

SUBCOMMITTEE RECOMMENDATION

Item 7: Public Defense Commission Unrepresented Defendant Persons Crisis

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

The Public Safety Subcommittee recommends that the Emergency Board acknowledge receipt of a report from the Public Defense Commission on the unrepresented defendant/persons crisis.

The Commission was directed to report to the Emergency Board in September 2024 with an update on the unrepresented defendant/persons crisis, including how the agency's Regional Pilot Programs are performing.

As of August 23, 2024, there are 5,005 unrepresented persons, which is the highest number since the state began tracking the crisis in 2022. The Commission has focused its efforts on resolving the crisis by primarily relying upon the Temporary Hourly Increase Program, the Regional Pilot Programs, and monitoring the utilization of provider capacity under the Maximum Attorney Caseload, or MAC, model. A crisis plan was also submitted to the Governor.

The report notes that next biennium, the Commission anticipates moving away from the current contract provider MAC model to a new caseload and workload model to help resolve the crisis. However, adoption of a new model will require additional legislative investment in the public defense system.

The Public Safety Subcommittee recommends approval.