



King County

Public Defense Advisory Board Meeting

**Thursday, February 2, 2023
9:30am – 12:00pm**

Teams Meeting and Conference Room 245

1. Welcome

Attending virtually: Shoshana Kehoe-Ehlers (chair), Lou Frantz, John Strait, Chris Carney, Oloth Insyxiengmay, Sara Rankin, Angélica Cházaro

Not present: La Rond Baker, Nyema Clark, Andrés Muñoz, Shrounda Selivanoff

2. Approval of Minutes from Meeting on December 1, 2022

Minutes approved.

3. Public Comment

No public comment.

4. 2023 Annual Report to King County Discussion

Members discuss completing the report by July so that it can get before the County Council early enough to encourage council action on a few items. Shoshana suggests having two members on each interview. The board will begin this process via email, with an eye towards completing it by July.

5. King County Jails/Trueblood Discussion

Members discuss the state of the jails – conditions in both Seattle and Kent have been a huge issue since the pandemic. Now, due to severe staff shortages, we're seeing individuals waiting months and months to have their competency restored. The governor has proposed a solution – currently pending in the legislature – that would authorize restoration to take place in the jail. Very controversial.

Right now, there's a hearing going on before Senate committee – a solution proposed by the gov's office. Controversial.

Competency wait times have been made worse by the state's failure to address civil conversions and the impact on beds at WSH, Chris says. Has created a huge bottleneck; there's no room for people who need competency restoration. Anita notes the impact as well of filing decisions – the PAO often files on people with known

competency issues, pushing them through the cycle repeatedly. Anita also notes the horrifying conditions in the jail. People are in their cells for 23 hours a day; no access to phones or video visits; lack of laundry; limited access to medical care.

6. Remarks from SEIU Representatives (Molly Gilbert)

Caseloads are high, but attrition seems to have slowed down. As for SCORE, the county gave SEIU a tour so the union could check out attorney access – there are a lot of problems they need to fix before housing county clients. Defense teams are winning a lot of trials.

7. Remarks from Teamsters Representatives

Supporting SEIU's efforts around the jail; looking for more stewards.

8. Department of Public Defense Director's Report

Filings, caseloads, and other stats (Gordon and Stev): Stev says they now have 2023 data and annualized data from 2022, which gives us a full-year's picture. He discusses felony court assignments by month, noting there's been an increase in felony assignments in the past couple of months. As for Felony A filings, a huge jump in December – biggest jump in a couple of years.

Case distribution between Seattle and Kent continues to be out of balance. Typically, 60/40 split; now more like a 65/35 split. Affects staffing and movement of attorneys among divisions. Also, open felony cases by month have climbed the past couple of months, with the split widening between Seattle and Kent.

SMC filing numbers remain high, especially for month of December. Overall, trending down, but still higher than historic trends.

Family Defense legislation (Tara): DPD is part of the Keeping Families Together Coalition, which has had some stunning success in the legislature the past couple of years. This year, though, it looks like we won't achieve the sweeping successes we had in past years. KFT is working on legislation that would allow subsidies for guardians; legal representation for parents in "hidden foster care" cases; and enforcement of open adoption that occur when parents, rather than lose parental rights, agree to adoption.

Youth legislation (Katie): Katie discusses three bills that would strengthen the rights of youth ensnared in criminal legal system: HB 1394, which would place some limits on youth sex offender registration; HB 1324, which would end the use of juvenile points when calculating adult offender scores; and SB 5434, which raise the age of juvenile court jurisdiction.

Other legislation (Anita): Anita discusses a couple of other bills we care about or that we strongly oppose. HB 1108 finishes the work the legislature started a couple of years ago re Robbery 2 and the three strikes law. Previous legislation removed Rob 2 as a strikable offense and then allowed those serving life sentences due to a Rob 2 conviction as one of their strikes to be resentenced. But many people facing a Rob 2 charge when it was a strikable offense agreed to plea deals – some with very long

sentences – to avoid the possibility of a life sentence; this bill would enable them to seek resentencing.

We're also opposing SB 5130, which would lower the burden of proof for Assisted Outpatient Treatment. And we're trying to head off legislation that would gut the youth right to counsel law that we worked to get passed a couple years ago.

9. PDAB Chair's Report

Shoshana briefly recaps the annual report process. She notes that the board needs a vice chair – that will be on the agenda at the next meeting.

And Gail Stone announces this is her last meeting. She's retiring!

10. Executive Session

None

11. Adjourn: 11:04 a.m.