

Oregon State Bar Judicial Voters Guide 2024

1) Full name:

Kenneth Clayton "KC" LeDell

2) Campaign web site (if applicable):

www.ledellforjudge.com

3) List college and law school attended, including dates of attendance, and degrees awarded.

University of Montana-Missoula, September '05-May'06

Reed College, September '06-December '09 (B.A. in Classics)

Northwestern University Law School, September '12-May '15 (J.D)

4) List employment since graduation from law school, including years employed, your position and the nature of the practice or activity.

2015 - Special Prosecutor, Multnomah County District Attorney's Office: Represented the State in violation of restraining order and misdemeanor domestic violence cases.

2016-2017 - Deputy District Attorney, Lincoln County District Attorney's Office: Represented the State in misdemeanor and felony cases, as well as civil commitments. Tried cases to the bench and jury.

2017 - Legislative Analyst, Oregon Judicial Department: Served as an analyst with a focus on criminal justice policy for the 2017 legislative session.

2017-2019 - Policy Advisor, Oregon House Majority Office:

5) List state and federal bars, courts and administrative bodies to which you are currently admitted.

Oregon State Bar (State)

Oregon District Court (Federal)

6) If desired, list any publications and/or articles you have authored.

N/A

7) If desired, list any community, teaching or civic activities.

Member, Mental Health Alliance

Commissioner, Portland Police Accountability Commission

8) What is the general character of your practice? If desired, please indicate any legal areas in which you concentrate.

Public defender specializing in adult criminal representation and civil commitment representation.

9) Describe any litigation practice in the last five (5) years and address both the courts and types of cases.

2023-2024: Appeared daily in state circuit court for adult criminal and civil commitment matters.

2021-2022: Represented Disability Rights Oregon in federal civil proceedings, focused on expanding access to mental health services and upholding the civil rights of incarcerated people with mental illness.

2019: Filed Oregon Supreme Court amicus brief on behalf of multiple Oregon Legislatures regarding challenge to mandatory sentencing reductions made by the legislature.

10) Describe any appellate court experience not included above.

N/A

11) Describe any experience serving as an arbitrator or mediator.

N/A

12) List any experience you have as a pro tem or municipal judge, and the names of the courts you have served.

N/A

13) List any bar association memberships, and if desired, any offices held or committee/project assignments.

N/A

14) Have you ever been convicted of or pleaded guilty to a violation of any federal, state, county or municipal law, regulation or ordinance? If so, please give details. *Do not include or parking offenses or traffic violations for which a fine of less than \$500 was imposed.*

No

15) Have you ever been the subject of a formal disciplinary proceeding as an attorney? If so, please give the particulars and the result. ***Include only proceedings that were authorized for prosecution by the SPRB.*

No

16) Why do you want to be a judge?

I believe that our legal system cannot function without judges who are ethical, respectful, fair, and dedicated to maintaining the integrity of their courtroom and the legal system. A judge should not see themselves as the star of the show, but rather as a servant of both the community members and the lawyers in their courtroom and as a facilitator of just outcomes. As someone who has done extensive policy and system design work in both the criminal justice and behavioral health systems, I have seen firsthand how important the efforts of dedicated, humble public servants can be to keeping our systems functional, and how the behavior of those driven by ego and a desire for power and prominence can threaten those systems. I want to bring an ethos of humility and service to the bench to make the court, the legal profession, and the community a better, more just place to work and live.

17) Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.

I believe that the essential qualities of a good judge are judgement and temperament. A judge must be able to make the correct rulings, in accordance with the law and prioritizing fairness to the parties and the well-being of the community. At the same time, a judge must conduct the business of the court and make their rulings in a thoughtful and respectful manner that reinforces the integrity of the justice system in the eyes of both the parties and the community. A good temperament without good judgment can lead to the wrong decisions; good judgment without a good temperament harms the credibility of the court and the legal decision by making the actions of the judge seem arbitrary or driven by emotion.

