: (503) 234-1330 paultloney@gmail.com www.paultloneylaw.com The Law Offices of Paul Loney 3430 SE Belmont St Ste 101 Portland, OR 97214-4247	Stacey Lowe (R) (541) 267-2472 Fax: (541) 267-6853 staceyl@swopds.org SWOPDs, Inc. 465 Elrod Ave Coos Bay, OR 97420-1532	Wm. Jason Mahan (R) (541) 673-0171 Fax: (541) 673-2729 jmahan@armlaw.us Aller Robertson Mahan PC 223 SE Fowler St Roseburg, OR 97470-0210
Stephen A. Lipton (R) (503) 581-4832 Fax: (503) 581-2711 liptonlaw1@comcast.net Attorney at Law 161 High St SE Ste 242 Salem, OR 97301-3610		John Lucy IV (R) (503) 227-6000 Fax: (503) 227-4702 johnlucyiv@gmail.com Attorney at Law 2121 SW Broadway Ste 130 Portland, OR 97201-3180	

Alphabetical Listing - M

Mike R. Mahony (R) (541) 473-3141 Fax: (541) 473-2651 mahony@valclawyers.com Attorney at Law 280 A Street East PO Box 220 Vale, OR 97918-0200	Robert P. Manders (R) (541) 686-8677 Fax: (541) 686-2137 rpm_one@hotmail.com Attorney at Law 259 E 5th Ave Ste 200 Eugene, OR 97401-2677	Kate Marshall (N) (503) 326-2123 Fax: (503) 326-5524 kate_marshall@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225	James M. Mason (R) (541) 490-5686 Fax: (541) 370-2822 hoodriverjim@gmail.com Attorney at Law 205 Oak St Ste 11 Hood River, OR 97031-2055
Joseph G. Maier (R) (541) 471-3363 Fax: (541) 471-3365 joe@sopd.net Southern Oregon Public Def., Inc. 215 SE 6th St 4th Flr Grants Pass, OR 97526-2471	Sally Mangas (N) (503) 226-3083 Fax: (503) 226-0107 smangas@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Rachel N. Marshall (R) (541) 550-8587 jd39_27@hotmail.com Marshall Law Offices LLC PO Box 745 Newport, OR 97365-0057	Harris S. Matarazzo (L) (503) 226-0306 Fax: (503) 226-4290 Attorney at Law 121 SW Morrison St Ste 1020 Portland, OR 97204-3117
Denny Maison (R) (503) 588-2687 Fax: (503) 588-9535 denny@jeffreymjonespc.com Jeffrey M Jones PC 1840 W Nob Hill St SE PO Box 3922 Salem, OR 97302-0922	Kimberley Mansfield (R) (617) 794-8043 mansfield_kimberley@hotmail.com Royer & Associates 2001 Commercial St SE Salem, OR 97302-5207	Aaron Martin (R) (503) 397-7913 Fax: (503) 296-5698 aaron@aaronmartin-law.com Attorney at Law PO Box 1533 St. Helens, OR 97051-0909	Lawrence Matasar (R) (503) 222-9830 Fax: (503) 274-8575 larry@pdqlaw.com Lawrence Matasar PC 621 SW Morrison St Ste 1025 Portland, OR 97205-3813
Gordon K. Mallon (L) (503) 344-4145 Fax: (503) 873-5139 gord.mallon@gmail.com Attorney at Law PO Box 2383 Lake Oswego, OR 97035-0673	Robert E. Manske (R) (541) 267-2472 Fax: (541) 267-6853 robertm@swopds.org SWOPDs, Inc. 465 Elrod Ave Coos Bay, OR 97420-1532	Alison Martin (R) (541) 205-5501 Fax: (541) 205-5503 alison@hedricklawoffice.com Klamath Defender Services Law Ofc of Valerie Hedrick PC 533 Main St Klamath Falls, OR 97601-6031	Andrew S. Mathers (R) (541) 382-0046 Fax: (541) 382-6875 amatherslaw@gmail.com www.andrewmatherslaw.com Andrew S Mathers PC 250 NW Franklin Ave Ste 401 Bend, OR 97701-2814
Loren E. Mallory PhD, ABPP (N) (503) 657-7235 Fax: (503) 657-7676 mallory@forensic-neuropsychology.net www.forensic-neuropsychology.net Willamette Valley Family Center 610 Jefferson St Oregon City, OR 97045-2329	Daphne E. Mantis (R) (541) 343-9812 demantis@mindspring.com Lane Juvenile Lawyers Assn Attorney at Law 777 High St Ste 290 Eugene, OR 97401-2750	Justin Martin (N) (503) 375-0909 Fax: (503) 375-9909 jgimartin@me.com Perseverance Strategies Inc 187 High St NE Ste 300 Salem, OR 97301	Ingrid A. Mathewson (N) (541) 779-5636 Fax: (541) 772-6222 ingrid@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742
J. Christian Malone (R) (541) 388-1107 Fax: (541) 388-7370 christian@schmidmalone.com www.schmidmalone.com Schmid Malone Buchanan LLC 550 NW Franklin Ave Ste 378 Bend, OR 97701-2895	Ray Marcom (N) (503) 583-5496 marcominvestigations@gmail.com www.marcominvestigation.com/ Marcom Investigations LLC PO Box 1155 McMinnville, OR 97128-1155	Ted Martin (R) (541) -37-2-53, ext. 15 Fax: (541) 889-6672 ted@malheurlaw.com Stoddard & Denison Law PC 381 W Idaho Ave Ontario, OR 97914-2344	Matt G. Matrisciano (R) (541) 388-1660 Fax: (541) 383-0610 matt@thedekalbgroup.com DeKalb & Associates 1345 NW Wall St Ste 101 Bend, OR 97701-1971
Crystal Maloney (A) (541) 646-5130 cmalone@lclark.edu 1819 SW 5th Ave #241 Portland, OR 97201-5277	Phillip M. Margolin (L) (503) 222-9830 Fax: (503) 274-8575 phil@pdqlaw.com http://www.phillipmargolin.com/ Attorney at Law 621 SW Morrison St Ste 1025 Portland, OR 97205-3813	Jon P. Martz (R) (503) 225-1862 Fax: (503) 225-0464 jonpmartz@hotmail.com Bethune & Martz Yeon Building 522 SW 5th Ave Ste 700 Portland, OR 97204-2127	Christy M. Matson CLAS (N) ((541) 1) -296-, ext. 5424 Fax: (541) 296-2550 cmatson@thedesallesattorneys.com Dunn Toole Carter & Coats, LLP 112 W 4th St The Dalles, OR 97058-1804
Malori Maloney (A) (971) 678-0669 malori.maloney@gmail.com 1053 Manhartan Ave #2L Brooklyn, NY 11222-5294	Christopher Marin (R) (503) 226-3083 Fax: (503) 226-0107 cmarin@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127		

Alphabetical Listing - M

Kendra M. Matthews (R)
(503) 228-0487
Fax: (503) 227-5984
kendra@ransomblackman.com
www.ransomblackman.com
Ransom Blackman, LLP
1001 SW 5th Ave Ste 1400
Portland, OR 97204-1144

Rosalie Matthews (R)
(541) 957-5344
Fax: (541) 673-2748
rosalie.matthews@uvpd.org
www.uvpd.org
Umpqua Valley Public Defender
505 SE Main St
Roseburg, OR 97470-4933

Michael Mauder (N)
(541) 678-2071
mauderinvestigations@yahoo.com
Mauder Investigations
PO Box 2081
Bend, OR 97709-2081

Rebecca Z. May (R)
(541) 686-2600
Fax: (541) 550-2243
rzm.hmlaw@gmail.com
Lane Juvenile Lawyers Assn
Hudson | May LLC
72 W Broadway Ste 214
Eugene, OR 97401-3065

Zack Mazer (R)
(503) 378-3349
Fax: (503) 375-9701
zack.mazer@opds.state.or.us
Office of Public Defense Svcs
1175 Court St NE
Salem, OR 97301-4030

Sean M. Mazorol (R)
(503) 210-2234
Fax: (503) 968-8017
sean@zupgroup.com
www.zrlawgroup.com
Zupancic Rathbone Law Group PC
4949 Meadows Rd Ste 600
Lake Oswego, OR 97035-6101

Richard L. McBreen III (R)
(503) 384-2420
Fax: (503) 384-2427
richard@olmpdx.com
www.olmpdx.com
Owens Lane & McBreen PC
630 SE Powell Blvd
Portland, OR 97202-2623

Duane J. McCabe (R)
(541) 419-7433
smcallatg@gmail.com
Attorney at Law
27 SW Bond St
Bend, OR 97702-3314

David McCaffery (R)
(503) 648-0707
Fax: (503) 693-1353
davidm@hillsborolawgroup.com
Hillsboro Law Group PC
5289 NE Elam Young Pkwy, Ste 110
Hillsboro, OR 97124-3398

Keeley M. McCallum (N)
(503) 851-5488
Fax: (503) 589-9555
keeleymccrea@msn.com
McCallum Investigations
PO Box 2241
Salem, OR 97308-2241

Josh McCarthy (R)
(503) 225-9100
Fax: (503) 295-0316
jmccarthy@mpdlaw.com
Metro Public Defender
630 SW 5th Ave Ste 500
Portland, OR 97204-1411

Christopher A. McCormack (R)
(503) 224-4825
Fax: (503) 228-7924
cam@bmllaw.net
www.bmllaw.net
Brindle McCaslin & Lee PC
101 SW Main St Ste 950
Portland, OR 97204-3217

Karen McCowan (N)
(541) 513-7335
kmacinvestigations@gmail.com
Private Investigator
PO Box 50063
Eugene, OR 97405-0968

Shaun S. McCrea (L)
(541) 485-1182
Fax: (541) 485-6847
shaun@mccreapc.com
McCrea PC
1147 High St
Eugene, OR 97401-3206

Bruce L. McCrum (R)
(541) 265-2217
Fax: (541) 265-2699
mccrum@oregoncoastlawyers.com
Pridgeon Bjornsen & McCrum LLC
515 W Olive St
Newport, OR 97365-3718

Jeremy McDermond (R)
(888) 980-8268
jeremy@jcmesq.com
www.jcmesq.com
Jeremy C. McDermond LLC
PO Box 6
Corvallis, OR 97339-0006

David T. McDonald (L)
(503) 226-0188
Fax: (503) 226-1136
david@mcdonaldpc.com
David T. McDonald PC
833 SW 11th Ave Ste 625
Portland, OR 97205-2125

Alana McDonough (R)
(503) 726-7900
Fax: (503) 726-4950
amcdonough@mpdlaw.com
www.mpdlaw.com
Metro Public Defender
630 SW 5th Ave Ste 500
Portland, OR 97204-1411

Julie H. McFarlane (R)
(503) 232-2540, ext. 227
Fax: (503) 231-4767
julie.m@youthrightsjustice.org
Youth, Rights & Justice, Attys at Law
401 NE 19th Ave Ste 200
Portland, OR 97232-4800

Kevin B. McGovern PhD (N)
(503) 644-6600
Fax: (503) 643-3798
dockbm@aol.com
www.forenscipsychs.com
Lic. Clinical & Forensic Psychologist
PO Box 10263
Portland, OR 97296-0263

Jennifer A. McGowan (R)
(503) 232-2540, ext. 240
Fax: (503) 231-4767
jennifer.mc@youthrightsjustice.org
Youth, Rights & Justice, Attys at Law
401 NE 19th Ave Ste 200
Portland, OR 97232-4800

Matthew G. McHenry (R)
(503) 546-3927
Fax: (503) 224-3203
matthew@levinemchenry.com
www.levinemchenry.com
Levine & McHenry LLC
1001 SW 5th Ave Ste 1414
Portland, OR 97204-1130

James P. McHugh (L)
(503) 656-3844
Fax: (503) 656-0415
jimm@coglink.com
Attorney at Law
12550 SW 134th Ave
Tigard, OR 97223-4721

Dawn M. McIntosh (R)
((50) 3) -980-, ext. 1451
Fax: (503) 738-9985
dm McIntosh@mcintoshlong.com
McIntosh & Long PC
3095 Hwy 101 N
PO Box 2846
Gearhart, OR 97138-2846

James J. McIntyre (R)
(503) 546-0696
Fax: (503) 546-2236
jimjmcii@aol.com
Attorney at Law
4535 SW Laurelwood Ave
Portland, OR 97225-2240

Michelle McIver (R)
(541) 389-7723
Fax: (541) 383-7177
mmciver@crlaw.org
Crabtree & Rahmsdorff
215 NW Greenwood Ave Ste 200
Bend, OR 97701-2040

Mark McKechnie (N)
(503) 232-2540
Fax: (503) 231-4767
mark.m@youthrightsjustice.org
Youth, Rights & Justice, Attys at Law
401 NE 19th Ave Ste 200
Portland, OR 97232-4800

Aisha McKenzie (N)
(702) 767-1066
jazzy_puppy@yahoo.com
The Law Offices of C. Conrad Claus
816 E Ogden Ave
Las Vegas, NV 89101-4233

Andrew McLain (R)
(503) 343-9238
Fax: (503) 308-6949
andy@mclainlegal.com
www.mclainlegal.com
McLain Legal Services PC
620 SW 5th Ave Ste 604
Portland, OR 97204-1421

Alphabetical Listing - M

Sandra McLarrin (N) (541) 683-4808 Fax: (541) 345-1029 dhill@callatg.com Paralegal, David Hill 1147 High St Eugene, OR 97401-3206	Anna Melichar (R) (503) 378-2496 Fax: (503) 295-0316 anna.e.melichar@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301	Edward Mierjeski (N) (541) 480-0073 Fax: (541) 383-7177 emierjeski@gmail.com Attorney at Law PO Box 8752 Bend, OR 97708-8752	Roy Miller (N) (503) 655-1405 Fax: (503) 655-1408 roym@case-works.com www.caseworks.net Miller Computer Group 10774 SE Hwy 212 Clackamas, OR 97015-9164
Teresa (Tess) A. McMahill MSW (N) (503) 274-7913 Fax: (503) 222-1924 teresamcmahill@comcast.net Mitigation Specialist PO Box 2457 Portland, OR 97208-2457	Kenn Meneely (N) (541) 935-0538 Fax: (541) 935-0538 kmeneely@peoplepc.com Willamette Valley Forensics 24893 Oak Ln Elmira, OR 97437-9614	Amber Miller (R) (503) 547-3597 amberderamiller@gmail.com Attorney at Law 4101 SE Belmont St Apt 1 Portland, OR 97214-4449	Christopher A. Missiaen (R) (541) 779-5636 Fax: (541) 772-6222 christopher@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742
Kenneth W. McNeil (R) (503) 615-8336 Fax: (503) 726-2220 ken@mcmillawoffice.com www.mcmillawoffice.com McNeil & Goldstein LLC 1323 NE Orenco Station Pkwy Ste 31 Hillsboro, OR 97124-5416	Jesse Merrithew (R) (971) 229-1241 Fax: (971) 544-7092 jesse@lmhlegal.com Levi Merrithew Horst LLP 610 SW Alder St Ste 415 Portland, OR 97205-3605	Amy S. Miller (R) (503) 378-3495 Fax: (503) 375-9701 amy.miller@opds.state.or.us Office of Public Defense Svcs Deputy General Counsel 1175 Court St NE Salem, OR 97301-4030	Dana Margaret Mitchell (R) (503) 508-6078 Fax: (503) 581-2260 danamitchellpc@gmail.com Dana M Mitchell PC The Pearce Building 317 Court Street NE Salem, OR 97301-3564
Megan McVicar (R) (503) 228-0497 Fax: (503) 228-7112 mmcvicar@hoevet-boise.com Hoevet Boise Olson Howes PC 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	Gail L. Meyer (R) (503) 799-8483 Fax: (541) 686-2319 glmlobby@nwlink.com Attorney at Law 3933 NE 32nd Place Portland, OR 97212-1714	Henry Miller PsyD (N) (503) 227-3358 Fax: (503) 227-3358 drhenrymiller@gmail.com www.nwfamilysandforensic.com NW Family and Forensic Psychologic 1734 SE Ladd Ave Portland, OR 97214-4733	Max J. Mizejewski (R) (541) 505-9872 Fax: (541) 653-8224 max@mjmlawoffice.com www.mjmlawoffice.com MJM Law Office, PC 800 Willamette St Ste 700 Eugene, OR 97401-2991
Maryann K. Meaney (R) (503) 650-9491 Fax: (503) 650-9700 maryann1009@qwestoffice.net Attorney at Law 219 7th St Oregon City, OR 97045-1804	William Aring Meyer (S) (503) 222-9513 Fax: (503) 222-9511 williamaringmeyer@gmail.com William Aring Meyer LLC 1020 SW Taylor St Ste 888 Portland, OR 97205-2500	Mikel R. Miller (R) (541) 388-9819 Fax: (541) 322-0932 mike@bendlaw.net www.bendlaw.net Mikel R. Miller, P.C. 26 NW Hawthorne Ave Bend, OR 97701-2916	Karen Mockrin (R) (503) 227-0965 Fax: (503) 345-0926 karen@bodzindonnelly.com Bodzin Donnelly Mockrin & Slavin, I 2029 SE Jefferson St Ste 101 Milwaukie, OR 97222-7605
Christopher D. Mecca (R) (541) 474-1161 Fax: (541) 474-1163 meccaman@uci.net Attorney at Law 245 NW B St PO Box 1576 Grants Pass, OR 97528-0476	Brian L. Michaels (R) (541) 687-0578 Fax: (541) 686-2137 brian@brianmichaelslaw.com Attorney at Law 259 East 5th Ave Ste 300D Eugene, OR 97401-2677	Peter Miller (R) (503) 236-5242 Fax: (503) 236-0925 millerp@integra.net Attorney at Law 3800 NE Sandy Blvd Ste 205 Portland, OR 97232-1882	Erik JD Moeller (R) (541) 928-7161 Fax: (541) 967-4275 attorneysmoeller@gmail.com Law office of Perry & Moeller 138 7th Ave SW Albany, OR 97321-2908
Ruben Medina (R) (503) 775-2334 Fax: (503) 775-2360 attorneypd@qwestoffice.net Law Ofc of Ruben Medina PC 1001 SW 5th Ave Ste 1100 Portland, OR 97204-1127	Philip M. Mickel (N) (541) 447-8070 Fax: (541) 447-8070 pimickel@gmail.com Mickel Investigations LLC 985 NE Ochoco Ave PO Box 515 Prineville, OR 97754-0515	Ronald J. Miller (N) (360) 907-3663 Fax: (866) 866-7650 rjmiller@behavioralforensics.com www.behavioralforensics.com Behavioral Forensics & Investigations, PO Box 65428 Vancouver, WA 98665-0015	Victoria K. Moffet (R) (541) 963-2329 Fax: (541) 962-6145 vmoffet@eoni.com Attorney at Law 1407 Washington Ave La Grande, OR 97850-2539

Alphabetical Listing - M

Roy A. Moffitt (N) (541) 388-1477 Fax: (541) 548-3054 roy_moffitt@msn.com Moffit Investigations PO Box 1661 Redmond, OR 97756-0514	Richard Morgan (R) (503) 223-3422 Fax: (503) 715-2554 richard@reynoldsdefensefirm.com www.reynoldsdefensefirm.com Reynolds Defense Firm 1512 SW 18th Ave Portland, OR 97201-2517	Justin Morton (R) (541) 276-0244 Fax: (541) 278-0529 justin@ipdinc.org Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Jeff Murdock (N) (541) 484-2611, ext. 144 Fax: (541) 484-5068 jeff@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518
John Mogle (N) (541) 810-1702 johnmogle@charter.net 3927 Redondo Way Klamath Falls, OR 97603-7775	Laura Fine Moro (L) (541) 341-4542 Fax: (541) 341-4543 finelaw@qwestoffice.net www.laurafinemoro.com Law Ofc of Laura Fine Moro PC 541 Willamette St Ste 403 Eugene, OR 97401-2612	Micah Moskowitz (R) (503) 480-0521 Fax: (503) 480-0522 moskowitz@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	MaryAnn Murk (R) (503) 338-6509 Fax: (503) 338-6868 valyen@teleport.com Attorney at Law Pier 39 Office Building 100 39th St Ste 204 Astoria, OR 97103-4114
Martha Molitor (N) (541) 290-5200 memolitor@charter.net 93646 Stadden Ln Coos Bay, OR 97420	Tonia L. Moro (R) (541) 973-2063 tonia@toniamoro.com Attorney at Law PC 19 S Orange St Medford, OR 97501-2948	Kurt Edward Mosley (R) (503) 480-0521 Fax: (209) 436-2509 kemosley@gmail.com Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Colin Murphy (R) (503) 228-6277, ext. 102 Fax: (503) 228-6280 colin@garybullock.com Gary M Bullock & Associates PC 1000 Broadway Ste 2460 Portland, OR 97205-3034
Kali Montague (R) (503) 378-3349 Fax: (503) 378-2163 kali.montague@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Samuel Morones (A) (206) 910-0437 morones@uoregon.edu 945 E 19th Ave Apt 3 Eugene, OR 97403-1322	Laura Moszer (R) (541) 475-4477 lmoszer@gmail.com Attorney at Law PO Box 46 Bend, OR 97741-0046	Jane A. Murphy (R) (541) 345-5123 Fax: (541) 345-1644 janemurphy.attorney@gmail.com Lane Juvenile Lawyers Assn Attorney at Law 399 E 10th Ave Ste 205 Eugene, OR 97401-3380
Marcail Moody-Burks (R) (503) 726-7900 Fax: (503) 726-4950 mmoodyburks@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	John M. Morrell (N) (541) 221-2653 morrelljm@comcast.net Spanish Interpreter PO Box 11082 Eugene, OR 97440-3282	Matthew P. Muenchrath (R) (541) 396-4529 Fax: (541) 396-4168 muenchrathlaw@cs.com Muenchrath Law LLC 280 N Collier St Coquille, OR 97423-1833	Lynn Murrey (N) (208) 440-7985 lynnmurrey@aol.com Investigator PO Box 696 Vale, OR 97918-0696
J. Robert Moon Jr. (L) (541) 523-6294 Fax: (541) 523-6293 bob@jrobertmoonjr.com J Robert Moon Jr PC 2646 Main St PO Box 469 Baker City, OR 97814-0469	Jack L. Morris (R) (541) 386-1661 Fax: (541) 386-2412 atty.jackmorris@gmail.com Morris Smith Starns & Sullivan PC 116 Oak St Ste 8 Hood River, OR 97031-2375	Richard S. Mullen (R) (541) 344-2791 Fax: (541) 344-0296 richmullenlaw@msn.com Lane Juvenile Lawyers Assn Attorney at Law 72A Centennial Loop Ste 140 Eugene, OR 97401-2457	Mary Mutschler (N) (503) 313-4567 mmipi@gmx.com Investigator 125 S 1st Ave Unit 52 Hillsboro, OR 97123-0850
Tammy L. K. Moore (N) (541) 779-5636 Fax: (541) 772-6222 tammy@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Anne Morrison P.C. (R) (541) 663-8053 Fax: (541) 962-7871 amorrison@eoni.com Attorney at Law 115 Elm St Ste 6 La Grande, OR 97850-2656	Sara S. Mulroy (R) (503) 225-9100 smulroy@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Andrew Myers (R) (541) 296-6375 Fax: (877) 625-4324 amyers@thedalles-law.com www.thedalles-law.com Thomas C Peachey PC 401 E 3rd St Ste 105 The Dalles, OR 97058-2563
Lynne B. Morgan (R) (503) 706-7217 Fax: (503) 222-2864 lrbmorgan@att.net Attorney at Law 6312 SW Capitol Hwy #443 Portland, OR 97239	Shannon Mortimer (R) (503) 226-3083 Fax: (503) 226-0107 smortimer@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Anne Fujita Munsey (R) (503) 378-3037 Fax: (503) 378-2163 anne.k.munsey@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Jay P. Myers (N) (503) 407-2929 jaymyers@pdx-pi.com Jay Myers Investigations PO Box 92 Wilsonville, OR 97070-0092

Alphabetical Listing - M

Steven L. Myers (R) (503) 227-4558 Fax: (503) 796-0709 steve@smyerslawfirm.com Myers Law Firm 7307 SW Capitol Hwy Portland, OR 97219-2430	Jennifer I. Nash (R) (541) 752-3616 Fax: (541) 738-0332 jnash@jinopc.com Jennifer I. Nash & Nicolas Ortiz PC Contract Administrator 615 NW Jackson Ave Corvallis, OR 97330-4832	Ricky R. Nelson (R) (541) 389-7723 Fax: (541) 383-7177 rnelson@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Nina Nolen (A) (503) 480-0521 Fax: (503) 480-0522 nnolen@willamette.edu Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496
Lynn M. Myrick (L) (541) 479-5444 Fax: (541) 479-1317 LynnMMYrick@myricklawfirm.com www.myricklawfirm.com Attorney at Law 620 SW 4th Ste 101 Grants Pass, OR 97526-2829	Karla L. Nash (R) (541) 389-7723 Fax: (541) 383-7177 karly@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Roscoe C. Nelson III (L) (503) 222-1081 Fax: (503) 222-6441 mail@roscoecnelson.com Nelson & Nelson Umpqua Bank Plaza 1 SW Columbia St Ste 1620 Portland, OR 97258-2002	Laurie R. Norman (R) (541) 471-3363 Fax: (541) 471-3365 laurie@sopd.net Southern Oregon Public Def., Inc. 215 SE 6th St 4th Flr Grants Pass, OR 97526-2471
Joyce A. Naffziger (N) (541) 344-8801 Fax: (541) 344-5962 jnaffziger@comcast.net Naffziger Investigations & Mitigation Services 1950 Franklin Blvd #8 Eugene, OR 97403-2068	Monteen M. Nash (N) (541) 444-7417 monteen@hughes.net Nash Investigations, Inc. PO Box 508 Newport, OR 97365-0035	Jeffrey Neil Neuman (A) (702) 439-3906 neumanj@gmail.com 453 13th St Apt 532 San Diego, CA 92101-7564	Gabriella Norona (A) (503) 226-3083 Fax: (503) 226-0107 gnorona@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127
Robert H. Nagler (L) (541) 686-4977 Fax: (541) 342-1739 rhnagler@mac.com Attorney at Law PO Box 8101 Eugene, OR 97408-8101	Gerald Needham (R) (503) 326-2123 Fax: (503) 326-5524 jerry_needham@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225	Timothy Newell (N) (503) 480-0521 Fax: (503) 480-0522 tnewell@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Alan R. Norris (R) (503) 226-3083 Fax: (503) 226-0107 anorris@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127
Kirsten M. Naito (R) (541) 388-1660 Fax: (541) 383-0610 kirsten@thedekalbgroup.com DeKalb & Associates 1345 NW Wall St Ste 101 Bend, OR 97701-1971	Rachel Negra (R) (503) 435-4811 Fax: (503) 435-4882 negralawoffice@comcast.net www.negralaw.com Negra Law Office LLC 235 NE 3rd Ste 9 McMinnville, OR 97128-4829	Alice Newlin-Cushing (R) (503) 378-5859 Fax: (541) 278-0529 Alice.Newlin-Cushing@opds.state.or.u Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Nedu Nweze (R) (503) 225-9100 Fax: (503) 295-0316 nnweze@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Bonnie Narvaez (N) (503) 580-4631 bonafideconsulting@comcast.net Bonafide Consulting 1625 Pilgrim St SE Salem, OR 97302-1843	John W. Neidig (L) (503) 221-0229 Fax: (503) 227-4702 portlandcriminallaw@gmail.com www.mycriminallawyer.com Attorney at Law 10350 N Vancouver Way PMB342 Portland, OR 97217-7530	Erik W. Nicholson (R) (503) 343-4696 Fax: (503) 828-9538 erik@northwestdefender.com www.northwestdefender.com The Law Offices of Erik Nicholson 8875 SW Center Street Tigard, OR 97223-6461	Christopher O'Connor (R) (503) 225-9100 Fax: (503) 295-0316 coconnor@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Harold C. Nash (N) (541) 444-7417 haroldnash@hughes.net Nash Investigations, Inc. PO Box 508 Newport, OR 97365-0035	Leslie A. Nelson (R) (503) 225-9100 Fax: (503) 295-0316 lnelson@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Eric Niemeyer (R) (541) 779-5636 Fax: (541) 772-6222 eric@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Ryan Timothy O'Connor (R) (503) 226-0923 Fax: (971) 258-1529 ryan@oconnorweber.com www.oconnorweber.com O'Connor Weber LLP 522 SW 5th Ave Ste 1125 Portland, OR 97204-2139
		Leslie Nitcher (R) (541) 388-1660 Fax: (541) 383-0610 leslien@thedekalbgroup.com DeKalb & Associates 1345 NW Wall St Ste 101 Bend, OR 97701-1971	

Alphabetical Listing - O

Tim O'Connor (A) (503) 225-9100 Fax: (503) 295-0316 toconnor@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Christa Obold-Eshleman (R) (503) 232-2540, ext. 250 Fax: (503) 231-4767 christa.oe@youthrightsjustice.org www.jrplaw.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	D. Lawrence Olstad (N) (503) 849-4635 larry@willowsky.net Paralegal 105 NE 61st Ave Apt 6 Portland, OR 97213-3888	Cathy M. Ouellette (R) (541) 344-8665 Fax: (541) 344-6266 cathy_ouellette@comcast.net Lane Juvenile Lawyers Assn Attorney at Law 433 W 10th Ave Ste 200 Eugene, OR 97401-3047
Shawn M. O'Neil (R) (503) 570-8755 Fax: (503) 570-8757 smo@shawnoneil.com O'Neil Law LLC 8755 SW Citizens Dr Ste 202 Wilsonville, OR 97070-8861	Clint Leon Oborn (R) (541) 779-5636 Fax: (541) 772-6222 clint@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Elliott B. Oppenheim MD,JD LLM (406) 273-4212 comedcoink@aol.com www.comedco.com Health Law coMEDco, Inc. PO Box 1174 Lolo, MT 59847-1174	Adam Paczkowski (A) (360) 672-2087 apaczkow@willamette.edu 2177 Cottage St SE Salem, OR 97302-3711
Thomas D. O'Neil (R) (503) 339-7343 Fax: (503) 391-6954 tomoneil@comcast.net Attorney at Law 4676 Commercial St SE Ste 223 Salem, OR 97302-1902	Ted Occhialino (R) (503) 726-7900 Fax: (503) 726-4950 tocchialino@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	David M. Orf (S) (541) 772-8494 Fax: (541) 773-6790 davidorf@davidorfattorney.com Attorney at Law 143 Ridge Rd Ashland, OR 97520-2826	Carol L. Padilla (N) (541) 772-3107 Fax: (541) 772-7359 acpinvestigations@yahoo.com ACP Investigations Inc 1616 W Main St PO Box 1624 Medford, OR 97501-0124
Marianne Ober (A) (541) 510-7166 marianne.ober@gmail.com PO Box 51083 Eugene, OR 97405-0902	EveLyn A. Oldenkamp (R) (541) 882-1426 Fax: (541) 880-5564 eveoldenkamp@gmail.com Eve A Oldenkamp PC 200 Pine St Klamath Falls, OR 97601-6337	Thomas M. Orr (R) (541) 686-9160 Fax: (541) 343-8693 torr@eugene-law.com www.eugene-law.com Hutchinson, Cox, Coons, et al PO Box 10886 Eugene, OR 97440-2886	Michael J. Padilla (N) (541) 881-9572 ppadilla@cableone.net Investigator 357 Bryant St S Vale, OR 97918-1501
Emily Oberdorfer (R) (503) 223-2313 Fax: (503) 243-3257 emily@oberlaw.com www.oberlaw.com Oberdorfer Law Firm LLC 210 SW Morrison St Ste 600 Portland, OR 97204-3109	Gregory P. Oliveros (R) (503) 335-3800 Fax: (503) 786-3885 greg@007law.com www.007law.com Oliveros Law Group PC 9200 SE Sunnybrook Blvd Ste 150 Clackamas, OR 97015-5766	Nicolas Ortiz (R) (541) 752-3616 Fax: (541) 757-3538 nico@jinnopc.com Jennifer I. Nash & Nicolas Ortiz PC 615 NW Jackson Ave Corvallis, OR 97330-4832	Ramón A. Pagán (R) (971) 270-0421 Fax: (866) 431-9948 pdjustice@outlook.com www.pdjustice.com The Law Office of Ramón A. Pagán 811 SW Naito Pkwy Ste 420 Portland, OR 97204-3334
Richard E. Oberdorfer (R) (503) 223-2313 Fax: (503) 243-3257 reo@oberlaw.com www.oberlaw.com Oberdorfer Law Firm LLC 210 SW Morrison St Ste 600 Portland, OR 97204-3109	Michael R. Olsen (N) (541) 484-2611, ext. 112 Fax: (541) 484-5068 molsen@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Amelia Ostholthoff (R) (503) 721-0140 Fax: (503) 220-1913 amelia@karbinskilaw.com Law Ofc of Alan W Karpinski PC 621 SW Alder St Ste 621 Portland, OR 97205-3621	Yunus M. Paisner (R) (503) 777-1737 Fax: (503) 777-3373 yunus@paisnerlaw.com Attorney at Law 8401 NE Halsey St Ste 111 Portland, OR 97220-5670
Tamera Obert (N) (541) 388-1660 Fax: (541) 383-0610 dekalb@thedekalbgroup.com DeKalb & Associates 1345 NW Wall St Ste 101 Bend, OR 97701-1971	Per C. Olson (S) (503) 228-0497 Fax: (503) 228-7112 polson@hoevet-boise.com Hoevet Boise Olson Howes PC 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	Evan Ottaviani (A) (503) 225-9100 Fax: (503) 295-0316 cottaviani@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	James A. Palmer (R) (541) 343-8281 Fax: (541) 345-7778 lwp11@aol.com Attorney at Law 101 E 14th Ave Eugene, OR 97401-3517

