



October 30, 2024,

Washington State Supreme Court
PO Box 40929
Olympia, WA 98504

RE: Comments on Proposed Changes to the Standards for Indigent Defense

Dear Honorable Justices,

The City of Monroe respectfully requests the Washington Supreme Court reject the proposed amendments to the Standards for Indigent Defense in CrR 3.1, CrRLJ 3.1, and JuCR 9.2. While the City of Monroe firmly supports the constitutional right of every defendant to effective assistance of counsel, we believe the suggested revisions will present a significant financial burden for Monroe.

As currently written, the City of Monroe suggests that the Court consider only those portions of the suggested revisions that are feasible and achievable within current limits, such as training and qualification requirements for public defenders. At a minimum, the City of Monroe requests that the Court exempt adult misdemeanors from the revision.

The City of Monroe expects to pay \$200,000 in Fiscal Year 2025 for public defense services. If the new standards are adopted, the cost of additional attorneys, social workers, and administration are calculated to nearly quadruple the current budget to \$739,000 annually in order to meet the 120-misdemeanor case credit limit set forth in *Phase 3* of the proposed standards. Without a secure funding mechanism outside the city's general fund – which is limited statutorily and constitutionally – the city will need to consider redirecting funding from other city services such as park and street maintenance, emergency housing, mental health support, and diversion and social programs that are designed to keep people from entering the criminal justice system.

Even with funding, there is no guarantee the City of Monroe and our public defense services will be able to hire enough public defenders to meet our current level of annual cases under the proposed standards. The scarcity of qualified candidates for both prosecutor and public defense roles is a challenge for the law firms providing defense and prosecution service to Monroe. The city's contracted public defender has indicated the legal workforce simply lacks a sufficient number of attorneys to implement such restrictive changes in a short timeframe. This could lead to more criminal cases being dismissed under the new standards due to a lack of defense counsel. If you allow these standards to be adopted, this will reduce deterrence for people who would commit crimes and result in increased crime rates.



The City of Monroe agrees that attorneys representing indigent clients must have adequate resources to provide effective representation, however the proposed caseload standards, without timely planning and state-level funding, would severely hinder the city's and court's operational capacity. Such a dramatic shift in caseload standards would impede the city's prosecutorial effectiveness, compromise community safety, and limit the provisions of essential resources directed to address the root causes of criminal behavior.

It is extremely important to our community that you reject the proposed amendments to the Standards for Indigent Defense.

The City of Monroe is committed to working collaboratively to address the challenges within our public defense system. We appreciate the opportunity to provide comment on the proposed revisions and welcome any further discussion on this critical matter.

Thank you for your time and consideration.

Respectfully,

Geoffrey Thomas, Mayor

Kevin Hanford, Mayor Pro Tem

Jason Gamble
Councilmember

Kirk Scarboro
Councilmember

Heather Fulcher
Councilmember

Tami Beaumont
Councilmember

Kyle Fisher
Councilmember

Jacob Walker
Councilmember