



CITY OF
UNION GAP
1883

September 23, 2024

Washington Supreme Court
PO Box 40929
Olympia, WA 98504-0929
RulesComments@courts.wa.gov

Re: Proposed Changes to Indigent Defense Standards (CrRLJ 3.1)

Dear Chief Justice González and Washington Supreme Court Justices:

The City of Union Gap is sending this letter to relay its concerns regarding the proposed changes to CrRLJ 3.1, which are currently open for official comment. The City appreciates the opportunity to comment on these proposed changes as we have serious concerns about their implementation.

The City of Union Gap takes the provision of competent legal representatives to indigent persons charged with misdemeanor and gross misdemeanor crimes by the City very seriously and recognizes that this duty is crucial to our criminal justice system and to the constitutional rights of indigent defendants. Currently, the City contracts with three (3) attorneys to provide representation for indigent defendants prosecuted by the City. The amount paid for these defenders is over \$300,000, which entails 50% of the General Fund budget for legal. If the changes to CrRLJ 3.1 are adopted as proposed, using our 2023 case filings of 722 as an average, the City would be required to fund and fill an additional four public defender positions to ensure sufficient representation for indigent defendants. Assuming that we could find enough qualified and interested attorneys to hire for these positions, and that they would accept the positions at the rate we pay now, our budget for public defense would more than double and our legal budget would be exceeded without factoring in the need to pay for prosecution services. In reality, this increase would be even larger given that we are not even considering the support staff that would be required. As a City with a population of 6,660 residents we simply do not have the budget to afford such an increase.

The City has a significant concern that if adopted, these standards and our inability to meet them will result in a drastic decrease in public safety in the City of Union Gap. There is no guarantee or even probability that crime will decrease with the reduced ability to prosecute it. If these standards are adopted, the City will be forced to decline filing “less serious” crimes such as theft and other property crimes to ensure that we are able to prosecute and afford sufficient public defenders for crimes that have the highest public safety impact, such as impaired driving and domestic violence. The consequences of this reality would have significant negative impacts on our City and would leave numerous crime victims without any justice or sense of security.

For these reasons the City urges the Court not to adopt the proposed changes to CrRLJ 3.1. If the Court believes these changes are warranted despite the criticisms raised by numerous other commenters and experts about the validity of the study they are based on, the standards should certainly not be adopted without

time for state and local stakeholders to put together a plan to mitigate the issues that will inevitably follow. This plan will need to entail strategies and actions to increase the number of lawyers practicing in Washington, particularly in rural areas such as ours, and to attract them to and retain them in public service. Cities will need time to explore ways to afford the colossal budget increase these changes will bring. These efforts will take more time than the three years proposed for implementation. Adopting these changes without being prepared will have devastating impacts on public safety. The City urges the Court to prioritize the right of citizens to be and feel safe in their communities by ensuring there is a system in place to ensure public safety prior to adopting these changes.

Very truly yours,

A handwritten signature in blue ink, reading "John Hodkinson".

John Hodkinson
Mayor

A handwritten signature in blue ink, reading "Sharon Bounds".

Sharon Bounds
City Manager

From: [Ward, David](#)
To: [Martinez, Jacquelynn](#)
Cc: [OFFICE RECEPTIONIST, CLERK](#)
Subject: FW: Proposed Changes to Indigent Defense Standards (CrRLJ 3.1)
Date: Tuesday, September 24, 2024 8:46:36 AM
Attachments: [WA Supreme Court - Proposed Changes to Indigent Defense Standards \(CrRLJ 3.1\).pdf](#)
Importance: High

From: Waltman, Gloria <Gloria.Waltman@uniongapwa.gov>
Sent: Tuesday, September 24, 2024 8:40 AM
To: AOC DL - Rules Comments <RulesComments@courts.wa.gov>
Cc: Bounds, Sharon <sharon.bounds@uniongapwa.gov>; Hodkinson, John <john.hodkinson@uniongapwa.gov>
Subject: Proposed Changes to Indigent Defense Standards (CrRLJ 3.1)
Importance: High

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Good morning –

Please see attached letter regarding the proposed changes to CrRLJ 3.1, which are currently open for official comment.

Regards,



Gloria Waltman
Deputy Clerk Treasurer

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gloria.waltman@uniongapwa.gov

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