Alphabetical Listing - P

Louise M. Palmer (R) (503) 224-4825 Fax: (503) 228-7924 lmp@bmllaw.net www.bmllaw.net Brindle McCaslin & Lee PC 101 SW Main St Ste 950 Portland, OR 97204-3217	Duane E. Parnell (N) (541) 459-3525 Fax: (541) 459-3525 deparnell@msn.com Duane Parnell Investigations 151 Denley Rd PO Box 545 Sutherlin, OR 97479-0545	Whitney A. Perez (R) (503) 480-0521 Fax: (503) 480-0522 wperez@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Sarah Peterson (R) (503) 378-5863 Fax: (541) 278-0529 sarah.peterson@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
Sean Pank (R) (541) 296-9601 Fax: (503) 295-0316 sean.pank.lawoffice@gmail.com Morris Smith Starns & Sullivan PC 414 Washington St Ste 3 The Dalles, OR 97058-2216	Peter A. Parnickis (R) (541) 389-7723 Fax: (541) 383-7177 pete@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	G. Aron Perez-Selsky (R) (971) 237-3804 Fax: (888) 552-1560 aesquire@gmail.com Attorney at Law PO Box 1656 McMinnville, OR 97128-0097	Murray S. Petitt (R) (541) 747-3354 Fax: (541) 747-3367 mpetitt@thorp-purdy.com www.thorp-purdy.com Thorp, Purdy, Jewett, et al 1011 Harlow Rd Ste 300 Springfield, OR 97477-1142
J. David Panter (N) (503) 747-6734 davepanter48@gmail.com Investigator 571 S 18th Ave Cornelius, OR 97113-6625	Chelsea Payment (R) (503) 231-3419 Fax: (503) 231-3420 chelsea@cohencoit.com www.cohencoit.com Cohen & Coit PC 9200 SE Sunnybrook Blvd Ste 430 Clackamas, OR 97015-5763	Gregorio A. Perez-Selsky (R) (503) 434-5286 Fax: (503) 434-5286 gperezselsky@spessart.com Attorney at Law PO Box 1354 McMinnville, OR 97128-1354	Paul S. Petterson (L) (503) 341-6308 Fax: (503) 243-1820 paulpetterson@netscape.net Attorney at Law PO Box 219044 Portland, OR 97225-9044
Lisa J. Pardini (R) (503) 226-3083 Fax: (503) 226-0107 thepardini@hotmail.com Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Garren Pedemonte (R) (541) 471-3363, ext. 313 Fax: (541) 773-6790 garren@sopd.net www.pedemontelaw.com Law Office of Garren Pedemonte 900 W 8th St Medford, OR 97501-2908	Randy Perkins III (S) (541) 296-1127 Fax: (541) 550-2005 jrperkinsiii@charter.net J. R. Perkins, III, Lawyer, PC 109 E 5th St The Dalles, OR 97058-1847	Jill Petty (R) (503) 970-8053 Fax: (503) 636-4522 jillpetty@aol.com Attorney at Law 01808 SW Palatine Hill Rd Portland, OR 97219-7951
David A. Pardo (R) 0 - dpardo@bendcable.com Attorney at Law Redmond, OR 97756	Charles Peirson (R) (503) 226-3083 cpeirson@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	William E. Perkinson Jr. (R) (541) 276-0270 Fax: (888) 677-1986 wm.perkinson@gmail.com Attorney at Law PO Box 181 Pendleton, OR 97801-0181	Jim Pex (N) (541) 756-2044 Fax: (541) 756-7470 jimpex@charter.net International Forensic Experts Inc 3845 Brussels St North Bend, OR 97459-2411
Margaret L. Paris (R) (541) 346-3813 Fax: (541) 346-1564 mparis@uoregon.edu U of O Law School 1221 Univ of Oregon 1515 Agate St Eugene, OR 97403-1221	David William Penoyer (R) (503) 675-4370 Fax: (503) 675-4371 dave@penoyerlaw.com www.penoyerlaw.com Penoyer Law Office LLC 4248 Galewood St Lake Oswego, OR 97035-2405	David B. Peters (R) (503) 282-6636 davepeters1@yahoo.com Attorney at Law 510 SW 3rd Ave Ste 416 Portland, OR 97204-2509	Rachel Philips (R) (503) 575-7062 Fax: (503) 575-7063 rachel@philipsconsultinggroup.com Attorney at Law 5933 Win Sivers Dr Portland, OR 97220
Timothy R. Park (R) (503) 623-6676 Fax: (503) 623-8339 timothyparkatty@gmail.com Chris L. Lillegard PC 236 SW Mill St Dallas, OR 97338-3114	Manuel Perez (R) (503) 480-0521 Fax: (503) 482-0522 mperez@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496	Jedediah O. Peterson (R) (503) 226-0923 Fax: (971) 258-1529 jed@oconnorweber.com O'Connor Weber LLP 522 SW 5th Ave Ste 1125 Portland, OR 97204-2139	David J. Phillips (L) (541) 484-2611, ext. 109 Fax: (541) 484-5068 phillips@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518
Laurance W. Parker (R) (541) 772-1032 Fax: (541) 779-3430 lplaw@charter.net Attorney at Law 116 Mistletoe St Medford, OR 97501-3006		Rebecca Peterson (R) (541) 472-5291 Fax: (541) 471-9280 rlpeterson@integra.net Attorney at Law 247 NW E St Grants Pass, OR 97526-2045	

Alphabetical Listing - P

Mandi M. Philpott (R) (503) 656-2513 Fax: (503) 656-8993 mandi@mp-law.com Attorney at Law 701 Main St Ste 202 Oregon City, OR 97045-1800	Meghan Planchon (N) (503) 225-9100 Fax: (503) 295-0316 mplanchon@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Holly A. Preslar (R) (541) 474-6200 Fax: (541) 474-1163 hollyapreslarattorney@gmail.com Attorney at Law 245 NW B St Grants Pass, OR 97526-2031	Galina Quigley (N) (541) 206-2386 galina.menerwa.llc@gmail.com Menerwa LLC 3010 Willakenzie Rd Eugene, OR 97401
James Pick (N) (503) 738-4038 Fax: (503) 738-4031 pipick@qwestoffice.net Wm. Pick Agency Inc Criminal and Civil Investigations PO Box 785 Seaside, OR 97138-0785	Maggie Poffenbarger (A) (831) 246-0194 maggiepoff@gmail.com 7228 SW 51st Ave Portland, OR 97219-1422	Richard Price Jr. (N) (541) 345-7302 Fax: (267) 295-8041 rprice915@hotmail.com www.richardpriceparalegal.com Richard Price Paralegal LLC 2025 Brewer Ave Eugene, OR 97401-1918	Nicholas B. Quinn (R) (800) 948-0102 Fax: (800) 948-0102 nquinnlaw@gmail.com Nicholas Quinn Attorney at Law 1228 SE Douglas Ave Roseburg, OR 97470-4346
Troy Pickard (R) (503) 592-0606 troy@portlanddefender.com Portland Defender 1001 SW 5th Ave Ste 1100 Portland, OR 97204-1127	Stephanie Pollan (R) (503) 225-9100 Fax: (503) 295-0316 sbpollan@gmail.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Thomas E. Price (R) (503) 326-2123 Fax: (503) 326-5524 thomas_price@fd.org Asst Federal Pub Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225	Jefferson Quist (R) (503) 472-3313 Fax: (503) 472-4554 jeffersonquist@gmail.com Hanson & Hanson 405 NE 3rd St Ste 4 McMinnville, OR 97128-
Diana K. Pierson (R) (541) 471-3363 Fax: (541) 471-3365 diana@sopd.net Southern Oregon Public Def., Inc. 215 SE 6th St 4th Flr Grants Pass, OR 97526-2471	Joshua Pond (R) (503) 726-1716 Fax: (503) 822-0171 josh@bettercallalawyer.com www.bettercallalawyer.com The Law Office of Siezman & Pond L 2121 SW Broadway Ste 130 Portland, OR 97201-3180	Jeffrey C. Pridgeon (R) (541) 265-2217 Fax: (541) 265-2699 pridgeon@oregoncoastlawyers.com Pridgeon Bjornsen & McCrum LLC 515 W Olive St Newport, OR 97365-3718	Carole Race (R) (503) 657-3338 Fax: (503) 657-3334 crace@easystreet.net Attorney at Law 4905 SW Scholls Ferry Rd Portland, OR 97225-1605
Mark Pihl (R) (503) 460-7278 Fax: (503) 697-1045 mark.pihl@pihllaw.com www.pihllaw.com Attorney at Law 5895 Jean Rd Ste 109 Lake Oswego, OR 97035-5303	Arnold W. Poole P.C. (R) (541) 928-0684 Fax: (541) 967-4275 arnoldpoole@yahoo.com Attorney at Law 138 7th Ave SW Albany, OR 97321-2908	Jonathan S. Pritchard PC (R) (541) 383-2240 Fax: (541) 312-2682 jonathan@jspritchardpc.com Bend Attorney Group 327 NW Greenwood Ave Ste 300 Bend, OR 97701-1946	Mark Rader (L) (208) 890-9097 mark@raderlaw.com Attorney at Law 1508 S. Riverstone Ln. #203 Boise, ID 83706
Joe Piucci (R) (503) 226-3083 Fax: (503) 226-0107 ls1@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Dylan S. R. Potter (R) (503) 693-7505 Fax: (503) 693-7204 dylan@myfamilyfirm.com Ridehalgh & Associates LLC 233 E Main St Ste 200 Hillsboro, OR 97123-4066	Herbert A. Putney (S) (541) 779-5636 Fax: (541) 772-6222 bert@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Diane Rader Riggs (R) (503) 655-7437 Fax: (503) 659-9966 raderlaw@comcast.net Attorney at Law 11073 SE Main St Ste A Portland, OR 97222-7645
Timothy MPM Pizzo (R) (503) 397-9004 Fax: (503) 397-9008 rock@opusnet.com Attorney at Law 260 S 2nd St St. Helens, OR 97051-2008	John Powers (L) (503) 241-4875 Fax: (503) 241-5063 jepowers@aol.com Attorney at Law PO Box 230520 Portland, OR 97281-0520	Tatjana Queener (R) (503) 842-2868 Fax: (503) 374-0678 ttq@tqueener.com www.tqueener.com Tatjana T Queener LLC PO Box 656 Tillamook, OR 97141-0656	Terry L. Rahmsdorff (R) (541) 389-7723 Fax: (541) 383-7177 trahmsdorf@aol.com Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040
	Thomas Powers (R) (541) 426-4411 tom@tpowerslaw.com Attorney at Law 401 NE 1st St Ste F Enterprise, OR 97828-1187		Sunil K. Raju (R) (503) 655-7199, ext. 2 raju@rajuhamilton.com Raju Hamilton LLC 6002 N Boston Ave Portland, OR 97217-4249

Alphabetical Listing - R

Kimberly Goring Raley (R) (503) 566-2112 Fax: (503) 581-2260 kim@kgraleyn.com Law Ofc of Kimberly G Raley 3488 Liberty Rd S Salem, OR 97302-4607	Betsy A. Rawls (R) (503) 693-8725 Fax: (503) 647-5488 rawlsla@rawlslawpc.com www.rawlslawpc.com Rawls Law PC The Hare-Sturgis Bldg 126 NE 2nd Ave Hillsboro, OR 97124-3042	Mary M. Reese (R) (503) 378-5856 Fax: (503) 378-2163 mary.reese@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Tyler Reid (R) (541) 928-7272 Fax: (541) 967-8721 tyler@tyllerreidlaw.com Tyler Reid LLC 135 5th Ave SW Albany, OR 97321-2856
Angela Ramos (R) (503) 648-0707 Fax: (503) 547-0671 angelar@hillsborolawgroup.com Hillsboro Law Group PC 5289 NE Elam Young Pkwy, Ste 110 Hillsboro, OR 97124-3398	William Redden (R) (503) 726-7900 Fax: (503) 726-4950 bredden@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Susan Elizabeth Reese (L) (541) 265-5657 Fax: (541) 265-5657 aquit@aol.com www.aquitlaw.com Attorney at Law PO Box 763 Newport, OR 97365-0058	Roger H. Reid (retired) (R) (541) 926-5804 Fax: (541) 967-8721 roger@reidlawfirm.com Attorney at Law 135 5th Ave SW Albany, OR 97321-2856
Guillermo Ramos (R) (541) 276-0244 Fax: (541) 278-0529 guillermo@ipdinc.org Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Stacey M. Reding (R) (503) 226-3083 Fax: (503) 226-0107 sreding@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Crystal Reeves (R) (503) 225-9100 Fax: (503) 726-4950 creeves@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Brook Reinhard (R) (541) 957-5344 Fax: (541) 673-2748 brook.reinhard@upvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933
Katie Ranger (N) (541) 957-5344 Fax: (541) 673-2748 katie.ranger@upvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Amber Reed (R) (541) 396-4529 Fax: (541) 396-4168 amberreedjd@gmail.com Muenchrath Law LLC 280 N Collier St Coquille, OR 97423-1833	Bart Reid (N) (503) 650-6431 Fax: (360) 992-8892 nwforensiclab@gmail.com Northwest Forensics Laboratory 19300 Molalla Ave Unit 1213 Oregon City, OR 97045-0827	Rick D. Rencher (N) (541) 484-2611, ext. 168 Fax: (541) 484-5068 rrencher@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518
John S. Ransom (S) (503) 228-0487 Fax: (503) 227-5984 john@ransomblackman.com Ransom Blackman, LLP 1001 SW 5th Ave Ste 1400 Portland, OR 97204-1144	Candace Reed (N) (503) 364-4086 Fax: (503) 364-4773 grumpy@teleport.com Attorney at Law 341 State St Salem, OR 97301-3534	Forrest Reid (L) (541) 926-3823 Fax: (541) 926-0833 forrest@reidlawfirm.com www.reidlawfirm.com Attorney at Law 135 5th Ave SW Albany, OR 97321-2856	Rowshan T. Reordan-Loney (R) (541) 787-0733 rowshanreordan@gmail.com Attorney at Law 638 N Main St Ste B Ashland, OR 97520-1887
Robert S. Raschio (R) (541) 575-5750 Fax: (541) 575-5752 raschio@rrlaw.biz Law Ofc of Robert Raschio 206 South Humboldt Canyon City, OR 97820-6114	Donald V. Reeder (R) (541) 475-2272 Fax: (541) 475-3944 gsr.dvr@gmail.com Glenn Reeder Gassner LLP 205 SE 5th St Madras, OR 97741-1632	Jered Reid (R) (541) 475-1111 Fax: (541) 475-1113 jeredwreid@gmail.com Law Office of Jered Reid LLC 35 SE C St Ste D Madras, OR 97741-1706	Brynn Reynolds (N) (541) 884-0333 Fax: (541) 884-0959 brynnreynolds@fireserve.net Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031
Nathan Ratliff (R) (541) 882-6331 Fax: (541) 883-8494 Nathan_ratliff@parksandratliff.com Parks & Ratliff PC 620 Main St Klamath Falls, OR 97601-6008	Michael A. Rees (R) (503) 225-9100 Fax: (503) 295-0316 mrees@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Robert W. Reid (R) (503) 223-7786 Fax: (503) 227-2477 breid5212@gmail.com Robert W Reid LLC 208 SW 1st Ave Ste 220 Portland, OR 97204-3514	Linda J. Reynolds (R) (503) 581-0227 Fax: (503) 581-7087 ljrabogada@msn.com Attorney at Law 189 Liberty St NE Ste 203A Salem, OR 97301-0221
			Alan D. Reynoldson (R) (541) 265-6554 Fax: (541) 265-6488 reynoldsonoffice@qwestoffice.net Attorney at Law 148 SE 1st St PO Box 1304 Newport, OR 97365-0101

Alphabetical Listing - R

Gary E. Rice (N) (360) 750-0929 Fax: (360) 750-4761 garyrice@worldaccessnet.com www.psi-investigators.com Protective Security Investigations 1500 E Fourth Plain Blvd Vancouver, WA 98661-3752	Garrett A. Richardson (R) (503) 226-3083 Fax: (503) 226-0107 grichardson@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	John Robb (R) (503) 226-3083 jrobb@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	David L. Robinson (R) (503) 964-3406 dr@robinsonlawpdx.com www.robinsonlawpdx.com Robinson Law Firm LLC 10600 SE McLoughlin Blvd Ste 205 Milwaukie, OR 97222-7428
James G. Rice (L) (541) 579-8600 oregoncounsel@msn.com Oregon Counsel PO Box 10574 Portland, OR 97296-0574	Lisa Richardson (N) (503) 551-7272 Fax: (503) 339-1967 mcadlaw@gmail.com MCAD 683 Cottage St NE Salem, OR 97301-2419	Brianna Robbins (N) ((50) 3) -877-, ext. 9399 brobbins.mc@gmail.com www.portlandinvestigators.com Portland Investigators 16135 NW Paisley Dr Beaverton, OR 97006-7777	Douglas J. Rock (R) (541) 889-7621 Fax: (541) 889-7705 lawyers@rocklawpc.com Douglas J Rock PC 153 SW 1st St PO Box 908 Ontario, OR 97914-0908
David L. Rich (S) (503) 640-0708 Fax: (503) 681-9801 davidrich2@msn.com Attorney at Law 101 SW Washington St Hillsboro, OR 97123-4091	Melissa Riddell (R) (541) 791-9585 Fax: (541) 791-9560 melissariddell@gmail.com Attorney at Law 433 4th Ave SW Ste A Albany, OR 97321-2575	Sarah S. Robbins (R) (541) 779-5636 Fax: (541) 772-6222 sarah@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Ken Rodli (N) (503) 385-6170 ken@redhillinv.com Red Hill Investigations PO Box 1123 Dallas, OR 97338-1047
John C. Rich (R) (541) 752-4322 Fax: (541) 752-5224 john@richlawpc.com Rich Law, PC 455 SW Madison Ave Corvallis, OR 97333-4718	Ronald L. Ridehalgh (R) (503) 693-7505 Fax: (503) 693-7204 ron@myfamilyfirm.com www.myfamilyfirm.com Ridehalgh & Associates LLC 233 E Main St Ste 200 Hillsboro, OR 97123-4066	Samantha Robell (A) (503) 225-9100 Fax: (503) 295-0316 srobell@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Stacy C. Rodriguez (R) (503) 436-1960 Fax: (503) 436-1211 scrlaw@charter.net Attorney at Law 171 N Larch Ste 28 PO Box 952 Cannon Beach, OR 97110-0952
Peter J. Richard (R) (541) 850-5966 Fax: (541) 850-5246 pjericard@hotmail.com Klamath Defender Services Lam & Richard PC 111 N 7th St Klamath Falls, OR 97601-6003	Heather Ridle (N) (503) 310-0396 whyn_ot@yahoo.com Investigator PO Box 56674 Portland, OR 97238-6674	Jennifer Roberts (R) (503) 222-1125, ext. 40 Fax: (503) 222-7589 jennifer@jhoffman.com Janet Hoffman & Associates 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	René Roelle (N) (541) 884-1579 Fax: (541) 884-1579 rene_roelle@yahoo.com René Roelle Investigations LLC PO Box 315 Midland, OR 97634-0315
William A. Richards (A) (503) 319-5155 warichards1@comcast.net 7505 SW 17th Dr Portland, OR 97219-2765	Gale M. Rieder (R) (503) 508-1844 Fax: (503) 961-0588 riederlawoffice@teleport.com Attorney at Law PO Box 4720 Salem, OR 97302-8720	Kirkland T. Roberts (R) (503) 246-3385 Fax: (503) 246-2234 kirklawful@netzero.net Attorney at Law 6501 SW Macadam Ave Portland, OR 97239-3553	Ellen N. Rogers (N) (503) 704-6239 Fax: (503) 244-2084 bizee@comcast.net Mitigation Services Inc PO Box 12652 Portland, OR 97212-0652
Beverly D. Richardson (L) (503) 472-3347 Fax: (503) 472-3559 Attorney at Law (retired) 6675 SW Lebold Rd McMinnville, OR 97128-8391	Sonja A. Rietman (R) (503) 726-7900 Fax: (503) 726-4950 srietman@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Jennifer Robins (R) (503) 648-4777 Fax: (503) 648-0989 jrobins@harrislawsite.com www.harrislawsite.com Harris Law Firm PC 165 SE 26th Ave Hillsboro, OR 97123-7024	Keith B. Rogers (R) (503) 226-3083 Fax: (503) 226-0107 krogers@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127
Cheryl Richardson (R) (503) 581-0541 Fax: (503) 585-8599 richardson.cheryl@gmail.com Richardson & Raley Law Group 3488 Liberty Rd S Salem, OR 97302-4607	Laura K. Rittall (N) (503) 473-2954 lrittallpi@gmail.com Laura Rittall Investigations 1526 NE Alberta St #116 Portland, OR 97211-5046	Andrew Robinson (R) (503) 378-2410 Fax: (503) 375-9701 andrew.robinson@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Pamela Lundberg Rogers (N) (253) 677-1897 mitig8r@gmail.com Mitigation Specialist 6716 SE Jack Rd Portland, OR 97222-2834

Alphabetical Listing - R

Edie M. Rogoway (R) (503) 334-0331 Fax: (503) 334-0366 edie@edielaaw.com www.edielaw.com Rogoway Law 6312 SW Capitol Hwy Ste 1102 Portland, OR 97239-1938	Justin N. Rosas (S) (541) 245-9781 Fax: (541) 773-8483 justin@justinrosas.com www.justinrosas.com Attorney at Law 10 Crater Lake Ave Medford, OR 97504-7445	Matthew Rowan (R) (541) 779-5636 Fax: (541) 772-6222 matt@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Michelle A. Ryan (R) (503) 284-3292 Fax: (503) 234-6207 mryan97388@yahoo.com Law Office of Michelle A Ryan LLC 3050 SE Division St Ste 225 Portland, OR 97202-1451
Kyra K. Rohner-Ingram (R) (541) 523-9670 kyra@kyrarohner-ingram.com Kyra K Rohner-Ingram LLC 2646 Main Street PO Box 309 Baker City, OR 97814-0309	Michael E. Rose (L) (503) 221-1792 Fax: (503) 223-1516 mrose@civilrightspdx.com www.sstcr.com Creighton & Rose PC 500 Yamhill Plaza Bldg 815 SW 2nd Ave Ste 500 Portland, OR 97204-3005	Mark Runnels (R) (541) 891-2956 Fax: (541) 883-9060 markrunnels@hotmail.com Attorney at Law 403 Main St Klamath Falls, OR 97601-6029	Mark N. Sabitt (S) (541) 343-9909 Fax: (541) 343-0014 mm2atty@aol.com Spence & Sabitt LLP 747 Willamette St Eugene, OR 97401-2917
Keith J. Rohrbough (R) (541) 926-0751 Fax: (541) 791-5184 krohrbough@comcast.net Attorney at Law 313 1st Ave W Albany, OR 97321-2225	Judith N. Rosenberg (R) (503) 200-5950 Fax: (503) 200-5951 judith@trlawpc.com www.trw-law.com Troy & Rosenberg PC Tillamook Building 2105 NE Cesar E Chavez Blvd Ste 27 Portland, OR 97213-5433	Robin M. Runstein (R) (503) 222-3531 Fax: (503) 227-2980 rrunstein@kelrun.com Kell Alterman & Runstein LLP 520 SW Yamhill St Ste 600 Portland, OR 97204-1329	Stephen R. Sady (R) (503) 326-2123 Fax: (503) 326-5524 steve_sady@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225
Joseph J. Rollin (R) (503) 274-1680 Fax: (503) 274-1214 jjrollin@gonzaleslaw.com Law Ofc. of Jeff Gonzales 888 SW 5th Ave Ste 650 Portland, OR 97204-2051	Andrew M. Ross (R) (541) 343-7357 Fax: (541) 344-7273 carlandross@yahoo.com Carl & Ross, Attorneys 220 E 11th Ste 12-B Eugene, OR 97401-3361	Daniel E. Russell (R) (503) 282-7999 Fax: (503) 282-0199 dan@drusselllaw.com www.drusselllaw.com Russell Law Offices 1717 NE 42 Ave Ste 2102 Portland, OR 97213-1570	Thalia Sady (R) (503) 225-9100 Fax: (503) 295-0316 tsady@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Stephen L. Roman (R) (503) 325-3096 Fax: (503) 325-5893 steveroman@roman-law.net Attorney at Law 552 Commercial St PO Box 783 Astoria, OR 97103-0783	Anthony T. Rosta (R) (541) 343-8111 Fax: (541) 343-8021 tony@rostaconnelly.com www.rosta-connelly.com Rosta & Connelly PC 795 W 7th Ave Eugene, OR 97402-5483	Jeremy Rust (R) (503) 738-6380 Fax: (503) 738-6325 jrust@seasideattorneys.com www.seasideattorneys.com Moberg & Rust PC 842 Broadway St Seaside, OR 97138-6824	Heather J. Saffell (R) (541) 870-2184 Fax: (541) 684-7888 attorneysaffell@gmail.com Lane Juvenile Lawyers Assn Attorney at Law 2149 Centennial Plz Ste 5 Eugene, OR 97401-2456
Michael G. Romano (R) (541) 382-4404 Fax: (541) 330-0223 michael@romanolawpc.com www.romanolawpc.com Romano Law PC 3052 NW Merchant Way Ste 106 Bend, OR 97701-5466	Greg Rote (N) (541) 884-0333 Fax: (541) 884-0959 grote@fireserve.net Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031	Kasia E. Rutledge (R) (503) 225-9100 Fax: (503) 295-0316 krutledge@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Dominic M. Sagona (R) (541) 383-3755 sagonadominic@gmail.com Elliott Anderson Riquelme et al 1558 SW Nancy Way Ste 101 Bend, OR 97058-2216
Valerie Rone (R) (503) 225-9100 Fax: (503) 295-0316 vfeltz@gmail.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Erica Rothman (R) (503) 726-7900 Fax: (503) 726-4950 erothman@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Lore Rutz-Burri (N) (541) 552-6509 Fax: (541) 552-6439 rutz@sou.edu Criminology Department Southern Oregon University 1250 Siskiyou Blvd Ashland, OR 97520-5010	Kevin M. Sali (R) (503) 329-3598 Fax: (503) 765-5377 kevin@sallilaw.com Kevin Sali LLC 5 Centerpointe Dr Ste 400 Lake Oswego, OR 97035-8661
			Vada A. Salinas (R) (503) 378-7529 Fax: (503) 584-0607 vs-law@qwestoffice.net Law Office of Vada Salinas LLC 270 Cottage St NE Salem, OR 97301-3842

Alphabetical Listing - S

Luke Salyer (A) (568) 900-2164 lsalyer@uoregon.edu 1015 W 22nd Ave Eugene, OR 97405-2120	David Saydack (R) (541) 484-2611, ext. 172 Fax: (541) 484-5068 dsaydack@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Donald R. Schuessler MS (N) (541) 517-0397 dschuessle@msn.com www.eugeneforensics.com, www.internationalforensicexperts.com Forensic Consultant PO Box 8528 Coburg, OR 97408-1313	Mary A. Sell (R) (541) 673-0696 Fax: (541) 673-9791 msell@arnesongroup.com www.arnesongroup.com James A. Arneson PC 318 SE Jackson St Roseburg, OR 97470-3342
Angela Salzwedel-Kemp (N) (541) 884-0333 Fax: (541) 884-0959 angie@fireserve.net Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031	Jessica Saydack (R) (541) 484-2611, ext. 114 Fax: (541) 484-5068 jsaydack@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Roxanne R. Scott (R) (503) 263-7781 Fax: (503) 263-7782 roxannescott@canby.com Attorney at Law 675 NW Second Ave Ste 7 Canby, OR 97013-3445	Emily Seltzer (R) (503) 378-8399 Fax: (541) 278-0529 emily.seltzer@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030
Scott Sampels (N) (541) 389-7723 Fax: (541) 383-7177 scott@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040	Rebecca S. Schaleger (R) (503) 722-5153 Fax: (503) 655-1308 rebecca@rsslaw1.com www.sehalegerlaw.qwestoffice.net Attorney at Law 701 Main St Ste 202 Oregon City, OR 97045-1800	Ryan Scott (S) (503) 546-0618 Fax: (503) 244-2084 ryan@ryanscottlaw.com Scott and Huggins Law Offices 1549 SE Ladd Ave Portland, OR 97214-4700	Maria Sena (A) (415) 250-7539 marias42oon@comcast.net PO Box 1463 Ross, CA 94957-1463
Samantha M. Sanchez (R) (541) 880-5562 Fax: (541) 880-5564 sanchezsammy7@gmail.com Klamath Defender Services Attorney at Law 230 Main St Klamath Falls, OR 97601-6331	Brian Scherman (R) (971) 221-8163 btscherman@outlook.com Attorney at Law 14671 SE Wild Rose Ln Milwaukie, OR 97267-1687	John Scrivner CFEI RPA ARM PI (N) (509) 928-6541 Fax: (509) 927-1600 john@js-investigations.com www.arsoninjustice.com, www.js-investigations.com J Scrivner Investigations 9116 E Sprague Ave #472	Norman Sepenuk (R) (503) 221-1633 Fax: (503) 227-2980 nsepenuk@aol.com Norman Sepenuk PC 520 SW Yamhill St Ste 600 Portland, OR 97204-1329
Raymond S. Sanders (N) (541) 979-0344 rssanders@proaxis.com Crest Investigations 660 NW Erin Crest Albany, OR 97321-9630	John E Schlosser (R) (503) 808-9008 Fax: (503) 445-0405 jesattorney@gmail.com Dickison Law LLC 522 SW 5th Ave Ste 705 Portland, OR 97204-2124	Priscilla L. Seaborg (R) (503) 417-7744 Fax: (503) 221-1908 seaborg@seaborglaw.com www.lawyers.com/plslaw/ Attorney at Law 1906 SW Madison St Ste 2-A Portland, OR 97205-1718	Robert L. Sepp (R) ((50) 3) -998-, ext. 7719 Fax: (503) 636-6003 rsepp@msn.com Attorney at Law 2350 Willamette Falls Dr #9 West Linn, OR 97068-4737
Kent Santiago (N) (503) 927-9681 skentics@gmail.com Kent Investigations & Consulting Svc 2590 Broadmoor Pl Woodburn, OR 97071-7653	Brian W. Schmonsees (R) (503) 225-9100 Fax: (503) 295-0316 bschmons@gmail.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Michael W. Seidel (R) (541) 633-7400 Fax: (541) 213-2276 mseidel@michaelwseidellaw.com Seidel Law Offices 1345 NW Wall St Ste 100 Bend, OR 97701-1971	Tom Sermak (L) (503) 480-0521 Fax: (503) 480-0522 sermak@pdmarion.org Public Defender of Marion Co., Inc 198 Commercial St SE Ste 240 Salem, OR 97301-3496
Alsea Sarre (N) (503) 515-9072 sarreinvestigations@gmail.com Sarre Investigations PO Box 83243 Portland, OR 97283-0243	Greg B. Scholl (R) (503) 726-7900 Fax: (503) 726-4950 gscholl@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Aryn Seiler (A) (503) 875-6982 arynseiler@lclark.edu 1026 NW 20th Ave Apt 31 Portland, OR 97209-1535	Chris J. Shaffner (R) (541) 343-0026 Fax: (541) 484-5068 cjshaffner@gmail.com PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518
Jonathan T. Sarre (R) (503) 224-1104 Fax: (503) 224-9417 jon@kshlawyers.com www.kshlawyers.com Kohlmetz Steen & Hanrahan PC 741 SW Lincoln St Portland, OR 97201-3178	Robert M. Schrank (L) (541) 485-2214 Fax: (541) 338-4652 shrankster@aol.com Spinner & Schrank 747 Blair Blvd Eugene, OR 97402-4801		

Alphabetical Listing - S

N. David Shamloo Esq. (R) (503) 220-5045 Fax: (503) 221-1138 ndshamloo@cs.com www.davidnshomloo.com Law Ofc of N. David Shamloo LLC The Merchant Hotel Bldg 222 NW Davis St Ste 402 Portland, OR 97209-3900	David Sherbo-Huggins (R) (503) 378-2410 Fax: (503) 375-9701 david.sherbo-huggins@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Jeffrey Siefman (R) (503) 726-1716, ext. 2 Fax: (503) 822-0171 siefmanlaw@me.com www.bettercalljeff.com Siefman & Pond 2121 SW Broadway St Ste 130 Portland, OR 97201-3146	Debra S. Sirotiak (N) (503) 244-7744 Fax: (503) 389-7984 debsirotiak@msn.com Inteli-Track Investigations, Inc. 7410 SW Oleson Ste 120 Portland, OR 97223-7475
Scott Lee Sharp (R) (503) 726-7900 Fax: (503) 726-4950 ssharp@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Adrienne Sheridan (N) (541) 884-0333 Fax: (541) 884-0959 age@fireserve.net Klamath Defender Services 525 Main St Klamath Falls, OR 97601-6031	Geoffrey Squier Silver (L) (503) 224-1110 Fax: (503) 224-4018 gsslaw@teleport.com www.gsslegal.com Attorney at Law 520 SW Yamhill St Ste 330 Portland, OR 97204-1399	Fahmi Slail (N) ((50) 3) -778-, ext. 0525 fahmi@toplinguist.com Arabic Interpreter 2341 NW 160th Ave Beaverton, OR 97006-7650
Stephen J.R. Shepard (R) (541) 683-8200 Fax: (541) 302-1770 sshepard@continet.com Lane Juvenile Lawyers Assn DePaolis & Shepard 801 E Park St Eugene, OR 97401-2909	Steven J. Sherlag (L) (503) 227-5200 Fax: (503) 227-2530 steven@sherlaglaw.com Law Office of Steven Sherlag 621 SW Morrison St Ste 900 Portland, OR 97205-3823	Daniel Simcoe (R) (541) 474-1162 Fax: (541) 471-9288 dan@danielsimcoe.com Attorney at Law 242 NW E St Grants Pass, OR 97526-2046	Donna Grund Slepack (N) (503) 294-7084 dslepack@comcast.net Mitigation Specialist 3509 NW Raleigh Portland, OR 97210-1977
Wm. Bruce Shepley (R) (503) 657-4436 Fax: (503) 650-5976 wbshepley@aol.com Attorney at Law 615 Main St Ste 202 Oregon City, OR 97045-1856	Laurie Shertz (R) (503) 471-1332 Fax: (503) 296-5669 laurie@lshertzlaw.com www.lshertzlaw.com Laurie Shertz LLC 121 SW Salmon St 11th Flr Portland, OR 97204-2921	Emily Simon (L) (503) 239-6101 Fax: (503) 239-6659 emily@emilysimon.com Attorney at Law 26 NE 11th Ave Portland, OR 97232-3001	Arthur P. Slininger (R) (503) 266-7234 Fax: (503) 263-2224 aslininger@canbylawoffice.com Clancy & Slininger, Lawyers 549 NW 2nd Ave Canby, OR 97013-3529
Elizabeth J. Sher (R) (503) 232-2540, ext. 268 Fax: (503) 231-4767 liz.s@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Connor Shores (R) (541) 889-2351 Fax: (541) 889-6672 cshores@malheurlawyers.com Stoddard & Denison Law PC 381 W Idaho Ave Ontario, OR 97914-2344	Andy Simrin (R) (503) 265-8940 Fax: (503) 221-1632 AndySimrin@OregonAppeals.net www.OregonAppeals.net Andy Simrin PC 405 NW 18th Ave Portland, OR 97209-2217	A. V. Llonny Smith (R) (541) 296-9601 Fax: (541) 386-2412 lonnysmith@gorge.net Morris Smith Starns & Sullivan PC 414 Washington St Ste 3 The Dalles, OR 97058-2216
Diana M. Shera Taylor (R) (503) 397-5868 taylorlaw@q.com Diana M Shera Taylor PC PO Box 232 St. Helens, OR 97051-0232	Jason Short (R) (503) 747-7198 Fax: (503) 747-2951 jason@shortlawgroup.com www.shortlawgroup.com Short Law Group PC 12755 SW 69th Ave Ste 200 Portland, OR 97223-8373	Bobbin Singh (N) (503) 768-7321 singh@ojrc.org www.ojrc.org Oregon Justice Resource Center PO Box 40588 Portland, OR 97240-0588	Adrian W. Smith (R) (503) 459-7586 adrianwsmith@peoplepc.com Attorney at Law PO Box 203 Oregon City, OR 97045-0013
Angela Sherbo (R) (503) 232-2540, ext. 233 Fax: (503) 231-4767 angela.s@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Autumn Shreve (R) (503) 241-7075 Fax: (503) 241-1768 adshreve@gmail.com Attorney at Law 735 SW 1st Ave 2nd Flr Portland, OR 97204-3226	Tahra Sinks (R) (503) 363-5588 Fax: (503) 363-5585 tahra@comcast.net Attorney at Law PO Box 1114 Salem, OR 97308-1114	Annette Smith (R) (541) 673-0966 Fax: (541) 673-9791 asmith@arnesongroup.com James A. Arneson PC 318 SE Jackson St Roseburg, OR 97470-3342
			Brent H. Smith (R) (541) 963-3104 Fax: (541) 963-9254 brent@bselaw.com Baum Smith LLC 1902 4th St Ste 1 PO Box 967 La Grande, OR 97850-0967

