



## King County

### Public Defense Advisory Board Meeting

Thursday, December 7, 2023  
9:30am – 12:00pm

Teams Meeting and Conference Room 245

#### AGENDA

1. **Welcome**

**Attending virtually:** Lou Frantz, Andres Muñoz, Shoshana Kehoe-Ehlers (chair), Chris Carney, Oloth Insyxiengmay, Kevin Hollinz (not yet confirmed by council, cannot vote)

**Attending in Person:**

**Not present:** Shrounda Selivanoff, Sara Rankin, John Strait, Nyema Clark, La Rond Baker

2. **Approval of Minutes from Meeting on October 5, 2023**

No quorum present.

3. **Public Comment**

None.

4. **Remarks from SEIU Representatives**

Kim La Fronz remarks:

- Eagerly looking forward to PDAB report, hope that it reflects the thoughts, feelings, and opinions of members.
- Wanted to address a broader issue of employee morale – very glad to have worked with DO and others on Class A attorney bonus proposal to encourage Class A attorneys to stay at DPD. Keeping even one additional attorney would be great, but feel it may be too little too late among existing Class A attorneys. People are worn thin after several years of under-staffing and several crises throughout the pandemic, but the union does not have definitive solutions or ideas to offer in response at this point.
- Main concern is a lack of hope that things will improve, leading to escalation in feelings of low morale. Many possible explanations, all of which could be intertwined – feeling stretched thin due to staffing issues, nature of the work broadly, continued sense of being in “survival mode” wearing people down.

5. **Remarks from Teamsters Representatives**

Rachael Schultz reiterated similar concerns as Kim La Fronz did as well. Mentioned support of Class A retention incentives, and willingness to support further advocacy on this front.

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

### Caseloads – Gordon and Anita

Gordon began his remarks by responding to SEIU's concerns with DPD's most recent vacancy report. After most recent 3L class came on board, we're down to 12 vacancies. 4 of those positions are filled by special duty supervisors. The issue is less with department-wide understaffing, and more with Class A attrition and caseloads. Unlike many public defense agencies in the state, DPD maintains a max caseload for felony attorneys of 90 cases – well below the 150 caseload standard for the state. The difficulty in hiring lateral attorneys means that we rely heavily on hiring first year attorneys and developing Class A attorneys internally. That process takes several years.

With Stev out sick, Gordon walked through the packet of caseload statistics provided to PDAB members. He emphasized the use of capacity contract attorneys to take more Class A assignments as a way to address concerns on Class A attrition articulated by SEIU.

Shoshana asked about the number of new hires in the 3L class. Gordon advised DPD hired 25 new lawyers but ultimately 3 dropped out before starting. Gordon and Anita project bringing in 34 new attorneys in next year's 3L class. Gordon outlined the need to shift towards more of a training institution and developing the skills of DPD's supervisors for new hires that previously were not part of the continuing education curriculum.

Oloth asked questions about the prevalence of pleading guilty or how capacity issues could affect attorneys' capacity for fighting fiercely on every case. Anita responded with the context of how many cases resolve by plea in every jurisdiction and the multitude of strategies DPD employs to preserve attorney capacity, including executive leave days and capacity contracts. Gordon chimed in to clarify that DPD keeps track of each attorney's caseload and the mix of cases they're working on to do the best the department can to make sure they have as much capacity for each client as they can under the current caseload standards. Gordon also pointed out that there is a limit to the number of available contractors and DPD can't control the number of cases the PAO files. The only remaining strategy would be to refuse an appointment and leave an individual in jail without an attorney, an outcome DPD wants to avoid if at all possible.

### Legislative agenda update – Katie

Katie provided an overview of the judicial misdemeanor dismissal bill modeled after California's AB 3234, which is being sponsored by Rep. Farivar. She also provided an update on the bill for people serving sentences of life without possibility of parole due to predicate offenses committed when they were juveniles. Rep. Reeves will sponsor this bill, which contains a retroactive remedy for the 23 people currently incarcerated whose cases would not have been declined to adult court under current law. Katie updated the board on the juvenile-focused bills DPD is working to advance on jurisdiction and deferred dispositions.

## 7. PDAB Chair's Report

Draft of annual report will be disseminated to the board members in the next couple of weeks, and Shoshana will be meeting with Anita and Gordon shortly to find out where PDAB members can support advocacy on caseload standards.

## 8. Executive Session

None.

9. **Adjourn**

10:51 a.m.