

MINUTES

DEKALB COUNTY PUBLIC DEFENDER BOARD

Monday, May 1, 2023 @ 8:00 A.M.

CONVENED: 8:00 A.M.

ROLL CALL:

Member Present:

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

Telephonically:

By Video:

Members Absent: Kent Likes

Public in Attendance:

AGENDA:

I. APPROVAL OF MINUTES:

Ron made a motion to approve minutes of February 6, 2023, Joe seconded. Motion passed.

II. QUARTERLY UPDATE

a. Review Reimbursement Report

Reimbursement for the 1st Quarter 2023 is \$80,910.80. Nothing out of the ordinary on this request. It was noted that Maintenance and Auditor's Office are now aware to copy us on any annex building maintenance invoices so that we can claim a percentage on our reimbursements.

b. Review Title IV-E Fund

Mark stated that these are our funds and can be spent on anything that is not covered in the budget. Ron asked where these funds come from and Mark stated that it is from a fund that the State receives and divides between participating counties. It is basically free money from the State they just require that we report how the money is being spent. To date we have spent some of the money on a Window Sign, NBI Training courses, dry cleaning and a digital recorder. NBI is National Business Institute and they offer paralegal courses through IPE, Institute for Paralegal Education.

Mark stated that he would like some/all of our staff to become Notary Publics. Kevin stated that all of his staff are and that it is a big process to go through. Mark stated that depositions can now be tape recorded vs. hiring a court reporter and we need a Notary to swear in the deponent. We purchased a digital recorder but it will not be transcribed unless going to trial.

III. OTHER MATTERS TO BE PRESENTED BY CHIEF PUBLIC DEFENDER

a. 2024 Budget due May 19, 2023

Budget deadline has moved up to May from mid-July and they are not holding the presentations this year unless you have something out of the ordinary to discuss.

Mark stated the big issue for this year is asking for benefits for the Attorneys. Mark and Kevin are meeting with our Council Liaison David Yarde this week to discuss the matter. They have already met with Rick Ring from Council and Mike Watson from the Commissioners. Mark will be going before the Council to discuss this issue on Tuesday, May 9, 2023. After discussing with the council he then will request a date to speak to the Commissioners.

Looking at a 5 year plan Mark mentioned that we may have some added expenses due to the Commissioners wanting to move the Public Defender's Office to the Courthouse.

b. Update on Retirement Fund for Chief and Deputy Chief

See (c.) below

c. Update on Misdemeanor Reimbursement

The Retirement and Misdemeanor Reimbursement amendments were not passed by the State. The Misdemeanor issue will not be brought up again for 2 years. We were hoping for Misdemeanor reimbursements to be passed to support our request for benefits and to raise the Misdemeanor attorney salaries up to the same level of pay as the Felony attorneys. Currently our two Misdemeanor attorneys are in court 3 days a week.

Benefits would include insurance and Perf. Several of the surrounding counties do offer benefits which makes it hard for us to attract and keep good attorneys when they can go to Allen County or Steuben and receive benefits. Mark and Kevin both receive benefits. However, we lost Marcia Linsky for this reason as she went to work for Allen County PD to receive insurance. We are asking for benefits for just 4 of the attorneys. Randy, Joe and Ben are declining. There is a shortage of employees, including attorneys, so it is hard to find attorneys and they need to be qualified for the State to receive reimbursements

Joe asked if we ever use interns. Yes we do and we will have an attorney set as 2nd chair in a trial for the experience and to help meet the qualification requirements.

d. Stipend for Public Defender Board

As stated in the County Ordinance No. 2014-R-28, Board members shall serve without pay but may receive reimbursement for expenses incurred.

No claims have been made to date by any Board member for expenses.

IV. BOARD MEMBER COMMENTS

Kevin gave an update on Community Corrections:

Community Corrections now covers Home Detention, Work Release and Pre Trial Services. There are now about 32-35 residents and the income from that number covers operational cost. They just recently received a DOC grant for over 1 million dollars. All the big maintenance issues from building are now fixed.

A typical resident would be someone who works local, maybe 2nd OWI, sentenced to 60 days and they don't want to lose their job.

People on Home Detention have to wear a bracelet.

SCRAM now used as part of Pre Trial Services. Provides alcohol and location monitoring. The system can detect if you drink alcohol and sends an alert.

Probation used to monitor Home Detention but now it is thru Community Corrections and they are trained and armed.

The programs are working well and the jail population is down from over 100 to 80 ish.

Pre Trial Services offers mental health and family counseling and are partnered with Bowen Center and the NorthEastern Center.

A person can not be on community corrections if you have a sex crime or violence against law enforcement. Domestic Battery is accepted if they take anger management classes.

MRT – Moral Recognition Therapy – helps make better choices.

The facilities are very nice. The residents can earn passes as they progress to different phases.

Michelle Fosnaugh is the new department head.

NEXT MEETING: Monday, August 7, 2023 at 8:00 A.M.

ADJOURNED:

Respectfully Submitted,

Cheryl Bradford