

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: City of Anacortes - Proposed Changes to Washington Supreme Court Public Defense Standards
Date: Thursday, September 5, 2024 9:08:43 AM
Attachments: [City of Anacortes Public Defense Caseload Standards Letter 09.24.pdf](#)
[image002.png](#)

From: Jennifer Tottenham <jennifert@anacorteswa.gov>
Sent: Thursday, September 5, 2024 8:59 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>; Lekanoff, Rep. Debra <debra.lekanoff@leg.wa.gov>; liz.lovelett@leg.wa.gov <liz.lovelett@leg.wa.gov>; Alex Ramel <alex.ramel@leg.wa.gov>
Subject: City of Anacortes - Proposed Changes to Washington Supreme Court Public Defense Standards

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Hello,

Please see the attached letter from the City of Anacortes regarding the proposed changes to the Washington State Supreme Court Public Defense Standards.

The City of Anacortes has significant concerns about the proposed changes to the Washington Standards for Indigent Defense amending [CrR 3.1](#), [CrRLJ 3.1](#), [JuCr 9.1](#), and [CCR 2.1](#). The revised standards as proposed are not financially feasible for the City of Anacortes and the end result will be fewer resources to keep people from entering the criminal justice service and dismissal of charges. On behalf of the City of Anacortes, please do not implement the caseload reductions as proposed.

Thank you for your time and consideration,

Jennifer Tottenham

Jennifer Tottenham

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MATT MILLER, MAYOR CITY OF ANACORTES

Washington Supreme Court
PO Box 40929
Olympia, WA 98504-0929

September 5, 2024

Re: Proposed Changes to Washington Supreme Court Public Defense Standards

To the Washington State Bar Association Board of Governors,

The City of Anacortes has significant concerns about the proposed changes to the Washington Standards for Indigent Defense amending [CrR 3.1](#), [CrRLJ 3.1](#), [JuCr 9.1](#), and [CCR 2.1](#).

The City of Anacortes is committed to providing effective counsel as guaranteed by the 6th and 14th amendments to the U.S. Constitution to our indigent community. In response to the 2015 caseload standard changes for indigent defense by the Washington Supreme Court the City of Anacortes created an in-house Public Defender's Office to ensure compliance. This arrangement continues to work successfully, and we actively monitor the Public Defender Office's caseload to ensure we are meeting those standards.

The revised standards as proposed are not financially feasible for the City of Anacortes. The additional costs to hire an additional public defender, a mitigation specialist case manager, and a full-time investigator is cost prohibitive without a secure funding mechanism outside of the City's General Fund which is limited statutorily and constitutionally. Without adequate funding for public defense costs, the City will have to redirect funding from diversion programs including community court and drug court that are designed to keep people from entering the criminal justice system. The end result will be fewer resources to keep people from entering the criminal justice service and dismissal of charges.

The City has been actively recruiting for additional contract public defenders for over a year. To date we have received less than a handful of responses. The problem is not the compensation, but a lack of attorneys seeking public defense positions in a rural community like Anacortes. I foresee major challenges for every court in Washington trying to recruit qualified candidates with very little chance of success in filling these unfunded positions. I respectfully request that the focus be changed to workforce development in public defense over the next several years prior to implementing reductions in caseload standards. Without access to a trained workforce, very few public defender offices will have the necessary workforce to recruit from.

A State investment in the costs associated with operating a municipal court is necessary prior to implementing significant caseload standards limitations. The financial impact would be untenable for Anacortes. Our budget is primarily dependent on property taxes and sales tax for our budget revenue. Other important positions and programs would be eliminated to support the requirement which is solving a problem that does not exist in our community.

Anacortes is committed to meeting our statutory requirements, but hiring three additional positions is not feasible or affordable for our community.

On behalf of the City of Anacortes, please do not implement the caseload reductions as proposed.


Matt Miller

Our mission is to maintain and improve the quality-of-life, reflecting community expectations through a focus on public participation and employees-mayor-council teamwork, a team dedicated to serving our citizens in a professional, efficient, and courteous manner

