



King County

Public Defense Advisory Board Meeting

Thursday, December 7, 2017
9:30 am - noon

Dexter Horton Building, 2nd Floor
Conference Room 238

MINUTES

1. **Welcome** - In attendance – Vice chair Kim Ambrose, Marc Boman, Tom Hillier, Safia Ahmed, Sharon Armstrong, John Strait (in person), Jeff Robinson (via phone)
2. **Approval of November 9, 2017 Meeting Minutes** - Minutes approved, with request that they be amended to include comments in response to Consultant Haury's presentation last week. Amended minutes will be re-submitted for the February 1st, 2017 meeting for re-approval.
3. **Chair's Report** - Vice chair reports that Adam Chromy is assuming the vacated seat for the Veteran's affairs seat. Vice chair notifies PDAB that the budget report is still pending. A comment is made that speaks to suggestions for both formatting and scope of the pending PDAB budget report. Director reports that both union agreements are nearing tentative agreements, and encourages the PDAB to independently investigate parity with KCPO in regards to deciding what exactly parity means (Identical staffing model in terms of number of employees? Identical budget allotment? Identical experience level of employees? Identical salary requirements?), then make a recommendation to be considered in the remainder of the bargaining process. A comment is made that speaks to the importance of not letting KCPO set the floor and ceiling of our needs in this search for parity. Director will put a packet together containing tentative agreements and other relative information. (Director was later advised by the King County Office of Labor Relations, that tentative agreements are not shared until transmitted to the King County Council.)
4. **Department of Public Defense Director's Report** – Director turns the floor over to Alex Harris for a presentation on public records.
 - a. **Public Records Requests Presentation** – Alex Harris, DPD's Public Records Specialist - Several comments are made throughout the presentation asking for clarity on the necessity to use PDAB email accounts vs. personal accounts, as far as defining the best practice. Harris speaks to the importance of using PDAB accounts - and **ONLY** PDAB accounts - for PDAB business, and states that this is the best practice if one wishes to avoid having their personal email accounts

examined in the fulfillment of public records requests. A comment is made reminding Harris that each PDAB member does an annual disclosure, and that these are public record as well should see find them useful. A comment is made regarding the need for a clear DPD client records retention policy, as the bar association has no set retention deadline (unless explicitly set forth in the fee agreement).

- b. Strategic Planning Initiative** - Director speaks to the strategic planning initiative. Changes continue to be made as DPD receives input. Director reports everyone agrees on client centered and holistic representation, and that everyone agrees that mass incarceration is the civil rights movement of our time. Director reports that management cannot pull rank and shut down staff's desire to see large institutional change in their lifetime.

A comment is made to overall disappointment in the process, and further, that a change in the political structure is not what people are looking for, that the current product speaks to a lack of knowledge of what public defenders do, and finally that this vision statement has no concrete focus for what the department can actually do.

A comment is made that the product so far is unsophisticated and embarrassing, and that the civil division should be contacted to provide advice on how to terminate the contract with the consultant.

A comment is made inquiring as to whether or not the board can get involved in the sessions with the consultant, to take a more active role, as opposed to being strictly reactive.

A comment is made to the nature and perspective of a rising tide of complete dissatisfaction with a broken criminal justice system, and the need to balance the need for a daily operational guideline to be balanced with the need to change the system as a whole.

Director asks for patience as staff continues to craft this vision.

A comment is made that the PDAB allow the department craft a vision statement that seems unprofessional, embarrassing and stupid to the PDAB, if the department wishes to do so.

A comment is made that the client voice should be included in this process.

Director speaks to a need to balance the board's desire to be included early with the board's desire to see a finished product.

- c. Employee engagement** - Director speaks to employee engagement. Reports that scores at the division and supervision levels are higher across the board.

Department leadership is across the board scored equally with county leadership scores. As far as next steps at this time, Director's office will begin on call attorney rotations and Saturday calendars. Director has been attending court and will have office visits to interact with non-court attending staff. Director introduces Mary Louis, HR Service Delivery Manger, who speaks to "deeper dive" employee engagement efforts. Participation is up 11%, highest increase in any department county wide. Engagement score increased by 1. Director invites any one to attend the Leadership Team meeting this afternoon with a representative from the employee survey management team. (Kim Ambrose attended the afternoon session on behalf of the board.)

A comment is made that using the county as a measuring stick is measuring against the failings of others.

- d. **Hiring** – Director turns the floor over to Dave Roberson and Rick Lichtenstadter, Managing Attorneys. 66 first round candidates were interviewed for attorney positions. 45 second round interviews were interviewed by Managing Attorneys, Lorinda, La Mer, and Mary Louis. Roberson reports good responses and representation of people of color and non-binary gender identifiers. Reports that the candidates are more diversified across the board. Lichtenstadter reports that three of our interns were advanced to the second round. 8 of 15 offers accepted so far. Some are waiting on the Prettyman Fellowship to respond. Timing issues seem to be solved, as we are now one of the 1st PD's nationwide to extend offers, which has its own challenges, but is preferable to losing candidates to offering too late.

A comment is made that there is a lack of west coast schools.

A comment is made that we reach out to the AALS and let them know we are seeking First Nation candidates and other non-majority groups so they may help put us in touch with them.

Mary Louis speaks to the lack of west coast schools as being explainable that the east coast schools are schools such as: Columbia, Georgetown, NYU, and University of Virginia, to add some perspective; these are prestigious schools.

Roberson speaks that we still cannot pay interns, while prosecutors do, and that this should be addressed in the budget report.

- e. **Work Force Group** – Director has distributed the work force group protocol. The goal is to ensure supervisors are supported in their efforts to enact change. Roberson describes the work force group as a quality control measure for supervisors, to develop uniform consistency among supervisors while keeping compliance with labor laws. Supervisors can bring disciplinary cases to the work force group for advice on how to handle it correctly and in line with the DPD model.

A comment is made that employee discipline is quite a fraught process, and the fact that DPD is doing so well in getting out in front of it is very commendable.

- f. **Director asks** – Director asks that PDAB define their role in connection with employee complaints and union negotiations, and create a process for that they will do when individually contacted, as ad hoc measures could create instability.

5. Executive Session – entered at 11:39 am.

6. Adjourn – 12:10pm