

# *City of Oak Harbor*

OFFICE OF THE MAYOR  
RONNIE D. WRIGHT  
MAYOR

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October 30, 2024

Washington State Supreme Court  
Attn: Clerk of the Supreme Court  
PO Box 40929  
Olympia, WA 98504-0929

Honorable Chief Justice Steven Gonzalez, Associate Chief Justice Charles Johnson, Justice Barbara Madsen, Justice Susan Owens, Justice Debra Stephens, Justice Sheryl Gordon McCloud, Justice Mary Yu, Justice Raquel Montoya-Lewis, and Justice Helen Whitener.

RE: Indigent Defense

I am writing to you regarding the proposed changes to the Standards for Indigent Defense and caseload limits. As the Mayor of a small City, the changes have a significant impact on our community and the services we provide.

The City of Oak Harbor (Oak Harbor) is located on Whidbey Island and is the largest City on the island. We have approximately 25,000 residents and continue to grow every day. You can access our community via Deception Pass from Skagit County or via the Washington State Ferry system from Mukilteo. Due to the impact of holiday travelers and increasing tourism coupled with the decrease in local ferry service, access to the community is sometimes limited. As the Mayor and a Navy veteran, I am also appreciative of the additional 5,000 people we have in our community because they are living on base at Naval Air Station Whidbey Island (NASWI).

As a small City in a remote community, it is difficult to attract professionals to handle indigent defense cases. There are a limited number of firms offering this service in our area. Last year, Oak Harbor had to find a new defense firm because the one we were using decided, instead, to contract with Island County. Oak Harbor has a large case load that rivals the number of cases at Island County, making it challenging to find a law firm in our remote location to take on our case load. Only one law firm even responded to our request for proposal. There is a clear shortage of qualified attorneys in our area.

The scarcity of firms offering indigent defense services leads to more conflicts between the clients and defense attorneys. The firms required to address conflict charge larger fees for their services. This makes managing these services increasingly difficult and expensive.

My staff tracks the escalating costs for indigent defense, which is rising annually. Our records show that in 2023, the City spent approximately \$131,000 on indigent defense services and in the first seven months of 2024, approximately \$228,000. My Finance Department is projecting indigent defense services to cost \$360,000 this year. As we budget for the 2025 - 2026 biennium, we project that costs will continue to increase by five to ten percent (5-10%) in 2025 without the proposed indigent defense changes you are considering. The estimated \$360,000 in 2024 represents 60% of total judicial department court costs and this does *not* include prosecution charges that are billed to a different department.

Please consider the impact on rural or remote communities' ability to provide these services due to cost and the shortage of qualified attorneys when considering these amendments. Oak Harbor's location on an island should not lessen the level of service provided to individuals who require it. The additional fees are forcing the City to make difficult choices about community services or the potential of additional taxes to cover the cost of these services. I hope that you consider this as part of your evaluation process.

Indigent defense costs were included in our Legislative Priorities in 2025 and will continue to be listed on our priorities for 2025 because of the impact to our City. I appreciate the work of the Association of Washington Cities (AWC) for their assistance to educate, promote, and share the concern municipalities in Washington State have with this service.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ronnie D. Wright", is positioned above the printed name.

Ronnie D. Wright

Mayor