



King County

Public Defense Advisory Board Meeting

Thursday, August 6, 2020
9:30am – 12:00pm

SKYPE MEETING ONLY

1. Welcome

Attending via Skype: Lou Frantz (chair), Matt Adams, Kim Ambrose, Chris Carney, Adam Chromy, Sophia Byrd McSherry, John Strait
Not present: Safia Ahmed, Sharon Armstrong, Marc Boman

Meeting held via Skype because of COVID-19 and the shelter-in-place order.

Meeting called to order by Lou at 9:35 a.m.

2. Approval of Minutes from Meeting on June 4, 2020

Minutes approved.

3. Remarks from SEIU Representatives

Molly Gilbert notes that SEIU continues to be concerned about the way courts are moving forward in opening. She also noted that some jurors have shown up at the courthouse with letters from their doctors saying they have COVID symptoms. The union is concerned about its contract, scheduled to expire at the end of the year. No bargaining is happening, and the contract may be extended, but that means the issue of a comp study between admin staff and paralegal staff is yet to be completed – which in turn means the union's lowest paid people won't receive an adjusted compensation rate.

4. Remarks from Teamsters Representatives

Rachael Schultz notes that the Teamsters are also concerned with the way courts are opening; they're working closely with SEIU and the DO to address concerns.

5. Department of Public Defense Director's Report

Director's Report: Courts opening. Anita discusses her concerns about the process by which courts are reopening. The courts are focused on addressing their backlogs, but not some of the other issues we care about. This is particularly true for District Court and Superior Court. Trials are expected to resume at the end of August or beginning of September in both Kent and Seattle. The one bright spot is SMC, which has taken a very

deliberate and careful approach to reopening. David describes watching one Zoom voir dire, with the public defender, prosecutor, client, and an investigator in the jury box, and potential jurors on a screen in front of them. Everyone in the courtroom, he said, is masked. Anita noted that SMC is checking temperatures as people walk in; the jail, too. In-custody clients are being given masks, though not all are wearing them.

Youth rights advocacy. Katie discusses the **Youth Rights Ordinance**, which is slated to come before the Seattle City Council and the King County Council for votes in the next two weeks. She describes what the ordinance would do and why it's needed and explains that it is named in honor of MiChance Dunlap-Gittens, who at age 17 was killed by police in Des Moines. She also talks about **Restorative Community Pathways**, co-created by community leaders (Creative Justice, Community Passageways, CHOOSE 180), DPD, and the Prosecuting Attorney's Office. It will help hundreds of young people stay out of the harmful juvenile legal system each year and instead receive community-based support, mentorship, and targeted interventions. It will also provide services for those who have endured loss within the community and create the first of its kind restitution fund. We're currently seeking county funding. Hoping to begin taking cases early next year.

Seattle Community Court. Anita discusses this new initiative at SMC, which we agreed to support after Judge Shadid assured us it would not entail a waiver of rights. DPD, SCA, and SMC have worked closely at developing this new court. It's scheduled to open imminently.

Filings. Stev discussed the latest data, which shows that felony filings are again beginning to spike. There were 610 felony filings in July (anything around 600 is high). The same is true in Kent, where numbers have exceeded what we saw in 2019. Board members ask if this spike is due to a backlog. Gordon said he didn't think so. As a result of the spike, we continue to send cases out to assigned counsel due to capacity (not just conflict), Stev said.

2021-23 Budget. Laura said we're targeting a reduction of \$4 million over a two year-period, most of which would occur in the second year. She said that we've adjusted our budget to meet most of our 2021 targets. Our hope is that by 2022, the economy will have recovered and that the reductions won't be as big as currently planned.

6. PDAB Chair's Report

Update on PDAB nominations. Gail provides an update, noting that she's hoping to get several applications before the Executive sometime in the next few weeks. Kim says that as soon as Dow appoints people, they should begin attending (before confirmation by the council).

Amending the KC ordinance. Lou talks about some of the ongoing revisions to the ordinance that created PDAB – some of which are quite minor, some of which are substantive. He says the board will be working with CM Zahilay, once a set of proposed revisions is ready. The board talks about whether to change the seats to subject matter areas, but not have each seat designated; the board could suggest areas of expertise that were needed. Some board members, though, want to make sure the board's work with organizations that nominate potential members is not lost by making such revisions; it's important to continue to have the support and engagement of external organizations. Lou says that's not the intention; the board will still work with organizations. One board member says it would be helpful to see what other counties do. Gail says she'll look into that and draft a memo for the board.

7. **Executive Session.** NONE!

8. **Adjourn.** Meeting ends at 11:04 a.m.