



City of Lakewood

October 30th, 2024

Washington State Supreme Court
Temple of Justice
415 12th Ave SW
Olympia, WA 98501

Jason Whalen
Mayor

Dear Honorable Justices of the Washington State Supreme Court,

Mary Moss
Deputy Mayor

I write on behalf of the City of Lakewood to express our concerns regarding the proposed changes to indigent defense standards. The proposed revisions will not solve current issues, but rather result in new and greater challenges.

Michael D.
Brandstetter
Councilmember

We recognize that public defense is a Constitutional right. The state has passed the responsibility for providing this service to counties and cities without adequate funding. This ongoing underfunding presents a serious challenge to our city's financial stability.

Ryan Pearson
Councilmember

Patti Belle
Councilmember

Lowering misdemeanor caseloads to 120 cases per attorney, down from the current 400, and transitioning to hourly compensation schedules from "per case" arrangements, would drastically increase costs and disproportionately impact lower-income communities like Lakewood. In 2024, the City of Lakewood spent \$687,300 on primary public defense, a 30% increase from the \$528,000 spent in 2018. The proposed standards will require cities like Lakewood to take an already strained budget and decide which laws it will not enforce to reduce costs. This is not justice and will erode public safety.

J. Trestin Lauricella
Councilmember

Paul Bocchi
Councilmember

In 2023 the Lakewood Municipal Court handled 1,646 criminal cases; 1,305 of those required public defense. That equates to 80% of the cases requiring a public defender. We have seen a steady rise in that rate which was 73% in 2022 and 57% in 2021. There is clearly a larger systemic issue with the provision of indigent defense.

John J. Caulfield
City Manager

Even if there was ample funding to meet the proposed caseload standards, there is a shortage of public defenders, as well as a shortage for many positions within the criminal justice system. Without an adequate workforce, more criminal cases will be dismissed due to a lack of defense counsel, leaving crime victims without judicial resolution. The City supports maintaining the current caseload and compensation schedule standards, alongside equitable, non-competitive state funding for indigent defense, to ensure uniform justice across Washington.



We respectfully urge the Court to consider alternatives to these proposed changes. They are based on a national study by the RAND Corporation, which calls for a closer local analysis before the adoption of any statewide changes. The report itself suggests that the most accurate caseload model is developed specifically for an individual state or jurisdiction. Given this, we strongly advocate for a Washington-state specific study conducted by a neutral researcher that includes members from all areas of our state's criminal justice system.

With Washington specific data, there will be an opportunity to consider holistic changes to the provision of public defense to balance high quality representation, the fiscal realities faced by cities like Lakewood and a desire for uniform justice for all.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, which appears to read "John Q. Caulfield". The signature is fluid and cursive, with the first and last names being more prominent.

John Caulfield
City Manager
City of Lakewood

CC:

Jason Whalen, Mayor

Mary Moss, Deputy Mayor

Michael D. Brandstetter, City Councilmember

Ryan Pearson, City Councilmember

Patti Belle, City Councilmember

J. Trestin Lauricella, City Councilmember

Paul Bocchi, City Councilmember