



**King County**

## **Public Defense Advisory Board Meeting**

**Thursday, February 6, 2020  
9:30 am - noon**

**Dexter Horton Building, 2<sup>nd</sup> Floor  
Conference Room 245**

### **MINUTES**

#### **1. Welcome**

Attending in person: Sharon Armstrong, Marc Boman, Chris Carney, Lou Frantz, John Strait  
Attending remotely: Adam Chromy and Sophia Byrd McSherry  
Not present: Safia Ahmed, Matt Adams, Kim Ambrose

Meeting called to order by Lou Frantz at 9:40 a.m.

#### **2. Approval of Minutes from Meetings on October 3, 2019, and December 5, 2019**

Both sets of minutes approved.

#### **3. Remarks from SEIU Representatives**

No one from SEIU present.

#### **4. Remarks from Teamsters Representatives**

Teamsters did not have remarks to give.

#### **5. Department of Public Defense Director's Report**

**Policy Work.** Katie Hurley discussed DPD's effort to get an ordinance passed in both Seattle and King County that would require young people under the age of 18 to have access to a lawyer before they can waive their rights or agree to a search. Young people are not able to assert their rights in the face of a coercive situation. Jurisdictions elsewhere, including San Francisco, have had success with this. DPD is also talking to our community partners about this and has begun meeting with key city and county councilmembers. This is important from a racial equity perspective, since many of the youth with police contact are youth of color.

**Inquests.** La Rond Baker discussed the evolving situation around a new inquest process. DPD is representing two families in inquests. Right now, however, the inquest proceedings

are functionally stayed because of a number of challenges to the rules the Executive put forward last year. There are four separate pending lawsuits before Superior Court Judge Spector. Since DPD is involved, we're working to make sure the process is meaningful to those families we're representing.

**Filings.** Gordon Hill displays charts that show how felony filings have risen since 2018. The peak at the end of 2019 put us way above our attorney capacity and was devastating to us. The charts also show differences between Seattle and Kent; the rise is particularly high in Seattle. We don't know why this is happening. We're headed up again for the month of February – and in Kent, as well, which is foreboding.

Gordon and Anita discuss District Court filings as well, noting that the numbers are also going up, but in a more erratic way. They also discuss options based on our ordinance; it appears that we are empowered to maintain an assigned counsel panel for conflicts but not capacity issues. A provision allows us to contract with external agencies, but we're also bound by the WSBA principles for indigent representation, making our ability to send cases to an external agency legally questionable. Our ability to hire TLT attorneys is very limited.

Several board members ask questions and make suggestions, noting that this is an Executive and County Council concern, since DPD is, by nature, reactive.

Anita notes that we've developed a scoping document for the upcoming budget discussions, which establishes shared goals between DPD and the Budget Office about how to move forward and some parameters for the conversations that need to happen. We also need to establish a mitigation specialist ratio and re-examine the investigator ratio.

**Hiring.** Anita notes that we've picked up some additional positions through the supplemental budget but that it's been a challenge to fill positions.

## 6. PDAB Chair's Report

Lou, filling in for Kim, notes that the annual report has been submitted. Jeff Robinson's seat is vacant. Applications are open for that. If you know someone who would be interested who's a member of a minority bar association, encourage to apply.

Marc says that he'd like to see some recognition to outgoing board members for their service. Gail Stone says that Dow sends a personal note.

## 7. Discussion of Ordinance

Lou shares a copy of a revised ordinance with other members and opens it up for discussion. Among the proposed changes:

- Change PDAB's requirement to submit an annual and budget report to every two years.
- Establish more time to select a new chief public defender.

- Modify language about what organizations the board members are to represent, making it any number of nonpartisan organizations rather than one.
- Clarifying the focus of the report.

No decisions to be made today. This is a matter for discussion today. We hope to make some decisions by our next meeting.

A discussion follows. Some members say that there needs to be greater clarity about what the board is attempting to measure in its annual report. Could the Executive and County Council make clear what would be most useful to them? The report should be shorter and more focused. The report is too DPD-centric, other board members note. We need to follow up face-to-face on those issues that are most important to the board. Finally, the board needs some staff support; the board is stretched to its limits.

#### **8. Executive Session**

The board goes into executive session at 11:05 a.m.

#### **9. Adjourn**

The board adjourns at noon.