

MINUTES
DEKALB COUNTY PUBLIC DEFENDER BOARD
Monday, November 1, 2021 @ 8:00 A.M.

CONVENED: 8:00 A.M.

ROLL CALL:

Member Present:

In Person: Mark Olivero, Ron Dicke, Joe Dunn, Kevin Likes, Kent Likes

Telephonically:

By Video:

Members Absent:

Public in Attendance:

AGENDA:

I. APPROVAL OF MINUTES:

Ron made a motion to approve minutes of August 2, 2021. Kent and Joe seconded. Motion passed.

II. QUARTERLY UPDATE:

a. Review Reimbursement Report

We pretty much get our request for reimbursements. Once in a while we get docked if a felony attorney has to represent a client on a misdemeanor because of conflict.

The County is looking at replacing windows in our building. We will keep on top of that to get what reimbursements we can.

This Quarter is higher due to a seven pay periods and Lawyers Liability Insurance.

1st Quarter - \$65,827.66

2nd Quarter - \$67,071.92

3rd Quarter - \$79,623.18

III. OTHER MATTERS TO BE PRESENTED BY CHIEF PUBLIC DEFENDER

a. Review Budget

Kevin and Mark's salaries are set by the state. They are required to be paid the same as the Prosecutor and Chief Deputy Prosecutor.

Mark needs to make sure the deputies salaries are in line with the deputy prosecutors. It is hard to compare because the Deputy Prosecutors are broken down differently i.e. IV-D and juvenile.

b. Update on New Board Member

Jennifer Shircliff does the Board Training with the State.

Cheryl to send Kent Likes the print out from the training.

Cheryl also mentioned that the State is going to start attending Board Meetings over the next year.

c. Update on State Proposed Changes to Weigh Caseloads

Currently Murder through Felony 5 are weighted the same. The State is proposing to weigh Murder and Felony 1 & 2 heavier, then Felony 3 & 4 a little less, then Felony 5 & 6.

State did analysis of each county to see how this would affect them. Our County shows a change of .03

Joe asked if we were docked when Mark had to represent a client with mental health issues and it was a CM.

Mark responded I had to represent because I had started the case but the charges were lowered to CM and I continued to represent but we assigned to Randy or Ben. Kevin added that we have a client in jail now that is waiting for a bed at the State Hospital and Cheryl let the board know that the State is looking at local facilities to take these people temporarily until a bed opens up.

Joe asked if anyone is meeting with Northeastern. Kevin responded that the problem is to have them committed is a civil judgement, a Judge can-not send on a criminal case.

Joe asked if there are any numbers on how many of our clients have mental issues.

Kevin responded that probably a third of our cases have mental health issues but some are self-induced by drug abuse.

d. Criminal Rule 26

Counsel at First Appearance (Initial Hearing) At the current time this is not a requirement but is a you "may" attend.

The State did an analysis: 50% are providing Counsel at First Appearance. A smaller % is covering just incarcerated adults.

Mark and Kevin cover the incarcerated Initials and try to keep conflicts to a minimum.

Some Counties have hired a person to just cover initials and some counties aren't doing it at all.

e. Comprehensive Plan

The State would like for the PD Board to review once a year and stated that it is easy to make changes. Just change, sign, and email to the PD Commission.

IV. BOARD MEMBER COMMENTS

Ron commented that there seem to be a lot of inconsistency on how things work and it doesn't seem fair.

Kevin responded with it's hard to find competent attorneys because of State requirements. Younger attorneys aren't doing trials and they don't want to do criminal defense.

Ron suggested that they may need to up the pay to attract attorneys.

Joe was concerned about clients getting Mental Health treatment when needed.

Kevin responded that there are only a couple of facilities left in the State that house/treat Mental Health clients.

Kevin also stated that probation now has a full time person to handle the MH clients.

Ron asked if there was anything they could do behind the scenes to make things easier. Mark suggested if necessary, writing letters to the Council/Commissioners or talking one on one with them.

NEXT MEETING: Monday, February 7, 2022 at 8:00 A.M.

ADJOURNED: Ron made a motion to adjourn and Joe seconded the motion.

Respectfully submitted by
Cheryl Bradford