Alphabetical Listing - S

Brian Smith (A) (510) 219-6528 brian.lev.smith@gmail.com 10022 SW Terwilliger Blvd Portland, OR 97219-7702	Jessica G. Snyder (R) (503) 225-9100 Fax: (503) 295-0316 jessicagsnyder@gmail.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Marc A. Spence (R) (541) 343-9909 Fax: (541) 343-0014 Marcspence@aol.com Lane Juvenile Lawyers Assn Spence & Sabitt 747 Willamette St Eugene, OR 97401-2917	Kenneth A. Stafford (R) (503) 226-3083 Fax: (503) 226-0107 stafford@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127
Davis Smith (R) (541) 492-2868 Fax: (541) 672-5446 davis@tkdlawgroup.com TKD Law Group 753 SE Main St PO Box 1578 Roseburg, OR 97470-0364	Noel K. Snyder (R) (503) 249-0747 Fax: (503) 249-0748 noelk0731@yahoo.com Attorney at Law 4415 NE Sandy Blvd Ste 204 Portland, OR 97213-1911	Jesse Neal Spencer (R) (503) 234-4756 Fax: (503) 234-0288 bsattys@aol.com Bernardi & Spencer 3331 SE Milwaukie Ave Portland, OR 97202-2746	Brian M. Starns (R) (541) 386-1661 Fax: (541) 386-2412 brianstarns@gmail.com Morris Smith Starns & Sullivan PC 116 Oak St Ste 8 Hood River, OR 97031-2375
Dean Smith (R) (503) 726-7900 Fax: (503) 726-4950 dsmith@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Sara Snyder (R) (503) 860-0041 Fax: (503) 296-5517 sara@sarasnyderlaw.com Attorney at Law LLC 1906 SW Madison St Portland, OR 97205-1718	M. John Spicer (R) (541) 247-7003 Fax: (541) 247-0705 office@mjspicer.com www.mjspicer.com Attorney at Law 94211 Gauntlett St PO Box 645 Gold Beach, OR 97444-0645	Michael W. Staropoli (R) (503) 226-2332 Fax: (503) 546-2236 mwstaropoli@gmail.com Attorney at Law 4535 SW Laurelwood Ave Portland, OR 97225-2240
Keri Smith (R) (541) 757-1414 Fax: (541) 753-0884 smith@ringostuber.com www.ringostuber.com Ringo Stuber Ensor & Hadlock PC 605 SW Jefferson Ave Corvallis, OR 97333-4509	Elizabeth Soenneker (N) (503) 225-9100 Fax: (503) 295-0316 esoenneke@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Martha T. Spinhirne (R) (503) 225-9100 Fax: (503) 295-0316 mspinhir@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Karen A. Steele (R) (503) 508-4668 kastelee@karenasteele.com www.karenasteele.com Attorney at Law PO Box 4307 Salem, OR 97302-8307
Peter J. Smith (R) (541) 471-3363 Fax: (541) 471-3365 peter@sopd.net Southern Oregon Public Def., Inc. 215 SE 6th St 4th Flr Grants Pass, OR 97526-2471	David C. Sorek (R) (503) 227-3313 Fax: (503) 296-5368 david@soreklaw.com www.soreklaw.com David Sorek Attorney at Law 520 SW Yamhill St Ste 428 Portland, OR 97204-1327	Alex Spinks (R) ((54) 1) -957-, ext. 5344 Fax: (541) 673-2748 alexspinks@gmail.com Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Sonja Good Stefani (A) (503) 225-9100 Fax: (503) 295-0316 sgoodstefani@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
Randall Snow (R) (503) 378-7744 Fax: (503) 378-1013 rsnow@salemattorneys.com www.salemmattorneys.com Harris Wyatt Amala LLC 5778 Commercial St SE Salem, OR 97306-1200	Nathan Sosa (R) (503) 352-9360 Fax: (503) 946-3067 nathan@corbridge law.com Corbridge Law Offices 19075 NW Tanasbourne Dr Ste 100 Hillsboro, OR 97124-5824	Adam C. Springer (R) (541) 272-5500 Fax: (541) 264-8401 springer@yaquinalaw.com www.yaquinalaw.com Adam C Springer LLC 914 SW Coast Hwy PO Box 1987 Newport, OR 97365-0100	Mara Steinberg Walker (N) (503) 789-4697 Fax: (503) 282-1006 maraswalker@gmail.com Steinberg Investigations PO Box 13687 Portland, OR 97213-0687
Erin Snyder (R) (503) 378-3349 Fax: (503) 375-9701 Erin.snyder@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Thomas M. Spear Jr. (R) (541) 388-1660 Fax: (541) 383-0610 tj@thedekalbgroup.com DeKalb & Associates 1345 NW Wall St Ste 101 Bend, OR 97701-1971	Jon G. Springer (R) (541) 323-3200 Fax: (541) 323-3050 cutter@bendlte.net Jon Springer PC 990 NW Brooks St Ste 3 Bend, OR 97701-2033	Bradley Steinman (R) (847) 917-9673 bradley@greenbusinesslaw.us Green Business Law LLC 4207 SE Woodstock Blvd Ste 231 Portland, OR 97206-6267
			Karen M. Stenard (R) (541) 343-9909 Fax: (541) 343-0014 sabsten@aol.com Lane Juvenile Lawyers Assn Attorney at Law 747 Willamette St Eugene, OR 97401-2917

Alphabetical Listing - S

Zachary J. Stern (R) (503) 585-9197 Fax: (503) 399-7904 zstern@ferder.com Ferder Casebeer French & Thompson 515 High St SE PO Box 843 Salem, OR 97308-0843	Mary Shannon Storey (R) (503) 378-2458 Fax: (503) 375-9701 mary-shannon.storey@opds.state.or.us www.opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Philip W. Studenberg (L) (541) 880-5562 Fax: (541) 880-5564 phil@philstudenberg.com Phil Studenberg Attorney at Law Inc 230 Main St Klamath Falls, OR 97601-6331	Erik C. Swallow (R) (541) 957-5344 Fax: (541) 673-9791 Erik.Swallow@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933
Matt Steven (A) (503) 380-1724 mjs@lclark.edu 9281 SW Boones Ferry Rd Portland, OR 97219-4829	John E. Storkel (R) (503) 363-6625 Fax: (503) 375-4214 oceanpoet@comcast.net Attorney at Law 1415 Liberty St SE Salem, OR 97302-4343	Stuart A. Sugarman (R) (503) 228-6655 Fax: (503) 228-7019 stusugarman.law@gmail.com Warren & Sugarman 838 SW 1st Ave Ste 500 Portland, OR 97204-3324	Matthew Sweeney (R) (503) 221-1772 Fax: (503) 221-1074 mms@brownrask.com Brownstein Rask Sweeney et al LLP 1200 SW Main St Portland, OR 97205-2040
Gina Marie Stewart (R) (541) 673-0696 Fax: (541) 673-9791 gstewart@arnesongroup.com James A. Arneson PC 318 SE Jackson St Roseburg, OR 97470-3342	Louis Strack (R) (503) 302-3922 louis.strack@gmail.com Attorney at Law 1085 Oxford St SE Salem, OR 97302-3070	T. Conor Sullivan (R) (541) 386-1661 Fax: (541) 386-2412 atty.tconorsullivan@gmail.com Morris Smith Starns & Sullivan PC 116 Oak St Ste 8 Hood River, OR 97031-2375	Patrick John Sweeney (R) (503) 244-2080 Fax: (503) 244-2084 sweeney@pdxlawyer.com Patrick John Sweeney PC 1549 SE Ladd Ave Portland, OR 97214-4700
Steven M. Stoddard (R) (541) 889-2351 Fax: (541) 889-6672 steve@raderlaw.com Stoddard & Denison Law PC 381 W Idaho Ave Ontario, OR 97914-2344	Edward L. Strand (R) (503) 645-3309 ed.strand@frontier.com Attorney at Law PO Box 91565 Portland, OR 97291-0017	Kimberly Sundquist (N) (541) 889-2351 Fax: (541) 889-6672 ksundquist@raderlaw.com Stoddard & Denison Law PC 381 W Idaho Ave Ontario, OR 97914-2344	Michelle Sweet (R) (503) 326-2123 Fax: (503) 326-5524 michelle_sweet@fd.org Federal Public Defender 101 SW Main St Ste 1700 Portland, OR 97204-3225
Frank E. Stoller (R) (503) 538-6724 Fax: (503) 538-9769 fstoller@frontier.com Attorney at Law 392 N Highway 99W PO Box 459 Dundee, OR 97115-0459	P. Daniel Strausbaugh (R) (541) 389-9825 Fax: (541) 330-1480 pds@centraloregonlawyer.com www.centraloregonlawyer.com P. Daniel Strausbaugh PC 1558 SW Nancy Way Ste 101 Bend, OR 97702-3216	John L. Susac (R) (541) 233-0750 Fax: (541) 233-0751 johnsusac@live.com Attorney at Law 231 N Main St Ste 233 Prineville, OR 97754-1851	Jessica Swinford (R) (503) 363-9158 JSwinford.BocciLaw@gmail.com Christopher C. Bocci & Associates 1415 Liberty St SE Salem, OR 97302-4343
Jennifer Stoller (R) (503) 232-2540 Fax: (503) 231-4767 jennifer.s@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Kim Street (N) (541) 779-5636 Fax: (541) 772-6222 kim@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	James J. Susee (R) (503) 399-1678 Fax: (503) 371-2495 jsuseeatty@peoplepc.com Attorney at Law 494 State St SE Ste 440 PO Box 2690 Salem, OR 97308-1047	Phillip S. Swogger (R) (503) 399-8404 Fax: (503) 763-1467 sheborawk@comcast.net Attorney at Law 380 Madrona Ave S Salem, OR 97308-2105
Robert M. Stone (R) (541) 734-4093 Fax: (541) 734-3841 rob@robstonelaw.com www.robstonelaw.com Attorney at Law 19 S Orange St Medford, OR 97501-2948	Chris Stubblefield (R) (503) 334-7661 Fax: (503) 214-8167 chris@cstubblefieldlaw.com www.cstubblefieldlaw.com Attorney at Law 1915 NW AmberGlen Pkwy Ste 400 Beaverton, OR 97006-6938	Julie Sutton (R) (503) 232-2540, ext. 236 Fax: (503) 231-4767 julie.s@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	T. L. Symonds (N) (503) 697-5821 Fax: (800) 417-7498 info@legallocatorservice.com Legal Locator Service LLC 16869 SW 65th Ave Ste 334 Lake Oswego, OR 97035-7865
		Brenda Tam (N) (503) 226-3083, ext. 114 Fax: (503) 226-0107 btam@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	

Alphabetical Listing - T

Bruce D. Tarbox (R) (503) 753-3638 Fax: (503) 245-1562 brucetarbox@me.com Bruce Tarbox PC 403 S McLoughlin Blvd Oregon City, OR 97035-0044	Holly Tolerant (R) (503) 378-2344 Fax: (503) 375-9701 holly.tolerant@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Michael J. Thompson (R) (541) 386-1811 Fax: (541) 386-6242 mthompson@gorge.net Annala Carey Baker Thompson et al 305 Cascade PO Box 325 Hood River, OR 97031-0011	Raymond S. Tindell (R) (503) 257-9268 Fax: (503) 256-6470 raypdxlaw@gmail.com Attorney at Law 1122 NE 122nd Ave Ste B211 Portland, OR 97230-2083
R.T. Tavey (N) (503) 553-9762 contact@taveyinvestigations.com R.T. Tavey Investigations LLC 4326 SE Woodstock #528 Portland, OR 97206-6270	David G. Terry (L) (541) 672-4693 Fax: (541) 672-4420 davidterrylaw@gmail.com David G. Terry PC 1228 SE Douglas Ave Roseburg, OR 97470-4346	Olcott Thompson (L) (503) 581-6881 Fax: (503) 585-9070 o.thompson@comcast.net Attorney at Law 270 Cottage St NE PO Box 1062 Salem, OR 97308-1062	Shannon L. Tissot (R) (541) 980-1373 Fax: (888) 812-4178 shannontissot@me.com Attorney at Law PC 112 W 4th St PO Box 1074 The Dalles, OR 97058-9074
Cameron Taylor (A) (352) 672-0233 camtaylor@lclark.edu 5025 SW Corbett Ave Apt 17 Portland, OR 97239	John-Michael Thiesen (R) (503) 693-7505 Fax: (503) 693-7204 john-michael@myfamilyfirm.com Ridehalgh & Associates LLC 233 E Main St Ste 200 Hillsboro, OR 97123-4066	Scott K. Thompson (R) (503) 655-0068 Fax: (503) 655-1308 sktlaw1@gmail.com Attorney at Law 217 7th St Oregon City, OR 97045-1804	Andrea Titus (N) (503) 702-0014 dretitus@gmail.com Andrea Titus Mitigation & Investigati PO Box 14893 Portland, OR 97214-0893
Daniel E. Taylor (R) (541) 574-2944 Fax: (541) 574-9877 danieltaylorlaw@yahoo.com Attorney at Law PO Box 1667 Newport, OR 97365-0122	Jason R. Thomas (R) (541) 957-5344 Fax: (541) 673-2748 jasonrthomaslaw@gmail.com Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Sheri Thonstad (R) ((54) 1) -645-, ext. 0891 Fax: (541) 308-0113 slthonstad@yahoo.com Attorney at Law PO Box 1174 Hood River, OR 97031-1174	Spencer Todd (R) (503) 588-3088 toddspencerw@gmail.com Attorney at Law 1250 Cannon St SE Salem, OR 97302
Holly Taylor (N) (541) 779-5636 Fax: (541) 772-6222 holly@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742	Eugene M. Thompson (R) (541) 957-5344 Fax: (541) 673-2748 eugene.thompson@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Chris Thresher (A) (503) 375-0803 Fax: (503) 375-0813 cthresher@gmail.com Robert Williamson & Associates 960 Broadway St NE Salem, OR 97301-1275	Walter J. Todd (L) (503) 588-3088 Fax: (503) 588-3480 walterjtodd@comcast.net Attorney at Law 1250 Cannon St SE Salem, OR 97302-2855
Irene B. Taylor (R) (503) 378-3067 Fax: (503) 375-9701 irene.b.taylor@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Jason E. Thompson (L) (503) 585-9197 Fax: (503) 399-7904 jthompson@ferder.com Ferder Casebeer French & Thompson 515 High St SE PO Box 843 Salem, OR 97308-0843	Bob Thuemmel (L) (503) 227-4601 Fax: (503) 243-3274 bthuemmel@qwestoffice.net www.thuemmel-uhle-eder.com Thuemmel Uhle & Eder 1300 SW 5th Ave Ste 2135 Portland, OR 97201-5647	Michael Tooley (R) (503) 858-5628 Fax: (503) 644-4754 tooleylaw@gmail.com Attorney at Law 12208 NW Barnes Rd Apt 226 Portland, OR 97229-6024
Lawrence L. Taylor (R) (503) 228-2578 Fax: (877) 865-9193 lawrencelt@yahoo.com Attorney at Law 1020 SW Taylor St Ste 230 Portland, OR 97205-2555	Martin Thompson (R) (541) 573-5299 Fax: (541) 573-5219 martin.thompson.jd@gmail.com Attorney at Law 53 W Washington Ste A Burns, OR 97720-1544	Cordelia H. Tilghman (R) (503) 226-3083 Fax: (503) 808-9116 ctilghman@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Peter R T Tovey (R) (503) 547-0670 Fax: (503) 547-0671 petert@hillsborolawgroup.com Hillsboro Law Group PC 161 NW Adams Ave Ste 300 Hillsboro, OR 97124-3398
Suzanne K. Taylor (R) (503) 391-7664 Fax: (503) 339-2987 salemawdog@yahoo.com Attorney at Law 1596 Liberty St SE Salem, OR 97302-4346		Pamela Tower (R) (808) 255-2949 pamelatower@earthlink.net Attorney at Law 2350 NW Savier St Unit 328 Portland, OR 97210-2794	

Alphabetical Listing - T

Josephine Townsend (R) (360) 694-7601 Fax: (360) 694-7602 jctownsend@aol.com Attorney at Law 211 E 11th St Ste 104 Vancouver, WA 98660-3248	Typhanny Tucker (N) (503) 734-7598 Fax: (503) 419-4377 swiftpi.pdx@gmail.com Swift Investigations 4064 NE Mallory Ave Portland, OR 97212-1040	William K. Uhle (L) (503) 227-4601 Fax: (503) 243-3274 wuhle@aol.com www.thuemmel-uhle-eder.com Thuemmel Uhle & Eder 1300 SW 5th Ave Ste 2135 Portland, OR 97201-5647	James D. Van Ness (R) (503) 365-8800 Fax: (503) 365-8822 jim.vanness@vmlaw.org www.vmlaw.org Van Ness Mooney LLC 285 Liberty St NE Ste 360 Salem, OR 97301-5051
Anne E. Tracey (R) (503) 640-0708 Fax: (503) 681-9801 anneetracey@hotmail.com www.annetraceylaw.com Attorney at Law 101 SW Washington St Hillsboro, OR 97123-4091	William L. Tufts (L) (541) 688-8608 blt.tlt@hotmail.com Attorney at Law 1445 Juhl St Eugene, OR 97402-1339	Kathryn Underhill (R) (503) 232-2540, ext. 247 Fax: (503) 231-4767 kathryn.u@youthrightsjustice.org Youth, Rights & Justice, Attys at Law 401 NE 19th Ave Ste 200 Portland, OR 97232-4800	Andrew L. Vandergaw (R) (541) 779-5636 Fax: (541) 772-6222 andrew@sopd.net Southern Oregon Public Def., Inc. 604 W Main St Medford, OR 97501-2742
Matthew Tracey (R) (541) 267-2472 Fax: (541) 267-6853 mtracey@swopds.org SWOPDs, Inc. 465 Elrod Ave Coos Bay, OR 97420-1532	Clayton M. Tullos (R) (541) 515-1505 Fax: (541) 746-4109 clayton@claytontullos.com www.emeraldalaw.cocom Leahy Van Vector Cox & Melendy, LL 188 West B St Bldg N Springfield, OR 97477-4519	Marino Underwood (N) (541) 484-2611, ext. 113 Fax: (541) 484-4568 munderwood@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Monty K. VanderMay Esq. (L) (503) 588-8053 office@vandermaylawfirm.com www.vandermaylawfirm.com The VanderMay Law Firm 2085 Commercial St NE Salem, OR 97301-0711
John B. Trew (R) (541) 756-2600 Fax: (541) 756-6750 johnREW@frontier.com John B Trew 1834 McPherson Ave Ste A North Bend, OR 97459-3414	Jeff Turnoy (R) (503) 477-5150 Fax: (503) 208-3410 jeff@coganlawoffice.com www.coganlawoffice.com Mark Cogan Law Office PC Crown Plaza Building 1500 SW 1st Ave Ste 780 Portland, OR 97201-5815	Alec Unis (A) (509) 979-4573 unisa@lclark.edu 10015 SW Boones Ferry Rd Portland, OR 97219-7748	Carlos S. Vega (N) (541) 379-1958 vcarlos58@yahoo.com Investigator 824 NW 5th St Pendleton, OR 97801-1310
Sean M. Trimble (R) (541) 678-5614 Fax: (541) 633-7383 sean@angelaleelaw.com The Law Office of Angela Lee 360 NW Vermont Pl Ste 100 Bend, OR 97701-1933	John H. Tuthill (R) (503) 842-6601 Fax: (503) 842-6263 jtuthill@johntuthill.com johntuthill.com John H. Tuthill & Associates 2406 3rd St PO Box 544 Tillamook, OR 97141-0544	Maite Uranga (R) (503) 504-6659 maite@urangalaw.com Attorney at Law 610 SW Alder St Ste 415 Portland, OR 97205-3605	Albino Vela (R) (503) 981-9276 Fax: (503) 902-0378 albinovela@gmail.com Attorney at Law 1537 N Pacific Hwy Woodburn, OR 97071-3656
Chris Trotter (R) (503) 747-7198 Fax: (503) 747-2951 chris@shortlawgroup.com www.shortlawgroup.com Short Law Group PC 12755 SW 69th Ave Ste 200 Portland, OR 97223-8373	John J. Tyner III (R) (503) 648-5591 Fax: (503) 640-3393 johntyneratty@gmail.com Tyner & Associates 347 SW Oak St Hillsboro, OR 97123-3934	Lisa C. Valenta (R) (541) 350-1614 valentalawfirm@gmail.com Bend Attorney Group Law Office of Lisa C. Valenta 990 NW Brooks St Ste 1 Bend, OR 97701-2033	Gregory E. Veralrud (L) (541) 345-3333 Fax: (541) 342-1908 veralrud@oregonattorney.com www.oregonattorney.com Veralrud & Fowler 975 Oak St Ste 625 Eugene, OR 97401-3120
F. G. (Jamie) Troy II (R) (503) 200-5950 Fax: (503) 200-5951 jamie@trlawpc.com www.trlawpc.com Troy & Rosenberg PC Tillamook Building 2105 NE Cesar E Chavez Blvd Ste 270 Portland, OR 97213-5433	Robert Tyner (N) (503) 648-2256 Fax: (503) 640-3393 tynerinv@gmail.com Investigator 347 SW Oak St Hillsboro, OR 97123-3934	Sandra Y. Vallejo (R) (503) 226-3083 Fax: (503) 808-9116 svallejo@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	David M. Veverka (R) (503) 467-4911 Fax: (503) 546-7905 david@ververkalaw.com David M Veverka PC 8705 SW Nimbus Ave Ste 230 Beaverton, OR 97008-7154
		Heidi J. Van Kirk (R) (541) 278-9625 Fax: (541) 278-9626 heidivankirk@yahoo.com Breiling & Van Kirk 225 SW Emigrant Ave Pendleton, OR 97801-2133	

Alphabetical Listing - V

Julio D. Vidrio (R) (503) 623-6676 Fax: (503) 623-8339 mingovidrio@gmail.com Chris L. Lillegard PC 236 SW Mill St Dallas, OR 97338-3114	James A. von Hippel (R) (541) 267-2472 Fax: (541) 267-6853 jamesvh@swopds.org www.swopds.org SWOPDS, Inc. 465 Elrod Ave Coos Bay, OR 97420-1532	D. Mack Walls (R) (541) 928-9975 Fax: (541) 928-0388 dwalls8129@aol.com Attorney at Law 430 Washington SW PO Box 66 Albany, OR 97321-0018	Steven T. Wax (R) (503) 830-7758 stwax@outlook.com Oregon Innocence Project, Legal Direc 630 SW 5th Ave Ste 500 Portland, OR 97204-1411
David Vill (R) (541) 344-4446 vill.law.office@gmail.com Lane Juvenile Lawyers Assn Attorney at Law 767 Willamette St Ste 304 Eugene, OR 97401-2993	Wendy L. Votroubek RN, MPH, CI (503) 775-3221 Fax: (503) 775-3224 legalnursepdx@gmail.com Integrity Legal Nurse Consulting PDX 4207 SE Woodstock Blvd #365 Portland, OR 97206-6267	Steven R. Walls (R) (503) 391-4777 Fax: (503) 371-8195 steven_walls@hotmail.com Attorney at Law 868 Commercial St NE Salem, OR 97301-1016	Robert C. Weaver Jr. (R) (503) 228-3939, ext. 3123 Fax: (503) 226-0259 rweaver@gslaw.com www.gslaw.com Garvey Schubert Barer 121 SW Morrison St 11th Flr Portland, OR 97204-3141
Charles H. Vincent (R) (541) 687-6765 Fax: (541) 393-0726 cvincent@vincentandassociates.net Vincent & Associates 630 Lincoln St PO Box 12221 Eugene, OR 97440-4421	Lee Wachocki (R) (503) 226-3083 Fax: (503) 226-0107 lwachocki@multnomahdefenders.org Multnomah Defenders, Inc. 522 SW 5th Ave Ste 1000 Portland, OR 97204-2127	Maraed Walsh (N) (401) 440-6768 maraed.walsh@gmail.com Investigator PO Box 25733 Portland, OR 97298-0733	Donald G. Webb (N) (503) 931-0670 Fax: (503) 589-1825 donwebb531@msn.com www.crashspeed.com Accident Analysis Service 3890 Brush College Rd Salem, OR 97304-9525
Dave T. Viuhkola (S) (503) 654-2845 Fax: (503) 654-7436 karimarcott@comcast.net Attorney at Law 6751 SE Thiessen Rd Ste B Milwaukie, OR 97267-1800	Elizabeth N. Wakefield (R) (503) 225-9100 Fax: (503) 295-0316 ewakefield@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	William J. Walsh (R) (503) 224-7977 Fax: (503) 226-0107 wwalsh@cfelaw.com Calhoun & Fishback PC 610 SW Alder St Ste 803 Portland, OR 97205-3609	Jason Weber (R) (503) 226-0923 jason@oconnorweber.com www.oconnorweber.com O'Connor Weber LLP 522 SW 5th Ave Ste 1125 Portland, OR 97204-2139
Randall L. Vogt (R) (503) 228-9858 Fax: (503) 228-9860 vogt4me1@comcast.net Law Ofc of Randall Vogt 1314 NW Irving St Ste 207 Portland, OR 97209-2722	Brian Walker (R) (541) 484-2611 Fax: (541) 484-5068 bwalk1154@gmail.com PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Peter F. M. Warburg (L) (541) 915-2796 petewarb@comcast.net Attorney at Law 2161 Stonecrest Dr Eugene, OR 97401-1729	Owyhee Weikel-Magden (R) (541) 647-1639 Fax: (541) 647-1644 owyhee@owyhee-law.com Bend Attorney Group Law Ofc of Owyee Weikel-Magden 327 NW Greenwood Ave Ste 300 Bend, OR 97701-1946
Riccola J. Voigt (R) (541) 573-2066 Fax: (541) 573-2068 voigtriccola@gmail.com John B Lamborn Atty at Law PC 191 West A St Burns, OR 97720-1502	Victory D. Walker (R) (541) 471-3363 Fax: (541) 471-3365 victory@sopd.net Southern Oregon Public Def., Inc. 215 SE 6th St 4th Flr Grants Pass, OR 97526-2471	Erick W. Ward (R) (541) 312-5150 Fax: (541) 318-8966 erick@wardgrover.com Ward Grover LLP 516 SW 13th St Ste 201 Bend, OR 97702-3442	Andrew Weiner (R) (503) 222-1125 Fax: (503) 222-7589 andrew@jhoffman.com Janet Hoffman & Associates 1000 SW Broadway Ste 1500 Portland, OR 97205-3081
John C. Volmert (L) (541) 484-2611, ext. 108 Fax: (541) 484-5068 volmert@lanepds.org PD Services of Lane County, Inc. 1143 Oak St Eugene, OR 97401-3518	Max Wall (R) (971) 303-9255 max@maxwalllaw.com Attorney at Law 610 SW Broadway Ste 405 Portland, OR 97205-3405	Russell K. Ward (N) (503) 704-2659 Fax: (503) 538-8198 russkward@onlinenw.com Investigator 13420 NE Fox Hollow Lane Newberg, OR 97132-6450	Jon H. Weiner (R) (503) 399-7001 Fax: (503) 399-0745 jweiner@nw-attorneys.com Jon H Weiner PC 1415 Commercial St SE Salem, OR 97302-4307
		Katherine Watson (A) (971) 902-9557 kwatson@mpdlaw.com 01015 SW Palatine Hill Rd Portland, OR 97219-8380	

Alphabetical Listing - W

Neal Weingart (R) (503) 898-0779 Fax: (888) 957-8392 neal@nealweingartlaw.com Attorney at Law 1906 SW Madison St Portland, OR 97205-1718	Kami J. White (R) (503) 225-9100 Fax: (503) 295-0316 kwhite@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Ashlee R. Wiese (R) (541) 689-3261 Fax: (541) 325-4630 ashlee@oregonatty.com www.arwlegal.com Eckart Wostmann Wiese LLC 401 E 10th Ave Ste 200 Eugene, OR 97401-3304	Bear Wilner-Nugent (R) ((50) 3) -351-, ext. 2327 Fax: (503) 914-6665 bwnlaw@gmail.com www.bwnlaw.com Counselor and Attorney at Law LLC 620 SW 5th Ave Ste 1008 Portland, OR 97204-1424
Dana M. Weinstein (R) (541) 687-2378 Fax: (541) 484-7404 dmweinsteinlaw@gmail.com Lane Juvenile Lawyers Assn Dana M Weinstein LLC 725 Country Club Rd Eugene, OR 97401-6008	Seth White (R) (503) 726-7900 Fax: (503) 726-4950 swwhite@mpdlaw.com Metro PD, Washington Co. 400 E Main St Ste 210 Hillsboro, OR 97123-4160	Jacob Wieselman (R) (503) 697-7277 Fax: (503) 697-9299 jackw@wggroup-law.com Wieselman Law Group 312 NW 10th Ave Ste 200 Portland, OR 97209-3121	L. Todd Wilson (R) (541) 383-3755 Fax: (541) 330-1480 todd@eaattorneys.com Elliott Anderson Riquelme & Wilson 1558 SW Nancy Way Ste 101 Bend, OR 97702-3216
Mark B. Weintraub (R) (541) 465-6937 Fax: (541) 465-6975 mark_weintraub@fd.org Federal Public Defender 859 Willamette St Ste 200 Eugene, OR 97401-2911	Cadence L. Whiteley (R) (541) 957-5344 cadence.whiteley@uvpd.org Umpqua Valley Public Defender 505 SE Main St Roseburg, OR 97470-4933	Shawn E. Wiley (R) (503) 378-2330 Fax: (503) 375-9701 shawn.e.wiley@opds.state.or.us Office of Public Defense Svcs 1175 Court St NE Salem, OR 97301-4030	Shannon I. Wilson (R) (503) 949-1153 Fax: (971) 270-2808 shannon@brwlawfirm.com www.bridgetownlaw.com Baker Richards & Wilson 503 High St Oregon City, OR 97045-2264
Grant D. Wenzlick (R) (503) 574-3397 Fax: (503) 536-6830 gw2defend@yahoo.com Attorney at Law 4085 SW 109th Ste 100 Beaverton, OR 97005-3000	Robert W. Whitnah (R) (541) 523-1633 Fax: (541) 523-1026 robert@whitnahlaw.com Whitnah & Hampton Law LLC 1920 1st St Baker City, OR 97814-3309	Clinton J. Williams (R) (541) 269-1250 Fax: (541) 267-4517 clint@cjwlawoffice.com Attorney at Law 1052 Southwest Blvd PO Box 1211 Coos Bay, OR 97420-0311	Kristen L. Winemiller (L) (503) 222-2510 Fax: (503) 222-2864 kriswinemiller@pacificnwlaw.com Pacific Northwest Law LLP 1420 World Trade Cntr 121 SW Salmon St Ste 1420 Portland, OR 97204-2924
Sara Werboff (R) (503) 222-1125 Fax: (503) 222-7589 sara@jhoffman.com Janet Hoffman & Associates 1000 SW Broadway Ste 1500 Portland, OR 97205-3081	Michael M. Whitney (N) (541) 954-1729 Fax: (541) 726-9132 whitinv@gmail.com Whitney Investigations 1415 N 66th St Springfield, OR 97478-7179	Harry Williams (N) (503) 650-4678 blacksheepservices@outlook.com Blacksheep Services PO Box 226 West Linn, OR 97068-0226	Kirk Wintermute (R) (503) 325-5157 Fax: (503) 325-1103 kirk.wintermute.law@gmail.com Kristopher A. Kaino PC PO Box 294 Astoria, OR 97103-0294
Steven L. West (R) (503) 225-9100 Fax: (503) 295-0316 swest@mpdlaw.com Metro Public Defender 630 SW 5th Ave Ste 500 Portland, OR 97204-1411	Robynne A. Whitney (R) (541) 344-0004 Fax: (541) 344-8443 robynnewhitney@mac.com Lane Juvenile Lawyers Assn Attorney at Law 801 E Park St Eugene, OR 97401-2909	R. Wes Williams (R) (541) 962-0896 Fax: (541) 962-7831 wes@weswilliamsattorney.com Attorney at Law 115 Elm St Ste 15-22 La Grande, OR 97850-2656	Joel Wirtz (R) (541) 389-7723 Fax: (541) 383-7177 joel@crlaw.org Crabtree & Rahmsdorff 215 NW Greenwood Ave Ste 200 Bend, OR 97701-2040
Jill M Weygandt (R) (541) 276-0244 Fax: (541) 278-0529 jill@ipdinc.org Intermountain Public Defender, Inc. 331 SE Byers Ave Pendleton, OR 97801-2324	Jerry Widawski (R) (503) 325-5770 Fax: (503) 325-5796 jwlaw@qwestoffice.net Law Ofc of Jerry Widawski 1642 Franklin Ave Astoria, OR 97103-3617	Sara Williams (R) (503) 383-1513 Fax: (503) 837-6078 sarawilliamslaw@gmail.com Sara C Williams PC 679 Cottage St NE Salem, OR 97301-2419	Kevin Wise (A) (541) 968-7222 kevinwise67@gmail.com 90350 Shadows Dr Springfield, OR 97878-9747

Alphabetical Listing - W

Phillip T. Wiseman (R)
(503) 364-2642
Fax: (503) 364-5789
wisemanlaw@comcast.net
Wiseman Law
3385 Center St NE
Salem, OR 97301-4609

Justin Withem (A)
(402) 578-6911
jwithem@lclarke.edu
0230 SW Gaines St Apt 25
Portland, OR 97239-4332

Courtney Withycombe (N)
(503) 888-4264
cwlegal@comcast.net
Investigator
PO Box 13544
Portland, OR 97213-0544

Leslie A. Wolf (R)
(541) 341-1779
Fax: (541) 341-3987
law@s2graphics.com
Attorney at Law
541 Willamette St Ste 311
Eugene, OR 97401-2612

Lisa Wolf (R)
(541) 521-1661
lisawolf1331@gmail.com
Attorney at Law
PMB 126
1430 Willamette St
Eugene, OR 97401-4049

Richard L. Wolf (L)
(503) 384-0910
Fax: (503) 289-3909
richardlwolf@att.net
Richard L. Wolf PC
12940 NW Marina Wy Slip A
Portland, OR 97231-2312

Cate K. Wollam (R)
(503) 226-3083
Fax: (503) 226-0107
ckwollam@multnomahdefenders.org
Multnomah Defenders, Inc.
522 SW 5th Ave Ste 1000
Portland, OR 97204-2127

Terri Wood (L)
(541) 484-4171
Fax: (541) 485-5923
twood@callatg.com
www.terriwoodlawoffice.com
Law Office of Terri Wood PC
730 Van Buren
Eugene, OR 97402-4804

Daniel Patrick Woram (R)
(503) 650-1800
Fax: (503) 650-5976
woramlaw@aol.com
Attorney at Law
615 Main St Ste 202
Oregon City, OR 97045-1856

Larry B. Workman (S)
(541) 858-8171
Fax: (541) 770-7930
lworkman@mind.net
Attorney at Law
334 S Grape St
Medford, OR 97501-3147

Benjamin Wornell (R)
(503) 347-2145
benjamin.wornell.esq@gmail.com
Attorney at Law
912 E Hawaii Ave
Nampa, ID 83686-7469

Daniel J. Wren (R)
(503) 371-4444
Fax: (503) 339-7440
dwren_law@yahoo.com
Castillo Wren Smith PC
1305 Cannon St SE
Salem, OR 97302-2548

Valerie Wright (L)
(541) 383-0119
Fax: (541) 383-0111
valerie@lawyersofbend.com
Wright Van Handel LLP
1222 NE 4th St
Bend, OR 97701-4336

Gig Wyatt (R)
(503) 378-7744
Fax: (503) 378-1013
gwyatt@salemattorneys.com
www.salemattorneys.com
Harris Wyatt Amala LLC
5778 Commercial St SE
Salem, OR 97306-1200

Chad J. Wythers (R)
(402) 466-8444
Fax: (402) 466-1793
chad@jsberrylaw.com
Berry Law Firm
2650 N 48th St
PO Box 4554
Lincoln, NE 68504-4554

Michael Yasumoto (N)
(503) 683-7138
info@deadboltforensics.com
Deadbolt Forensics
1915 NW AmberGlen Pkwy Ste 400
Beaverton, OR 97006-6938

Daniel Eli Yeager (R)
(541) 389-7723
Fax: (541) 383-7177
dyeager@crlaw.org
Crabtree & Rahmsdorff
215 NW Greenwood Ave Ste 200
Bend, OR 97701-2040

William G. Young (R)
(541) 342-3752
Fax: (541) 683-9240
attybillyoung@comcast.net
Lane Juvenile Lawyers Assn
Attorney at Law
750 Lawrence St
Eugene, OR 97401-2545

Jennifer Zammetti (A)
(541) 941-6600
Fax: (541) 787-2062
jzammett@uoregon.edu
712 SW Bridge St
Grants Pass, OR 97526-2708

