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## **Kelly exits prosecuting attorney's job leaving a more professional office, she says**

By Paul Gottlieb

Peninsula Daily News

PORT ANGELES — Deborah Kelly, who began her legal career as a civil rights lawyer in the Deep South, is ending her professional working life at the top of her game as Clallam County prosecuting attorney-coroner.

Kelly, 61, a Republican, is cutting short her four-year position, which is up for election in November 2014.

She cleaned out her office Wednesday, retires Dec. 31 and has named Chief Deputy Prosecuting Attorney Mark Nichols to head the office until county commissioners fill the position early next year.

She will be taking a few weeks off until she officially retires.

With high points to choose from in a three-decade legal career in Clallam County, Kelly keeps it low-key, self-effacing and void of regrets.

She presides today as president of the state Association of Prosecuting Attorneys in Seattle at the group's last meeting of the year.

And it was just Tuesday that her successful re-prosecution of double-murderer Darold R. Stenson ended with the former Sequim resident being sentenced in county Superior Court to two mandatory life terms without parole or release.

"He's gone back to prison, which is where he belongs," Kelly said during an interview in her office, fingers knit together as she leaned forward at her desk.

Her greatest accomplishment after 11 years as prosecuting attorney?

"Finally achieving a culture change within the office and positioning this office to be a far more professional office," Kelly said.

Kelly announced her resignation in November to devote more time to her family due to health issues related to her husband, Don, a retired county sheriff's sergeant. They have two adult children.

The couple met when they both worked a littering case and she was a county deputy prosecuting attorney.

An upstate New York native whose southern lilt gives away her Tennessee upbringing,

Kelly attended Southern Methodist University law school before working at her uncle's civil rights law firm in Monroe, La., for about 18 months.

"I did not learn as much as I probably should have or could have had I been a more aggressive individual at that time," Kelly said.

She wanted to prosecute the bad guys, anyway.

"For me, the interest was in the criminal side, obtaining accountability for offenders."

Kelly has worked four separate times in the Clallam County Prosecuting Attorney's Office.

She held a yearlong, grant-funded position in 1980 before working as an assistant city attorney for Port Angeles, then was hired in 1988 by then-Prosecuting Attorney David Bruneau.

Kelly was appointed assistant District Court judge in 1994, lost the election the following year, was hired back by Bruneau in 1995 and resigned when she ran for prosecuting attorney in 2002, beating incumbent Chris Shea.

She ran unopposed in 2006 and defeated Sequim lawyer Larry Freedman in 2010.

During her first campaign, she criticized what she termed Shea's liberal plea-bargain practices, a hardline stance some lawyers have criticized for clogging the courts.

"The system would break down without plea bargains, but I felt they were giving away the farm," Kelly said.

She acknowledged the culture change she sought after she defeated Shea came at a cost: \$1.6 million to settle an age discrimination and retaliation suit that was paid by the county's insurance company.

"The lawsuit was a power struggle over what the culture of this office was going to be like," she said.

"That's my view of the lawsuit: how vigorously we would pursue cases.

"People each have their own reality, let me put it that way, and there was no substance at all to their claims."

That culture change also led to numerous resignations and high turnover, though burnout and better job offers contributed to the departures, Kelly said.

Kelly praised her current staff for doing "their very best every single day under the constraints of extremely limited resources."

The second guilty Stenson verdict was a high point for Kelly, but it also came at a cost that is still mounting: more than \$1 million, likely making it the most expensive case in county history.

During trial preparations, Kelly delayed her decision to not seek the death penalty, but by the time she decided to seek life sentences instead, a specialized death-penalty-qualified lawyer had already been appointed to defend Stenson.

“The family had a right to be consulted,” Kelly said.

“We consulted as rapidly as we could under the circumstances that existed at the time.”

Her advice to the next county prosecuting attorney was more systemic than judicial.

That person “should find a way to be a better advocate with the commissioners and the public and the criminal justice community for the additional resources this office needs,” she said.

“That's apparently not one of my skill sets.

“In the courtroom, I think I'm a decent advocate, but as an advocate for money, I don't think I do so well.”

Somewhat relieved

Kelly sounded somewhat relieved after cleaning out her office and leaving the courthouse Wednesday.

“It felt good,” she said later.

“I'm done.

“It also feels bittersweet.

“Still, it's time to move on.

“It's time to put my family above the job.”

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