

SUBCOMMITTEE RECOMMENDATION

Item 1: Judicial Department Unrepresented Defendant Persons Crisis

To:	Emergency Board
From:	Public Safety Subcommittee
Carrier:	Representative Evans

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

The Department was directed to report to the Emergency Board with an update on the unrepresented defendant/persons crisis, including how judicial district crisis plans are being implemented.

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. Circuit courts have updated the implementation status of the crisis plans developed under SB 337, including, but not limited to, the federal court ruling in *Betschart*, which requires release of most unrepresented in-custody defendants within seven days after their first court appearance. The Department has also instituted monthly reporting on the crisis and has seen improved data coordination with the Public Defense Commission.

Circuit courts' proposed concepts to address the crisis have proven difficult to implement as such concepts require the participation of other public safety partners or require major structural changes to the contracting method for public defense.

The Public Safety Subcommittee recommends approval.