Brian Zanotelli (R)
(541) 473-3188
zanlaw@zanlaw.net
www.zanlaw.net
Zanotelli Law Firm PC
160 Main St S
Vale, OR 97918-1339

City Listing

Albany

Janet M. Boytano
(541) 791-5190

Bernard A. Brown
Investigator
(541) 926-6614

Joan Demarest
(541) 928-7004

Timothy J. Felling
(541) 926-1554

Mark A. Heslinga
(541) 928-9975

Kent L. Hickam
(541) 928-9304

Paul H. Kuebrich
(541) 926-4417

Erik JD Moeller
(541) 928-7161

Arnold W. Poole
(541) 928-0684

Forrest Reid
(541) 926-3823

Tyler Reid
(541) 928-7272

Roger H. Reid (retired)
(541) 926-5804

Melissa Riddell
(541) 791-9585

Keith J. Rohrbough
(541) 926-0751

Raymond S. Sanders
Investigator
(541) 979-0344

D. Mack Walls
(541) 928-9975

Ashland

Patricia Gleitsmann
(541) 482-2696

Tricia Hahn
(541) 708-5305

Thomas W. Lloyd
(541) 482-4810

David M. Orf
(541) 772-8494

Rowshan T. Reordan-Loney
(541) 787-0733

Lore Rutz-Burri
Professor
(541) 552-6509

Astoria

Richard Bunney
(50) 3-325-, ext. 3096

Michael Cougar
(503) 338-0049

Kris A. Kaino
(503) 325-5157

Elizabeth Logsdon
(503) 325-2940

MaryAnn Murk
(503) 338-6509

Stephen L. Roman
(503) 325-3096

Jerry Widawski
(503) 325-5770

Kirk Wintermute
(503) 325-5157

Baker City

Kenneth A. Bardizian
(541) 523-9403

Dennis A. Beyer
Investigator
(541) 519-5267

Josie A. Hermann
Investigator
(541) 523-2565

J. Robert Moon
(541) 523-6294

Kyra K. Rohner-Ingram
(541) 523-9670

Robert W. Whitnah
(541) 523-1633

Beaverton

Carolyn Brazil
(503) 747-6560

Laura Forester
(503) 810-0956

Sarah Garrett
(650) 278-2979

Terrance C. Hunt
(503) 296-9647

Susan D. Isaacs
(503) 646-4200

Brianna Robbins
((50) 3)-877-, ext. 9399

Fahmi Slail
((50) 3)-778-, ext. 0525

Chris Stubblefield
(503) 334-7661

David M. Neverka
(503) 467-4911

Grant D. Wenzlick
(503) 574-3397

Michael Yasumoto
(503) 683-7138

Bend

J. Brendon Alexander
(541) 322-0920

Jonathan G. Ash
(541) 389-7100

Thaddeus A. Betz
(541) 389-6964

Valerie Billington
Investigator
(541) 389-7723

Alana Brown Brenneman
(541) 633-3057

Jonathan M. Char
(541) 977-1383

Thomas Clark
(541) 388-4053

Rhonda L. Coats
Mitigation Specialist
(541) 604-4518

Thomas J. Crabtree
(541) 389-7723

Jacques A DeKalb
(541) 388-1660

Victoria Dethloff
(541) 678-5614

Peter L. Deuel
(541) 728-0877

Dinah Dosien
(541) 389-7723

Andrew R. Doyle
(541) 389-7723

Valerie Eves
(541) 389-7723

Emily Feenstra
(541) 388-1660

Timothy P. Fleming
(541) 389-7723

Chris H. Gardner
(541) 410-9130

Jamie Gerlitz
(541) 389-6964

Sandra Grizzle
(210) 621-7924

Todd H. Grover
(541) 312-5150

Janel Hamrick
(541) 318-7056

Lori A. G. Hellis
(541) 312-8864

Thomas A. Hill
(541) 647-1496

Michael R. Hughes
(541) 408-9884

D. Aaron Jeffers
(503) 480-0521

Reid K. Kajikawa
(541) 389-7723

Vicki Kipp
Investigator
(541) 389-7723

Angela T. Lee-Mandlin
(541) 678-5614

Jill S. Littlejohn
(541) 389-7723

J. Christian Malone
(541) 388-1107

Andrew S. Mathers
(541) 382-0046

Matt G. Matrisciano
(541) 388-1660

Michael Maunder
(541) 678-2071

Duane J. McCabe
(541) 419-7433

Michelle McIver
(541) 389-7723

Edward Mierjeski
Attorney at Law
(541) 480-0073

Mikel R. Miller
(541) 388-9819

Laura Moszer
(541) 475-4477

Kirsten M. Naito
(541) 388-1660

Karla L. Nash
(541) 389-7723

Ricky R. Nelson
(541) 389-7723

Leslie Nitcher
(541) 388-1660

Tamera Obert
(541) 388-1660

Peter A. Parnickis
(541) 389-7723

Jonathan S. Pritchard
(541) 383-2240

Terry L. Rahmsdorff
(541) 389-7723

Michael G. Romano
(541) 382-4404

Dominic M. Sagona
(541) 383-3755

Scott Sampels
Investigator
(541) 389-7723

Michael W. Seidel
(541) 633-7400

Thomas M. Spear
(541) 388-1660

Jon G. Springer
(541) 323-3200

P. Daniel Strausbaugh
(541) 389-9825

Sean M. Trimble
(541) 678-5614

Lisa C. Valenta
(541) 350-1614

Erick W. Ward
(541) 312-5150

Owyhee Weikel-Magden
(541) 647-1639

L. Todd Wilson
(541) 383-3755

Joel Wirtz
(541) 389-7723

City Listing

Valerie Wright
(541) 383-0119

Daniel Eli Yeager
(541) 389-7723

Boise, ID

Kathy Dunleavy
Investigator
(971) 570-1071

Linda Dunn
Trial Consultant/Preparation
(208) 861-8654

Patrick Dunn
Investigator
(208) 861-1355

Mark Rader
(208) 890-9097

Brooklyn, NY

Malori Maloney
(971) 678-0669

Burns

John B. Lamborn
(541) 573-2066

Martin Thompson
(541) 573-5299

Riccola J. Voigt
(541) 573-2066

Canby

Michael J. Clancy
(503) 266-7234

Roger K. Harris
Investigator
(503) 266-8978

Roxanne R. Scott
(503) 263-7781

Arthur P. Slininger
(503) 266-7234

Cannon Beach

Stacy C. Rodriguez
(503) 436-1960

Canyon City

Jonathan Bartov
(541) 575-5750

Timothy Beaubien
(541) 575-5750

Robert S. Raschio
(541) 575-5750

Central Point

Risa L. Hall
(541) 664-7785

Chandler, AZ

Lisa M. Harmening
Investigator
(480) 748-4964

Clackamas

Linda G. Beloof
(503) 656-0841

Tom Borton
(503) 231-3419

Russ Bretan
(503) 454-0444

Richard David Cohen
(503) 231-3419

Michael C. Haines
(503) 656-0841

William C. Knox
(503) 335-3800

Roy Miller
Computer Forensics
(503) 655-1405

Gregory P. Oliveros
(503) 335-3800

Chelsea Payment
(503) 231-3419

Clatskanie

Jim Gibson
Investigator
(503) 728-0764

Coburg

Donald R. Schuessler
Forensic Scientist
(541) 517-0397

Coos Bay

Joyce A. Bonk
Investigator
(541) 888-6492

Robert D. Bonk
Investigator
(541) 888-6492

Ronald K. Cox
(541) 267-2472

Jacques P. DePlois
(541) 888-6338

Allen Goldman
(541) 267-2472

Carole M. Hamilton
(541) 267-2472

Daniel M. Hinrichs
(541) 267-0229

Rick Inokuchi
(541) 267-4198

Megan L. Jacquot
(541) 267-2214

Stacey Lowe
(541) 267-2472

Robert E. Manske
(541) 267-2472

Martha Molitor
(541) 290-5200

Matthew Tracey
(541) 267-2472

James A. von Hippel
(541) 267-2472

Clinton J. Williams
(541) 269-1250

Coquille

Matthew P. Muenchrrath
(541) 396-4529

Amber Reed
(541) 396-4529

Cornelius

J. David Panter
Investigator
(503) 747-6734

Corvallis

Blair Bobier
(503) 559-6176

David A. Corden
(541) 752-1422

Robert D. Corl
(541) 757-8151

Todd Dalotto
(541) 752-9053

Chris W. Dunfield
(541) 752-5119

Stephen R. Ensor
(541) 757-1414

Peter B. Fahy
(541) 752-5119

Laurie J. Godfrey
Investigator
(541) 760-1567

Brett C. Jaspers
(541) 752-0488

Jeremy McDermond
(888) 980-8268

Jennifer I. Nash
(541) 752-3616

Nicolas Ortiz
(541) 752-3616

John C. Rich
(541) 752-4322

Keri Smith
(541) 757-1414

Cougar, WA

Mary C. Goody
Mitigation Specialist
(360) 238-5219

W. Keith Goody
(360) 238-5211

Crescent City, CA

James M. Fallman
(707) 464-1858

Creswell

Daniel H. Koenig
(541) 913-7599

Dallas

Scott B. Howell
(503) 623-0529

Matthew Jarvis
(503) 623-6676

Chris L. Lillegard
(503) 623-6676

Timothy R. Park
(503) 623-6676

Ken Rodli
Investigator
(503) 385-6170

Julio D. Vidrio
(503) 623-6676

Dundee

Frank E. Stoller
(503) 538-6724

Elmira

Kenn Meneely
Forensic Scientist
(541) 935-0538

Enterprise

Thomas Powers
(541) 426-4411

Eugene

C. Michael Arnold
(541) 338-9111

Jacy Arnold
(541) 338-9111

M. Janise Augur
(541) 484-2611, ext. 120

Elizabeth J. C. Baker
(541) 345-5226

Emilio F. Bandiero
(541) 344-1637

Connor Beckley
(541) 683-0888

Kelly R. Beckley
(541) 683-0888

John E. Bennington
(541) 484-2611, ext. 117

Melissa J. Berg
(541) 957-5344

Bryan R. Boender
((541) 1) -338-, ext. 9111

Kevin W. Bons
(541) 683-0888

City Listing

John Brinson (407) 399-8024	Marisa Herrera <i>Legal Assistant</i> (541) 484-2611, ext. 167	Sandra McLarrin <i>Legal Assistant</i> (541) 683-4808	Jessica Saydack (541) 484-2611, ext. 114
Thomas H. Buhler <i>Investigator</i> (541) 484-2611	David A. Hill (541) 683-4808	Brian L. Michaels (541) 687-0578	Robert M. Schrank (541) 485-2214
Michael J. Buseman (541) 344-0004	Rush M. Hoag (541) 484-2611, ext. 111	Max J. Mizejewski (541) 505-9872	Chris J. Shaffner (541) 343-0026
Bradley A. Cascagnette (541) 687-9001	Robert C. Homan (541) 484-2611, ext. 125	Laura Fine Moro (541) 341-4542	Stephen J.R. Shepard (541) 683-8200
Rogelio C. Cassol (541) 338-9111	Katie Howard <i>Investigator</i> (541) 913-3090	Samuel Morones (206) 910-0437	Marc A. Spence (541) 343-9909
Michael Charlton (541) 636-2793	Jordon Huppert (541) 357-7109	John M. Morrell <i>Interpreter/Translator</i> (541) 221-2653	Karen M. Stenard (541) 343-9909
Andrew D. Coit (541) 685-1288	Richard Hursey <i>Investigator</i> (541) 345-0199	Richard S. Mullen (541) 344-2791	William L. Tufts (541) 688-8608
Joseph M. Connelly (541) 343-8111	James C. Jagger (541) 343-1257	Jeff Murdock <i>Legal Assistant</i> (541) 484-2611, ext. 144	Marino Underwood <i>Investigator</i> (541) 484-2611, ext. 113
Brian D. Cox (541) 683-7151, ext. 305	Patricia Jaqua <i>Investigator</i> (541) 485-0416	Jane A. Murphy (541) 345-5123	Gregory E. Veralrud (541) 345-3333
Rebecca R. Davis (541) 687-9219	Jeff R. Johnson (541) 345-9129	Joyce A. Naffziger <i>Investigator</i> (541) 344-8801	David Vill (541) 344-4446
Gary F. Deal (541) 484-5937	Susan E. Jordan (541) 342-8110	Robert H. Nagler (541) 686-4977	Charles H. Vincent (541) 687-6765
George L. Derr (541) 683-7473	Robert Kaiser (541) 484-2611, ext. 155	Marianne Ober (541) 510-7166	John C. Volmert (541) 484-2611, ext. 108
Marie B. Desmond (541) 484-2611, ext. 129	Amit Kapoor (541) 484-2611	Michael R. Olsen <i>Investigator</i> (541) 484-2611, ext. 112	Brian Walker (541) 484-2611
Hugh Duvall (541) 345-4500	Teena Killian (541) 505-9379	Thomas M. Orr (541) 686-9160	Peter F. M. Warburg (541) 915-2796
Sallie J. Eimstad <i>Investigator</i> (541) 337-2250	John H. Kim (541) 689-3066	Cathy M. Ouellette (541) 344-8665	Dana M. Weinstein (541) 687-2378
Thomas L. Fagan (541) 484-2611, ext. 103	John J. Kolego <i>Attorney at Law</i> (541) 484-1066	James A. Palmer (541) 343-8281	Mark B. Weintraub (541) 465-6937
Lindsay H. Fowler (541) 345-3333	Andrew L. Kraushaar (541) 484-1066	Margaret L. Paris (541) 346-3813	Robynne A. Whitney (541) 344-0004
Richard L. Fredericks (541) 343-6118	Daniel R. Kruse (541) 870-0605	David J. Phillips (541) 484-2611, ext. 109	Ashlee R. Wiese (541) 689-3261
Marc P. Friedman (541) 686-4890	Lissa Landau (541) 338-9111	Richard Price <i>Paralegal</i> (541) 345-7302	Leslie A. Wolf (541) 341-1779
James Patrick Geocaris (541) 357-9369	Rosalind Manson Lee (541) 485-5110	Galina Quigley (541) 206-2386	Lisa Wolf (541) 521-1661
Gregory E. Gill (541) 687-9001	Jesse Lohrke (541) 357-6788	Rick D. Rencher <i>Investigator</i> (541) 484-2611, ext. 168	Terri Wood (541) 484-4171
Rebecca Gouge (541) 870-3483	Liz Lohrke (541) 357-6788	Anthony T. Rosta (541) 343-8111	William G. Young (541) 342-3752
Terrance P. Gough (541) 302-9448	Robert P. Manders (541) 686-8677	Mark N. Sabitt (541) 343-9909	Fairview
James A. Green <i>Handwriting Expert/Doc Examiner</i> (888) 485-0832	Daphne E. Mantis (541) 343-9812	Heather J. Saffell (541) 870-2184	Eidar Gonzales <i>Investigator</i> (503) 740-6485
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(541) 947-4752

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Aisha McKenzie
(702) 767-1066

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Investigator
(541) 619-6423

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(402) 466-8444

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Gari Lynn Lovejoy
(541) 996-9111

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Elliott B. Oppenheim
Trial Consultant/Preparation
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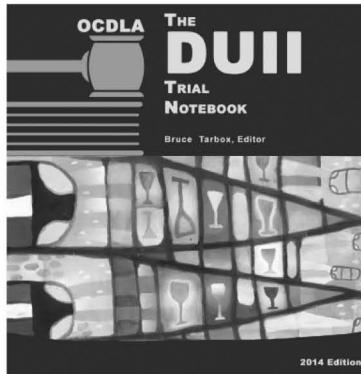
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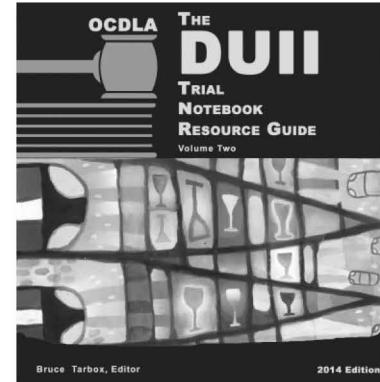
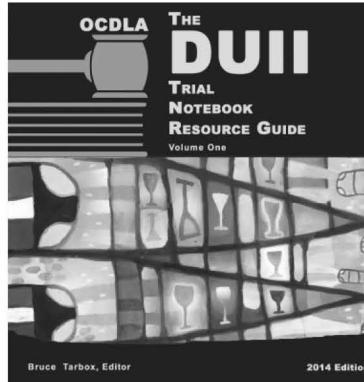
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Michael Breiling, Pendleton
(541) 278-9625

