



SHORELINE CITY COUNCIL

Mayor Chris Roberts
Deputy Mayor Laura Mork
Councilmember Annette Ademasu
Councilmember Eben Pobe
Councilmember John Ramsdell
Councilmember Betsy Robertson
Councilmember Keith Scully

June 25, 2025

Chief Justice Stephens
Washington State Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Dear Chief Justice Stephens,

On behalf of the City of Shoreline, I am writing to express our City's support for a three-year delay in the imposition of new standards for criminal defense related to misdemeanor cases and, during that time, the undertaking of a Washington-specific study of the current provision of misdemeanor public defense services—a study that could be undertaken pursuant to your direction by the Washington State Bar Association (WSBA). In more formal terms, the City of Shoreline is requesting that the Supreme Court amend its proposed rule regarding misdemeanor caseloads pursuant to General Rule 9(J)(1) of the Court Rules by delaying implementation and requiring a State-specific study. We sincerely believe that this request is well-founded and necessary to ensure that irrevocable harm is not unintentionally created through the implementation of this proposed new rule.

Please know that the City of Shoreline recognizes and honors its constitutional obligation to ensure that defendants receive effective assistance of counsel. However, as you have heard from a number of parties, the study that undergirds the proposed new standards, and was relied upon by the WSBA, lacked the Washington State perspective that should be considered essential for work that will be used to justify changes that have such momentous impacts and consequences. The panel did not have a single Washington State felony or misdemeanor criminal defense attorney, prosecutor, judge, victim or defendant. Moreover, the study itself noted that a local study would be a necessary next step before state action to profoundly transform the existing system.

And the impacts of this policy change promise to be significant. It is anticipated that the imposition of the misdemeanor caseload standards referenced in the Court's Order No. 25700-A-1644 (June 9, 2025) will impose significant financial impacts on cities across the state. The City of Shoreline, like all Washington cities, has an obligation to provide essential municipal services in an environment where revenue rarely is able to keep up with the costs of providing such services. And, as you know, the legislature has not provided municipalities with any additional revenue-generating tools for a very long time.

Large magnitude increases in public defense spending will require cities to make very challenging decisions on where to cut or eliminate programs in order to meet this new financial obligation. It is entirely possible that cities will choose to ignore lesser criminal behavior to reduce public defense costs. One need only review crime statistics that showed a drastic increase in crime during the period in which drug possession enforcement was limited and police pursuits were illegal to appreciate the negative impact that course of action will have on our communities. Alternatively, cities might choose to scale back or reduce behavioral health, human service, housing or homelessness funding, which are more discretionary than public safety and transportation and thus at greater risk for budget reduction. These cuts would have a disparate impact on the most vulnerable in our community. These are, of course, only possible examples, since our budget process is both lengthy and deliberative and the product of many months of thoughtful analysis.

However, these scenarios are very real, as are the risks created by increased public defense costs that are, given the current state of knowledge, woefully underinformed in terms of having a Washington State-informed perspective. It is for this reason that we ask the Court of pause the imposition of these standards until a Washington State-specific study is undertaken—a study which includes both county and city public defenders (both municipal employees and contracted), as well as municipal and district court judges, prosecutors, probation officers, and misdemeanor defendants and crime victims. In short, we encourage the Court to act with a firm grasp of the problem unique to Washington via a State-specific study, and from that, develop a State-appropriate solution.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. S. Ellington', with a long horizontal line extending to the right.

Bristol S. Ellington
City Manager