

## MINUTES

### DEKALB COUNTY PUBLIC DEFENDER BOARD

Monday, February 10, 2025 @ 8:00 A.M.

CONVENED: 8:00 A.M.

#### ROLL CALL:

##### Member Present:

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

Telephonically:

By Video:

Members Absent: Ron Dicke

Public in Attendance:

#### AGENDA:

##### I. APPROVAL OF MINUTES:

Kent made a motion to approve minutes of November 4, 2024, Joe seconded. Motion passed.

##### II. QUARTERLY UPDATE

###### a. Review Reimbursement Report

The Reimbursement for the 4<sup>th</sup> Quarter 2024 is \$98,463.22

There are a number of factors that contribute to this amount varying from quarter to quarter. Sometimes there are 6 pay periods in a quarter and sometimes 7. It also depends on if we have depositions, transcripts or consultant fees to claim. This quarter the amount we can claim for self-insurance is a factor. There is a worksheet to fill out for self-insurance and the worksheet calculates the amount you can claim for the quarter. The State has a maximum amount allowed per year. Based on these calculations and the amount that could be claimed at the end of the year, the overall reimbursements were lowered a bit.

We will be adding the attorney benefits for reimbursement in 2025. This will increase our reimbursements. The Misdemeanor attorney's salary and benefits will still not be reimbursable unless we are accepted into the pilot program. Joe asked if we received a friendly response from the Commissioners when we asked for benefits. Mark stated it was difficult because the attorneys can maintain a private practice, but all the surrounding counties pay benefits and the County Council recognize that there is an attorney shortage. The Prosecutor's office has been having trouble hiring as well. Kevin stated the attorney job description has been reclassified and that raises were approved as well. Mark stated that their hours are similar to full time county employees and that they just can't clock out and quite working on a case.

Kent made a motion to approve the Reimbursement Request and Joe seconded the Motion. Motion passed.

b. Review Title IV-E Funds

We do not have to file anything to receive the IV-E funds. The State automatically sends this to us. The amount varies based on the number of CHINS cases that we have in that quarter, and we do not know how much we will receive until we receive the check.

c. Review Misdemeanor Data Collection Grant

We are only one of several counties that are participating in this program. It started out fairly simple, but the state keeps adding to the data that they would like collected so it is getting more complicated and time consuming. The State does reimburse us for 15% of Sarah's salary for collecting this data. This is reimbursed quarterly.

III. ANNUAL REPORT REVIEW

This report is done in January of each year and distributed to County Council, County Commissioners, Auditor, and the three Judges. It gives a breakdown of our spending for the previous year, case load information and Reimbursements to date. Joe asked what the clothing fund is for. Kevin stated that we maintain a clothing closet to supply clothes to inmates during trial that don't have families to provide for them. We do not want them to appear in jury trial in an orange jumpsuit.

IV. OTHER MATTERS TO BE PRESENTED BY CHIEF PUBLIC DEFENDER

a. Misdemeanor Pilot program update

The Commission has received initial application from about 1/3 of all counties. They will be presenting the list of applicants at the March meeting. The Misdemeanor reimbursement program will not begin until July 1, 2025.

b. Electronic Storage of files

We have ordered a Xerox W110 Scanner to move into electronic storage of closed files. It is expected delivery this week and hope to have our IS department get it set up and running so that we can start scanning files as they close. We now have closed files in 5 different locations. Kevin stated that he only keeps files for 7 years so keeping 10 years of files would be cumbersome. We have been keeping them for 10 years because the State does not have a retention policy for the public defender and we have to go to the Commission of Public Records to get permission to shred. We will still be retaining the paper files long term for Post Conviction Relief, high conviction (10 years and over) and Murder convictions. Kevin stated his office sends a letter at closing, informing the defendant if they want anything in their file that they should come pick it up and Mark stated that we send a letter at the beginning of the case to let them know that after the date of conviction we will keep misdemeanor records for 7 years and felony records for 10.

c. LWOP update

This case has settled. In January the Defendant accepted the plea offer. The murder charge was dropped and Defendant pleaded to Resisting causing death a level 2 felony and Aggravated Battery a level 3 Felony, with a floor of 30 years and can modify after 15 years. There was a large presence of State Troopers at the plea hearing. Another big case also settled. It was an F1 neglect of a dependent resulting in Death. This was a difficult case because the lab tests and studies apply to adults and this was an infant. This was also a plea agreement and the Defendant was sentenced to 14 yrs. We have one murder case still pending.

V. BOARD MEMBER COMMENTS

Joe asked if the scanner was ordered online. It was stated that it was ordered local thru Business Impression (Basset).

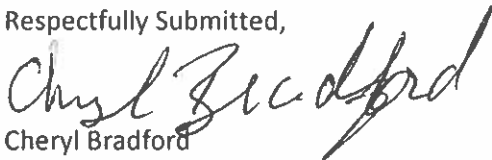
Kevin said that he had read that it is in legislature to offer new attorneys that agree to work as a public defender for 5 years an additional payment of \$20,000 on their student loans per year. Joe stated that he has seen similar incentives offered in his line of work.

Joe made a motion to adjourn the meeting. Kent seconded. Meeting adjourned.

**NEXT MEETING:** Monday, May 5, 2025 at 8:00 A.M.

**ADJOURNED:** 8:35 A.M.

Respectfully Submitted,

A handwritten signature in black ink that reads "Cheryl Bradford". The signature is written in a cursive style with a large, sweeping flourish at the end.

Cheryl Bradford