David J. Celuch, Portland
(503) 224-4045

Laura E. Coffin, Salem
(503) 378-2344

Jovana Combs, Gresham
Law Student - (503) 887-9746

Kathleen M. Correll, Portland
(503) 284-0763

Daniel A. Cross, Hillsboro
(503) 640-9509

George L. Derr, Eugene
(541) 683-7473

Kevin J. Ellis, Portland
(503) 232-2540

John Paul Evans, Salem
(503) 378-3349

Ginger Fitch, Wilsonville
(503) 954-9829

Shannon L. Flowers, Salem
(503) 378-3349

Thomas Freedman, Portland
(503) 467-7256

W. Keith Goody, Cougar, WA
(360) 238-5211

Laura Graser, Portland
(503) 287-7036

Erica Herb, Salem
(503) 378-3349

Thomas A. Hill, Bend
(541) 647-1496

Susan D. Isaacs, Beaverton
(503) 646-4200

Megan L. Jacquot, Coos Bay
(541) 267-2214

Bronson D. James, Portland
(503) 943-6876

Eric R. Johansen, Salem
(503) 378-5818

Rankin Johnson, Portland
(503) 307-9560

Robin A. Jones, Salem
(503) 378-2271

Sarah Laidlaw, Salem
(503) 378-8399

Cindy Lester, Portland
Investigator - (503) 933-4700

Jacqueline Leung, Salem
(503) 480-0521

J. Christian Malone, Bend
(541) 388-1107

Harris S. Matarazzo, Portland
(503) 226-0306

Lawrence Matasar, Portland
(503) 222-9830

Kendra M. Matthews, Portland
(503) 228-0487

Tonia L. Moro, Medford
(541) 973-2063

Anne Fujita Munsey, Salem
(503) 378-3037

Ryan Timothy O'Connor, Portland
(503) 226-0923

Ramón A. Pagán, Portland
(971) 270-0421

James A. Palmer, Eugene
(541) 343-8281

Margaret L. Paris, Eugene
(541) 346-3813

Sarah Peterson, Salem
(503) 378-5863

Mary M. Reese, Salem
(503) 378-5856

Susan Elizabeth Reese, Newport
(541) 265-5657

Andy Simrin, Portland
(503) 265-8940

Bobbin Singh, Portland
Director - (503) 768-7321

Jason E. Thompson, Salem
(503) 585-9197

Shawn E. Wiley, Salem
(503) 378-2330

Bear Wilner-Nugent, Portland
(503) 3 -351-, ext. 2327

Arson

Pat Birmingham, Lake Oswego
(503) 675-5355

Squire Mathews Bozorth, Oregon City
(503) 266-1661

David A. Corden, Corvallis
(541) 752-1422

George L. Derr, Eugene
(541) 683-7473

Mark J Lang, St. Helens
(503) 325-2884

John Scrivner, Spokane Valley, WA
Forensic Consultant - (509) 928-6541

Steven J. Sherlag, Portland
(503) 227-5200

Jon G. Springer, Bend
(541) 323-3200

David G. Terry, Roseburg
(541) 672-4693

Attorney at Law

Adam Greenman, Portland
((503) 3) -227-, ext. 3800

Anthony F. Griffin, Roseburg
(541) 492-2875

Risa L. Hall, Central Point
(541) 664-7785

Morgan Long, Portland
(971) 266-3882

Matt G. Matrisciano, Bend
(541) 388-1660

Galina Quigley, Eugene
(541) 206-2386

Robert S. Raschio, Canyon City
(541) 575-5750

Clayton M. Tullos, Springfield
(541) 515-1505

Battered Woman's Syndrome

Pat Birmingham, Lake Oswego
(503) 675-5355

Christopher Edward Burris, Oregon City
(503) 650-8010

Jenifer Feinberg, Medford
(541) 779-8916

Larry S. Hart, Portland
Psychologist - (503) 380-3777

Bilingual

Karen Graham, Portland
Investigator - (503) 580-1689

Kathryn Lavenne, Portland
Investigator - (503) 928-2377

Michael J. Padilla, Vale
Investigator - (541) 881-9572

Ramón A. Pagán, Portland
(971) 270-0421

Galina Quigley, Eugene
(541) 206-2386

Kasia E. Rutledge, Portland
(503) 225-9100

Kent Santiago, Woodburn
(503) 927-9681

Scott Lee Sharp, Hillsboro
(503) 726-7900

Fahmi Slail, Beaverton
((503) -778-, ext. 0525

Chris Trotter, Portland
(503) 747-7198

Carlos S. Vega, Pendleton
Investigator - (541) 379-1958

Courtney Withycombe, Portland
(503) 888-4264

Members Areas of Interest

Child and Sex Abuse Crimes

J. Brendon Alexander, Bend
(541) 322-0920

Dawn Andrews, Portland
(503) 225-9100

Elizabeth J. C. Baker, Eugene
(541) 345-5226

Pat Birmingham, Lake Oswego
(503) 675-5355

Joyce A. Bonk, Coos Bay
Investigator - (541) 888-6492

Peter J. Carini, Medford
(541) 779-5000

Jennie L. Clark, Portland
(503) 238-1010

Jesse Coggins, North Bend
(541) 269-1791

James Comstock, Portland
Investigator - (503) 510-0559

David A. Corden, Corvallis
(541) 752-1422

Daniel A. Cross, Hillsboro
(503) 640-9509

Robert Crow, Portland
(503) 319-9111

William D. Dials, Gresham
(503) 661-6009

Janmarie Dielschneider, McMinnville
(503) 435-2725

D. Michael Fagan, Salem
(503) 362-1601

Jenifer Feinberg, Medford
(541) 779-8916

Ginger Fitch, Wilsonville
(503) 954-9829

Carol J. Fredrick, McMinnville
(503) 435-1455

Terrance P. Gough, Eugene
(541) 302-9448

John M. Halpern, Eugene
(541) 484-4995

Chris Hansen, Eugene
(541) 484-2611, ext. 104

Christine K. Herbert, Medford
(541) 779-2006

David A. Hill, Eugene
(541) 683-4808

Ronald H. Hoevet, Portland
(503) 228-0497

Jeffrey M. Jones, Salem
(503) 588-2687

James D. Lang, Portland
(503) 227-4533

Rita Lapp, Forest Grove
Investigator - (503) 357-6548

John Lewis, Portland
Investigator - (503) 816-1225

Morgan Long, Portland
(971) 266-3882

Ray Marcom, McMinnville
(503) 583-5496

Shaun S. McCrea, Eugene
(541) 485-1182

Philip M. Mickel, Prineville
Investigator - (541) 447-8070

Henry Miller, Portland
Forensic Psychologist - (503) 227-3358

J. Robert Moon, Baker City
(541) 523-6294

Anne Fujita Munsey, Salem
(503) 378-3037

Gregory P. Oliveros, Clackamas
(503) 335-3800

Gregory P. Oliveros, Clackamas
(503) 335-3800

Carol L. Padilla, Medford
Investigator - (541) 772-3107

Carol L. Padilla, Medford
Investigator - (541) 772-3107

Mark Pihl, Lake Oswego
(503) 460-7278

Robert S. Raschio, Canyon City
(541) 575-5750

Susan Elizabeth Reese, Newport
(541) 265-5657

Forrest Reid, Albany
(541) 926-3823

Brianna Robbins, Beaverton
(503) 877-, ext. 9399

Alsea Sarre, Portland
Investigator - (503) 515-9072

Alsea Sarre, Portland
Investigator - (503) 515-9072

Wm. Bruce Shepley, Oregon City
(503) 657-4436

Steven J. Sherlag, Portland
(503) 227-5200

Emily Simon, Portland
(503) 239-6101

Patrick John Sweeney, Portland
(503) 244-2080

Jessica Swinford, Salem
(503) 363-9158

Bruce D. Tarbox, Oregon City
(503) 753-3638

David G. Terry, Roseburg
(541) 672-4693

F. G. (Jamie) Troy II, Portland
(503) 200-5950

Monty K. VanderMay, Salem
(503) 588-8053

Gregory E. Veralrud, Eugene
(541) 345-3333

Randall L. Vogt, Portland
(503) 228-9858

Grant D. Wenzlick, Beaverton
(503) 574-3397

Terri Wood, Eugene
(541) 484-4171

Valerie Wright, Bend
(541) 383-0119

Child Pornography

Jonathan G. Ash, Bend
(541) 389-7100

D. Michael Fagan, Salem
(503) 362-1601

Chris Hansen, Eugene
(541) 484-2611, ext. 104

Michael R. Levine, Portland
(503) 546-3927

Shaun S. McCrea, Eugene
(541) 485-1182

Susan Elizabeth Reese, Newport
(541) 265-5657

Steven J. Sherlag, Portland
(503) 227-5200

Emily Simon, Portland
(503) 239-6101

Gregory E. Veralrud, Eugene
(541) 345-3333

Choose an Interest

Karen A. Steele, Salem
(503) 508-4668

Computer Crime

Squire Mathews Bozorth, Oregon City
(503) 266-1661

Bill Carroll, Grand Ronde
Forensic Consultant - (503) 879-9016

Mark C. Cogan, Portland
(503) 827-8092

Bronson D. James, Portland
(503) 943-6876

Terry Lahman, Snoqualmie, WA
(425) 200-4271

Mark J Lang, St. Helens
(503) 325-2884

Steven J. Sherlag, Portland
(503) 227-5200

Olcott Thompson, Salem
(503) 581-6881

Kristen L. Winemiller, Portland
(503) 222-2510

Michael Yasumoto, Beaverton
(503) 683-7138

Confessions

Christopher C. Bocci, Salem
(503) 363-9158

Members Areas of Interest

George L. Derr, Eugene
(541) 683-7473

Christine K. Herbert, Medford
(541) 779-2006

Robert C. Homan, Eugene
(541) 484-2611, ext. 125

Chris Kaber, Klamath Falls
(541) 331-4992

Michael R. Olsen, Eugene
Investigator - (541) 484-2611, ext. 112

Margaret L. Paris, Eugene
(541) 346-3813

Steven J. Sherlag, Portland
(503) 227-5200

Laurie Shertz, Portland
(503) 471-1332

David G. Terry, Roseburg
(541) 672-4693

Terri Wood, Eugene
(541) 484-4171

Jennifer Zammetti, Grants Pass
Paralegal - (541) 941-6600

Constitutional Law

Gregory M. Abel, Medford
(541) 773-6855

Brett Allin, Salem
(503) 378-2421

Jesse Wm. Barton, Salem
(503) 391-6283

Bruce Benkle, Salem
(503) 990-0304

Melissa J. Berg, Eugene
(541) 957-5344

Anthony Bornstein, Portland
(503) 326-2123

Robert R. Calo, Portland
(503) 778-2100

Laura E. Coffin, Salem
(503) 378-2344

George L. Derr, Eugene
(541) 683-7473

Edward L. Dunkerly, Vancouver, WA
(360) 607-9243

Kevin J. Ellis, Portland
(503) 232-2540

Thomas Freedman, Portland
(503) 467-7256

Dianna J. Gentry, Portland
(503) 629-2121

Guy B. Greco, Newport
(541) 265-2801

Sarah M. Hays, Klamath Falls
(541) 882-6331

Michael R. Hughes, Bend
(541) 408-9884

Megan L. Jacquot, Coos Bay
(541) 267-2214

Robin A. Jones, Salem
(503) 378-2271

Andrew M. Kohlmetz, Portland
(503) 821-7449

J. Christian Malone, Bend
(541) 388-1107

Ruben Medina, Portland
(503) 775-2334

Tonia L. Moro, Medford
(541) 973-2063

Clint Leon Oborn, Medford
(541) 779-5636

EveLyn A. Oldenkamp, Klamath Falls
(541) 882-1426

Ramón A. Pagán, Portland
(971) 270-0421

Margaret L. Paris, Eugene
(541) 346-3813

Sarah Peterson, Salem
(503) 378-5863

Robert W. Reid, Portland
(503) 223-7786

Michael E. Rose, Portland
(503) 221-1792

Jessica Saydack, Eugene
(541) 484-2611, ext. 114

Mary A. Sell, Roseburg
(541) 673-0696

Bobbin Singh, Portland
Director - (503) 768-7321

A. V. Lonny Smith, The Dalles
(541) 296-9601

Sara Snyder, Portland
(503) 860-0041

Stuart A. Sugarman, Portland
(503) 228-6655

Jill M Weygandt, Pendleton
(541) 276-0244

Shawn E. Wiley, Salem
(503) 378-2330

Shannon I. Wilson, Oregon City
(503) 949-1153

Kristen L. Winemiller, Portland
(503) 222-2510

Jennifer Zammetti, Grants Pass
Paralegal - (541) 941-6600

Contempt Defense

Kittee Custer, Pendleton
(541) 276-7139

George L. Derr, Eugene
(541) 683-7473

Anthony F. Griffin, Roseburg
(541) 492-2875

Ronald H. Hoevet, Portland
(503) 228-0497

M. Westbrook Johnson, Portland
(503) 226-3083

Jesse Lohrke, Eugene
(541) 357-6788

Lawrence Matasar, Portland
(503) 222-9830

Marceil Moody-Burks, Hillsboro
(503) 726-7900

Michael W. Seidel, Bend
(541) 633-7400

Lawrence L. Taylor, Portland
(503) 228-2578

Crime Scene Analysis

Russell S. Barnett, Portland
(503) 946-8000

Bernard A. Brown, Albany
Investigator - (541) 926-6614

Jeffrey Dovci, Medford
(541) 499-0315

D. Michael Fagan, Salem
(503) 362-1601

Wm. David Falls, West Linn
(503) 699-1107

Karen Lawless, Forest Grove
(503) 880-5227

Kenn Meneely, Elmira
Forensic Scientist - (541) 935-0538

Ronald J. Miller, Vancouver, WA
Investigator - (360) 907-3663

Michael R. Olsen, Eugene
Investigator - (541) 484-2611, ext. 112

Jim Pex, North Bend
Forensic Scientist - (541) 756-2044

Kent Santiago, Woodburn
(503) 927-9681

Donald R. Schuessler, Coburg
Forensic Scientist - (541) 517-0397

John Scrivner, Spokane Valley, WA
Forensic Consultant - (509) 928-6541

Jacob Wieselman, Portland
(503) 697-7277

Death Penalty

Jacob Accurso, Siletz
(541) 444-1234

Elizabeth J. C. Baker, Eugene
(541) 345-5226

Dennis N. Balske, Portland
(503) 222-9830

Michael D. Barker, Keizer
(503) 390-5704

Russell S. Barnett, Portland
(503) 946-8000

Shirley Ann Beers, Portland
Investigator - (503) 289-2280

Laurie Bender, Portland
(503) 241-7075

Joyce A. Bonk, Coos Bay
Investigator - (541) 888-6492

Members Areas of Interest

Bernard A. Brown, Albany
Investigator - (541) 926-6614

Christopher Edward Burris, Oregon City
(503) 650-8010

John-Michael Callaghy, Portland
Investigator - (503) 360-4273

Bill Carroll, Grand Ronde
Forensic Consultant - (503) 879-9016

Jane Marie Claus, Portland
(503) 228-7154

Christopher M. Clayhold, Portland
(503) 347-7636

Rhonda L. Coats, Bend
Mitigation Specialist - (541) 604-4518

Jovana Combs, Gresham
Law Student - (503) 887-9746

James Comstock, Portland
Investigator - (503) 510-0559

Kathleen M. Correll, Portland
(503) 284-0763

Mark Austin Cross, Oregon City
(503) 655-0037

Megan Daniels, Lake Oswego
(503) 636-3409

Julia Demorest, Portland
Investigator - (503) 867-0249

Peter B. Fahy, Corvallis
(541) 752-5119

Wm. David Falls, West Linn
(503) 699-1107

Laura Forester, Beaverton
(503) 810-0956

Dianna J. Gentry, Portland
(503) 629-2121

Geoffrey J. Gokey, Redmond
(541) 923-1159

Mary C. Goody, Cougar, WA
Mitigation Specialist - (360) 238-5219

W. Keith Goody, Cougar, WA
(360) 238-5211

Karen Graham, Portland
Investigator - (503) 580-1689

Laura Graser, Portland
(503) 287-7036

Michael C. Haines, Clackamas
(503) 656-0841

Gregory J. Hazarabedian, Eugene
(541) 484-2611, ext. 101

Brian E. Holmes, Meridian, ID
Investigator - (503) 806-4222

James Hudson, La Center, WA
Mitigation Specialist - (360) 263-1043

Christine L. Inglis, Scappoose
Mitigation Specialist - (503) 366-7131

Robin A. Jones, Salem
(503) 378-2271

James D. Lang, Portland
(503) 227-4533

Randall R. Lapp, Forest Grove
Investigator - (503) 357-6548

Rita Lapp, Forest Grove
Investigator - (503) 357-6548

Christopher A. Larsen, Portland
(503) 223-7770

Kathryn Lavenne, Portland
Investigator - (503) 928-2377

Karen Lawless, Forest Grove
(503) 880-5227

John Lewis, Portland
Investigator - (503) 816-1225

Lisa J. Ludwig, Portland
(503) 223-5570

Gordon K. Mallon, Lake Oswego
(503) 344-4145

Teresa (Tess) A. McMahill, Portland
Mitigation Specialist - (503) 274-7913

Ronald J. Miller, Vancouver, WA
Investigator - (360) 907-3663

Joyce A. Naffziger, Eugene
Investigator - (541) 344-8801

Ryan Timothy O'Connor, Portland
(503) 226-0923

Carol L. Padilla, Medford
Investigator - (541) 772-3107

Carol L. Padilla, Medford
Investigator - (541) 772-3107

Michael J. Padilla, Vale
Investigator - (541) 881-9572

Ramón A. Pagán, Portland
(971) 270-0421

Mark Rader, Boise, ID
(208) 890-9097

Laura K. Rittall, Portland
Victim Outreach Specialist - (503) 473-2954

Brianna Robbins, Beaverton
((503) 3) -877-, ext. 9399

Pamela Lundberg Rogers, Portland
Mitigation Specialist - (253) 677-1897

Jessica Saydack, Eugene
(541) 484-2611, ext. 114

Donald R. Schuessler, Coburg
Forensic Scientist - (541) 517-0397

Autumn Shreve, Portland
(503) 241-7075

Sara Snyder, Portland
(503) 860-0041

Karen A. Steele, Salem
(503) 508-4668

Patrick John Sweeney, Portland
(503) 244-2080

Jessica Swinford, Salem
(503) 363-9158

Andrea Titus, Portland
Mitigation Specialist - (503) 702-0014

Josephine Townsend, Vancouver, WA
(360) 694-7601

Randall L. Vogt, Portland
(503) 228-9858

Courtney Withycombe, Portland
(503) 888-4264

Richard L. Wolf, Portland
(503) 384-0910

Jennifer Zammetti, Grants Pass
Paralegal - (541) 941-6600

Discovery

Bruce Benkle, Salem
(503) 990-0304

Jesse Coggins, North Bend
(541) 269-1791

Jovana Combs, Gresham
Law Student - (503) 887-9746

Paul M. Ferder, Salem
(503) 585-9197

M. Westbrook Johnson, Portland
(503) 226-3083

Teena Killian, Eugene
(541) 505-9379

John Lewis, Portland
Investigator - (503) 816-1225

Marcail Moody-Burks, Hillsboro
(503) 726-7900

Richard Price, Eugene
Paralegal - (541) 345-7302

Monty K. VanderMay, Salem
(503) 588-8053

R. Wes Williams, La Grande
(541) 962-0896

DNA Issues

Jane Marie Claus, Portland
(503) 228-7154

Christopher M. Clayhold, Portland
(503) 347-7636

Timothy J. Felling, Albany
(541) 926-1554

James D. Lang, Portland
(503) 227-4533

Karen Lawless, Forest Grove
(503) 880-5227

Donald R. Schuessler, Coburg
Forensic Scientist - (541) 517-0397

Bobbin Singh, Portland
Director - (503) 768-7321

Lisa Wolf, Eugene
(541) 521-1661

Richard L. Wolf, Portland
(503) 384-0910

Domestic Relations/Violence

Gregory M. Abel, Medford
(541) 773-6855

J. Brendon Alexander, Bend
(541) 322-0920

Members Areas of Interest

Dawn Andrews, Portland (503) 225-9100	Morgan Long, Portland (971) 266-3882	Grant D. Wenzlick, Beaverton (503) 574-3397
Christopher C. Bocci, Salem (503) 363-9158	Wm. Jason Mahan, Roseburg (541) 673-0171	Larry B. Workman, Medford (541) 858-8171
Joyce A. Bonk, Coos Bay <i>Investigator - (541) 888-6492</i>	Philip M. Mickel, Prineville <i>Investigator - (541) 447-8070</i>	Double Jeopardy
Michael Breiling, Pendleton (541) 278-9625	Matthew P. Muenchrath, Coquille (541) 396-4529	Jesse Coggins, North Bend (541) 269-1791
Erik M. Bucher, Hillsboro (503) 789-4134	Lynn M. Myrick, Grants Pass (541) 479-5444	Olcott Thompson, Salem (503) 581-6881
Thomas Clark, Bend (541) 388-4053	Jennifer I. Nash, Corvallis (541) 752-3616	Richard L. Wolf, Portland (503) 384-0910
Mark C. Cogan, Portland (503) 827-8092	EveLyn A. Oldenkamp, Klamath Falls (541) 882-1426	Drug Recognition Evidence
Jesse Coggins, North Bend (541) 269-1791	Nicolas Ortiz, Corvallis (541) 752-3616	Christopher C. Bocci, Salem (503) 363-9158
Thomas Collins, Hillsboro (503) 648-3020	Murray S. Petitt, Springfield (541) 747-3354	Bryan R. Boender, Eugene ((541) 1) -338-, ext. 9111
David A. Corden, Corvallis (541) 752-1422	Galina Quigley, Eugene (541) 206-2386	Todd Dalotto, Corvallis (541) 752-9053
Richard A. Cremer, Roseburg (541) 672-1955	Robert S. Raschio, Canyon City (541) 575-5750	Timothy J. Felling, Albany (541) 926-1554
Deborah K. Cumming, Grants Pass (541) 479-2210	Susan Elizabeth Reese, Newport (541) 265-5657	Kenn Meneely, Elmira <i>Forensic Scientist - (541) 935-0538</i>
Kittee Custer, Pendleton (541) 276-7139	Forrest Reid, Albany (541) 926-3823	Brian L. Michaels, Eugene (541) 687-0578
Janmarie Dielschneider, McMinnville (503) 435-2725	Brynn Reynolds, Klamath Falls (541) 884-0333	Robert L. Sepp, West Linn ((50) 3) -998-, ext. 7719
Christopher Eggert, Salem (503) 837-6111	Brianna Robbins, Beaverton ((50) 3) -877-, ext. 9399	Max Wall, Portland (971) 303-9255
Jenifer Feinberg, Medford (541) 779-8916	Alsea Sarre, Portland <i>Investigator - (503) 515-9072</i>	L. Todd Wilson, Bend (541) 383-3755
Lisa Fitzgerald, Portland (503) 225-9100	Alsea Sarre, Portland <i>Investigator - (503) 515-9072</i>	Lisa Wolf, Eugene (541) 521-1661
Carol J. Fredrick, McMinnville (503) 435-1455	Robert M. Schrank, Eugene (541) 485-2214	Drugs/Narcotics
Barbara J. Garland, Hillsboro (503) 615-8233	Roxanne R. Scott, Canby (503) 263-7781	Jonathan G. Ash, Bend (541) 389-7100
Anthony F. Griffin, Roseburg (541) 492-2875	Michael W. Seidel, Bend (541) 633-7400	Shirley Ann Beers, Portland <i>Investigator - (503) 289-2280</i>
Julia M. Hagan, Portland (503) 227-1515	Robert L. Sepp, West Linn ((50) 3) -998-, ext. 7719	Laurie Bender, Portland (503) 241-7075
Risa L. Hall, Central Point (541) 664-7785	Scott Lee Sharp, Hillsboro (503) 726-7900	Blair Bobier, Corvallis (503) 559-6176
John M. Halpern, Eugene (541) 484-4995	Wm. Bruce Shepley, Oregon City (503) 657-4436	Christopher C. Bocci, Salem (503) 363-9158
Lori A. G. Hellis, Bend (541) 312-8864	Edward L. Strand, Portland (503) 645-3309	Joyce A. Bonk, Coos Bay <i>Investigator - (541) 888-6492</i>
Josie A. Hermann, Baker City <i>Investigator - (541) 523-2565</i>	Lawrence L. Taylor, Portland (503) 228-2578	David A. Carlson, Tualatin <i>Investigator - (503) 544-2554</i>
Ronald H. Hoevet, Portland (503) 228-0497	Josephine Townsend, Vancouver, WA (360) 694-7601	Bill Carroll, Grand Ronde <i>Forensic Consultant - (503) 879-9016</i>
Ken A. Kissir, Gresham (503) 667-6114	Chris Trotter, Portland (503) 747-7198	Mark C. Cogan, Portland (503) 827-8092
Angie LaNier, Medford (541) 770-7407	F. G. (Jamie) Troy II, Portland (503) 200-5950	Jesse Coggins, North Bend (541) 269-1791
Jacqueline Leung, Salem (503) 480-0521	Jeff Turnoy, Portland (503) 477-5150	Ryan R. Corbridge, Hillsboro (503) 352-9360

Members Areas of Interest

David A. Corden, Corvallis (541) 752-1422	Max J. Mizejewski, Eugene (541) 505-9872	Christopher Edward Burris, Oregon City (503) 650-8010
Todd Dalotto, Corvallis (541) 752-9053	John W. Neidig, Portland (503) 221-0229	Peter J. Carini, Medford (541) 779-5000
William D. Dials, Gresham (503) 661-6009	Jeffrey Neil Neuman, San Diego, CA (702) 439-3906	David J. Celuch, Portland (503) 224-4045
Travis R. Dickey, Salem (503) 581-5562	Erik W. Nicholson, Tigard (503) 343-4696	Laura E. Coffin, Salem (503) 378-2344
Edward L. Dunkerly, Vancouver, WA (360) 607-9243	Carol L. Padilla, Medford <i>Investigator - (541) 772-3107</i>	Mark C. Cogan, Portland (503) 827-8092
Jenifer Feinberg, Medford (541) 779-8916	Carol L. Padilla, Medford <i>Investigator - (541) 772-3107</i>	Ryan R. Corbridge, Hillsboro (503) 352-9360
Paul M. Ferder, Salem (503) 585-9197	Robert S. Raschio, Canyon City (541) 575-5750	David A. Corden, Corvallis (541) 752-1422
Carol J. Fredrick, McMinnville (503) 435-1455	Nathan Ratliff, Klamath Falls (541) 882-6331	Daniel A. Cross, Hillsboro (503) 640-9509
Marc William Gunn, Salem (503) 362-6528	Forrest Reid, Albany (541) 926-3823	Robert Crow, Portland (503) 319-9111
John M. Halpern, Eugene (541) 484-4995	Robert W. Reid, Portland (503) 223-7786	Joseph DeBin, Portland (503) 226-3083
Larry S. Hart, Portland <i>Psychologist - (503) 380-3777</i>	Kent Santiago, Woodburn (503) 927-9681	William D. Dials, Gresham (503) 661-6009
Jason Hess, Keizer <i>Drugs/Narcotics - (503) 930-5725</i>	Alsea Sarre, Portland <i>Investigator - (503) 515-9072</i>	William D. Dials, Gresham (503) 661-6009
David A. Hill, Eugene (541) 683-4808	Alsea Sarre, Portland <i>Investigator - (503) 515-9072</i>	Travis R. Dickey, Salem (503) 581-5562
Ronald H. Hoevet, Portland (503) 228-0497	Bruce D. Tarbox, Oregon City (503) 753-3638	Ben Eder, Portland (503) 227-4601
Michael R. Hughes, Bend (541) 408-9884	David G. Terry, Roseburg (541) 672-4693	Braulio Escobar, Newport (541) 265-7717
Jordon Huppert, Eugene (541) 357-7109	Jason E. Thompson, Salem (503) 585-9197	Timothy J. Felling, Albany (541) 926-1554
M. Westbrook Johnson, Portland (503) 226-3083	Chris Trotter, Portland (503) 747-7198	Paul M. Ferder, Salem (503) 585-9197
Jeffrey M. Jones, Salem (503) 588-2687	Gregory E. Veralrud, Eugene (541) 345-3333	Thomas Freedman, Portland (503) 467-7256
Andrew M. Kohlmetz, Portland (503) 821-7449	Bear Wilner-Nugent, Portland ((503) 3) -351-, ext. 2327	James Patrick Geocaris, Eugene (541) 357-9369
Shawn A. Kollie, Portland (503) 747-7198	Courtney Withycombe, Portland (503) 888-4264	Jim Gibson, Clatskanie <i>Investigator - (503) 728-0764</i>
James D. Lang, Portland (503) 227-4533	Daniel J. Wren, Salem (503) 371-4444	Mark S. Gorski, Portland (503) 224-1843
Angela T. Lee-Mandlin, Bend (541) 678-5614	DUII	Terrance P. Gough, Eugene (541) 302-9448
Paul T. Loney, Portland (503) 234-2694	Gregory M. Abel, Medford (541) 773-6855	Adam Greenman, Portland ((503) 3) -227-, ext. 3800
Michael J. Love, Otter Rock (541) 265-8877	Jacob Accurso, Siletz (541) 444-1234	Marc William Gunn, Salem (503) 362-6528
John Lucy, Portland (503) 227-6000	Blair Bobier, Corvallis (503) 559-6176	John M. Halpern, Eugene (541) 484-4995
Richard L. McBreen, Portland (503) 384-2420	Christopher C. Bocci, Salem (503) 363-9158	Thomas A. Hill, Bend (541) 647-1496
Shaun S. McCrea, Eugene (541) 485-1182	Squire Mathews Bozorth, Oregon City (503) 266-1661	Jeffrey M. Jones, Salem (503) 588-2687
David T. McDonald, Portland (503) 226-0188	Mae Lee Browning, Portland (971) 279-7704	John H. Kim, Eugene (541) 689-3066
<i>Legal Ast: Connie Halperin</i>	Erik M. Bucher, Hillsboro (503) 789-4134	Shawn A. Kollie, Portland (503) 747-7198

Members Areas of Interest

Danny R. Lang, Sutherlin
(541) 459-9898

Mark J Lang, St. Helens
(503) 325-2884

Angela T. Lee-Mandlin, Bend
(541) 678-5614

Jesse Lohrke, Eugene
(541) 357-6788

Lisa J. Ludwig, Portland
(503) 223-5570

Wm. Jason Mahan, Roseburg
(541) 673-0171

J. Christian Malone, Bend
(541) 388-1107

Matt G. Matrisciano, Bend
(541) 388-1660

Richard L. McBreen, Portland
(503) 384-2420

Ruben Medina, Portland
(503) 775-2334

Kenn Meneely, Elmira
Forensic Scientist - (541) 935-0538

Max J. Mizejewski, Eugene
(541) 505-9872

J. Robert Moon, Baker City
(541) 523-6294

Shannon Mortimer, Portland
(503) 226-3083

John W. Neidig, Portland
(503) 221-0229

Erik W. Nicholson, Tigard
(503) 343-4696

Richard E. Oberdorfer, Portland
(503) 223-2313

Legal Asst: Robert Oberdorfer

Gregory P. Oliveros, Clackamas
(503) 335-3800

Gregory P. Oliveros, Clackamas
(503) 335-3800

Murray S. Pettitt, Springfield
(541) 747-3354

Mark Pihl, Lake Oswego
(503) 460-7278

Joshua Pond, Portland
(503) 726-1716

John Powers, Portland
(503) 241-4875

Robert S. Raschio, Canyon City
(541) 575-5750

Nathan Ratliff, Klamath Falls
(541) 882-6331

Forrest Reid, Albany
(541) 926-3823

Michael G. Romano, Bend
(541) 382-4404

Justin N. Rosas, Medford
(541) 245-9781

John E Schlosser, Portland
(503) 808-9008

Robert M. Schrank, Eugene
(541) 485-2214

Michael W. Seidel, Bend
(541) 633-7400

Mary A. Sell, Roseburg
(541) 673-0696

Geoffrey Squier Silver, Portland
(503) 224-1110

Jon G. Springer, Bend
(541) 323-3200

Edward L. Strand, Portland
(503) 645-3309

Bruce D. Tarbox, Oregon City
(503) 753-3638

Chris Trotter, Portland
(503) 747-7198

Clayton M. Tullos, Springfield
(541) 515-1505

John H. Tuthill, Tillamook
(503) 842-6601

Gregory E. Veralrud, Eugene
(541) 345-3333

James A. von Hippel, Coos Bay
(541) 267-2472

Max Wall, Portland
(971) 303-9255

Grant D. Wenzlick, Beaverton
(503) 574-3397

R. Wes Williams, La Grande
(541) 962-0896

L. Todd Wilson, Bend
(541) 383-3755

Lisa Wolf, Eugene
(541) 521-1661

Larry B. Workman, Medford
(541) 858-8171

Daniel J. Wren, Salem
(503) 371-4444

Gig Wyatt, Salem
(503) 378-7744

DWS

Ernest H. Badeau, Oregon City
(503) 723-4383

Ryan R. Corbridge, Hillsboro
(503) 352-9360

Braulio Escobar, Newport
(541) 265-7717

James Patrick Geocaris, Eugene
(541) 357-9369

Jim Gibson, Clatskanie
Investigator - (503) 728-0764

Danny R. Lang, Sutherlin
(541) 459-9898

Ruben Medina, Portland
(503) 775-2334

Shannon Mortimer, Portland
(503) 226-3083

Geoffrey Squier Silver, Portland
(503) 224-1110

Grant D. Wenzlick, Beaverton
(503) 574-3397

Entrapment

Ronald H. Hoevet, Portland
(503) 228-0497

Robert W. Reid, Portland
(503) 223-7786

Charles H. Vincent, Eugene
(541) 687-6765

Environmental Crimes

Max Wall, Portland
(971) 303-9255

Ethics Issues

Andrew Bates, Portland
(503) 228-3608

Timothy M. Bowman, Portland
(503) 224-7878

Richard A. Cremer, Roseburg
(541) 672-1955

Kittee Custer, Pendleton
(541) 276-7139

Lori A. G. Hellis, Bend
(541) 312-8864

James D. Hennings, Portland
(503) 635-2907

Susan D. Isaacs, Beaverton
(503) 646-4200

Lawrence Matasar, Portland
(503) 222-9830

Josh McCarthy, Portland
(503) 225-9100

Ruben Medina, Portland
(503) 775-2334

Robert W. Reid, Portland
(503) 223-7786

Scott Lee Sharp, Hillsboro
(503) 726-7900

Valerie Wright, Bend
(541) 383-0119

Evidence

Jesse Wm. Barton, Salem
(503) 391-6283

Frederick Bennett, Prineville
(541) 416-0133

Bryan R. Boender, Eugene
((541) 1) -338-, ext. 9111

Jennie L. Clark, Portland
(503) 238-1010

Laura E. Coffin, Salem
(503) 378-2344

Members Areas of Interest

Robert Crow, Portland (503) 319-9111	A. V. Lonny Smith, The Dalles (541) 296-9601	Arthur P. Slininger, Canby (503) 266-7234
Todd Dalotto, Corvallis (541) 752-9053	James A. von Hippel, Coos Bay (541) 267-2472	Lawrence L. Taylor, Portland (503) 228-2578
Travis R. Dickey, Salem (503) 581-5562	Jill M Weygandt, Pendleton (541) 276-0244	Larry B. Workman, Medford (541) 858-8171
Jeffrey Dovci, Medford (541) 499-0315	Shawn E. Wiley, Salem (503) 378-2330	Daniel J. Wren, Salem (503) 371-4444
John Paul Evans, Salem (503) 378-3349	Shannon I. Wilson, Oregon City (503) 949-1153	Family Law
Ginger Fitch, Wilsonville (503) 954-9829	Lisa Wolf, Eugene (541) 521-1661	Kurt C. Bendixsen, Hermiston (541) 567-5564
Geoffrey J. Gokey, Redmond (541) 923-1159	Expunction	Frederick Bennett, Prineville (541) 416-0133
Guy B. Greco, Newport (541) 265-2801	Ernest H. Badeau, Oregon City (503) 723-4383	Michael Breiling, Pendleton (541) 278-9625
Jason Hess, Keizer <i>Drugs/Narcotics - (503) 930-5725</i>	Kelly R. Beckley, Eugene (541) 683-0888	Erik M. Bucher, Hillsboro (503) 789-4134
Jordon Huppert, Eugene (541) 357-7109	Erik M. Bucher, Hillsboro (503) 789-4134	Thomas Clark, Bend (541) 388-4053
M. Westbrook Johnson, Portland (503) 226-3083	Jennie L. Clark, Portland (503) 238-1010	Howard W. Collins, Salem (503) 399-9778
Jacqueline A. Joseph, Portland <i>Handwriting Expert/Doc Examiner - (800) 698-8954</i>	William D. Dials, Gresham (503) 661-6009	Thomas Collins, Hillsboro (503) 648-3020
Andrew M. Kohlmetz, Portland (503) 821-7449	Chris W. Dunfield, Corvallis (541) 752-5119	Richard A. Cremer, Roseburg (541) 672-1955
Shawn A. Kollie, Portland (503) 747-7198	Thomas Freedman, Portland (503) 467-7256	Deborah K. Cumming, Grants Pass (541) 479-2210
Mark J Lang, St. Helens (503) 325-2884	Marc William Gunn, Salem (503) 362-6528	Kittee Custer, Pendleton (541) 276-7139
Michael J. Love, Otter Rock (541) 265-8877	Michael C. Haines, Clackamas (503) 656-0841	William D. Dials, Gresham (503) 661-6009
Lisa J. Ludwig, Portland (503) 223-5570	John M. Halpern, Eugene (541) 484-4995	Christopher Eggert, Salem (503) 837-6111
Josh McCarthy, Portland (503) 225-9100	Ken A. Kissir, Gresham (503) 667-6114	Kevin J. Ellis, Portland (503) 232-2540
Clint Leon Oborn, Medford (541) 779-5636	Jesse Lohrke, Eugene (541) 357-6788	Lisa Fitzgerald, Portland (503) 225-9100
Ramón A. Pagán, Portland (971) 270-0421	Paul T. Loney, Portland (503) 234-2694	Carol J. Fredrick, McMinnville (503) 435-1455
Peter A. Parnickis, Bend (541) 389-7723	Lisa J. Ludwig, Portland (503) 223-5570	Barbara J. Garland, Hillsboro (503) 615-8233
Jim Pex, North Bend <i>Forensic Scientist - (541) 756-2044</i>	Matt G. Matrisciano, Bend (541) 388-1660	Patricia Gleitsmann, Ashland (541) 482-2696
Mark Pihl, Lake Oswego (503) 460-7278	Murray S. Petitt, Springfield (541) 747-3354	James Goldstein, Hillsboro (503) 615-8336
Richard Price, Eugene <i>Paralegal - (541) 345-7302</i>	Arnold W. Poole, Albany (541) 928-0684	Laura Graser, Portland (503) 287-7036
Susan Elizabeth Reese, Newport (541) 265-5657	Nathan Ratliff, Klamath Falls (541) 882-6331	Jeffrey C. Greenwood, Roseburg (541) 672-1955
Robert W. Reid, Portland (503) 223-7786	John E Schlosser, Portland (503) 808-9008	Kathryn F. K. Griffin, Roseburg (541) 492-2868
John Scrivner, Spokane Valley, WA <i>Forensic Consultant - (509) 928-6541</i>	Robert M. Schrank, Eugene (541) 485-2214	Julia M. Hagan, Portland (503) 227-1515
Mary A. Sell, Roseburg (541) 673-0696	N. David Shamloo, Portland (503) 220-5045	Risa L. Hall, Central Point (541) 664-7785
Autumn Shreve, Portland (503) 241-7075	Wm. Bruce Shepley, Oregon City (503) 657-4436	John H. Kim, Eugene (541) 689-3066

Members Areas of Interest

Ken A. Kissir, Gresham
(503) 667-6114

Angie LaNier, Medford
(541) 770-7407

Angela T. Lee-Mandlin, Bend
(541) 678-5614

Zachary W. Light, Medford
(541) 494-0355

Dawn M. McIntosh, Gearhart
(503) 390-1451

Matthew P. Muenchrath, Coquille
(541) 396-4529

Lynn M. Myrick, Grants Pass
(541) 479-5444

Jennifer I. Nash, Corvallis
(541) 752-3616

Gregory P. Oliveros, Clackamas
(503) 335-3800

Gregory P. Oliveros, Clackamas
(503) 335-3800

Nicolas Ortiz, Corvallis
(541) 752-3616

James A. Palmer, Eugene
(541) 343-8281

Sarah Peterson, Salem
(503) 378-5863

Murray S. Pettitt, Springfield
(541) 747-3354

Arnold W. Poole, Albany
(541) 928-0684

Michael G. Romano, Bend
(541) 382-4404

Roxanne R. Scott, Canby
(503) 263-7781

Michael W. Seidel, Bend
(541) 633-7400

Mary A. Sell, Roseburg
(541) 673-0696

Anne E. Tracey, Hillsboro
(503) 640-0708

F. G. (Jamie) Troy II, Portland
(503) 200-5950

John H. Tuthill, Tillamook
(503) 842-6601

Monty K. VanderMay, Salem
(503) 588-8053

Charles H. Vincent, Eugene
(541) 687-6765

Dana M. Weinstein, Eugene
(541) 687-2378

Jill M. Weygandt, Pendleton
(541) 276-0244

L. Todd Wilson, Bend
(541) 383-3755

Valerie Wright, Bend
(541) 383-0119

Jennifer Zammetti, Grants Pass
Paralegal - (541) 941-6600

Federal Law

Brett Allin, Salem
(503) 378-2421

Jonathan G. Ash, Bend
(541) 389-7100

David M. Audet, Hillsboro
(503) 648-3020

Andrew Bates, Portland
(503) 228-3608

Kelly R. Beckley, Eugene
(541) 683-0888

Laurie Bender, Portland
(503) 241-7075

Thomas K. Coan, Portland
(503) 221-8736

Margaret Hix, Portland
(213) 999-3126

Rankin Johnson, Portland
(503) 307-9560

Andrew M. Kohlmetz, Portland
(503) 821-7449

Kenneth Lerner, Portland
(503) 223-0442

Cindy Lester, Portland
Investigator - (503) 933-4700

Michael R. Levine, Portland
(503) 546-3927

Shaun S. McCrea, Eugene
(541) 485-1182

David T. McDonald, Portland
(503) 226-0188

Legal Asst: Connie Halperin

Tonia L. Moro, Medford
(541) 973-2063

David M. Orf, Ashland
(541) 772-8494

Richard Price, Eugene
Paralegal - (541) 345-7302

Thomas E. Price, Portland
(503) 326-2123

Norman Sepenuk, Portland
(503) 221-1633

N. David Shamloo, Portland
(503) 220-5045

Debra S. Sirotiak, Portland
Investigator - (503) 244-7744

Jacob Wieselman, Portland
(503) 697-7277

Kristen L. Winemiller, Portland
(503) 222-2510

Terri Wood, Eugene
(541) 484-4171

Fish and Game Offenses

James Comstock, Portland
Investigator - (503) 510-0559

Braulio Escobar, Newport
(541) 265-7717

David A. Hill, Eugene
(541) 683-4808

Wm. Jason Mahan, Roseburg
(541) 673-0171

Forensics

Russell S. Barnett, Portland
(503) 946-8000

Christopher Edward Burris, Oregon City
(503) 650-8010

Joshua Cohen, Portland
(503) 465-4533

Julia Demorest, Portland
Investigator - (503) 867-0249

William D. Dials, Gresham
(503) 661-6009

Jeffrey Dovci, Medford
(541) 499-0315

Wm. David Falls, West Linn
(503) 699-1107

Patricia Gleitsmann, Ashland
(541) 482-2696

James A. Green, Eugene
Handwriting Expert/Doc Examiner - (888) 485-0832

Michael C. Haines, Clackamas
(503) 656-0841

Larry S. Hart, Portland
Psychologist - (503) 380-3777

Jacqueline A. Joseph, Portland
Handwriting Expert/Doc Examiner - (800) 698-8954

Carter Kerns, Pendleton
(541) 379-3124

Gary Knowles, Medford
Forensic Scientist - (541) 890-3334

James D. Lang, Portland
(503) 227-4533

Randall R. Lapp, Forest Grove
Investigator - (503) 357-6548

Karen Lawless, Forest Grove
(503) 880-5227

Jacqueline Leung, Salem
(503) 480-0521

Kenn Meneely, Elmira
Forensic Scientist - (541) 935-0538

Ronald J. Miller, Vancouver, WA
Investigator - (360) 907-3663

Jim Pex, North Bend
Forensic Scientist - (541) 756-2044

Donald R. Schuessler, Coburg
Forensic Scientist - (541) 517-0397

Randall L. Vogt, Portland
(503) 228-9858

Lisa Wolf, Eugene
(541) 521-1661

Michael Yasumoto, Beaverton
(503) 683-7138

Members Areas of Interest

Forfeiture

Shaun S. McCrea, Eugene
(541) 485-1182
Brian L. Michaels, Eugene
(541) 687-0578
Kristen L. Winemiller, Portland
(503) 222-2510

Fraud, White Collar Crime

Gregory M. Abel, Medford
(541) 773-6855
Andrew Bates, Portland
(503) 228-3608
Kelly R. Beckley, Eugene
(541) 683-0888
Pat Birmingham, Lake Oswego
(503) 675-5355
Timothy M. Bowman, Portland
(503) 224-7878
Robert R. Calo, Portland
(503) 778-2100
Bill Carroll, Grand Ronde
Forensic Consultant - (503) 879-9016
Joseph DeBin, Portland
(503) 226-3083
William D. Dials, Gresham
(503) 661-6009
Patricia Gleitsmann, Ashland
(541) 482-2696
Marc William Gunn, Salem
(503) 362-6528
Jacqueline A. Joseph, Portland
Handwriting Expert/Doc Examiner - (800) 698-8954
Carter Kerns, Pendleton
(541) 379-3124
Danny R. Lang, Sutherlin
(541) 459-9898
Kenneth Lerner, Portland
(503) 223-0442
Bonnie Narvaez, Salem
(503) 580-4631
Ryan Timothy O'Connor, Portland
(503) 226-0923
John Scrivner, Spokane Valley, WA
Forensic Consultant - (509) 928-6541
Debra S. Sirotiak, Portland
Investigator - (503) 244-7744
Jeff Turnoy, Portland
(503) 477-5150
Gregory E. Veralrud, Eugene
(541) 345-3333
Jacob Wieselman, Portland
(503) 697-7277
Kristen L. Winemiller, Portland
(503) 222-2510
Michael Yasumoto, Beaverton
(503) 683-7138

Gangs/Gang Expert

Shirley Ann Beers, Portland
Investigator - (503) 289-2280
David A. Carlson, Tualatin
Investigator - (503) 544-2554
Robert Crow, Portland
(503) 319-9111
Ray Marcom, McMinnville
(503) 583-5496
Michael J. Padilla, Vale
Investigator - (541) 881-9572

Grand Jury

Pat Birmingham, Lake Oswego
(503) 675-5355
Kenneth Lerner, Portland
(503) 223-0442
Stuart A. Sugarman, Portland
(503) 228-6655
Valerie Wright, Bend
(541) 383-0119

Habeas Corpus

Brett Allin, Salem
(503) 378-2421
Dennis N. Balske, Portland
(503) 222-9830
Anthony Bornstein, Portland
(503) 326-2123
Jovana Combs, Gresham
Law Student - (503) 887-9746
Kathleen M. Correll, Portland
(503) 284-0763
Conrad Engweiler, Sisters
(541) 588-6459
W. Keith Goody, Cougar, WA
(360) 238-5211
Brian E. Holmes, Meridian, ID
Investigator - (503) 806-4222

Eric R. Johansen, Salem
(503) 378-5818
Rankin Johnson, Portland
(503) 307-9560
Michael R. Levine, Portland
(503) 546-3927
Tonia L. Moro, Medford
(541) 973-2063
Adam Paczkowski, Salem
(360) 672-2087
Arnold W. Poole, Albany
(541) 928-0684
N. David Shamloo, Portland
(503) 220-5045
Bobbin Singh, Portland
Director - (503) 768-7321
Richard L. Wolf, Portland
(503) 384-0910

Homelessness

Lisa Fitzgerald, Portland
(503) 225-9100
Brynn Reynolds, Klamath Falls
(541) 884-0333
Erik C. Swallow, Roseburg
(541) 957-5344

Immigration

Brian Patrick Conry, Portland
(503) 274-4430
Lisa Fitzgerald, Portland
(503) 225-9100
James Patrick Geocaris, Eugene
(541) 357-9369
Josh McCarthy, Portland
(503) 225-9100
Jeffrey Neil Neuman, San Diego, CA
(702) 439-3906
N. David Shamloo, Portland
(503) 220-5045
Scott Lee Sharp, Hillsboro
(503) 726-7900
Carlos S. Vega, Pendleton
Investigator - (541) 379-1958
Charles H. Vincent, Eugene
(541) 687-6765

Indian Law/ICWA

Kristy Barrett, Portland
(503) 893-2117
Kittee Custer, Pendleton
(541) 276-7139
Patricia Gleitsmann, Ashland
(541) 482-2696
David C. Glenn, Madras
(541) 475-2272
Megan L. Jacquot, Coos Bay
(541) 267-2214
Jennifer F. Kimble, Madras
(541) 475-4500
Jennifer I. Nash, Corvallis
(541) 752-3616
Peter A. Parnickis, Bend
(541) 389-7723
Brynn Reynolds, Klamath Falls
(541) 884-0333

Internet Pornography

Chris Hansen, Eugene
(541) 484-2611, ext. 104
Carol L. Padilla, Medford
Investigator - (541) 772-3107
Carol L. Padilla, Medford
Investigator - (541) 772-3107

