

SUBCOMMITTEE RECOMMENDATION

Item 12: Public Defense Commission Maximum Attorney Capacity

To:	Emergency Board
From:	Public Safety Subcommittee
Carrier:	Senator Sollman

The Public Safety Subcommittee recommends that the Emergency Board defer consideration of a request to allocate \$4.2 million General Fund from the special purpose appropriation made to the Emergency Board for public defense expenses to the Public Defense Commission for an additional 25 Maximum Attorney Capacity in provider contracting for adult criminal trial cases to the December 2024 meeting of the Emergency Board.

The Commission's request was accompanied with no supporting caseload growth data justifying the need for 25 Maximum Attorney Capacity, or MAC. The request also provided no information as to how and where the requested 25 MAC would be deployed and to what impact the additional MAC would have on the unrepresented defendant/persons crisis.

The Subcommittee recommends that the request be deferred to the Emergency Board meeting in December 2024, pending available resources in the public defense contingency special purpose appropriation and demonstration of the need for additional MAC capacity to address the unrepresented crisis or higher than forecasted caseload.

The Public Safety Subcommittee recommends deferral.