

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelyn](#)
Subject: FW: Public Comment - Defense Standards
Date: Wednesday, October 30, 2024 3:22:27 PM

From: Teagan Levine <tlevine@co.okanogan.wa.us>
Sent: Wednesday, October 30, 2024 3:18 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Public Comment - Defense Standards

You don't often get email from tlevine@co.okanogan.wa.us. [Learn why this is important](#)
External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

My name is Teagan Levine, I serve as the Administrative Assistant to the Okanogan County Prosecutor and manage the Victim Advocate program in our office. I am writing you today to ask the Court to oppose the proposed case load standards as presented. These changes pose potential unintended consequences that will significantly impact county budgets, the victims of crimes, and defendants who may find themselves inadequately represented and unsupported. This reality demands our immediate attention. It is essential not just to address these problems superficially but to implement solutions that genuinely empower and support our criminal justice system.

The proposed revisions initiated by the Washington State Bar Association (WSBA) and it's Council on Public Defense were certainly a necessary step, taking into account input from a variety of stakeholders. However, we must approach the implementation of these changes with caution. The recommendations emerging from the National Public Defense Workload Study, while well-intended, do not adequately consider the cascading effects that a rushed implementation may have or have they taken into consideration other resources available that are working in rural communities.

Let's be clear: the idea that imposing rigid caseload standards will single-handedly resolve the structural issues within public defense is misguided. The proposed changes could lead to a triage system where Law enforcement and Prosecutors are compelled to prioritize certain cases over others, resulting in unreliable outcomes that go against their oath to office and jeopardizes justice for all—victims, defendants, and the community at large. Charging decisions must reflect the integrity of the legal process and not be solely influenced by a numbers game. We must maintain a system where justice is not sacrificed at the altar of expediency. The outcomes of this triaged system will leave defendants unable to access service; incarceration, therapy, and rehab. Victims unable to move on with their lives due to a case sitting for years until there is room on a defense attorney's case load, or a case being dismissed and a victim never being able to heal or access victim services through the justice system due to there not being a case. This short-sighted proposal to enforce strict case load standards may backfire. Expecting counties to absorb these changes within their existing budgets is unrealistic. We must consider the essential support systems that aids our criminal justice system, including investigators, staff, victim services, therapeutic courts, diversion options, and others like Court staff. Any revisions should undergo a gradual rollout, here are my suggestions—

- 10% reduction in caseloads per year, starting in 2026 for 5 years—to allow counties to adapt their budgets, realign resources effectively, and train and hire new staff. This will also aid in getting enough individuals through law school to start filling those positions.
- Increase incentives for students to enroll and graduate law school in the next four years
- Increase incentives for law students and graduates to go into public defense for a minimum of two years coming out of law school
- Implement an adult diversion program
- Change the caseload to **"current active caseload" vs. "annual caseload"**.
- Adopt an indigent qualifier and matrix that is adopted Statewide that is clear, transparent and reduces abuse by well financed defendants.

In conclusion, as we navigate these necessary changes, we must prioritize a balanced and thoughtful approach that fosters

accountability without compromising the core tenets of justice. I urge all stakeholders to advocate for a responsible implementation plan, allowing for adjustments that ensure both the efficacy of public defense and the protection of our communities all while upholding to our State and U.S. Constitutions.

Our duty is to follow the Constitution, keep our communities safe, and I believe the draft proposal as presented by the WSBA will do the opposite.



Christa (Teagan) Levine

Okanogan County Prosecuting Attorney's Office
Administrative Assistant

P.O. Box 1130/237 4th Ave. N.

Okanogan, WA 98840 ♦ Tel. 509-422-7280

clevine@co.okanogan.wa.us

Confidentiality Notice:

This e-mail message and any files transmitted with it may contain confidential information, including information protected by the attorney/client privilege, work product doctrine, or other confidentiality protection. The information is only for the use of the intended recipient(s). Delivery of this message to anyone other than the intended recipient(s) is not meant to waive any privilege or otherwise detract from the confidentiality of the message. If the message and attachments have been sent to you in error, please reply that you have received this message in error and then delete/destroy it along with any attachments. Do not reproduce, disclose or distribute the message or its attachments in any way. Thank you.