



Washington State Bar Association

COUNCIL ON PUBLIC DEFENSE
OCTOBER 9, 2020, 10:00AM TO 12:00AM VIRTUAL/VIDEOCONFERENCE
MINUTES

CPD voting members: Travis Stearns (Chair), Jason Schwarz (Vice-Chair), Rebecca Stith, Justice Gordon McCloud, Christie Hedman, Matt Heintz, Justin Bingham, Eric Hsu, Kathy Kyle, Jason Bragg, Judge Drew Henke, Abraham Ritter, Nick Allen, Joanne Moore, Rachel Cortez, Jaime Hawk

CPD Emeritus members (non-voting members): Ann Christian, Eileen Farley, Bob Boruchowitz

WSBA Staff: Diana Singleton, Bonnie Sterken

Guests: Rachel Gluckman, Katrin Johnson, Andrea Jarmon, Ali Hohman, Sophia Byrd McSherry, Jon Rapping, George Yeannakis, Kevin Flannery, Mackenzie Stewart, Maialisa Vanyo

Absent: Matt Anderson, Natalie Walton-Anderson, Deborah Ahrens, Judge Patricia Fassett, Louis Frantz, Christopher Swaby, Brenda Williams

Presentation on Gideon's Promise: Jon Rapping with Gideon's Promise joined as a special guest. He shared about the work of Gideon's Promise, his book, and the importance of strengthening public defense for marginalized communities.

Minutes: The September minutes were approved with corrections provided.

Priority Setting: A few of the Council's history was postponed to the November meeting. The Council members then broke up into 6 different small groups to have discussions about what the Council should focus on over the next year. After the breakouts, everyone came back together and reported out the ideas that were emerged in the conversations, including the following:

- What can we do to keep collaborating with the Bar
- Improving diversity on the Council, including racial diversity and diversity of practice areas
- What can we do to support public defenders who are on the front lines of these issues and give their voice volume
- Bring in civil lawyers into the conversation
- Reaching out to smaller jurisdictions and agencies that are having challenges
- Improving outreach to WDA and WACDL members and people who do criminal defense who are not members and to students before they leave law school
- Return to the structure committee and bring it back, which ties back into funding. People need to have adequate support to do the job properly. Find a way for the legislature or court to ask this Council to work on this issue and get buy in from the legislature from the beginning.
- Some kind of grid or tracking on what we've done and where things are in the process. On that page could update the progress of projects for all to see

- Would there be ways to centralize some public defense functions without going to a state system? Having a post-conviction resource at state OPD because there is now right to counsel on PRPs.
- Problems with getting felony certified, especially in small communities. Could there be lawyers at OPD who could be deployed around the state to help in smaller counties that don't have experienced lawyers – helping get certified and elevate the representation? Possibly a regional effort or exchanges between offices.
- Empowering clients and educating community about their rights so that they have an understanding of what's happening and aren't a passive participant
- Importance of independence of public defenders who are not constrained by outside pressures
- Focus on contract lawyers – pay issues and limited resources

Travis shared that the Council will continue to discuss these issues and how best the Council can address them. He also noted that the Independence Committee will be presenting their proposal in November for the Council's adoption and encouraged folks to attend to achieve the needed supermajority. Travis also asked folks to join committees and will address what the committees are working on at a future meeting.

Travis acknowledged Joanne Moore for her commitment to the CPD and public defense.

The meeting adjourned at 12:00pm