Members Areas of Interest

Emily Simon, Portland
(503) 239-6101

Bear Wilner-Nugent, Portland
(503) 3351-, ext. 2327

Michael Yasumoto, Beaverton
(503) 683-7138

Interpreting/Translation

James Comstock, Portland
Investigator - (503) 510-0559

Galina Quigley, Eugene
(541) 206-2386

Linda J. Reynolds, Salem
(503) 581-0227

Fahmi Slail, Beaverton
(503) 778-, ext. 0525

Intoxilyzer 5000/8000

Daniel A. Cross, Hillsboro
(503) 640-9509

Shannon Mortimer, Portland
(503) 226-3083

John W. Neidig, Portland
(503) 221-0229

Mark Pihl, Lake Oswego
(503) 460-7278

John Powers, Portland
(503) 241-4875

Michael G. Romano, Bend
(541) 382-4404

L. Todd Wilson, Bend
(541) 383-3755

Investigator

George Babnick, Jefferson
(503) 232-5634

Nena Baker, Portland
Investigator - (971) 275-4575

Bernard A. Brown, Albany
Investigator - (541) 926-6614

John-Michael Callaghy, Portland
Investigator - (503) 360-4273

Danielle Farmer, Portland
(503) 706-2723

Chris Kaber, Klamath Falls
(541) 331-4992

Ray Marcom, McMinnville
(503) 583-5496

Bonnie Narvaez, Salem
(503) 580-4631

Timothy Newell, Salem
Investigator - (503) 480-0521

Kent Santiago, Woodburn
(503) 927-9681

Carlos S. Vega, Pendleton
Investigator - (541) 379-1958

Courtney Withycombe, Portland
(503) 888-4264

Jury Selection/Instructions

Jovana Combs, Gresham
Law Student - (503) 887-9746

Richard A. Cremer, Roseburg
(541) 672-1955

Mark Austin Cross, Oregon City
(503) 655-0037

Wm. David Falls, West Linn
(503) 699-1107

Thomas A. Hill, Bend
(541) 647-1496

Carter Kerns, Pendleton
(541) 379-3124

Zachary W. Light, Medford
(541) 494-0355

Michael J. Love, Otter Rock
(541) 265-8877

J. Robert Moon, Baker City
(541) 523-6294

Margaret L. Paris, Eugene
(541) 346-3813

Peter A. Parnickis, Bend
(541) 389-7723

John Powers, Portland
(503) 241-4875

Jessica Saydack, Eugene
(541) 484-2611, ext. 114

Shannon I. Wilson, Oregon City
(503) 949-1153

Valerie Wright, Bend
(541) 383-0119

Juvenile

Kristine Almquist, Hillsboro
(503) 648-7383

Kristy Barrett, Portland
(503) 893-2117

Frederick Bennett, Prineville
(541) 416-0133

Meghan S. Bishop, Salem
(971) 237-8485

Mary Bruington, Hillsboro
(503) 726-7900

Erik M. Bucher, Hillsboro
(503) 789-4134

Michael J. Clancy, Canby
(503) 266-7234

Thomas Clark, Bend
(541) 388-4053

Martin R. Cohen, Lake Oswego
(503) 635-5805

Legal Ast: Cynthia

Howard W. Collins, Salem
(503) 399-9778

Thomas Collins, Hillsboro
(503) 648-3020

Thomas J. Crabtree, Bend
(541) 389-7723

Daniel A. Cross, Hillsboro
(503) 640-9509

Deborah K. Cumming, Grants Pass
(541) 479-2210

Janmarie Dielschneider, McMinnville
(503) 435-2725

Christopher Eggert, Salem
(503) 837-6111

Kevin J. Ellis, Portland
(503) 232-2540

Ginger Fitch, Wilsonville
(503) 954-9829

Shannon L. Flowers, Salem
(503) 378-3349

Robert J. Foltyn, Klamath Falls
(541) 884-1721

Melissa D. Garcia, Hillsboro
(503) 726-7900

Dianna J. Gentry, Portland
(503) 629-2121

James Patrick Geocaris, Eugene
(541) 357-9369

David C. Glenn, Madras
(541) 475-2272

Terrance P. Gough, Eugene
(541) 302-9448

Jeffrey C. Greenwood, Roseburg
(541) 672-1955

Anthony F. Griffin, Roseburg
(541) 492-2875

Kathryn F. K. Griffin, Roseburg
(541) 492-2868

Julia M. Hagan, Portland
(503) 227-1515

Risa L. Hall, Central Point
(541) 664-7785

S. Delaney Hanlon, Salem
(503) 588-3088

Christine K. Herbert, Medford
(541) 779-2006

Susan D. Isaacs, Beaverton
(503) 646-4200

Megan L. Jacquot, Coos Bay
(541) 267-2214

Gregory A. Karpstein, Hillsboro
(503) 648-7383

John H. Kim, Eugene
(541) 689-3066

Jennifer F. Kimble, Madras
(541) 475-4500

Mark J Lang, St. Helens
(503) 325-2884

Rita Lapp, Forest Grove
Investigator - (503) 357-6548

Greta Therese Lilly, Medford
(541) 779-5636

Members Areas of Interest

Morgan Long, Portland
(971) 266-3882

Josh McCarthy, Portland
(503) 225-9100

Dawn M. McIntosh, Gearhart
(503) 3-980-, ext. 1451

Philip M. Mickel, Prineville
Investigator - (541) 447-8070

Henry Miller, Portland
Forensic Psychologist - (503) 227-3358

Mikel R. Miller, Bend
(541) 388-9819

Jennifer I. Nash, Corvallis
(541) 752-3616

Nicolas Ortiz, Corvallis
(541) 752-3616

Cathy M. Ouellette, Eugene
(541) 344-8665

James A. Palmer, Eugene
(541) 343-8281

Sarah Peterson, Salem
(503) 378-5863

Jeffrey C. Pridgeon, Newport
(541) 265-2217

Crystal Reeves, Hillsboro
(503) 225-9100

Brynn Reynolds, Klamath Falls
(541) 884-0333

Judith N. Rosenberg, Portland
(503) 200-5950

Alsea Sarre, Portland
Investigator - (503) 515-9072

Alsea Sarre, Portland
Investigator - (503) 515-9072

Roxanne R. Scott, Canby
(503) 263-7781

Emily Simon, Portland
(503) 239-6101

Arthur P. Slininger, Canby
(503) 266-7234

A. V. Lonny Smith, The Dalles
(541) 296-9601

Noel K. Snyder, Portland
(503) 249-0747

Karen M. Stenard, Eugene
(541) 343-9909

Erik C. Swallow, Roseburg
(541) 957-5344

Jessica Swinford, Salem
(503) 363-9158

Anne E. Tracey, Hillsboro
(503) 640-0708

F. G. (Jamie) Troy II, Portland
(503) 200-5950

Max Wall, Portland
(971) 303-9255

Dana M. Weinstein, Eugene
(541) 687-2378

Jill M Weygandt, Pendleton
(541) 276-0244

Robynne A. Whitney, Eugene
(541) 344-0004

Courtney Withycombe, Portland
(503) 888-4264

Latino Defendants

J. Brendon Alexander, Bend
(541) 322-0920

Melissa D. Garcia, Hillsboro
(503) 726-7900

Karen Graham, Portland
Investigator - (503) 580-1689

Philip M. Mickel, Prineville
Investigator - (541) 447-8070

David M. Orf, Ashland
(541) 772-8494

Nicolas Ortiz, Corvallis
(541) 752-3616

Linda J. Reynolds, Salem
(503) 581-0227

Robert L. Sepp, West Linn
(503) 3-998-, ext. 7719

Charles H. Vincent, Eugene
(541) 687-6765

Law Student

Adam Paczkowski, Salem
(360) 672-2087

Marijuana Grow Operation

Jonathan G. Ash, Bend
(541) 389-7100

Leland R. Berger, Portland
(503) 432-8775

Peter J. Carini, Medford
(541) 779-5000

Thomas K. Coan, Portland
(503) 221-8736

Todd Dalotto, Corvallis
(541) 752-9053

David A. Hill, Eugene
(541) 683-4808

Michael R. Hughes, Bend
(541) 408-9884

Paul T. Loney, Portland
(503) 234-2694

Michael J. Love, Otter Rock
(541) 265-8877

John Lucy, Portland
(503) 227-6000

Brian L. Michaels, Eugene
(541) 687-0578

Max J. Mizejewski, Eugene
(541) 505-9872

John W. Neidig, Portland
(503) 221-0229

Jeffrey Neil Neuman, San Diego, CA
(702) 439-3906

Geoffrey Squier Silver, Portland
(503) 224-1110

Jon G. Springer, Bend
(541) 323-3200

Bradley Steinman, Portland
(847) 917-9673

Terri Wood, Eugene
(541) 484-4171

Measure 11

J. Brendon Alexander, Bend
(541) 322-0920

James A. Arneson, Roseburg
(541) 673-0696

Elizabeth J. C. Baker, Eugene
(541) 345-5226

Jesse Wm. Barton, Salem
(503) 391-6283

Bruce Benkle, Salem
(503) 990-0304

Frederick Bennett, Prineville
(541) 416-0133

Joyce A. Bonk, Coos Bay
Investigator - (541) 888-6492

Timothy M. Bowman, Portland
(503) 224-7878

Rhonda L. Coats, Bend
Mitigation Specialist - (541) 604-4518

Laura E. Coffin, Salem
(503) 378-2344

Mark C. Cogan, Portland
(503) 827-8092

Mark L. Costello, Klamath Falls
(541) 882-1426

Brian D. Cox, Eugene
(541) 683-7151, ext. 305

Robert Crow, Portland
(503) 319-9111

William D. Dials, Gresham
(503) 661-6009

Danielle Farmer, Portland
(503) 706-2723

Jenifer Feinberg, Medford
(541) 779-8916

Timothy J. Felling, Albany
(541) 926-1554

Paul M. Ferder, Salem
(503) 585-9197

Dianna J. Gentry, Portland
(503) 629-2121

Jim Gibson, Clatskanie
Investigator - (503) 728-0764

David C. Glenn, Madras
(541) 475-2272

Geoffrey J. Gokey, Redmond
(541) 923-1159

Members Areas of Interest

Marc William Gunn, Salem
(503) 362-6528

Chris Hansen, Eugene
(541) 484-2611, ext. 104

Larry S. Hart, Portland
Psychologist - (503) 380-3777

Christine K. Herbert, Medford
(541) 779-2006

Josie A. Hermann, Baker City
Investigator - (541) 523-2565

Brian E. Holmes, Meridian, ID
Investigator - (503) 806-4222

Jeffrey M. Jones, Salem
(503) 588-2687

Jennifer F. Kimble, Madras
(541) 475-4500

Andrew M. Kohlmetz, Portland
(503) 821-7449

Randall R. Lapp, Forest Grove
Investigator - (503) 357-6548

Kathryn Lavenne, Portland
Investigator - (503) 928-2377

Angela T. Lee-Mandlin, Bend
(541) 678-5614

Michael R. Levine, Portland
(503) 546-3927

Zachary W. Light, Medford
(541) 494-0355

Lisa J. Ludwig, Portland
(503) 223-5570

Ray Marcom, McMinnville
(503) 583-5496

Philip M. Mickel, Prineville
Investigator - (541) 447-8070

Jennifer I. Nash, Corvallis
(541) 752-3616

Timothy Newell, Salem
Investigator - (503) 480-0521

EveLyn A. Oldenkamp, Klamath Falls
(541) 882-1426

Michael R. Olsen, Eugene
Investigator - (541) 484-2611, ext. 112

David M. Orf, Ashland
(541) 772-8494

Nicolas Ortiz, Corvallis
(541) 752-3616

Carol L. Padilla, Medford
Investigator - (541) 772-3107

Carol L. Padilla, Medford
Investigator - (541) 772-3107

Michael J. Padilla, Vale
Investigator - (541) 881-9572

Peter A. Parnickis, Bend
(541) 389-7723

Arnold W. Poole, Albany
(541) 928-0684

Forrest Reid, Albany
(541) 926-3823

Justin N. Rosas, Medford
(541) 245-9781

Robert M. Schrank, Eugene
(541) 485-2214

Scott Lee Sharp, Hillsboro
(503) 726-7900

Wm. Bruce Shepley, Oregon City
(503) 657-4436

Geoffrey Squier Silver, Portland
(503) 224-1110

Emily Simon, Portland
(503) 239-6101

Fahmi Slail, Beaverton
(50) 3 -778-, ext. 0525

Bruce D. Tarbox, Oregon City
(503) 753-3638

David G. Terry, Roseburg
(541) 672-4693

Jason E. Thompson, Salem
(503) 585-9197

Anne E. Tracey, Hillsboro
(503) 640-0708

Daniel J. Wren, Salem
(503) 371-4444

Medical Defense

Russell S. Barnett, Portland
(503) 946-8000

Victor J. Hoffer, Mt. Angel
(503) 845-6650

Bonnie Narvaez, Salem
(503) 580-4631

Medical Marijuana

Leland R. Berger, Portland
(503) 432-8775

Blair Bobier, Corvallis
(503) 559-6176

Thomas K. Coan, Portland
(503) 221-8736

Richard A. Cremer, Roseburg
(541) 672-1955

Todd Dalotto, Corvallis
(541) 752-9053

David A. Hill, Eugene
(541) 683-4808

Paul T. Loney, Portland
(503) 234-2694

John Lucy, Portland
(503) 227-6000

Brian L. Michaels, Eugene
(541) 687-0578

Jeffrey Neil Neuman, San Diego, CA
(702) 439-3906

Erik W. Nicholson, Tigard
(503) 343-4696

EveLyn A. Oldenkamp, Klamath Falls
(541) 882-1426

Jon G. Springer, Bend
(541) 323-3200

Erik C. Swallow, Roseburg
(541) 957-5344

Mental Illness Issues

Jacob Accurso, Siletz
(541) 444-1234

J. Brendon Alexander, Bend
(541) 322-0920

Andrew Bates, Portland
(503) 228-3608

Laurie Bender, Portland
(503) 241-7075

Michael Breiling, Pendleton
(541) 278-9625

John-Michael Callaghy, Portland
Investigator - (503) 360-4273

Thomas Collins, Hillsboro
(503) 648-3020

Mark Austin Cross, Oregon City
(503) 655-0037

Julia Demorest, Portland
Investigator - (503) 867-0249

Shannon L. Flowers, Salem
(503) 378-3349

Laura Forester, Beaverton
(503) 810-0956

W. Keith Goody, Cougar, WA
(360) 238-5211

Laura Graser, Portland
(503) 287-7036

Michael C. Haines, Clackamas
(503) 656-0841

Larry S. Hart, Portland
Psychologist - (503) 380-3777

Lori A. G. Hellis, Bend
(541) 312-8864

Rita Lapp, Forest Grove
Investigator - (503) 357-6548

Cindy Lester, Portland
Investigator - (503) 933-4700

Zachary W. Light, Medford
(541) 494-0355

Harris S. Matarazzo, Portland
(503) 226-0306

Josh McCarthy, Portland
(503) 225-9100

Henry Miller, Portland
Forensic Psychologist - (503) 227-3358

Marceil Moody-Burks, Hillsboro
(503) 726-7900

Emily Oberdorfer, Portland
(503) 223-2313

EveLyn A. Oldenkamp, Klamath Falls
(541) 882-1426

Michael R. Olsen, Eugene
Investigator - (541) 484-2611, ext. 112

Members Areas of Interest

James A. Palmer, Eugene
(541) 343-8281

Arnold W. Poole, Albany
(541) 928-0684

Thomas E. Price, Portland
(503) 326-2123

Brynn Reynolds, Klamath Falls
(541) 884-0333

Justin N. Rosas, Medford
(541) 245-9781

Karen A. Steele, Salem
(503) 508-4668

Erik C. Swallow, Roseburg
(541) 957-5344

Jessica Swinford, Salem
(503) 363-9158

Carlos S. Vega, Pendleton
Investigator - (541) 379-1958

Randall L. Vogt, Portland
(503) 228-9858

James A. von Hippel, Coos Bay
(541) 267-2472

Military Justice

Mary C. Goody, Cougar, WA
Mitigation Specialist - (360) 238-5219

Anthony F. Griffin, Roseburg
(541) 492-2875

Lori A. G. Hellis, Bend
(541) 312-8864

Amy Lammers, The Dalles
(541) 296-9601

Matthew P. Muenchrath, Coquille
(541) 396-4529

Mitigation

Dawn Andrews, Portland
(503) 225-9100

Bernard A. Brown, Albany
Investigator - (541) 926-6614

John-Michael Callaghy, Portland
Investigator - (503) 360-4273

Jane Marie Claus, Portland
(503) 228-7154

Rhonda L. Coats, Bend
Mitigation Specialist - (541) 604-4518

Kathleen M. Correll, Portland
(503) 284-0763

Mark Austin Cross, Oregon City
(503) 655-0037

Jerry W. Elshire, Portland
Investigator - (503) 516-7798

Laura Forester, Beaverton
(503) 810-0956

Mary C. Goody, Cougar, WA
Mitigation Specialist - (360) 238-5219

Karen Graham, Portland
Investigator - (503) 580-1689

Michael C. Haines, Clackamas
(503) 656-0841

Margaret Hix, Portland
(213) 999-3126

Brian E. Holmes, Meridian, ID
Investigator - (503) 806-4222

James Hudson, La Center, WA
Mitigation Specialist - (360) 263-1043

Teena Killian, Eugene
(541) 505-9379

Rita Lapp, Forest Grove
Investigator - (503) 357-6548

Kathryn Lavenne, Portland
Investigator - (503) 928-2377

Cindy Lester, Portland
Investigator - (503) 933-4700

John Lewis, Portland
Investigator - (503) 816-1225

Gordon K. Mallon, Lake Oswego
(503) 344-4145

Henry Miller, Portland
Forensic Psychologist - (503) 227-3358

Ronald J. Miller, Vancouver, WA
Investigator - (360) 907-3663

Joyce A. Naffziger, Eugene
Investigator - (541) 344-8801

Laura K. Rittall, Portland
Victim Outreach Specialist - (503) 473-2954

Laurie Shertz, Portland
(503) 471-1332

Debra S. Sirotiak, Portland
Investigator - (503) 244-7744

Carlos S. Vega, Pendleton
Investigator - (541) 379-1958

Terri Wood, Eugene
(541) 484-4171

Michael Yasumoto, Beaverton
(503) 683-7138

Municipal Court Issues

Ernest H. Badeau, Oregon City
(503) 723-4383

Carol J. Fredrick, McMinnville
(503) 435-1455

James Patrick Geocaris, Eugene
(541) 357-9369

Josie A. Hermann, Baker City
Investigator - (541) 523-2565

Danny R. Lang, Sutherlin
(541) 459-9898

Jesse Lohrke, Eugene
(541) 357-6788

Matthew P. Muenchrath, Coquille
(541) 396-4529

Timothy Newell, Salem
Investigator - (503) 480-0521

Murray S. Petitt, Springfield
(541) 747-3354

Wm. Bruce Shepley, Oregon City
(503) 657-4436

Grant D. Wenzlick, Beaverton
(503) 574-3397

Larry B. Workman, Medford
(541) 858-8171

Parole/Probation

Joseph DeBin, Portland
(503) 226-3083

Janmarie Dielschneider, McMinnville
(503) 435-2725

Conrad Engweiler, Sisters
(541) 588-6459

Braulio Escobar, Newport
(541) 265-7717

Josie A. Hermann, Baker City
Investigator - (541) 523-2565

Bronson D. James, Portland
(503) 943-6876

Bruce A. Liebowitz, Portland
(503) 295-2996

Jennifer List, Portland
(503) 226-3083

Ryan Timothy O'Connor, Portland
(503) 226-0923

Andy Simrin, Portland
(503) 265-8940

Plea Negotiations

Blair Bobier, Corvallis
(503) 559-6176

Mae Lee Browning, Portland
(971) 279-7704

Jennifer List, Portland
(503) 226-3083

Autumn Shreve, Portland
(503) 241-7075

Clayton M. Tullos, Springfield
(541) 515-1505

Jill M Weygandt, Pendleton
(541) 276-0244

Post Conviction Relief

Conrad Engweiler, Sisters
(541) 588-6459

Danielle Farmer, Portland
(503) 706-2723

Karen Graham, Portland
Investigator - (503) 580-1689

Teena Killian, Eugene
(541) 505-9379

John Lewis, Portland
Investigator - (503) 816-1225

Ronald J. Miller, Vancouver, WA
Investigator - (360) 907-3663

Tonia L. Moro, Medford
(541) 973-2063

Members Areas of Interest

Adam Paczkowski, Salem
(360) 672-2087

Jessica Saydack, Eugene
(541) 484-2611, ext. 114

John E Schlosser, Portland
(503) 808-9008

Andy Simrin, Portland
(503) 265-8940

Bobbin Singh, Portland
Director - (503) 768-7321

Jason E. Thompson, Salem
(503) 585-9197

Post-Conviction Relief

Brett Allin, Salem
(503) 378-2421

Dennis N. Balske, Portland
(503) 222-9830

Michael D. Barker, Keizer
(503) 390-5704

Shirley Ann Beers, Portland
Investigator - (503) 289-2280

Anthony Bornstein, Portland
(503) 326-2123

David J. Celuch, Portland
(503) 224-4045

Rhonda L. Coats, Bend
Mitigation Specialist - (541) 604-4518

Brian Patrick Conry, Portland
(503) 274-4430

Kathleen M. Correll, Portland
(503) 284-0763

Travis R. Dickey, Salem
(503) 581-5562

W. Keith Goody, Cougar, WA
(360) 238-5211

Brian E. Holmes, Meridian, ID
Investigator - (503) 806-4222

Rankin Johnson, Portland
(503) 307-9560

Cindy Lester, Portland
Investigator - (503) 933-4700

Michael R. Levine, Portland
(503) 546-3927

Ryan Timothy O'Connor, Portland
(503) 226-0923

Michael J. Padilla, Vale
Investigator - (541) 881-9572

Michael E. Rose, Portland
(503) 221-1792

Alsea Sarre, Portland
Investigator - (503) 515-9072

Alsea Sarre, Portland
Investigator - (503) 515-9072

N. David Shamloo, Portland
(503) 220-5045

Geoffrey Squier Silver, Portland
(503) 224-1110

Karen A. Steele, Salem
(503) 508-4668

Lawrence L. Taylor, Portland
(503) 228-2578

Olcott Thompson, Salem
(503) 581-6881

Monty K. VanderMay, Salem
(503) 588-8053

Prisoner's Rights

Conrad Engweiler, Sisters
(541) 588-6459

Lisa Fitzgerald, Portland
(503) 225-9100

Jessica Swinford, Salem
(503) 363-9158

Process Server

Chris Kaber, Klamath Falls
(541) 331-4992

Timothy Newell, Salem
Investigator - (503) 480-0521

Prosecutorial Misconduct

Bruce Benkle, Salem
(503) 990-0304

Anthony Bornstein, Portland
(503) 326-2123

Timothy M. Bowman, Portland
(503) 224-7878

Lawrence Matasar, Portland
(503) 222-9830

Justin N. Rosas, Medford
(541) 245-9781

Josephine Townsend, Vancouver, WA
(360) 694-7601

Protest Cases

Leland R. Berger, Portland
(503) 432-8775

Christopher M. Clayhold, Portland
(503) 347-7636

Thomas Freedman, Portland
(503) 467-7256

Paul T. Loney, Portland
(503) 234-2694

Shannon Mortimer, Portland
(503) 226-3083

Public Defense Funding

Deborah K. Cumming, Grants Pass
(541) 479-2210

Danielle Farmer, Portland
(503) 706-2723

Lori A. G. Hellis, Bend
(541) 312-8864

Gordon K. Mallon, Lake Oswego
(503) 344-4145

Marcail Moody-Burks, Hillsboro
(503) 726-7900

Autumn Shreve, Portland
(503) 241-7075

Public Defense Management

Kathryn F. K. Griffin, Roseburg
(541) 492-2868

James D. Hennings, Portland
(503) 635-2907

Justin N. Rosas, Medford
(541) 245-9781

Religious Freedom

Gregory M. Abel, Medford
(541) 773-6855

Ginger Fitch, Wilsonville
(503) 954-9829

John W. Neidig, Portland
(503) 221-0229

John E Schlosser, Portland
(503) 808-9008

Restraining Orders

Dawn Andrews, Portland
(503) 225-9100

Deborah K. Cumming, Grants Pass
(541) 479-2210

Janmarie Dielschneider, McMinnville
(503) 435-2725

Barbara J. Garland, Hillsboro
(503) 615-8233

Terrance P. Gough, Eugene
(541) 302-9448

Jordon Huppert, Eugene
(541) 357-7109

John H. Kim, Eugene
(541) 689-3066

Ken A. Kissir, Gresham
(503) 667-6114

Jennifer List, Portland
(503) 226-3083

Jesse Lohrke, Eugene
(541) 357-6788

Matthew P. Muenchrath, Coquille
(541) 396-4529

Michael W. Seidel, Bend
(541) 633-7400

Robert L. Sepp, West Linn
(503) 398-, ext. 7719

Lawrence L. Taylor, Portland
(503) 228-2578

Anne E. Tracey, Hillsboro
(503) 640-0708

Members Areas of Interest

RICO

Robert R. Calo, Portland
(503) 778-2100
Patricia Gleitsmann, Ashland
(541) 482-2696
Michael R. Hughes, Bend
(541) 408-9884
Bonnie Narvaez, Salem
(503) 580-4631

Search and Seizure

James A. Arneson, Roseburg
(541) 673-0696
Jonathan G. Ash, Bend
(541) 389-7100
Blair Bobier, Corvallis
(503) 559-6176
Bryan R. Boender, Eugene
(541) 338-, ext. 9111
Mae Lee Browning, Portland
(971) 279-7704
Thomas K. Coan, Portland
(503) 221-8736
Ryan R. Corbridge, Hillsboro
(503) 352-9360
Joseph DeBin, Portland
(503) 226-3083
Edward L. Dunkerly, Vancouver, WA
(360) 607-9243
Kevin J. Ellis, Portland
(503) 232-2540
John Paul Evans, Salem
(503) 378-3349
D. Michael Fagan, Salem
(503) 362-1601
Guy B. Greco, Newport
(541) 265-2801
S. Delaney Hanlon, Salem
(503) 588-3088
Sarah M. Hays, Klamath Falls
(541) 882-6331
Jason Hess, Keizer
Drugs/Narcotics - (503) 930-5725

Thomas A. Hill, Bend
(541) 647-1496
Robert C. Homan, Eugene
(541) 484-2611, ext. 125
Michael R. Hughes, Bend
(541) 408-9884
Rankin Johnson, Portland
(503) 307-9560
Carter Kerns, Pendleton
(541) 379-3124
Shawn A. Kollie, Portland
(503) 747-7198
Danny R. Lang, Sutherlin
(541) 459-9898

Zachary W. Light, Medford
(541) 494-0355

Jennifer List, Portland
(503) 226-3083
John Lucy, Portland
(503) 227-6000

Matt G. Matrisciano, Bend
(541) 388-1660
Richard L. McBreen, Portland
(503) 384-2420

David T. McDonald, Portland
(503) 226-0188
Legal Asst: Connie Halperin

Ruben Medina, Portland
(503) 775-2334
J. Robert Moon, Baker City
(541) 523-6294

Clint Leon Oborn, Medford
(541) 779-5636
Margaret L. Paris, Eugene
(541) 346-3813

Peter A. Parnickis, Bend
(541) 389-7723
Mark Pihl, Lake Oswego
(503) 460-7278

Michael G. Romano, Bend
(541) 382-4404
John E Schlosser, Portland
(503) 808-9008

Jon G. Springer, Bend
(541) 323-3200
Edward L. Strand, Portland
(503) 645-3309

Jason E. Thompson, Salem
(503) 585-9197
Clayton M. Tullos, Springfield
(541) 515-1505

Robynne A. Whitney, Eugene
(541) 344-0004
Shawn E. Wiley, Salem
(503) 378-2330

R. Wes Williams, La Grande
(541) 962-0896
L. Todd Wilson, Bend
(541) 383-3755

Shannon I. Wilson, Oregon City
(503) 949-1153

Jennifer Zammetti, Grants Pass
Paralegal - (541) 941-6600

Sentencing and Guidelines

Jesse Wm. Barton, Salem
(503) 391-6283

Laurie Bender, Portland
(503) 241-7075

Bruce Benkle, Salem
(503) 990-0304

Frederick Bennett, Prineville
(541) 416-0133

Squire Mathews Bozorth, Oregon City
(503) 266-1661

Mae Lee Browning, Portland
(971) 279-7704

Brian D. Cox, Eugene
(541) 683-7151, ext. 305

Travis R. Dickey, Salem
(503) 581-5562

Conrad Engweiler, Sisters
(541) 588-6459

Paul M. Ferder, Salem
(503) 585-9197

Dianna J. Gentry, Portland
(503) 629-2121

Mary C. Goody, Cougar, WA
Mitigation Specialist - (360) 238-5219

Josie A. Hermann, Baker City
Investigator - (541) 523-2565

Wm. Jason Mahan, Roseburg
(541) 673-0171

Laurie Shertz, Portland
(503) 471-1332

Olcott Thompson, Salem
(503) 581-6881

James A. von Hippel, Coos Bay
(541) 267-2472

Bear Wilner-Nugent, Portland
(503) 3-351-, ext. 2327

Shaken Baby Syndrome

Russell S. Barnett, Portland
(503) 946-8000

Jacqueline Leung, Salem
(503) 480-0521

Morgan Long, Portland
(971) 266-3882

F. G. (Jamie) Troy II, Portland
(503) 200-5950

Randall L. Vogt, Portland
(503) 228-9858

Social Security Disability

Martin R. Cohen, Lake Oswego
(503) 635-5805

Legal Asst: Cynthia

Susan D. Isaacs, Beaverton
(503) 646-4200

Gary K. Kiyuna, Nyssa
(541) 372-2268

Nathan Ratliff, Klamath Falls
(541) 882-6331

Spanish Language

Jacob Accurso, Siletz
(541) 444-1234

Members Areas of Interest

James Comstock, Portland
Investigator - (503) 510-0559

Kathryn Lavenne, Portland
Investigator - (503) 928-2377

Linda J. Reynolds, Salem
(503) 581-0227

Judith N. Rosenberg, Portland
(503) 200-5950

Charles H. Vincent, Eugene
(541) 687-6765

Jacob Wieselman, Portland
(503) 697-7277

Stalking

Michael Breiling, Pendleton
(541) 278-9625

Jennie L. Clark, Portland
(503) 238-1010

Chris W. Dunfield, Corvallis
(541) 752-5119

John H. Kim, Eugene
(541) 689-3066

Ken A. Kissir, Gresham
(503) 667-6114

Shannon Mortimer, Portland
(503) 226-3083

Gregory P. Oliveros, Clackamas
(503) 335-3800

Gregory P. Oliveros, Clackamas
(503) 335-3800

Bear Wilner-Nugent, Portland
((503) 3) -351-, ext. 2327

Tasers

David A. Carlson, Tualatin
Investigator - (503) 544-2554

Jason Hess, Keizer
Drugs/Narcotics - (503) 930-5725

Kent Santiago, Woodburn
(503) 927-9681

Tax Issues

Robert R. Calo, Portland
(503) 778-2100

Henry Miller, Portland
Forensic Psychologist - (503) 227-3358

Richard Price, Eugene
Paralegal - (541) 345-7302

Termination of Parental Rights

Shannon L. Flowers, Salem
(503) 378-3349

David C. Glenn, Madras
(541) 475-2272

Terrance P. Gough, Eugene
(541) 302-9448

Christine K. Herbert, Medford
(541) 779-2006

James A. Palmer, Eugene
(541) 343-8281

Judith N. Rosenberg, Portland
(503) 200-5950

Daniel J. Wren, Salem
(503) 371-4444

Traffic Crimes

David J. Celuch, Portland
(503) 224-4045

Brian D. Cox, Eugene
(541) 683-7151, ext. 305

Jim Gibson, Clatskanie
Investigator - (503) 728-0764

Mark S. Gorski, Portland
(503) 224-1843

Jeffrey M. Jones, Salem
(503) 588-2687

Erik W. Nicholson, Tigard
(503) 343-4696

John Powers, Portland
(503) 241-4875

Michael G. Romano, Bend
(541) 382-4404

Edward L. Strand, Portland
(503) 645-3309

Bruce D. Tarbox, Oregon City
(503) 753-3638

Anne E. Tracey, Hillsboro
(503) 640-0708

Chris Trotter, Portland
(503) 747-7198

Jeff Turnoy, Portland
(503) 477-5150

John H. Tuthill, Tillamook
(503) 842-6601

James A. von Hippel, Coos Bay
(541) 267-2472

Traffic Issues

Jacob Accurso, Siletz
(541) 444-1234

Trial Preparation

George Babnick, Jefferson
(503) 232-5634

Melissa J. Berg, Eugene
(541) 957-5344

Squire Mathews Bozorth, Oregon City
(503) 266-1661

Mae Lee Browning, Portland
(971) 279-7704

Christopher Edward Burris, Oregon City
(503) 650-8010

Jane Marie Claus, Portland
(503) 228-7154

Joshua Cohen, Portland
(503) 465-4533

Brian D. Cox, Eugene
(541) 683-7151, ext. 305

Joseph DeBin, Portland
(503) 226-3083

Wm. David Falls, West Linn
(503) 699-1107

Danielle Farmer, Portland
(503) 706-2723

David C. Glenn, Madras
(541) 475-2272

Chris Hansen, Eugene
(541) 484-2611, ext. 104

Thomas A. Hill, Bend
(541) 647-1496

Margaret Hix, Portland
(213) 999-3126

Jordon Huppert, Eugene
(541) 357-7109

M. Westbrook Johnson, Portland
(503) 226-3083

Teena Killian, Eugene
(541) 505-9379

Karen Lawless, Forest Grove
(503) 880-5227

Jacqueline Leung, Salem
(503) 480-0521

Jennifer List, Portland
(503) 226-3083

Wm. Jason Mahan, Roseburg
(541) 673-0171

Matt G. Matriesciano, Bend
(541) 388-1660

J. Robert Moon, Baker City
(541) 523-6294

Bonnie Narvaez, Salem
(503) 580-4631

Jim Pex, North Bend
Forensic Scientist - (541) 756-2044

John Powers, Portland
(503) 241-4875

Jessica Saydack, Eugene
(541) 484-2611, ext. 114

Donald R. Schuessler, Coburg
Forensic Scientist - (541) 517-0397

Mary A. Sell, Roseburg
(541) 673-0696

Laurie Shertz, Portland
(503) 471-1332

Autumn Shreve, Portland
(503) 241-7075

Sara Snyder, Portland
(503) 860-0041

Josephine Townsend, Vancouver, WA
(360) 694-7601

Jeff Turnoy, Portland
(503) 477-5150

Members Areas of Interest

Monty K. VanderMay, Salem
(503) 588-8053

Max Wall, Portland
(971) 303-9255

R. Wes Williams, La Grande
(541) 962-0896

James E. Leuenberger, Lake Oswego
(503) 679-8473

David T. McDonald, Portland
(503) 226-0188

Legal Asst: Connie Halperin

Jim Pex, North Bend
Forensic Scientist - (541) 756-2044

Vehicular Homic/Accid Reconstruct

Joshua Cohen, Portland
(503) 465-4533

Michael J. Love, Otter Rock
(541) 265-8877

White Collar Crime

Shirley Ann Beers, Portland
Investigator - (503) 289-2280

Pat Birmingham, Lake Oswego
(503) 675-5355

Robert R. Calo, Portland
(503) 778-2100

Bill Carroll, Grand Ronde
Forensic Consultant - (503) 879-9016

Jacqueline A. Joseph, Portland
Handwriting Expert/Doc Examiner - (800) 698-8954

Angela T. Lee-Mandlin, Bend
(541) 678-5614

Gregory P. Oliveros, Clackamas
(503) 335-3800

Gregory P. Oliveros, Clackamas
(503) 335-3800

Richard Price, Eugene
Paralegal - (541) 345-7302

Galina Quigley, Eugene
(541) 206-2386

Edward L. Strand, Portland
(503) 645-3309

Shannon I. Wilson, Oregon City
(503) 949-1153

Vehicular Homicide/Accident

Brian D. Cox, Eugene
(541) 683-7151, ext. 305

Timothy J. Felling, Albany
(541) 926-1554

Chris Kaber, Klamath Falls
(541) 331-4992

Wiretap/Surveillance

Jason Hess, Keizer
Drugs/Narcotics - (503) 930-5725

Carter Kerns, Pendleton
(541) 379-3124

John Scrivner, Spokane Valley, WA
Forensic Consultant - (509) 928-6541

Jacob Wieselman, Portland
(503) 697-7277

Weapons/Weapon Offenses

Ernest H. Badeau, Oregon City
(503) 723-4383

Timothy M. Bowman, Portland
(503) 224-7878

David A. Carlson, Tualatin
Investigator - (503) 544-2554

Ryan R. Corbridge, Hillsboro
(503) 352-9360

Jeffrey Dovci, Medford
(541) 499-0315

D. Michael Fagan, Salem
(503) 362-1601

Rush M. Hoag, Eugene
(541) 484-2611, ext. 111

Shawn A. Kollie, Portland
(503) 747-7198

Randall R. Lapp, Forest Grove
Investigator - (503) 357-6548

Professional Nonlawyer Members

Computer Forensics

Roy Miller, Clackamas
(503) 655-1405

Director

Dolores J. Edson, Klamath Falls
(541) 884-0333
Mark McKechnie, Portland
(503) 232-2540
Bobbin Singh, Portland
(503) 768-7321

Drug Court

Casey R. Black, Grants Pass
(541) 471-3363

Forensic Accounting

Jeffrey A. Cone, Mulino
(503) 829-6323

Forensic Consultant

Bill Carroll, Grand Ronde
(503) 879-9016
Mike A. Howard, La Grande
(541) 663-1392
John Scrivner, Spokane Valley, WA
(509) 928-6541

Forensic Psychologist

Henry Miller, Portland
(503) 227-3358

Forensic Scientist

Gary Knowles, Medford
(541) 890-3334
Kenn Meneely, Elmira
(541) 935-0538
Jim Pex, North Bend
(541) 756-2044
Bart Reid, Oregon City
(503) 650-6431
Donald R. Schuessler, Coburg
(541) 517-0397
Donald G. Webb, Salem
(503) 931-0670

Handwriting/Doc Examiner

James A. Green, Eugene
(888) 485-0832
Jacqueline A. Joseph, Portland
(800) 698-8954

Interpreter/Translator

John M. Morrell, Eugene
(541) 221-2653

Investigator

Albany

Bernard A. Brown
(541) 926-6614
Raymond S. Sanders
(541) 979-0344

Baker City

Dennis A. Beyer
(541) 519-5267
Josie A. Hermann
(541) 523-2565

Bend

Valerie Billington
(541) 389-7723
Vicki Kipp
(541) 389-7723
Scott Sampels
(541) 389-7723

Boise, ID

Kathy Dunleavy
(971) 570-1071
Linda Dunn
(208) 861-8654
Patrick Dunn
(208) 861-1355

