



King County

Public Defense Advisory Board Meeting

**Thursday, February 6, 2025
9:30am – 12:00pm**

Teams Meeting and Conference Room 245

AGENDA

1. Welcome

Attending virtually: John Strait, Kevin Hollinz, Chris Carney, Jackie Walsh, Chris Petroni, Shrounda Selivanoff, George Yeannakis

Attending in Person: NONE

Not present: Sara Rankin

2. Approval of Minutes from Meeting on December 5, 2024

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3. Public Comment

None.

4. Remarks from SEIU Representatives

Molly Gilbert:

- Molly congratulated DO leadership in recruiting efforts for lateral attorney class but noted that the department also lost 6 attorneys so far this year.
- SEIU will bargain with management on the draft credit policy next week but have not received a copy of that draft policy yet.

5. Remarks from Teamsters Representatives

Rachael Schultz:

- Teamsters echoed SEIU's desire for a copy of the draft credit policy and expect that it will be distributed tomorrow.
- Rachel echoes the concerns about staffing and recruitment not adding net capacity after factoring in attrition.

6. Department of Public Defense Director's Report

Interim Director Matt Sanders:

Matt Sanders clarified that the delay in providing the draft credit policy to DPD's union partners is due to mandatory review from the Office of Labor Relations, and that the policy is completed. Once that review is complete, the union partners will be provided with a copy. The list of policies requested by SEIU was just approved by Deputy Director Matt Pang this morning and should be transmitted by the end of the day.

Interim Deputy Director Matt Pang:

Matt Pang provided an overview of measures the interim leadership have been undertaking to address concerns about office morale, including regular office hours, adding DPD to the County's referral program, and raising starting salary for new attorneys and non-attorney professionals. Pang noted that the referral bonuses and step increases were accomplished in partnership with the department's unions. He then reviewed the four bills reforming the criminal legal system that DPD policy staff are advocating for in the state legislature and Tara Urs' testimony in support of housing subsidies for clients in DPD's dependency practice. Pang also provided an overview of the court rule proposals currently published for public comment that DPD advanced.

Special Counsel for Criminal Policy and Practice Katie Hurley:

Katie provided more detail about the mechanisms of how the bill she's advocating for would reform sentencing for clients in juvenile court and prevent future overcrowding in Washington's youth prisons. She also provided updates on the progress of several other bills to reform failure-to-register laws, exempting people in mental health crisis from felony liability in assault charges, and a misdemeanor diversion program that doesn't require prosecutor approval. Katie also clarified that DPD's court rule proposals are open for public comment until June 30 in response to a question from Chris Petroni.

Interim Deputy Director Matt Pang:

Pang reviewed trends in filings in each of DPD's practice areas, noting that assignments in juvenile court and adult felonies have been elevated since the start of DPD's new case management system has been tracking these trends. He also noted that filings in district court have been elevated in the last two months. Pang introduced a new metric of reviewing how many cases include mitigation and investigation work once cases close, noting that there has been an increase in mitigation requests for SMC and KCDC cases. He attributed this increase to better training and increased utilization of our non-attorney professionals benefits our clients in those courts. Pang also provided a recap of recent testimony to the County Council's Law & Justice Committee regarding the "backlog" of felony cases in Superior Court.

He also reviewed trends in outcomes for felony cases that have been closed since the new case management system was put in place in June. Notably, 65 of the 90 completed jury trials for felony units in that time resulted in a positive outcome for the client. Sanders added that the increase in felony trials is part of the department's strategy for improving capacity for serious felony charges under the new caseload standards.

In response to the elevated filings in juvenile court, Pang noted that all four divisions are now practicing in juvenile court and projections under the new caseload standards show the department will need to double its staffing for these units if these trends continue.

Reviewing District Court assignment trends, Pang advised the Board that filings are now up over the last two months in Kent and Redmond which creates challenges for court capacity as KCDC has recently reduced the number of courtrooms devoted to criminal

cases in order to address delays in evictions and other civil proceedings. Sanders added that DPD has reached out to PAO about this recent surge, as it will require an increase of 4-5 full-time attorneys in those units if these trends continue. John Strait asked whether there has been any shift in the types of cases being filed in KCDC, which Sanders advised will require more detailed investigation from DPD's data analyst. Sanders added that Katie Hurley is working with PAO on faster, less harmful ways to resolve first-time DUIs based in evidence that shows only a small fraction of those clients re-offend.

Pang then discussed the department's strategies for responding to these recent trends. He relayed that DPD has repeatedly told the County that we do not want to grow in size or budget, as that would represent a greater reach of the criminal legal system. Instead, Sanders testified before the County Council last fall that the department would prefer to see fewer filings. Through the budget process last fall, DPD won 10 additional FTEs for attorneys in service of complying with the first phase of the WSBA caseload standards this year.

In working to fill those FTE slots, Pang reviewed a new strategy of bringing on new lateral attorneys in "classes" similar to how the department on-boards entry-level attorneys each October. This allowed for a concentrated core skills training for these felony attorneys and our existing staff attorneys who were recently moved to felony units. DPD's first lateral class that joined in January included one Class A qualified attorney, one violent Class B qualified attorney, and two more who were qualified to take Class C felonies. The second lateral class scheduled to arrive in March includes four attorneys so far, with two of those attorneys qualified to take Class A felony cases.

To support these lateral classes, DPD has hired an experienced recruiter who is an attorney herself and will be hiring an in-house Training Director to develop standardized curricula for on-boarding new attorneys and non-attorney professionals and supporting their continued professional development. Sanders clarified that interviews for the Training Director position will start next week, which is why internal trainings have been paused.

Pang and Sanders reviewed recent trends in declining open felony cases department-wide but noted that this may be inflated because of the better processes for closing cases in the new case management system. Pang noted that as of September 25, DPD had 73 lawyers in felony practice. By March 3, he projects to have 92 attorneys in those units. This should result in fewer cases per lawyer in felony practice on average.

Chris Petroni asked for clarification on the question from Teamsters about using FTE slots from non-attorney positions for attorneys. Sanders explained that career service positions are not being converted in this way, but the new FTE slots from the budget advocacy last year have been prioritized for attorneys. At present, TLT positions are being used for non-attorney staff as there have not been historical challenges in recruiting for TLT slots in those job classifications. Chief Financial Officer Laura Federighi confirmed that vacancies for non-attorney professional career service slots are not being filled with new attorney hires.

7. PDAB Search for DPD Director

Chris confirmed that interviews with candidates are ongoing, and the Board intends to meet soon to narrow down the field of potential finalists. John Strait expressed gratitude to SEIU and Teamsters for supplying helpful interview questions.

8. Executive Session

Moved to executive session at 10:54 a.m.

9. **Adjourn**

11:42 a.m.