

## MINUTES

### DEKALB COUNTY PUBLIC DEFENDER BOARD

Monday, May 2, 2022 @ 8:00 A.M.

CONVENED: 8:00 A.M.

#### **ROLL CALL:**

##### Member Present:

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

Telephonically: None

By Video: None

Members Absent: None

Public in Attendance: None

#### **AGENDA:**

##### **I. APPROVAL OF MINUTES:**

Ron made a motion to approve minutes of February 7, 2022. Kent seconded. Motion passed.

##### **II. QUARTERLY UPDATE**

###### **a. Review Reimbursement Report**

Discussion was had regarding factors that make the reimbursement amount fluctuate from Quarter to Quarter. Such as: number of pay periods (6 or 7), purchase of office supplies and other services. Mark noted that the pay raises for 2022 were included but there were only 6 pay periods thus the salaries and benefits are down from the last quarter of 2021. It was added that the benefits for the Chief Deputy are included on the report.

Kent made a motion to approve the 1<sup>st</sup> Quarter 2022 Reimbursement Request and Joe seconded the motion. Reimbursement Request Accepted.

###### **b. New Title IV-E Funds Available**

Discussion was had regarding Public Defender Commission sending a contract to be signed to receive new Title IV-E Federal Funds available for Existing County Public Defense Expenses. We were notified that we will receive funds for the 4<sup>th</sup> Quarter 2021. We should receive soon but do not know a dollar amount. Should add up to about \$5,000 per year.

##### **III. OTHER MATTERS TO BE PRESENTED BY CHIEF PUBLIC DEFENDER**

###### **a. Amend Comprehensive Plan**

Mark stated at the Board Meeting in November 2021 it was discussed that amendments need to be made to the Comprehensive Plan. We will make amendments today and going forward will review this plan at the end of every year with the Annual Report.

Amendments:

- Update Board contact information on page 8 of the report.
- Add The Chief Deputy Public Defender of DeKalb County inserted as #2 after the Chief information. To contain the same language and include that the Chief Deputy pay is to be the same as the Chief Deputy Prosecutor and receive benefits.
- 2a List of Attorneys This is for Conflict Counsel and Appeals. Discussion was had as to whether the list of attorneys should be added to the Comprehensive Plan and it was decided to keep a separate List so that the Comprehensive Plan would not have to be revised every time the list changes.
- 2d Compensation and Reimbursement The hourly rate needs to be updated to \$90 per hour.

**b. Update on state proposed changes to weigh caseloads**

A comparison chart was provided with the current weights and the new weights that will be effective as of 2024. DeKalb is currently a test county and is using the new weights now. Mark explained how the new system gives more weight to murder and higher felony cases instead of them all bearing the same weight.

**c. Administrative Assistant position to go full time 2023**

Discussion was had regarding the old part time position of Consultant/Investigator. This position paid \$30 per hour and worked with clients to get them into half way houses and to get Recovery Works funding. The position was eliminated when Covid 19 hit in 2020 and greatly limited our case numbers and the ability to get into half way houses.

The position was replaced with a part time Administrative Assistant for \$15 per hour. In addition to Recovery Works and half way houses the responsibilities of this position have been increased to include handling of Misdemeanor cases, pre assigning walk in initials, and applications and paperwork for the three treatment courts.

Mark took this to the Commissioners and received approval to make this a full time position in 2023. This position is now paid \$19.73 per hour.

**d. Courts Amendment to Local Rules(s)**

Was explained that Non Support cases are going to be assigned to Circuit Court. Cory Swagger who already covers Juvenile Delinquent cases in Circuit court has agreed to take on the Non Support cases.

Currently no Criminal cases are assigned to Circuit court. The Courts have a caseload weighted system that they have to report to the State. The plan is to add Criminal cases to Circuit in order to keep the Circuit Court staff up to date on handling criminal cases and eventually split the family cases between Superior II and Circuit Court.

Kevin explained the weekend duties of the Judges to be available to issue after hour search warrants. This is done on a rotating basis. The cases that the Judge issues a warrant will be assigned to their court unless there is a conflict.

**IV. BOARD MEMBER COMMENTS**

- Joe brought up the question of who is aware of who is on the Public Defender Board and are their addresses kept confidential? Mark noted that their names are posted on our website but addresses and phone numbers are not.
- Ron voiced that the Mental Health situation seems to be a State issue. Local jails are over populated because there is nowhere to house inmates that are in need of

treatment for Mental Health issues. Kevin agreed that this is a real concern. That he currently has a case that the defendant does not have the mental capacity to function and be safe in jail, but there are no facilities that will take him with the pending charges. Kevin added that the prisons were getting over populated and so in 2015 it was ruled that F6 and below sentences would stay at the local jails. Now local jails are over populated and Judges are wanting the F6 cases to go back to prison.

**ADJOURNED:** Mark adjourned the meeting

**NEXT MEETING:** Monday, August 1, 2022 at 8:00 A.M.

Respectfully Submitted,

  
Cheryl Bradford