Canby

Roger K. Harris
(503) 266-8978

Chandler, AZ

Lisa M. Harmening
(480) 748-4964

Clatskanie

Jim Gibson
(503) 728-0764

Coos Bay

Joyce A. Bonk
(541) 888-6492
Robert D. Bonk
(541) 888-6492

Cornelius

J. David Panter
(503) 747-6734

Corvallis

Laurie J. Godfrey
(541) 760-1567

Cougar, WA

Mary C. Goody
(360) 238-5219

Dallas

Ken Rodli
(503) 385-6170

Eugene

Thomas H. Buhler
(541) 484-2611
Sallie J. Eimstad
(541) 337-2250

Katie Howard

(541) 913-3090

Richard Hursey

(541) 345-0199

Patricia Jaqua

(541) 485-0416

Joyce A. Naffziger

(541) 344-8801

Michael R. Olsen

(541) 484-2611, ext. 112

Rick D. Rencher

(541) 484-2611, ext. 168

Marino Underwood

(541) 484-2611, ext. 113

Fairview

Eidar Gonzales

(503) 740-6485

Forest Grove

Randall R. Lapp

(503) 357-6548

Rita Lapp

(503) 357-6548

Grants Pass

Barry R. Hostetler

(541) 472-0312

Gresham

Patti Campbell

(503) 913-3435

Hillsboro

Robert Tyner

(503) 648-2256

Klamath Falls

Brenda Lancaster

(541) 884-0333

Greg Rote

(541) 884-0333

Adrienne Sheridan

(541) 884-0333

La Center, WA

James Hudson

(360) 263-1043

Lake Oswego

T. L. Symonds

(503) 697-5821

Lebanon

Everett D. Blehm

(541) 619-6423

Medford

Ingrid A. Mathewson

(541) 779-5636

Carol L. Padilla

(541) 772-3107

Meridian, ID

Brian E. Holmes

(503) 806-4222

Professional Nonlawyer Members

Midland

René Roelle
(541) 884-1579

Newberg

Russell K. Ward
(503) 704-2659

Newport

Harold C. Nash
(541) 444-7417

Monteen M. Nash
(541) 444-7417

Nyssa

Jesus H. Garcia
(541) 212-9290

Ontario

Kimberly Sundquist
(541) 889-2351

Oregon City

Cindy R. Borders
(503) 756-2133

Pendleton

Chris Allen
(541) 276-0244

Carlos S. Vega
(541) 379-1958

Portland

Shirley Ann Beers
(503) 289-2280

Judith Bieberle
(503) 296-6878

John-Michael Callaghy
(503) 360-4273

Juliet Cardinal
(503) 704-4390

James Comstock
(503) 510-0559

Carin Duran Connell
(503) 740-6939

Julia Demorest
(503) 867-0249

Rene Denfeld
(971) 322-8331

Carolyn A. Dickey
(503) 283-4847

Jerry W. Elshire
(503) 516-7798

Cheri Folsom
(503) 807-0372

Donald C. Geistlinger
(971) 563-7785

Marlene L. George
(503) 226-0101

Karen Graham
(503) 580-1689

David J. Halloran
(503) 583-7903

Cynthia S. Hamilton
(503) 326-2123

Erin Howell
(503) 730-1671

Wendy Kunkel
(503) 326-2123

Kathryn Lavenne
(503) 928-2377

Lynette Lazenby
(503) 226-3083

Cindy Lester
(503) 933-4700

John Lewis
(503) 816-1225

Sally Mangas
(503) 226-3083

Heather Ridle
(503) 310-0396

Alsea Sarre
(503) 515-9072

Debra S. Sirotiak
(503) 244-7744

Donna Grund Slepack
(503) 294-7084

Mara Steinberg Walker
(503) 789-4697

Brenda Tam
(503) 226-3083, ext. 114

R.T. Tavey
(503) 553-9762

Typhanny Tucker
(503) 734-7598

Maraed Walsh
(401) 440-6768

Prineville

Philip M. Mickel
(541) 447-8070

Redmond

Roy A. Moffitt
(541) 388-1477

Roseburg

David Huckins
(541) 957-5344

Salem

Pamela Bilderbeck
(503) 480-0521

Shawn Blehm
(503) 409-3247

Edward J. Kraft
(503) 375-6315

Keeley M. McCallum
(503) 851-5488

Timothy Newell
(503) 480-0521

Scappoose

Christine L. Inglis
(503) 366-7131

Seaside

James Pick
(503) 738-4038

Springfield

D. Lady Kuenzi
(503) 871-6044

Michael M. Whitney
(541) 954-1729

Sutherlin

Duane E. Parnell
(541) 459-3525

The Dalles

Kathy R. Lamoreaux
(541) 296-9601

Tigard

Alice D. Ellis Gaut
(503) 639-7252

Tualatin

David A. Carlson
(503) 544-2554

Vale

Lynn Murrey
(208) 440-7985

Michael J. Padilla
(541) 881-9572

Vancouver, WA

Kay Bockman
(360) 666-9442

Ronald J. Miller
(360) 907-3663

Gary E. Rice
(360) 750-0929

Warren

Steven J. Copple
(503) 366-0661

Wilsonville

Jay P. Myers
(503) 407-2929

Winston

Carol J. Andersch
(541) 643-7449

Law Student

Jovana Combs, Gresham
(503) 887-9746

William A. Richards, Portland
(503) 319-5155

Maria Sena, Ross, CA
(415) 250-7539

Chris Thresher, Salem
(503) 375-0803

Legal Assistant

Lori Dynge, Medford
(541) 779-5636

Professional Nonlawyer Members

Mary Jane Ferguson, Seattle, WA
(206) 296-2882

Tricia D. Hedin, Eugene
(541) 484-2611, ext. 102

Marisa Herrera, Eugene
(541) 484-2611, ext. 167

Christy M. Matson, The Dalles
(541) 501-296-, ext. 5424

Sandra McLarrin, Eugene
(541) 683-4808

Jeff Murdock, Eugene
(541) 484-2611, ext. 144

Kim Street, Medford
(541) 779-5636

Holly Taylor, Medford
(541) 779-5636

Legal Nurse Consultant

Shirley Fitzgerald, Portland
(503) 998-5109

Wendy L. Votroubek, Portland
(503) 775-3221

Mitigation Specialist

Nancy M. Bates, Portland
(971) 235-8641

Cindy R. Borders, Oregon City
(503) 756-2133

Rhonda L. Coats, Bend
(541) 604-4518

Carin Duran Connell, Portland
(503) 740-6939

Rene Denfeld, Portland
(971) 322-8331

Alice D. Ellis Gaut, Tigard
(503) 639-7252

Mary C. Goody, Cougar, WA
(360) 238-5219

Lisa M. Harmening, Chandler, AZ
(480) 748-4964

James Hudson, La Center, WA
(360) 263-1043

Christine L. Inglis, Scappoose
(503) 366-7131

Patricia Jaqua, Eugene
(541) 485-0416

Rita Lapp, Forest Grove
(503) 357-6548

Teresa (Tess) A. McMahill, Portland
(503) 274-7913

Ronald J. Miller, Vancouver, WA
(360) 907-3663

Joyce A. Naffziger, Eugene
(541) 344-8801

Ellen N. Rogers, Portland
(503) 704-6239

Pamela Lundberg Rogers, Portland
(253) 677-1897

Raymond S. Sanders, Albany
(541) 979-0344

Donna Grund Slepack, Portland
(503) 294-7084

Andrea Titus, Portland
(503) 702-0014

Neuropsychologist

Loren E. Mallory, Oregon City
(503) 657-7235

Paralegal

Tammy L. K. Moore, Medford
(541) 779-5636

D. Lawrence Olstad, Portland
(503) 849-4635

Richard Price, Eugene
(541) 345-7302

Jennifer Zammetti, Grants Pass
(541) 941-6600

Polygraph Examiner

Ingrid A. Mathewson, Medford
(541) 779-5636

Carol L. Padilla, Medford
(541) 772-3107

Process Server

John M. Morrell, Eugene
(541) 221-2653

René Roelle, Midland
(541) 884-1579

Professor

Lore Rutz-Burri, Ashland
(541) 552-6509

Psychologist

Norvin (Jake) Cooley, Oregon City
(503) 657-7235

Larry S. Hart, Portland
(503) 380-3777

Loren E. Mallory, Oregon City
(503) 657-7235

Kevin B. McGovern, Portland
(503) 644-6600

Trial Consultant/Preparation

Linda Dunn, Boise, ID
(208) 861-8654

Elliott B. Oppenheim, Lolo, MT
(406) 273-4212

Victim Outreach Specialist

Laura K. Rittall, Portland
(503) 473-2954

Office of Public Defense Services

Nancy Cozine, Executive Director •

1175 Court St NE, Salem, OR 97301-4030 | tel: (503) 378-3349, ext. 82515 | fax: (503) 375-9701

Appellate Division

Peter Gartlan, Chief Defender•

(503) 378-2371

Peter.Gartlan@opds.state.or.us

Meredith Allen, ext. 82421•
Daniel Bennett, ext. 86217•
Erik Blumenthal, ext. 86231•
Marc D. Brown, ext. 82401•
Lindsey Burrows, ext. 88399•
Neil F. Byl, ext. 85845•
Kristin A. Carveth, ext. 82922•
Rond Chananudech, ext. 82369•
Laura Coffin, ext. 82344•
Valerie Colas, ext. 88397•
Joshua B. Crowther, ext. 82394•
Elizabeth G. Daily, ext. 82452•
Morgen E. Daniels, ext. 82240•
Lindsey Detweiler, ext. 83350•
David O. Ferry, ext. 82229•
Laura Frikert, ext. 86230•
Erica Herb, ext. 82447•
Stephanie J. Hortsch, ext. 82308•
Eric R. Johansen, ext. 85818•
Robin A. Jones, ext. 82271•
Kyle Krohn, ext. 85862•
Sarah Laidlaw, ext. 86234•
Ernest G. Lannet, ext. 83479•
Ingrid MacFarlane, ext. 85850•
Zachary L. Mazer, ext. 82225•
Kali Montague, ext. 86215•
Anne K. Munsey, ext. 83037•

Administrative Services

General Counsel

Paul E. Levy, ext. 82486•

Paul.Levy@opds.state.or.us

Research & IT Director

Cecily Warren, ext. 82165

Operations & Desktop Analyst

Laura Kepford, ext. 82516

Administrative Analyst

Alan Gibson, ext. 82501

Human Resources Manager

Cynthia Gregory, ext. 82509

Alice Newlin-Cushing, ext. 85859•

Jedediah Peterson, ext. 82476•

Sarah Peterson, ext. 85863•

Kimberly Petrie Volm, ext. 82341•

Mary Reese, ext. 85856•

Andrew Robinson, ext. 82451•

Emily Seltzer, ext. 83032•

David Sherbo-Huggins, ext. 82410•

Erin Snyder, ext. 86628•

Mary-Shannon Storey, ext. 82458•

Irene B. Taylor, ext. 83067•

Holly Telerant, ext. 86235•

Shawn E. Wiley, ext. 82330•

Contract & Financial Services

Contracts Manager

Caroline Meyer, ext. 82508

caroline.e.meyer@opds.state.or.us

Contract Analysts

Billy Strehlow, ext. 82512 (Senior Analyst)

billy.strehlow@opds.state.or.us

Amy Jackson, ext. 82506

amy.jackson@opds.state.or.us

Shelley Winn, ext. 82496

shelley.winn@opds.state.or.us

Financial Services Manager

Angelique Bowers, ext. 82481

Fiscal Analyst

Erica Robinson, ext. 82510

Accounts Payable

Christine Bathke, ext. 86218

Margaret Barnholdt, ext. 82500

Zachary Kreft, ext. 82511

Vicki Schill, ext. 82507

Non-Routine Expenses

Kelly Ashton, ext. 82478

NRE@opds.state.or.us

Federal Public Defender

District of Oregon

101 SW Main, Suite 1700

Portland, OR 97204-3228

(503) 326-2123 / Fax: (503) 326-5524

Steven T. Wax, Federal Public Defender•

Stephen R. Sady, Chief Deputy Defender•

Mark Ahlemayer
Anthony D. Bornstein•
Nell Brown
Alison M. Clark•
Harold DuCloux III
Patrick Ehlers
Francesca Freccero
Lisa Hay•
Kristina Hellman
Thomas J. Hester
Ruben L. Iñiguez
C. Renée Manes
Gerald M. Needham•
Ellen C. Pitcher

Thomas E. Price•
Susan Russell
Christopher J. Schatz
Michelle Sweet•

Branch Offices:

Eugene

859 Willamette, Suite 200

Eugene, OR 97401

(541) 465-6937

fax: (541) 465-6975

Bryan E. Lessley

Craig Weinerman

Mark B. Weintraub•

Medford

15 Newtown Street

Medford, OR 97501

(541) 776-3630

fax: (541) 776-3624

Brian Butler

• OCDLA Member

Public Defender Boards

Bend Attorney Group

L. Thomas Clark – Attorney
Mike Flynn – Attorney
Thomas Hill – Attorney
James Slothower – Attorney
*C.S. Spencer – Attorney, Retired

Benton County Legal Defense Corporation

Dan Armstrong – Attorney
Robert Corl – Attorney
Brett Jaspers – Attorney
Steven Ensor – Attorney
Vacancy – Attorney

Clackamas Indigent Defense Corporation

Jack Bernstein – Attorney
Jim Bernstein – Attorney
Squire Bozorth – Attorney
Andrew Elliott – Attorney
Ronald Gray – Attorney
Arthur Knauss – Attorney
Adrian Smith – Attorney
Scott Thompson – Attorney
David Viuhkola – Attorney

Crabtree & Rahmsdorff Defense Services, Inc.

Don Bauhofer – Business Owner
Mike McGean – Attorney
Daniel Re – Attorney
Don Thompson – Business Owner

Indigent Defenders, Inc.

Joseph Bradway – Attorney
Barbara Gay Canaday – Attorney
Michael Clancy – Attorney
*Martin Cohen – Attorney
James Bernstein – Attorney
Warren Oster

Intermountain Public Defenders

Harry Bose – Accountant
Rustin Brewer – Civil Attorney
Richard Courson – Retired Judge
Andy Millar – Attorney

Josephine Co. Defense Lawyers

Claudia E. Browne – Attorney
Marie Hill – Public Member
Lynn Myrick – Attorney
Holly A. Preslar* – Attorney
Dan Simcoe – Attorney

Juvenile Advocacy Consortium

Jeanean Craig – Attorney
Dora Lutz – Attorney
Todd McCann – Attorney
Phillip Wiseman – Attorney

Klamath Defender Services, Inc.

Thomas F. Della-Rose – Attorney
Richard L. Garbutt – Attorney
*Phil Studenberg – Attorney
Dolores Edson – Exec. Director

Lane County Defense Consortium

Rebecca Davis – Attorney
*Don Diment – Attorney
Daniel Koenig – Attorney
Kevin Merwin – Attorney

Lane Juvenile Lawyers Association

John Glassburner – Retired, Dept. Youth Services
Dave McGory – Retired, Dept. Human Services
Jane Murphy – Attorney
Robynne Whitney – Attorney

Linn County Legal Defense

Timothy Felling – Attorney
Derek Hews – Attorney
Michael Koch – Attorney
* Roger Reid – Administrator
Roger Reid – Administrator
Keith Rohrbough – Attorney
Kirk Tibbetts – Attorney

Marion Count Association of Defenders

Robert Botta – Attorney
Carla French – Attorney (nonMCAD)
James Edmonds – Attorney (nonMCAD)
Cheryl Richardson – Attorney
*Phillip Swogger – Attorney
D. Olcott Thompson – Attorney
Jon Weiner – Attorney
Michael Wise – Law Professor, Willamette
Dan Wren – Attorney

Metropolitan Public Defender Services, Inc.

Jonathan A. Ater – Attorney
David Austin – Policy Consultant
Antonio J. Gonzalez – Attorney
Rep. Mitch Greenlick – State Representative
Steve Houze – Attorney
*Susan F. Mandiberg – Attorney & Law Professor, Lewis & Clark
Carol Parker Walsh – Principle/Consultant

Multnomah Defenders, Inc.

Hon. Nely Johnson – Attorney (ret. judge)
*Lisa J. Ludwig – Attorney
Michael E. Rose – Attorney
Katherine O. Berger – Attorney
David Celuch – Attorney

Multnomah Juvenile Defense Consortium

Emily S. Cohen – Attorney
James Lang – Attorney
Carla Kelley – Attorney
Alan Karpinski – Attorney
Ronnee S. Kliewer – Attorney
Peter Miller – Attorney
Corin Nies – Attorney
David Sacks – Attorney

Oregon Defense Attorney Consortium

David Audet – Attorney
Ray Bassel – Attorney
Robert Harris – Attorney
David Hobson – Attorney

Portland Defense Consortium

Ronald Fishback – Attorney
Lynn Dickison – Attorney
Andrew Kohlmetz – Attorney
Jon Martz – Attorney
Robert Swider – Attorney
Ernest Warren, Jr. – Attorney

Public Defender of Marion County

Carl Amala – Attorney
Jeff Carter – Attorney
*Theresa Cox – Exec. Dir., Mid Willamette Valley Comm. Action Agency
Jack Goldberg – Tax Consultant
Jason Thompson – Attorney
Theresa M. Wade – Attorney

Public Defender Services of Lane County

Vacancy – Attorney
Jacy Arnold – Attorney
Ron Chase – Nonprofit Director, Retired
Margie Paris – Professor, University of Oregon
School of Law
*Gregory Veralrud – Attorney
Terri Wood – Attorney
Thomas Wurtz – Attorney

Southern Oregon Public Defender, Inc.

Wayne Crutchfield – Retired
Police Officer
Doug Engle – Attorney
Tracy McGovern – Attorney
*Herbert A. Putney – Attorney, Retired
Eric Stark – Attorney

Southwestern Oregon Public Defender Services, Inc.

Karen Costello – Attorney
Jacques DePlois – Attorney
*Nick Nylander – Attorney

Umpqua Valley Public Defender

Ron Aitken – Attorney
Jim Forrester – Attorney
Rich Mouser – Business Owner
Jeff Pugh – Attorney
Kermit Reich – Engineer

Youth, Rights & Justice

Gregory Blonde – Attorney
Michelle Cole – Public Relations
*Gwendolyn Griffith, – Attorney
Steve Hillinger – Consultant
Hon. Dale R. Koch – Retired
Mike Miller – Banker
Carol Noonan – Attorney
Barbara O'Hare-Walker – Retired
Ann Phillips – Retired
Sharon A. Reese – Educator
Timothy Speth – Educator
Janet Stevenson – Lewis & Clark Law School
Robin J. Wright – Attorney

Oregon Public Defense Contracts

All contracts negotiated through December 31, 2015. Contracts are subject to change. Every effort has been made to update and list information accurately. **Contract contacts are listed first, starred (*) and in bold.** Names of other attorneys with that contract follow. Unless otherwise noted, phone numbers of contract attorneys are the same as the contract address phone number.

All Counties

O'Connor Weber LLP

Jason Weber*

522 SW 5th Ave Ste 1125
Portland OR 97204-2139
(503) 226-0923
jason@oconnorweber.com

Post-conviction appeals.

Rankin Johnson, IV, (503) 307-9560•

Jonah Morningstar, (541) 482-2533

Ryan Timothy O'Connor, (503) 226-0923•

Jedediah O. Peterson, (503) 226-0923•

Oregon Post-conviction Consortium

Noel Grefenson*

1415 Liberty St SE
Salem, OR 97302-4343
(503) 371-1700
fax: (503) 375-4214
ngrefenson@aol.com

Post-conviction and habeas corpus appeals.

Richard L. Cowan, (503) 585-3351•

Travis R. Dickey, (503) 581-5562•

Emily E. Elison, (503) 223-0011•

Tara J. Herivel, (503) 893-5525•

Scott B. Howell, (503) 623-0529•

Jeffrey M. Jones, (503) 588-2687•

Denny Maison, (503) 588-2687•

Ginger G. Mooney, (503) 365-8800

Cheryl Richardson, (503) 581-0541•

James D. Van Ness, (503) 365-8800•

Max Wall, (971) 303-9255•

Jon H. Weiner, (503) 399-7001•

Baker

Baker County Consortium

Gary K. Kiyuna*

106 Main St
PO Box 1565
Nyssa, OR 97913-0065
(541) 372-2268
fax: (541) 372-2848
nyssalaw@fmtc.com

Criminal, juvenile, civil commitment.

Kenneth A. Bardizian, (541) 523-9403•

Krischele Whitnab, (541) 523-1007

Robert W. Whitnab, (541) 523-1007•

Daniel L. Cronin, P.C.

Daniel L. Cronin*

235 S Canyon Blvd
John Day, OR 97845-1044
(541) 575-2137
fax: (541) 575-2138
dcronin2000@hotmail.com

Juvenile.

Benton

Benton County Legal Defense Corporation

Jennifer I. Nash*

Contract Administrator
615 NW Jackson Ave
Corvallis, OR 97330-4832
(541) 752-3616
fax: (541) 738-0332
jnash@jinnopc.com

Criminal, juvenile, civil commitment.

David A. Corden, (541) 752-1422•

Robert D. Corl, Jr., (541) 757-8151•

Brett C. Jaspers, (541) 752-0488•

Danielle O'Brien, (541) 206-2546

Nicolas Ortiz, (541) 752-3616•

John C. Rich, (541) 752-4322•

Clark S. Willes, (541) 758-0071

Clackamas

Clackamas Indigent Defense

Ronald L. Gray*

802 Main St Ste 103
Oregon City, OR 97045
(503) 722-4000
fax: (971) 925-9041
cidcdefense@gmail.com

Criminal, specialty courts.

Ernest H. Badeau, (503) 723-4383•

Linda G. Beloof, (503) 656-0841•

Jack Bernstein, (503) 654-7421

James E. Bernstein, (503) 656-0801•

Rhett Bernstein, (503) 723-5566

Squire Mathews Bozorth, (503) 266-1661•

Andrew Elliott, (503) 534-3704

John E. Gutbezahl, (503) 594-1919•

Michael C. Haines, (503) 656-0841•

Jared Brandon Justice, (503) 722-3981•

Stephen R. Kelly, (503) 656-3278

Shannon M. Kmetic, (503) 659-1025

Arthur B. Knauss, (503) 659-5337

Leonard J. Kovac, Jr., (503) 659-5545

Zack M. Lorts, (503) 656-5228

Mark W. Lyons, (503) 656-2505•

Maryann K. Meaney, (503) 650-9491•

David Mitchell, (503) 819-0492

Charles A. Moore, (503) 654-7998

Diane Rader Riggs, (503) 655-7437•

David L. Robinson, (503) 964-3406•

Robert Troy Sandlin, (503) 723-2506

Jerry C. Seeberger, (503) 723-7988

Arthur P. Slininger, (503) 266-7234•

Adrian W. Smith, (503) 459-7586•

Bruce D. Tarbox, (503) 753-3638•

Scott K. Thompson, (503) 655-0068•

Dave T. Viuhkola, (503) 654-2845•

Indigent Defenders, Inc.

Martin R. Cohen•
PO Box 1229

Lake Oswego, OR 97035-0229
(503) 635-5805
fax: (503) 632-5886
mcpxd@aol.com

Juvenile, civil commitment, specialty courts.

James E. Bernstein, (503) 656-0801•

Barbara Gay Canaday, (503) 635-7773•

Michael J. Clancy, (503) 266-7234•

Charles A. Moore, (503) 654-7998

Paul Neese, (503) 963-7973

Mandi M. Philpott, (503) 656-2513•

Steven E. Rosenbaum, (503) 636-3595

Rebecca S. Schaleger, (503) 722-5153•

Roxanne R. Scott, (503) 263-7781•

Arthur P. Slininger, (503) 266-7234•

Clatsop

Clatsop County Defenders Association

Kris A. Kaino•

PO Box 294
Astoria, OR 97103-0294
(503) 325-5157
fax: (503) 325-1103
kris.kaino@gmail.com

Criminal, juvenile, civil commitment.

Catriona Penfield, (503) 738-6380

Jeremy Rust, (503) 738-6380•

James L. von Boeckmann, (503) 298-1350

Kirk Winternute, (503) 325-5157•

MaryAnn Murk

MaryAnn Murk•
Pier 39 Office Building
100 39th St Ste 204
Astoria, OR 97103-4114
(503) 338-6509
fax: (503) 338-6868
mmurk@teleport.com

Criminal, juvenile, civil commitment.

Columbia

Columbia County Indigent Defense Corporation

Jodie L. Gartman

255 So 1st St.
St. Helens, OR 97051
(503) 366-1790
fax: (503) 366-3409
ccconsortium@gmail.com

Criminal, juvenile, civil commitment, specialty courts.

Paul E. Aubry, (503) 329-4539•

Scott E. Baldwin, (971) 409-6055•

Gabriel M. Biello, (503) 693-8725•

Mark J Lang, (503) 325-2884•

Timothy MPM Pizzo, (503) 397-9004•

Diana M. Shera Taylor, (503) 397-5868•

Noel K. Snyder, (503) 249-0747•

Sara Snyder, (503) 860-0041•

Patrick John Sweeney, (503) 244-2080•

Coos

Coos County Indigent Defense Consortium

Sharon K. Mitchell

455 S 4th St Ste 1
Coos Bay, OR 97420-1765
(541) 266-7481
fax: (541) 267-4764
shekay9@hotmail.com

Criminal, juvenile, civil commitment.

Joel K. Curelo, (541) 267-3300

Rick Inokuchi, (541) 267-4198•

Megan L. Jacquot, (541) 267-2214•

Matthew P. Muenchrath, (541) 396-4529•

John B. Trew, (541) 756-2600•

Southwestern Oregon Public Defender Services, Inc. (SWOPDS)

Carole M. Hamilton•

465 Elrod Ave
Coos Bay, OR 97420-1606
(541) 267-2472
fax: (541) 267-6853
caroleh@swopds.org

Criminal, juvenile, civil commitment, specialty courts.

Ronald K. Cox•

Allen Goldman•

Stacey Lowe•

Robert E. Manske•

Lori A. Schmidt

Matthew Tracey•

James A. von Hippel•

Crook

Madras Indigent Defense Consortium

Timothy R. Gassner•

205 SE 5th St
Madras, OR 97741-1632
(541) 475-2272
fax: (541) 475-3944
tim@madrasattorneys.com

Criminal, juvenile, civil commitment.

William E. Carl, (541) 475-2272•

David C. Glenn, (541) 475-2272•

Donald V. Reeder, (541) 475-2272•

Jered Reid, (541) 475-1111•

Paul F. Sumner, (541) 475-7277

Twenty-Second Circuit Defenders

William J. Condron•

PO Box 133
Prineville, OR 97754-0133
(541) 447-2959
fax: (541) 447-7897
attycondron@aol.com

Criminal, juvenile, civil commitment, specialty courts.

Frederick Bennett, Jr., (541) 416-0133•

Vada Camacho, (541) 362-5602•

Jennifer F. Kimble, (541) 475-4500•

Laura Moszer, (541) 475-4477•

John L. Susac, (541) 233-0750•

Curry

Curry County Public Defense, LLC

M. John Spicer•

94211 Gauntlett St
PO Box 645
Gold Beach, OR 97444-0645
(541) 247-7003
fax: (541) 247-0705
office@mjspicer.com

Criminal, juvenile, civil commitment.

James W. Gardner, (541) 247-6615•

Rick Inokuchi, (541) 267-4198•

Deschutes

Bend Attorney Group

Jonathan S. Pritchard, PC•
 327 NW Greenwood Ave Ste 300
 Bend, OR 97701-1946
 (541) 383-2240
 fax: (541) 312-2682
 jonathan@jspritchardpc.com
Criminal, civil commitment, juvenile.

Alana Brown Brenneman, (541) 633-3057•
Jonathan M. Char, (541) 977-1383•
Thomas Clark, (541) 388-4053•
Peter L. Deuel, (541) 728-0877•
Chris H. Gardner, (541) 410-9130•
Jamie Gerlitz, (541) 389-6964•
Lori A. G. Hellis, (541) 312-8864•
Thomas A. Hill, (541) 647-1496•
Lisa C. Valenta, (541) 350-1614•
Owyhee Weikel-Magden, (541) 647-1639•

Crabtree & Rahmsdorff Defense Services, Inc.

Thomas J. Crabtree•
 215 NW Greenwood Ave Ste 200
 Bend, OR 97701-2040
 (541) 389-7723
 fax: (541) 383-7177
 tc@crlaw.org

Criminal, juvenile, civil commitment, specialty courts.

Andrew R. Doyle•

Valerie Eves•

Timothy P. Fleming•

D. Aaron Jeffers•

Reid K. Kajikawa•

Jill S. Littlejohn•

Michelle McIver•

Karla L. Nash•

Ricky R. Nelson•

David A. Pardo•

Peter A. Parnickis•

Terry L. Rahmsdorff•

Dinah Dosien•

Joel Wirtz•

Daniel Eli Yeager•

Daniel Eli Yeager•

Jacques DeKalb

Jacques A DeKalb•
 1345 NW Wall St Ste 101
 Bend, OR 97701-2041
 (541) 388-1660
 fax: (541) 383-0610
 dekalb@thedekalbgroup.com
Criminal, civil commitment.

Matt G. Matrisciano•

Kirsten M. Naito•

Leslie Nitcher•

Thomas M. Spear, Jr.•

Douglas

James A. Arneson, PC

James A. Arneson•
 318 SE Jackson St
 Roseburg, OR 97470-0454
 (541) 673-0696
 fax: (541) 673-9791
 jarneson@arnesongroup.com
Criminal, juvenile, civil commitment.

Shannon Rae Douglass•

Mary A. Sell•

Annette Smith•

Gina Marie Stewart•

Richard A. Cremer, PC

Richard A. Cremer•
 Pacific Building
 727 SE Cass Ave Ste 400
 Roseburg, OR 97470-4954
 (541) 672-1955
 fax: (541) 672-1788
 rcremer@rosenet.net
Criminal, juvenile.

Jeffrey C. Greenwood•

Roseburg Defense Consortium

Wm. Jason Mahan•

223 SE Fowler St
 Roseburg, OR 97470
 (541) 673-0171
 fax: (541) 673-2729
 jmahan@armlaw.us
Criminal, juvenile, civil commitment.

Anthony F. Griffin, (541) 492-2875•

David M. Hall, (541) 672-4693•

Andrew D. Johnson, (541) 673-4466•

Kathryn F. K. Griffin, (541) 492-2868•

Nicholas B. Quinn, (800) 948-0102•

Umpqua Valley Public Defender

Daniel S. Bouck•
 505 SE Main St
 Roseburg, OR 97470-3165
 (541) 957-5344
 fax: (541) 673-2748
 dan.bouck@uvpd.org
Criminal, juvenile, civil commitment, specialty courts.

Emily Apel•

Warren K. Bruhn•

Nancy E. Cook•

Allison Knight•

Rosalie Matthews•

Brook Reinhard•

Alex Spinks•

Erik C. Swallow•

Eugene M. Thompson•

Cadence L. Whiteley•

Gilliam

Morris Smith Starns & Sullivan PC

Jack L. Morris•
 116 Oak St Ste 8
 Hood River, OR 97031-2375
 (541) 386-1661
 fax: (541) 386-2412
 atty.jackmorris@gmail.com

Criminal, juvenile, civil commitment, HC.

Matthew E. Ellis, (541) 296-9601•

Jerrett Glass, (541) 296-9601•

Amy Lammers, (541) 296-9601•

Sean Pank, (541) 296-9601•

A. V. Lonny Smith, (541) 296-9601•

Brian M. Starns, (541) 386-1661•

T. Conor Sullivan, (541) 386-1661•

Grant

Robert S. Raschio

Robert S. Raschio•
 206 South Humbolt
 Canyon City, OR 97820-6114
 (541) 575-5750
 fax: (541) 575-5752
 raschio@rrlaw.biz

Criminal, juvenile, civil commitment.

Jonathan Bartov, (541) 575-5750•

Timothy Beaubien, (541) 575-5750•

Harney

John B. Lamborn, Attorney at Law PC

John B. Lamborn•

191 West A St

(541) 573-2066

fax: (541) 573-2068

jblamborn@gmail.com

Criminal, juvenile, civil commitment.

Riccola J. Voigt•

Robert S. Raschio

Robert S. Raschio•

206 South Humbolt

Canyon City, OR 97820-6114

(541) 575-5750

fax: (541) 575-5752

raschio@rrlaw.biz

Criminal, juvenile, civil commitment.

Morris Smith Starns & Sullivan PC

Jack L. Morris•

116 Oak St Ste 8

Hood River, OR 97031-2375

(541) 386-1661

fax: (541) 386-2412

atty.jackmorris@gmail.com

Criminal, juvenile, civil commitment, specialty courts.

Matthew E. Ellis•

Jerrett Glass•

Amy Lammers•

Sean Pank•

A. V. Lonny Smith•

Brian M. Starns•

T. Conor Sullivan•

Southern Oregon Public Defender, Inc.

Douglas M. Engle•

604 W Main St

Medford, OR 97501-3150

(541) 779-5636

fax: (541) 772-6222

doug@sopd.net

Criminal, juvenile, civil commitment, specialty courts.

Alyssa R. Bartholomew•

Michael P. Bertholf•

Jacquelyn Bunick•

Jason D. Caplan•

Sara J. Collins•

Anthony Dundon•

Samantha Evans•

John A. Hamilton•

Tracey Rae Howell•

Greta Therese Lilly•

Christopher A. Missiaen•

Eric Niemeyer•

Clint Leon Oborn•

Diana K. Pierson•

Sarah S. Robbins•

Andrew L. Vandergaw•

Jackson

Jackson Juvenile Consortium, LLC

James L. Mueller

220 Laurel St

Medford, OR 97501-3004

(541) 772-2245

fax: (541) 773-2910

jlmlaw@uci.net

Juvenile, civil commitment.

Risa L. Hall, (541) 664-7785•

Christine K. Herbert, (541) 779-2006•

Charles G. Kochlacs, (541) 608-9122•

Vance M. Waliser, (541) 772-6914

Los Abogados

Laurance W. Parker•

116 Mistletoe St

Medford, OR 97501-3006

(541) 772-1032

fax: (541) 779-3430

lplaw@charter.net

Criminal.

Christine K. Herbert, (541) 779-2006•

Michael E. Kellington, (541) 773-8436

David M. Orf, (541) 772-8494•

Justin N. Rosas, (541) 245-9781•

Donald L. Scales, (541) 772-2363

Vance M. Waliser, (541) 772-6914

Jefferson

Madras Indigent Defense Consortium

Timothy R. Gassner•

205 SE 5th St

Madras, OR 97741-1632

(541) 475-2272

fax: (541) 475-3944

tim@madrasattorneys.com

Criminal, juvenile, civil commitment.

William E. Carl, (541) 475-2272•

David C. Glenn, (541) 475-2272•

Donald V. Reeder, (541) 475-2272•

Jered Reid, (541) 475-1111•

Paul F. Sumner, (541) 475-7277

Twenty-Second Circuit Defenders

William J. Condron•

PO Box 133

Prineville, OR 97754-0133

(541) 447-2959

fax: (541) 447-7897

attycondron@aol.com

Criminal, juvenile.

Frederick Bennett, Jr., (541) 416-0133•

Vada Camacho, (541) 362-5602•

Jennifer F. Kimble, (541) 475-4500•

Laura Moszer, (541) 475-4477•

John L. Susac, (541) 233-0750•

Josephine

Josephine County Defense Lawyers, Inc.

Holly A. Preslar*
 245 NW B St
 Grants Pass, OR 97526-2031
 (541) 474-6200
 fax: (541) 474-1163
 hollyapreslarattorney@gmail.com
Criminal, juvenile, civil commitment.

*Robert S. Bain, (541) 472-5059•
 Claudia E. Browne, (541) 474-0234•
 Brett Claar, (541) 479-3129•
 Deborah K. Cumming, (541) 479-2210•
 Gregory T. Day, (541) 476-6627•
 Matthew Galli, (541) 476-6627•
 Christopher D. Mecca, (541) 474-1161•
 Rebecca Peterson, (541) 472-5291•
 Daniel Simcoe, (541) 474-1162•*

SOPD for Josephine Co

Douglas M. Engle*
 604 W Main St
 Medford, OR 97501-3150
 (541) 779-5636
 fax: (541) 772-6222
 doug@sopd.net
Criminal, civil commitment, specialty courts.

*Gary A. Berlant•
 Erin Biencourt•
 Joseph G. Maier•
 Laurie R. Norman•*

Victory D. Walker•

Klamath

Klamath Defender Services

Dolores J. Edson*
 Director, Ind. Defense Contract
 525 Main St
 Klamath Falls, OR 97601-6007
 (541) 884-0333
 fax: (541) 884-0959
 djedson@fireserve.net
Criminal, juvenile, civil commitment, specialty courts.

*Scott O. Carter, (541) 882-4504•
 Mark L. Costello, (541) 882-1426•
 Thomas F. Della-Rose, (541) 883-7754•
 Robert J. Folty, (541) 884-1721•
 Pamela D. Frazier, Jr., (541) 947-3355•
 Richard L. Garbutt, (541) 884-0333•
 Josh C. Guest, (541) 850-8982
 Stephen Hedlund, (541) 883-3460•
 Jeffrey D. Hedlund, (541) 947-3355•
 Valerie Beth Hedrick, (541) 205-5501•
 Ronald D. Howen, (541) 947-4752•
 Andrea M. Janney, (541) 884-0333•
 Bonnie Lam, (541) 850-5966•
 Alison Martin, (541) 205-5501•
 Peter J. Richard, (541) 850-5966•
 Samantha M. Sanchez, (541) 880-5562•
 Philip W. Studenberg, (541) 880-5562•*

Lake

Klamath Defender Services

Dolores J. Edson*
 Director, Ind. Defense Contract
 525 Main St
 Klamath Falls, OR 97601-6007
 (541) 884-0333
 fax: (541) 884-0959
 djedson@fireserve.net
Criminal, juvenile, civil commitment.

