



## King County

### Public Defense Advisory Board Meeting

Thursday, April 6, 2023  
9:30am – 12:00pm

Teams Meeting and Conference Room 245

#### 1. Welcome

**Attending virtually:** Shoshana Kehoe-Ehlers (chair), Lou Frantz, Andrés Muñoz, Chris Carney, Oloth Insyxiengmay, Sara Rankin

**Not present:** La Rond Baker, Nyema Clark, Shrounda Selivanoff, Angélica Cházaro, John Strait

#### 2. Approval of Minutes from Meeting on Feb. 2, 2022

Sara moves to approve the minutes; Lou seconds. Minutes approved

#### 3. Public Comment

No public comment.

#### 4. 2023 Annual Report to King County Discussion

Shoshana says she'll start scheduling interviews with key people as part of the annual report – she asks that board members sign up for interviews they can make. She'd like two members per interview. She'll set up the interviews in "small waves" – not all at once – to ensure the interview process is manageable.

#### 5. Remarks from SEIU Representatives (Molly Gilbert)

The County Council has approved the county's request to house some of our clients at SCORE, a wholly inadequate place for them. SEIU has been trying to ensure we have appropriate access to our clients there and that other issues are addressed: We've had three meetings with the county and met with six of the councilmembers. We were able to convince councilmembers to include several amendments to the proposal, one of which requires quarterly reports about how the transfer is going. We now have to go into impact negotiating – i.e., the impact of having to go to SCORE on our staff.

#### 6. Remarks from Teamsters Representatives

We support SEIU in its work around SCORE. One concern we continue to have is around staffing. It's been very hard at DPD. We're unsure, however, what to do about it.

#### 7. Department of Public Defense Director's Report

**Staffing (Anita):** Echoing Rachael's comments, we're extremely concerned about staffing and are working hard to address the issue. We're working on our job postings to make sure they're posted in all the right places and are as interesting as possible.

**Case numbers (Stev/Gordon):** Felony court assignments by month: Last month was a big month in terms of felony assignments. Felony assignments by location for the last 30 days has ballooned to 572, a trend that seems to be continuing. Around 500 is OK; sustained days over 600 is a redlight. As for the split between Seattle and Kent, we continue to see more filings in Seattle than Kent. The split used to be around 60/40; now it's around 64/36 split.

Open felony cases by month: In Seattle, that number is going up quite steadily; Kent numbers are going down.

Charge groups have remained constant in felonies. In District Court, however, DUIs continue to exceed all other charge types. DUIs in the first quarter of 2023 make up over half of all charges, which we've not seen before.

Gordon says we're headed into a very difficult place – with higher filings and fewer attorneys. We'll have to start triaging cases – we'll soon simply not have enough lawyers to cover the cases coming in, which is not a situation we've been in since 2019. The tachometer shows our filings in Seattle are edging into the orange range.

SMC filings: A year ago, we saw a big jump in filings, and that number remained high throughout in 2022; so far this year, the number is a little lower. The big SMC push may be over. SMC is dismissing nearly 70% of the cases they file. Around 36% is normal; 70% is astronomical.

Assigned Counsel assignments for felonies: We're seeing an increase in AC filings due to capacity issues – another warning sign that we're at or nearing capacity.

Rainbow chart: Hiring authority is unlocked if we go into the rainbow for two months in a row. This past March, we entered the rainbow for the first time – if April has similar trends, our hiring authority will unlock.

**Legislative update (Katie):** EHB 1394 would develop a more appropriate response to youthful sexual offending by limiting the harmful practice of requiring youth registration. There have been several compelling hearings, with many people discussed the harms of registration. The bill looked like it was in trouble earlier this week, but at the last minute, it was voted out of committee and is now back in Rules. It needs to get out of Rules to get over the finish line. Hopeful we'll see this bill pass next week.

## 8. PDAB Chair's Report (Shoshana)

We need someone to step up and become the vice chair. Please consider this position.

At State OPD, we're also tracking key bills, including a bill to allow counsel in certain situations for personal restraint petitions, which is moving forward, and another addressing NGRI.

## 9. Executive Session

None

10. **Adjourn:** 10:45 a.m.