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June 11, 2021

Patrick W. Deakins
Chairman, Finance and Budget Committee
280 N College Ave, Suite 500
Fayetteville, AR 72701

Re: 2022 Requested Budget

Dear Chairman Deakins,

Thank you for your service to the citizens of Washington County and your interest in helping the criminal justice system work more efficiently and better serve our county. The Arkansas Criminal Justice System Assessment is thorough and helpful in providing suggestions and goals for us. As per your requested procedure, I would like to use this letter to address a couple of requests and ideas discussed within the assessment.

First, the assessment discusses the need to ensure appropriate public defender caseload ratios, compensation parity, and treatment of public defenders in comparison to prosecutors (p 97). As a first step in addressing the parity, we would request that the Quorum Court adjust our attorney salaries to be the same starting salary as the prosecutor's office. As the study discusses, "A lack of parity in pay between prosecution and public defense creates a revolving door for public defense, as attorneys look to do similar work for higher pay often with more resources" (p 98). Within the last year, one attorney moved from the public defender's office to the prosecutor's office for more pay. Two other attorneys left for different jobs with more pay. The loss of three attorneys within a year places the office in a continuous state of fluctuation. In order to

efficiently represent the client, the leaving attorney's cases must be reassigned to other attorneys in the office. Once a new attorney is hired, it takes time and experience for the new attorney to become familiar with our processes. This creates a less efficient criminal justice system overall. As the study states, "Ensuring parity between public defenders and prosecutors of the same experience and education level will provide for greater longevity and stability in the public defender's office" (p 98).

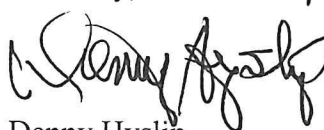
In hopes of providing more stability and experience for attorneys in the public defender's office, I request that the Quorum Court adjust our attorney's salaries to be equal to those that the county funds within the prosecutor's office.

Secondly, last July, the Quorum Court discussed the use of the Uptrust Program. It provides text reminders to defendants to contact their attorney at the public defender's office and to remind them of their court appearances. The County Judge signed a one year contract that was provided at no costs. Since that time, we have worked with Uptrust to integrate it without data management and calendaring programs so that text reminders are sent. We are still in the process of working out problems within the programs and setting up a system for someone's phone number and arraignment date to be entered when they are released from the jail. We recently discussed the program with the Arkansas Public Defender Commission Director Gregg Parrish. He stated that the commission would not be able to pick up the cost of continuing the Uptrust Program. We would request that the Quorum Court approve the continued funding of this program.

The Arkansas Criminal Justice Assessment refers to the increase in case load that Washington County has experienced over the last five years. One of the causes for this increase is cited as the increase in failure to appear cases (p 26). The assessment found that on average there are 73-134 failure to appear arrests per month (p 27). When an individual fails to appear for their court date, their bond is set much higher, and they often then spend several months in the jail. By taking measures to avoid failure to appears, the county is investing in a system to reduce the population of people in the jail. When looking at the percentage of bookings and their bonds, the assessment found that failure to appear arrests made up the largest amount with 20.7% of bookings with assigned bonds (p 72). Working to address and prevent failure to appears, would focus the work and money of the Quorum Court on one of the most significant aspects of the jail population. (p 84). Using the Uptrust program, would send reminders to individuals of the court dates, like we all get reminders for doctor's appointments, and work to take measure to prevent failure to appears.

I have attached the budget worksheet for this office, with only small changes. As your requested noted, I do want to address these two separate issues for the Quorum Court to discuss. I look forward to further discussing the budget with you and these requests.

Sincerely,



Denny Hyslip
Attorney at Law