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Subject: FW: Comment on the adoption of WSBA Standards for Indigent Defense Services
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From: Goldsmith, Benjamin <Benjamin.Goldsmith@kingcounty.gov>
Sent: Tuesday, September 24, 2024 2:36 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on the adoption of WSBA Standards for Indigent Defense Services

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Justices,

I write to strongly encourage you to adopt the WSBA Standards for Indigent Defense Services on the timeline contemplated by the Standards themselves. I am a career public defender; I first worked in public defense as an intern-investigator in 1998 and have worked continuously in field since graduating from law school. I am currently the Managing Attorney of The Defender Association Division, which is a part of the King County Department of Public Defense.

The clients that DPD represents are often among the most marginalized members of our community: they are poor, many are people of color, and increasingly they suffer from behavioral health and substance abuse disorders. This makes it easy for policy and decision makers to, perhaps unconsciously, see them as “other”, and to not fully grasp the impact that contact with the criminal legal system has upon their lives, their families and their futures. I have had several instances over my career, where families with no prior contact with the criminal system had loved ones charged with crimes, and they are always shocked by how dehumanizing and how unfair the system is to the accused, and how under resourced public defenders are. Public defenders are one of society’s primary bulwarks against racism and injustice, but the work itself is grinding, relentless, and at times traumatizing. Public defenders need support and relief so that we can offer our clients the best representation possible.

The new WSBA standards are an attempt to give public defenders the resources they need to thrive in their work and for our clients to receive the high quality of representation that they deserve. This Court has been a leader in calling out explicit and implicit bias in the criminal system. Adopting these standards on the timeline proposed by WSBA is a concrete step towards addressing that same bias. Accordingly, I strongly encourage the Court to adopt the Standards.

Ben Goldsmith
Managing Attorney
The Defender Association Division
King County Department of Public Defense