



King County

Public Defense Advisory Board Meeting

Thursday, June 1, 2023
9:30am – 12:00pm

Teams Meeting and Conference Room 245

AGENDA

1. Welcome

Attending virtually: Shoshana Kehoe-Ehlers (chair), Lou Frantz, John Strait, Chris Carney, Oloth Insyxiengmay, Andres Muñoz, Nyema Clark, La Rond Baker
Not present: Shrounda Selivanoff, Sara Rankin, Angélica Cházaro

2. Approval of Minutes from Meeting on April 6, 2023

Minutes approved – moved by John Strait, seconded by Lou Frantz.

3. Public Comment

None.

4. 2023 Annual Report to King County Discussion

Shoshana discusses the requirement to provide a report annually – this one on the state of public defense. PDAB members have interviewed several judges, but the board still must interview community partners. The interviews don't take long. Shoshana urges other board members to play a role in this process. She plans to reach out to seek more support.

Shoshana also discusses the need for a vice chair. Her chairmanship ends in June. It's critical to have as leaders on the board a chair, a vice chair, and a past chair.

5. Remarks from SEIU Representatives

Liz Angous noted the following:

- SMC is a mess due to two big issues – Seattle's proposed ordinance to criminalize drug use/possession and the CAO's unilateral decision to end Community Court. SEIU is meeting with news reporters and plans to picket outside of City Hall at council meetings where votes are scheduled. Also contacting councilmembers to try to sway their votes.
- SEIU has started impact bargaining about the County's SCORE contract. First 60 clients will be transferred June 10 – meanwhile, the county's verbal promises about access, wi-fi, and more have yet to come to fruition.
- DAJD is moving 300 people from KCCF to RJC and opening a suboxone-specific wing, but there are questions/concerns about this process.

- ITA is a mess, due to the increase in people being pulled into ITA for involuntary commitment; the union is working with the DO to make sure solutions don't harm clients or ITA attorneys.

6. Remarks from Teamsters Representatives

Rachael Schultz said the union continues to weather the storm, supporting leadership best it can.

7. Department of Public Defense Director's Report

Caseloads – Stev and Gordon

Felony court assignments by month show a considerable spike for May. We've also used nearly all of our capacity re assigned counsel certified to handle homicides. Seattle/Kent balance continues to create staffing issues – due to the substantial increase in filings in Seattle as compared to Kent.

Open felony cases by month hover around 6,000, again with a huge difference between Seattle and Kent.

Superior Court criminal filings showed that May was a large month compared to the same time last year. We aren't seeing the spikes we once saw – just a steady upwards trend.

Capacity / Conflict Cases: We saw a huge jump between April and May, and our capacity numbers are the highest they've been all year. Finding attorneys to contract with us as assigned counsel continues to be challenging. And increasing the rate only cannibalizes from our own ranks – if a DPD attorney sees AC making a lot more money with far fewer clients, they're drawn to leave DPD and become a member of our outside panel.

Current open cases are averaging at 73.7 per attorney. Anytime that number is above 70, that's a problem.

SMC: The way that contract works, we have a limit of 7,500 cases a year. Right now, we're projected to be at 6,623 for the year – but if we have month over month growth (which could easily happen due to the closure of Community Court and the possible prosecution of drug cases in SMC), we could easily exceed that cap. Our contract requires us to take more cases – and to hire more attorneys – if we exceed the 7,500 cap. But hiring additional public defenders is difficult.

Policy developments – County & City – Anita and Katie

SCORE – As SEIU noted, the county plans to begin moving people to SCORE on June 10. We're concerned about how this will play out. Anita plans to take a tour next week. One issue is that we don't have any leverage with SCORE – it's a non-county jail. We fear it will lead to more challenging conditions for clients.

Community Court – The SCAO's decision to withdraw from Community Court is deeply troubling; we worked closely with the former SCAO, Pete Holmes, to create a court that was fairer and more helpful to clients. The current SCAO's decision appears to be based on flawed data. Some Seattle City Councilmembers are concerned about this, and we hope to see if they can make a difference.

Seattle Drug Ordinance – This attempt to relaunch the War on Drugs is also troubling. Anita was at a teach-in earlier this week where she talked about why Seattle should not

begin prosecuting low-level drug offenses. The ordinance is being fast-tracked, which is also unfortunate. June 12 is the current date for when the council expects to vote. We're meeting with key councilmembers.

8. PDAB Chair's Report

Shoshana would like authority from the board to craft a response to the city's proposed drug ordinance – including a letter, outreach to individual council members, possibly an op-ed. She asks the board to give her this authority so that she can begin the process without having to call another meeting.

John moves, Lou seconds. Motion to give her authority to move forward passes.

9. Executive Session

None.

10. Adjourn

10:55 a.m.