

# MEETING MINUTES

## STATE PUBLIC DEFENSE COMMISSION

*Date | time* 12/1/2015 1:00 PM | *Location* Nampa Public Library, 3rd Floor Board Room,  
215 12<sup>th</sup> Ave. South, Nampa, ID 83651

*Meeting* December Commission Meeting

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### Commission members present

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Molly Huskey, Chair, District Judge | Darrell Bolz, Vice Chair, Juvenile Justice Comm. | Sara Thomas, SAPD |  
Chuck Winder, Senator | William Wellman, Defense Attorney

Nichole Devaney, Admin. Asst.

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### Commission members absent

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Kimber Ricks, Madison Co. Comm. | Christy Perry, Representative

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### Others present

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Jessica McCafferty, ACLU of Idaho

| Item  | Responsible |
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| 1. Welcome and Call to Order: The meeting was called to order at 1:05pm.  | Huskey      |
| 2. Approval of prior Meeting Minutes (11/05/15): Bolz motioned to approve the 11/05/15 minutes, Wellman seconded, and the vote to approve was unanimous.  |             |
| 3. Discussion on Interim Committee Meeting: Judge Huskey reported that she was unable to attend, Thomas attended in her place. There are concerns with the proposed legislation however the Judge had received information that the drafted legislation had been scraped and a new version was under construction. The two largest concerns with the drafted legislation as it stood was first that counties have the ability to opt out and the Commissions only recourse would be to take the county to court. Secondly, funding for the program would be appropriated through the PDC's budget then distributed to the counties. Thomas expressed that there were basically two systems discussed, a system in which the commission promulgates rules that the counties would then construct a plan to follow, if successful they would be rewarded with additional funding. The other was a district wide system. Some of the committee members requested a draft of legislation on how that system would work. | Huskey      |
| 4. Public Defender Access to Information in Odyssey Follow Up: The court technician folks met over the last couple of weeks. Thomas shared that the bottom line is all information PD's were allowed to view previously will not be available in the Odyssey System. Portions of that information should not have been viewable by PD's and the system corrects that deficiency. The Odyssey System currently limits PD's ability to see  | Thomas      |

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| Item   | Responsible |
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| outstanding arrest warrants, only bench warrant information is available. The court technicians are looking at ways to resolve this issue and make the information available.  |             |
| 5. Training Update: The agenda for the Child Protection Conference has been drafted but will need fine tuning, the list of invitees is complete and registration emails should be going out in the next few weeks. There was nothing new to report on the Mental Health Conference. Registration for the Joint IACDL Seminar in Sun Valley is going well, there are 50 registrants so far.   | Huskey      |
| 6. Administrative Assistant Schedule Follow Up: The admin's schedule has reverted back to normal. She is available Monday – Wednesday from 10:00am – 3:00pm and Thursday from 10:00am – 2:30pm, not in the office on Friday. Outside of these hours the phones will be forwarded to the SAPD. DFM has confirmed that this meets state office requirements.   | Huskey      |
| 7. Additional Item Added: Letter in response to Deb McCormick's question emailed to the commission members. The member's position was that despite appointment there is an obligation for any public defender to zealously represent their client. Judge Huskey offered to draft a response for the members to review however the other members were not interested in reviewing the letter asking that she draft the response and forward it on behalf of the Commission. | Huskey      |
| 8. Future Meeting Schedule: January 5, 2016 – 1:00pm at JRW Building, East Conf. Room. Future meetings will be determined at the next meeting.   |             |
| 9. Agenda Items for Next Meeting: Interim Committee proposed legislation and the JFAC Presentation. – Judge Huskey will present in the absence of an Executive Director. The presentation is scheduled for February 9 <sup>th</sup> at 10:40am. In the event there are conflicts with Judge Huskey's schedule Bolz volunteered to make the presentation.   |             |
| 10. Next Meeting Location : JRW Building, East Conf. Room<br>700 W. State Street, Boise, ID 83702  |             |
| 11. Adjournment – Wellman moved to adjourn, Winder seconded, and the motioned was unanimously passed. The meeting adjourned at 1:24.   | Huskey      |

Attachments: Deb McCormick Email dated November 25, 2015