The very nature of the judicial role can make it difficult to maintain both of these qualities. Judges are afforded a great amount of deference and respect by both lawyers and the community, and some insist on even more deference and respect than is appropriate. This can lead even the most well-intentioned judges to internalize the idea that they are somehow above the rest of community, and that their judgment should be above question or reproach. This also leads some to abandon a good judicial temperament, believing that they no longer owe compassion and respect to their legal colleagues and their community. A good judge must constantly fight the

inclination towards hubris that can come with a robe and a gavel, must constantly question their own judgment and refine their legal abilities, and must never give in to the temptation to lord their position above others. By doing so, a judge can remain a strong servant of the community, rather than reducing themselves to a petty tyrant over their courtroom.

18) Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

I had the great honor of serving as a policy advisor to the Oregon House Majority Leader during the 2018 and 2019 Oregon Legislative assemblies. During that time, among other issues, I worked on Senate Bill 1008, which overhauled the juvenile justice system with the goal of reducing racial disparities, increasing opportunities for rehabilitation, and granting more flexibility to judges and local juvenile departments to work towards better outcomes for youth accused of crimes. The bill passed both houses of the legislature with bipartisan supermajorities, with lawmakers across Oregon recognizing the need to re-examine old presumptions about the way our justice system works and fight for evidence-based best practices even in the face of harsh opposition from those who had been well-served by the status quo.

Working with advocates and lawmakers to pass SB 1008, I got to witness firsthand how much our system benefits from the efforts of passionate lawyers who put their knowledge and experience to work to benefit not only their clients but also the community at large. This work also reinforced to me the importance of having judges who are willing to take a nuanced, thoughtful approach to the cases before them, and do the work to try to find real solutions rather than simply processing people through the system. While quick solutions may be easier, in the long term they harm the parties and the community. A hard-working, thoughtful judge can craft solutions that last, and reinforce trust in the justice system by showing that it can be both effective and compassionate.

19) Briefly describe an issue, related to Oregon's justice system, that concerns you, or that you have interest in working toward improving.

Our justice system is currently failing people with mental illness. There is too little understanding among lawyers, judges, and policy-makers of what mental illness actually is and how it affects the lives of those who live with it. With one hand we fail to give people with mental illness the resources and supports they need to thrive in the community and to deal with crisis when it arises, and with the other hand we punish them for the behavior that results from the symptoms of their untreated conditions. This has led to deteriorating conditions in our jails and state hospital as they are forced to house an ever-growing number of people who should be treated in the community, and threatens to overwhelm both our medical and legal systems.

We need to build a robust continuum of care for people with mental illness, and we concurrently need to build a legal system that feeds into and

supports that continuum of care, rather than working against it. This should include reforming our aid and assist system to prioritize the long-term health of defendants rather than short-term restoration to bare competency. It should also include changes to our civil commitment system to restore it as a legitimate tool for intervening with people in crisis and helping to stabilize them. Finally, it will require looking at the effect our criminal justice and carceral systems have on people's mental health, and working to reduce those effects so that fewer people come out of the system sicker than they were when they went into it. These changes are not only the humane and ethical thing to do; they will also lead to better uses of state resources and will ultimately make our communities safer by preventing recidivism.

20) Briefly describe a legal figure, personal, fictional or historical, whom you admire and why.

I tried to think of a fictional or historical figure I could cite here, but it felt too impersonal talking about any of them. So instead, I will talk about my mentor, idol, and dear friend Kimberly McCullough, who I have had the pleasure of working with and knowing for the past six years. I first met Kimberly when she was working as the legislative director for the ACLU of Oregon, and since then she has gone on to be the legislative director for Attorney General Ellen Rosenblum. During the entire time I have known her, she has exemplified the kind of lawyer that I someday hope to be. Brilliant but never arrogant, steadfast but never unkind, able to hold both the system and the human beings it effects in her mind at the same time, Kimberly exemplifies all of the best traits that a lawyer can have. Her work on reproductive rights, civil rights, and justice reform has touched the lives of thousands, all without ever sacrificing an iota of the essential decency, compassion, and sense of fun that makes her who she is. She is an example I work to live up to every day.

21) State any other information that you regard as pertinent to your candidacy.

I believe that Washington County deserves a judge who is humble, fair, and professional, and who follows the law and puts the needs of the community first at all times. If I am elected, I will strive every day to be that judge.