*Scott O. Carter, (541) 882-4504•
 Mark L. Costello, (541) 882-1426•
 Thomas F. Della-Rose, (541) 883-7754•
 Robert J. Folty, (541) 884-1721•
 Pamela D. Frazier, Jr., (541) 947-3355•
 Richard L. Garbutt, (541) 884-0333•
 Josh C. Guest, (541) 850-8982
 Stephen Hedlund, (541) 883-3460•
 Jeffrey D. Hedlund, (541) 947-3355•
 Valerie Beth Hedrick, (541) 205-5501•
 Ronald D. Howen, (541) 947-4752•
 Andrea M. Janney, (541) 884-0333•
 Bonnie Lam, (541) 850-5966•
 Alison Martin, (541) 205-5501•*

Peter J. Richard, (541) 850-5966•

*Samantha M. Sanchez, (541) 880-5562•
 Philip W. Studenberg, (541) 880-5562•*

Lane

Lane County Defense Consortium

Bradley A. Cascagnette*
 Gardner Potter Budge Spickard & Cascagnette
 725 Country Club Rd
 Eugene, OR 97401-6008
 (541) 687-9001
 fax: (541) 338-4673
 laneconsortium@gmail.com
Criminal.

*Elizabeth J. C. Baker, (541) 345-5226•
 Michael J. Buseman, (541) 344-0004•
 Rebecca R. Davis, (541) 687-9219•
 Gary F. Deal, (541) 484-5937•
 Lindsay H. Fowler, (541) 345-3333•
 Richard L. Fredericks, (541) 343-6118•
 Gregory E. Gill, (541) 687-9001•
 Jeff R. Johnson, (541) 345-9129•
 Daniel R. Kruse, (541) 870-0605•
 Rosalind Manson Lee, (541) 485-5110•
 Robert P. Manders, (541) 686-8677•
 Andrew M. Ross, (541) 343-7357•
 Robert M. Schrank, (541) 485-2214•*

Lane Juvenile Lawyers Association

Karen M. Stenard*
 Attorney at Law
 747 Willamette St
 Eugene, OR 97401-2917
 (541) 343-9909
 fax: (541) 343-0014
 sabsten@aol.com
Juvenile.

*Jacy Arnold, (541) 338-9111•
 Emilio F. Bandiero, (541) 344-1637•
 Susan E. Jordan, (541) 342-8110•
 John H. Kim, (541) 689-3066•
 Daphne E. Mantis, (541) 343-9812•
 Rebecca Z. May, (541) 686-2600•
 Richard S. Mullen, (541) 344-2791•
 Jane A. Murphy, (541) 345-5123•
 Cathy M. Ouellette, (541) 344-8665•
 Heather J. Saffell, (541) 870-2184•
 Stephen J.R. Shepard, (541) 683-8200•
 Marc A. Spence, (541) 343-9909•
 David Vill, (541) 344-4446•
 Dana M. Weinstein, (541) 687-2378•
 Robynne A. Whitney, (541) 344-0004•
 William G. Young, (541) 342-3752•*

Public Defender Services of Lane

County

Gregory J. Hazarabedian*

1143 Oak St
Eugene, OR 97401-3518
(541) 484-2611, ext. 101
fax: (541) 484-5068
greghaz@lanepds.org

Criminal, juvenile, civil commitment.

*M. Janise Augur**

*John E. Bennington**

*Marie B. Desmond**

*Thomas L. Fagan**

*Chris Hansen**

*Rush M. Hoag, II**

*Robert C. Homan**

*Robert Kaiser**

*Amit Kapoor**

*David J. Phillips**

*Jessica Saydack**

*David Saydack**

*Chris J. Shaffner**

*John C. Volmert**

*Brian Walker**

Lincoln

Lincoln Defenders & Juvenile Advocates

Guy B. Greco*

111 SE Douglas St Ste C
PO Box 1070
Newport, OR 97365-0081
(541) 265-2801
fax: (541) 265-8106
greco@pioneer.net

Criminal, juvenile, civil commitment, specialty courts.

*David T. Beal, (541) 265-2217**

*Kathryn A. Benfield, (541) 574-9043**

Gary C. Hamilton, (541) 272-5500

*Kristina Kayl, (541) 265-2801**

*Gari Lynn Lovejoy, (541) 996-9111**

Mitchell Martin, (541) 574-2944

*Bruce L. McCrum, (541) 265-2217**

*Jeffrey C. Pridgeon, (541) 265-2217**

*Alan D. Reynoldson, (541) 265-6554**

Richard W. Scholl, (541) 265-6122

*Adam C. Springer, (541) 272-5500**

*Daniel E. Taylor, (541) 574-2944**

Linn

Linn County Juvenile Defense Corporation
Melissa Riddell*
433 4th Ave SW Ste A
Albany, OR 97321
(541) 791-9585
fax: (541) 791-9560
melissariddell@gmail.com

Juvenile.

Andrea Boucher, (541) 928-4503
*Janet M. Boytano, (541) 791-5190**
Derek D. Hews, (541) 926-3743
Brendan Kane, (541) 704-0673
Kristen L. Sager-Kottre, (541) 704-0899
*D. Mack Walls, (541) 928-9975**

Linn Defenders, Inc.

Paul H. Kuebrich*
135 5th Ave SW
PO Box 1557
Albany, OR 97321-0466
(541) 926-1554
fax: (541) 967-8721
paulkuebrich@qwestoffice.net

Criminal, civil commitment.

*Joan Demarest, (541) 928-7004**
*Timothy J. Felling, (541) 926-1554**
*Mark A. Heslinga, (541) 928-9975**
*Kent L. Hickam, (541) 928-9304**
*Arnold W. Poole, P.C., (541) 928-0684**
*Forrest Reid, (541) 926-3823**
*Tyler Reid, (541) 928-7272**
*Keith J. Rohrbough, (541) 926-0751**

Malheur

David R. Carlson

David R. Carlson*
449 Washington St E
Vale, OR 97918-1254
(541) 473-3351
fax: (541) 473-3352
carlsonlaw@fmtc.com

Criminal, juvenile, civil commitment.

Douglas J. Rock, PC

Douglas J. Rock*
153 SW 1st St
PO Box 908
Ontario, OR 97914-0908
(541) 889-7621
fax: (541) 889-7705
lawyers@rocklawpc.com

Criminal, juvenile, civil commitment.

Marion

Andrew P. Ositis
Andrew P. Ositis
PO Box 1006
Beaverton OR 97075
(503) 330-7067
apositislaw@comcast.net

Civil commitment.

Harris S. Matarazzo

Harris S. Matarazzo*
121 SW Morrison St Ste 1020
Portland, OR 97204-3117
(503) 226-0306
fax: (503) 226-4290
matarazzolawfirm@gmail.com

PSRB.

James D. Hughes, (503) 702-2305
Sara Matarazzo, (503) 221-1585

Juvenile Advocacy Consortium

Richard W. Condon
3387 Center St NE
Salem, OR 97301
(503) 581-6452
fax: (503) 371-3616
rwc@rwcondonlaw.com

Juvenile.

*Jeff J. Carter, (503) 588-8081**
Milan Castillo, (503) 371-4444
*Mike De Muniz, (503) 507-1269**
Carla M. French, (503) 585-9197
*Barbara G. Ghio, (503) 588-0313**
*Tracy L. Gregg, (503) 585-0700**
*Martin C. Habekost, (503) 378-0405**
*S. Delaney Hanlon, (503) 588-3088**
Dora L. Lutz, (503) 585-9202
Todd C. McCann, (503) 566-2822
*Tahra Sinks, (503) 363-5588**
Lindsay Soto, (503) 315-7344
Kathy Streed, (503) 585-5051
*Philip T. Wiseman, (503) 364-2642**

Marion County Association of

Defenders

Jon H. Weiner*

1415 Commercial St SE

Salem, OR 97301-3639

(503) 399-7001

fax: (503) 399-0745

jweiner@nw-attorneys.com

Criminal.

*Robert Botta, (503) 930-4789**

Mark Brownlee, (503) 580-9003

*C. Fredrick Burt, (503) 585-2450**

*Lemarr Carver, (503) 585-0515**

*Jonathan A. Clark, 503-769-7741**

Theodore C. Coran, (503) 871-1963

*Travis R. Dickey, (503) 581-5562**

*Jay Edwards, (503) 399-7098**

*D. Michael Fagan, (503) 362-1601**

*Mark J. Geiger, (503) 588-1723**

*Steven H. Gorham, (503) 364-6494**

*Noel Grefenson, (503) 371-1700**

Martin C. Habekost, (503) 378-0405

*Ron M. Hellewell, (503) 399-7430**

*Scott B. Howell, (503) 623-0529**

*Jeffrey M. Jones, (503) 588-2687**

*Steven L. Krasik, (503) 362-4442**

*David B. Kuhns, (503) 588-3088**

*Stephen A. Lipton, (503) 581-4832**

*Denny Maison, (503) 588-2687**

*Thomas D. O'Neil, (503) 339-7343**

*Kimberly Goring Raley, (503) 566-2112**

*Linda J. Reynolds, (503) 581-0227**

*Cheryl Richardson, (503) 581-0541**

*Gale M. Rieder, (503) 508-1844**

*Vada A. Salinas, (503) 378-7529**

*Tabra Sinks, (503) 363-5588**

*John E. Storkel, (503) 363-6625**

*Phillip S. Swogger, (503) 399-8404**

*Suzanne K. Taylor, (503) 391-7664**

*Olcott Thompson, (503) 581-6881**

*Walter J. Todd, (503) 588-3088**

*Spencer Todd, (503) 588-3088**

*Albino Vela, (503) 981-9276**

James P. Wall, (503) 931-8895

*Steven R. Walls, (503) 391-4777**

*Sara Williams, (503) 383-1513**

*Daniel J. Wren, (503) 371-4444**

Public Defender of Marion County

Tom Sermak*

198 Commercial St SE Ste 240

Salem, OR 97301

(503) 480-0521

fax: (503) 480-0522

sermak@pdmarion.org

Criminal.

*Sara Foroshani**

*Lee Griffith**

*Amanda Harmon**

*Julia Hyde**

*Katherine Kahl**

*Jessica Owen Kampfe**

*Micah Moskowitz**

*Kurt Edward Mosley**

*Whitney A. Perez**

*Manuel Perez**

Susan Isaacs

Susan D. Isaacs*

4915 SW Griffith Dr #105

Beaverton, OR 97005-2933

(503) 646-4200

fax: (503) 672-7185

law@sisaacs.com

PSRB.

Morrow

Blue Mountain Defenders

Daniel E. Stephens

930 W Juniper

PO Box 749

Pendleton, OR 97801-0060

(541) 567-1545

fax: (541) 567-1589

bmd@danstephensattorney.com

Criminal, juvenile, civil commitment.

*Cameron Bendixsen, (541) 567-5564**

*Kittee Custer, (541) 276-7139**

*Dean F. Gushwa, (541) 276-6458**

*Robert G. Klahn, (541) 276-2560**

*Jon Lieuallen, (541) 938-3377**

Nicolas Patterson, (503) 317-4005

*William E. Perkinson, Jr., (541) 276-0270**

Intermountain Public Defender, Inc.

L. Kent Fisher*

331 SE Byers Ave

Pendleton, OR 97801-2324

(541) 276-0244

fax: (541) 278-0529

kent@ipdinc.org

Criminal, juvenile, civil commitment.

*Max Brunke**

*Herman Bylenge**

*Kara K. Davis**

*Thomas J. Gray**

*Justin Morton**

*Guillermo Ramos**

*Jill M Weygandt**

Multnomah

Liebowitz & Associates

Bruce A. Liebowitz*

522 SW 5th Ave Ste 1100

Portland, OR 97204-2127

(503) 295-2996

fax: (503) 295-6344

bruce@liebowitzandassoc.com

Criminal.

*Downing M. Bethune, (503) 225-1862**

*Thomas Freedman, (503) 467-7256**

Shelley Keller, (503) 295-2996

*Jon P. Martz, (503) 225-1862**

*David B. Peters, (503) 282-6636**

Metropolitan Public Defender Services, Inc.

C. Lane Borg*

630 SW 5th Ave Ste 500

(503) 225-9100

fax: (503) 295-0316

l.borg@mpdlaw.com

Criminal, juvenile, civil commitment, specialty courts.

*Dawn Andrews**

*Robert B. Axford**

*Alex Bassos**

*Harry R. Carson**

*John B. Culver**

*Morgan Dethman**

*Stacy Du Clos**

*Kathleen E. Dunn**

*Erik E. Eklund**

*Stephanie J. Engelsman**

*Jane Fox**

*Bryan B. Francesconi**

*Amanda Garty**

*Maurisa R. Gates**

*Gareld J. Gedrose**
*Joseph S. Hagedorn**
*DeAnna M. Horne**
*Jacob G. Houze**
*Christopher W. Howard**
*Michael Hsu**
*Conor T. Huseby**
*Casey Kovacic**
*Eric C. Lee**
*Thomas MacNair**
*Josh McCarthy**
*Alana McDonough**
*Sara S. Mulroy**
*Leslie A. Nelson**
*Christopher O'Connor**
*Stephanie Pollan**
*Michael A. Rees**
*Valerie Rone**
*Kasia E. Rutledge**
*Thalia Sady**
*Brian W. Schmonsees**
*Martha T. Spinhirne**
*Elizabeth N. Wakefield**
*Steven L. West**
*Kami J. White**

Multnomah Defenders, Inc.

Keith B. Rogers*
522 SW 5th Ave Ste 1000
Portland OR 97204
(503) 226-3083
fax: (503) 226-0107
krogers@multnomahdefenders.org

Criminal, juvenile, appeals, specialty courts.

*Gardner Ashmanskas**
*Cynthia L. Bunker**
*Alex C. Cambier**
*Joseph DeBin**
*Kenna J. Fisher**
*M. Westbrook Johnson**
*Bradley Kalbaugh**
*Audra Kaleta**
*Jennifer List**
*Christopher Marin**
*Shannon Mortimer**
*Alan R. Norris**
*Lisa J. Pardini**
*Charles Peirson**

*Joe Piucci**
*Stacey M. Reding**
*Garrett A. Richardson**
*John Robb**
*Kenneth A. Stafford**
*Cordelia H. Tilghman**
*Sandra Y. Vallejo**
*Lee Wachocki**
*Cate K. Wollam**

Multnomah Juvenile Defense Consortium

Alan W. Karpinski*
621 SW Alder St Ste 621
Portland, OR 97205-3621
(503) 721-0140
fax: (503) 220-1913
akarpinski@karpinskilaw.com

Juvenile.

Tyl W. Bakker, (503) 721-0140
Emily S. Cohen, (503) 253-6016
Liann Crane, (503) 721-0140•
Livia E. Goetz, (503) 719-7142
Ronnee S. Kliewer, (503) 790-7474
Peter Miller, (503) 236-5242•
Kathryn M. Moakley, (503) 790-7474, ext. 13
Ryan Elias Newby, (503) 790-7474, ext. 13
Corin Nies, (503) 989-0314
Amelia Ostholthoff, (503) 721-0140•
Kris Paustenbach, (503) 914-8800
David Sacks, (503) 719-7142
Matt Washchuk, (503) 719-7142, ext. 203

Portland Defense Consortium

Bruce A. Liebowitz*
522 SW 5th Ave Ste 1100
Portland, OR 97204-2127
(503) 295-2996
fax: (503) 295-6344
bruce@liebowitzandassoc.com

Criminal.

Downing M. Bethune, (503) 225-1862•
Joe Calhoun, (503) 224-7977•
Christian Day, (971) 207-6898
Lynne A. Dickison, (503) 808-9008•
Drake Durham, (503) 224-7977•
Ronald M. Fishback, (503) 224-7977•
Thomas Hanrahan, (503) 821-7449•
Andrew M. Kohlmetz, (503) 821-7449•
Gayle Kvernland, (503) 274-9566•
Jon P. Martz, (503) 225-1862•
Jonathan T. Sarre, (503) 224-1104•
John E Schlosser, (503) 808-9008•
Jason A. Steen, (503) 821-7449
Stuart A. Sugarman, (503) 228-6655•

William J. Walsh, (503) 224-7977•
Ernest Warren, Jr., (503) 228-6655

Sage Legal Center

Kristy Barrett*
335 NE 18th Ave
Portland OR 97232
(503) 893-2117
fax: (503) 294-1429
kristy@sagepdx.org

Juvenile.

Emily Marrer

Troy & Rosenberg, PC

F. G. (Jamie) Troy II•
Tillamook Building
2105 NE Cesar E Chavez Blvd Ste 270
Portland, OR 97213
(503) 200-5950
fax: (503) 200-5951
jamie@trlawpc.com

Juvenile.

*Morgan Long**
*Judith N. Rosenberg**

Youth, Rights & Justice, Attorneys at Law

Mark McKechnie*
401 NE 19th Ave Ste 200
(503) 232-2540
fax: (503) 231-4767
mark.m@youthrightsjustice.org

Juvenile, appeals.

*Brian V. Baker**
*Jordan Foy Bates**
*Elizabeth Brownhill**
*Kevin J. Ellis**
*Lauren F. Freeman**
*Lynn Haxton**
*Mary Kane**
*Lisa Ann Kay**
*Julie H. McFarlane**
*Jennifer A. McGowan**
Caitlin Mitchell
*Christa Obold-Eshleman**
*Elizabeth J. Sher**
*Angela Sherbo**
*Jennifer Stoller**
*Julie Sutton**
*Kathryn Underhill**

Polk

Chris L. Lillegard, P.C.

Chris L. Lillegard•

236 SW Mill St

Dallas, OR 97338-3114

(503) 623-6676

fax: (503) 623-8339

cllpc@aol.com

Criminal, juvenile, civil commitment.

Matthew Jarvis•

Timothy R. Park•

Julio D. Vidrio•

Polk County Conflict Consortium

Martin C. Habekost•

344 Norway St NE

PO Box 725

Salem, OR 97303

(503) 378-0405

fax: (503) 399-0867

martin@habekost-foster.com

Criminal, juvenile.

Scott B. Howell, (503) 623-0529•

Spencer Todd, (503) 588-3088•

Steven R. Walls, (503) 391-4777•

Sherman

Morris Smith Starns & Sullivan PC

Jack L. Morris•

116 Oak St Ste 8

Hood River, OR 97031-2375

(541) 386-1661

fax: (541) 386-2412

atty.jackmorris@gmail.com

Criminal, juvenile, civil commitment, HC.

Matthew E. Ellis, (541) 296-9601•

Jerrett Glass, (541) 296-9601•

Amy Lammers, (541) 296-9601•

Sean Pank, (541) 296-9601•

A. V. Lonny Smith, (541) 296-9601•

Brian M. Starns, (541) 386-1661•

T. Conor Sullivan, (541) 386-1661•

Tillamook

McIntosh & Long PC/Sarre Consortium

Dawn M. McIntosh•

3095 Hwy 101 N

PO Box 2846

Seaside, OR 97138

(503) 470-3113

fax: (503) 738-9985

dmcintosh@mcmintoshlong.com

Criminal, juvenile.

Ryan C. Connell, (503) 812-1561•

Kayla K. Long, (503) 842-6800•

William Sargent, (503) 842-4921

Jonathan T. Sarre, (503) 224-1104•

Union

Grande Ronde Defenders

Richard Dall•

1609 4th St

La Grande, OR 97850-2505

(541) 963-8485

fax: (541) 963-6614

rickdall@eoni.com

Criminal, juvenile, civil commitment, specialty courts.

Kent A. Anderson, (541) 963-5390•

Victoria K. Moffet, (541) 963-2329•

Anne Morrison, P.C., (541) 663-8053•

Thomas Powers, (541) 426-4411•

Wallowa

Grande Ronde Defenders

Richard Dall•

1609 4th St

La Grande, OR 97850-2505

(541) 963-8485

fax: (541) 963-6614

dalllaw@msn.com

Criminal, juvenile, civil commitment.

Kent A. Anderson, (541) 963-5390•

Victoria K. Moffet, (541) 963-2329•

Anne Morrison, P.C., (541) 663-8053•

Thomas Powers, (541) 426-4411•

Wasco

7th Circuit Attorney Group

Jack L. Morris•

116 Oak St Ste 8

Hood River, OR 97031-2375

(541) 386-1661

fax: (541) 386-2412

atty.jackmorris@gmail.com

Criminal, juvenile, civil commitment.

Michael B. FitzSimons, (541) 386-1311

Louis J. Grossman, (541) 296-1106•

Jennifer Hinman, (541) 296-3077

William H. Howell, (541) 296-1212•

James M. Mason, (541) 490-5686•

Ginger G. Mooney, (503) 365-8800•

Michael J. Thompson, (541) 386-1811•

Sheri Thonstad, ((541) 1) -645-, ext. 0891•

Shannon L. Tissot, (541) 980-1373•

Morris Smith Starns & Sullivan PC**Jack L. Morris***

414 Washington St, Ste 3
The Dalles, OR 97058
(541) 296-9601
fax: (541) 296-8269
atty.jackmorris@gmail.com

Criminal, juvenile, civil commitment, HC.

*Matthew E. Ellis**

*Jerrett Glass**

*Amy Lammers**

*Sean Pank**

*A. V. Lonny Smith**

*Brian M. Starns**

*T. Conor Sullivan**

Washington**Brindle McCaslin & Lee, PC****Louise M. Palmer***

101 SW Main St Ste 950
Portland, OR 97204-3217
(503) 224-4825
fax: (503) 228-7924
lmp@bmllaw.net

Criminal, juvenile.

*Jane Chausova, (503) 224-4825**

*Temojai Inhofe, (503) 224-4825**

Michael C. McCaslin, (503) 224-4825

*Christopher A. McCormack, (503) 547-0670**

Daniel Williams, (503) 224-4825, ext.

Hillsboro Law Group PC**Grant R. Burton***

5289 NE Elam Young Pkwy, Ste 110
Hillsboro, OR 97124-3003
(503) 648-0707
fax: (503) 693-1353
grantb@hillsborolawgroup.com

Criminal, juvenile.

*Alan H. Biedermann**

*Haley L. Borton**

*David McCaffery**

*Angela Ramos**

*Peter R T Tovey**

James E. Zwaanstra

Karpstein & Verhulst, P.C.**Gregory A. Karpstein***

220 NE 3rd Ave
Hillsboro, OR 97124-3119
(503) 648-7383
fax: (503) 648-0907
greg@karpstein-verhulst.com

Criminal, juvenile.

*Kristine Almquist**

Frederick S. Carman

*Jacob A. Griffith**

*Nathan Law**

**Metropolitan Public Defenders,
Washington Co.****Greg B. Scholl***

400 E Main St Ste 210
(503) 726-7900
fax: (503) 726-4950

gscholl@mpdlaw.com

Criminal, juvenile, civil commitment, specialty courts.

*Amanda Alvarez**

*Shelley Aschenbrenner**

*Christopher Behre**

*Kelsyn Bevins**

*Mary Brumington**

*Christopher C. Colburn**

*Steve W. Eberlein**

*Melissa D. Garcia**

*Jennifer L. Harrington**

*Douglas P. Killian**

*Marceil Moody-Burks**

*Ted Occhipiano**

*William Redden**

*Crystal Reeves**

*Sonja A. Rietman**

*Erica Rothman**

*Scott Lee Sharp**

*Dean Smith**

*Jessica G. Snyder**

*Seth White**

Oregon Defense Attorney Consortium**Robert J. Harris***

165 SE 26th Ave
Hillsboro, OR 97123-7024
(503) 648-4777
fax: (503) 648-0989
rharris@harrislawsite.com

Criminal, specialty courts.

*David M. Audet, (503) 648-3020**

*Joseph Beck, (503) 648-4777**

*Gabriel M. Biello, (503) 693-8725**

*Erik M. Bucher, (503) 789-4134**

*Laura Burgee, (503) 648-4777**

*Thomas Collins, (503) 648-3020**

M. Casey Gibbens, (503) 648-4777

James J. Jensen, (503) 640-1212

Leonard C. Ostrow, (503) 693-8725

*Ramón A. Pagán, (971) 270-0421**

*David L. Rich, (503) 640-0708**

*Jennifer Robins, (503) 648-4777**

*Anne E. Tracey, (503) 640-0708**

Amy Nicole Velázquez, (503) 648-4777

*David M. Veverka, (503) 467-4911**

Ridehalgh & Associates, L.L.C.**Ronald L. Ridehalgh***

233 E Main St Ste 200
Hillsboro, OR 97123-4066
(503) 693-7505
fax: (503) 693-7204
ron@myfamilyfirm.com

Criminal, juvenile, specialty courts.

*Tyler Beach**

*Jennelle Johnson**

*Dylan S. R. Potter**

*John-Michael Thiesen**

Wheeler

Morris Smith Starns & Sullivan PC

Jack L. Morris•

116 Oak St Ste 8

Hood River, OR 97031-2375

(541) 386-1661

fax: (541) 386-2412

atty.jackmorris@gmail.com

Criminal, juvenile, civil commitment, HC.

Matthew E. Ellis, (541) 296-9601•

Jerrett Glass, (541) 296-9601•

Amy Lammers, (541) 296-9601•

Andrew Myers, (541) 296-6375•

Sean Pank, (541) 296-9601•

Dominic M. Sagona, (541) 383-3755•

A. V. Lonny Smith, (541) 296-9601•

Brian M. Starns, (541) 386-1661•

T. Conor Sullivan, (541) 386-1661•

Yamhill

Justice Alliance Center

Robert R. Selander

235 NE 3rd St Ste 13

McMinnville, OR 97128

(503) 857-0278

YamhillJusticeCenter@gmail.com,

selandermediation@gmail.com

Criminal, juvenile.

Elana D. Andrew-Flynn, (971) 237-9438

Mary E. Biel, (503) 434-4411

Alexis A. Bishop, (503) 472-9555•

Meghan S. Bishop, (971) 237-8485•

Blair Bobier, (503) 559-6176•

Rachel Bridges, (503) 435-1455

Janmarie Dielschneider, (503) 435-2725•

Michael Finch, (503) 435-1455

Carol J. Fredrick, (503) 435-1455•

David G. Hansen, (503) 554-1803

Abraham L. Hanson, (503) 472-3313

Scott Hodges, (503) 899-5207

Susan D. Isaacs, (503) 646-4200•

J. Mark Lawrence, (503) 434-9066

Paula Lawrence, (503) 434-9066•

Rachel Negra, (503) 435-4811•

Cynthia Kaufman Noble, (503) 472-5297•

Gregorio A. Perez-Selsky, (503) 434-5286•

G. Aron Perez-Selsky, (971) 237-3804•

Mark Pihl, (503) 460-7278•

Jefferson Quist, (503) 472-3313•

Aggravated Murder Contracts

Laurie Bender•

Attorney at Law
735 SW 1st Ave 2nd Flr
Portland, OR 97204-3326
(503) 241-7075
fax: (503) 241-1768
lbenderlaw@aol.com

Christopher Edward Burris•

Attorney at Law
704 Main St Ste 220
Oregon City, OR 97045-1883
(503) 650-8010
fax: (503) 650-9313
cebesqjustice@cs.com

Jenny Cooke•

Attorney at Law
PO Box 83925
Portland, OR 97283-0925
(503) 656-9261
fax: (503) 282-7077
nt2glt@aol.com

Peter B. Fahy•

Dunfield & Fahy
310 NW 5th St Ste 101
PO Box 1145
Corvallis, OR 97339-1145
(541) 752-5119
fax: (541) 752-1554
pfahy@proaxis.com

Geoffrey J. Gokey•

Geoffrey J. Gokey AAL
1011 SW 17th St
Redmond, OR 97756-2517
(541) 923-1159
fax: (541) 923-6718
gokey@bendcable.com

Laura Graser•

Attorney at Law
PO Box 12441
Portland, OR 97212-0441
(503) 287-7036
fax: (503) 287-1365
graser@lauragraser.com

Katherine O. Berger•

Katherine O. Berger PC
1631 NE Broadway Ste 523
Portland, OR 97232-1425
(503) 288-2212
fax: (503) 287-6938
k.o.berger@comcast.net

Daniel J. Casey•

Attorney at Law
6723 SE 16th Ave
PO Box 82818
Portland, OR 97282-0818
(503) 774-3283
djcpdx@msn.com

Kathleen M. Correll•

Attorney at Law
PO Box 13351
Portland, OR 97213-0351
(503) 284-0763
fax: (503) 244-2084
kmc@kmcorrellattny.com

Wm. David Falls•

Attorney at Law
19363 Willamette Dr #223
West Linn, OR 97068-2010
(503) 699-1107
fax: (503) 699-1108
wmdavidfalls@gmail.com

W. Keith Goody, Esq.•

Attorney at Law
PO Box 23
Cougar, WA 98616-0023
(360) 238-5211
fax: (360) 238-5189
wkeithgoody@gmail.com

Robert L. Huggins, Jr.•

Scott & Huggins
1549 SE Ladd Ave
Portland, OR 97214-4700
(503) 473-8958
fax: (503) 244-2084
bob@scotthugginslaw.com

Deborah Burdzik•

Attorney at Law
1906 SW Madison St
Portland, OR 97205-1718
(503) 221-0520
fax: (503) 221-1908
dburdzik@aol.com

Christopher M. Clayhold•

Attorney at Law
Congress Center
1001 SW 5th Ave Ste 1520
Portland, OR 97204-1131
(503) 347-7636
fax: (503) 243-1820
cclayhold@msn.com

Jeffrey E. Ellis•

Oregon Capital Resource Counsel
621 SW Morrison St Ste 1025
Portland, OR 97205-3813
(503) 222-9830
jeffreyerwinellis@gmail.com

Dianna J. Gentry•

Dianna J. Gentry LLC
1906 SW Madison St
Portland, OR 97205-1718
(503) 629-2121
fax: (503) 221-1908
gentry@lawyergentry.com

Steven H. Gorham•

Attorney at Law
341 State St
Salem, OR 97301-3534
(503) 364-6494
fax: (503) 364-4773
grumpy@teleport.com

Bronson D. James•

Bronson James LLC
917 SW Oak St Ste 219
Portland, OR 97205-2805
(503) 943-6876
bj@bronsonjames.com

Benjamin Kim•

Law Office of Benjamin Kim
294 Warner Milne Rd
Oregon City, OR 97045-4288
(503) 344-6251
fax: (503) 344-6253
benkimlaw@me.com

Steven L. Krasik•

Attorney at Law
341 State St
Salem, OR 97301-3534
(503) 362-4442
fax: (877) 772-5372
Krasik@TelePort.com

Gordon K. Mallon•

Attorney at Law
PO Box 2383
Lake Oswego, OR 97035-0673
(503) 344-4145
fax: (503) 873-5139
gord.mallon@gmail.com

Duane J. McCabe•

Attorney at Law
27 SW Bond St
Bend, OR 97702-3314
(541) 419-7433
smccallatg@gmail.com

EveLyn A. Oldenkamp•

Eve A Oldenkamp PC
200 Pine St
Klamath Falls, OR 97601-6337
(541) 882-1426
fax: (541) 880-5564
eveoldenkamp@gmail.com

Mark Rader•

Attorney at Law
1508 S. Riverstone Ln. #203
Boise, ID 83706
(208) 890-9097
mark@raderlaw.com

Mark N. Sabitt•

Spence & Sabitt LLP
747 Willamette St
Eugene, OR 97401-2917
(541) 343-9909
fax: (541) 343-0014
mm2attys@aol.com

Andy Simrin•

Andy Simrin PC
405 NW 18th Ave
Portland, OR 97209-2217
(503) 265-8940
fax: (503) 221-1632
AndySimrin@OregonAppeals.net

Patrick John Sweeney•

Patrick John Sweeney PC
1549 SE Ladd Ave
Portland, OR 97214-4700
(503) 244-2080
fax: (503) 244-2084
sweeney@pdxlawyer.com

Richard L. Wolf

Richard L. Wolf PC
12940 NW Marina Wy Slip A
Portland, OR 97231-2312
(503) 384-0910
fax: (503) 289-3909
richardlwolf@att.net

Mitigation Investigation Services Contracts

Rhonda L. Coats•

RL COATS Investigations, Inc.
PO Box 2117
Bend, OR 97709-2117
(541) 604-4518
fax: (541) 728-0455
rlc.mitig8s@gmail.com

Carin Duran Connell•

Connell Mitigation & Investigator
6716 SE Jack Rd
Portland, OR 97222-2834
(503) 740-6939
fax: (503) 389-1593
connellmitigation@gmail.com

Julia Demorest•

Investigator
6917 N Denver Ave
Portland, OR 97217-5340
(503) 867-0249
juliademorestpi@comcast.net

Alice D. Ellis Gaut•

Mitigation Specialist and Investigator
16200 SW Pacific Hwy Ste H135
Tigard, OR 97224-3471
(503) 639-7252
aegpro@gmail.com

Mary C. Goody•

Mitigation Specialists LLC
PO Box 23
Cougar, WA 98616-0023
(360) 238-5219
fax: (360) 238-5189
marygoody65@gmail.com

Lisa M. Harmening•

Mitigation Specialist/Investigator
PO Box 13303
Chandler, AZ 85248-0039
(480) 748-4964
lmharmenin@aol.com

Roger K. Harris•

R.K. Harris Investigations
PO Box 357
Canby, OR 97013-0357
(503) 266-8978
myfriendroger@aol.com

James Hudson•

Pacific Mitigation Specialists LLC
PO Box 739
La Center, WA 98629-0739
(360) 263-1043
fax: (360) 263-1012
jameshudson@tds.net

Christine L. Inglis•

Investigation & Mitigation Services, Inc.
PO Box 1443
Scappoose, OR 97056-1443
(503) 366-7131
cipihome@msn.com

Teresa (Tess) A. McMahill, MSW•

Mitigation Specialist
PO Box 2457
Portland, OR 97208-2457
(503) 274-7913
fax: (503) 222-1924
teresamcmahill@comcast.net

Joyce A. Naffziger•

Naffziger Investigations
& Mitigation Services
1950 Franklin Blvd #8
Eugene, OR 97403-2068
(541) 344-8801
fax: (541) 344-5962
jnaffziger@comcast.net

Laura K. Rittall•

Laura Rittall Investigations
1526 NE Alberta St #116
Portland, OR 97211-5046
(503) 473-2954
lrittallpi@gmail.com

Ellen N. Rogers•

Mitigation Services Inc
PO Box 12652
Portland, OR 97212-0652
(503) 704-6239
fax: (503) 244-2084
bizee@comcast.net

Pamela Lundberg Rogers•

Mitigation Specialist
6716 SE Jack Rd
Portland, OR 97222-2834
(253) 677-1897
mitig8r@gmail.com

Pamela Lundberg Rogers•

Mitigation Specialist
6716 SE Jack Rd
Portland, OR 97222-2834
(253) 677-1897
mitig8r@gmail.com

Andrea Titus•

Andrea Titus Mitigation & Investigation
PO Box 14893
Portland, OR 97214-0893
(503) 702-0014
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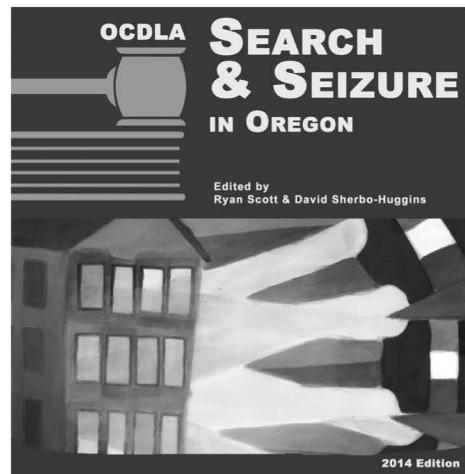
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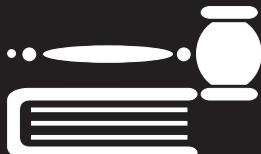
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Mar 6-7	Defenses: Playing Offense Valley River Inn, Eugene	Sept 18-19 September Seminar Ashland Hills, Ashland
Mar 27	Sentencing for Sophomores OCDLA Office Webinar, Eugene	Oct 19-20 Juvenile Law Training Academy Oregon Garden Resort, Silverton
Apr 16-17	Juvenile Training Immersion Program Hallmark Resort, Newport	Oct 22-23 Public Defense Management Sunriver Resort
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Oregon Criminal Defense Lawyers Association
101 E. 14th Ave. • Eugene, OR 97401
(541) 686-8716 • fax: (541) 686-2319
ocdla.org • info@ocdla.org