



AURORA  
PUBLIC  
DEFENDER

Justice Fairness &  
Compassion For All

## PUBLIC DEFENDER COMMISSION MEETING

October 22, 2021 12:15 P.M.

PUBLIC DEFENDER'S VIRTUAL CONFERENCE ROOM

### MINUTES

1. The meeting was called to order at 12:18 p.m.
2. Present were Commissioners Tom Tobiassen, Johanna Cartledge, David Kaplan, Colette Tvedt and Sara Hildebrand along with Chief Public Defender Doug Wilson. A quorum was declared to conduct Commission business.
3. Absent: Frances Smylie-Brown, Tom Ashburn,
4. Guests: Dustin Klein, Tasha Steward, Jordan Culver
5. Minutes: No minutes to approve.
6. Report from the Chief Public Defender:

#### Parity

Chief Wilson has been in continued communication with HR and met with HR Director Lantz regarding the parity issue with City Attorney Criminal Division. It is a discussion that began in 2020 and at the current time they say it is not a parity matter but a market survey analysis matter. New rates data regarding entry level positions is off by less than \$1000 each and a total of \$19,182 is what is needed to change the ranges. HR says it received 22 elected DA salary data and are using those data points to decide the pay rates. The recommendation and request are for Commissioner Tobiassen and Chief Wilson meet with City Manager Jim Twombly to find a solution.

Commission approved the request.

#### Mental Health Evaluations

Program is up and running but we are seeing a few issues with the face to face assessments due to Court Administration. Judge Day and City Attorney Heckman are supportive of the program and now Detention is involved. Background checks are being done of the fellows and have all come to an agreement that they would start at 7:00 a.m. In addition to helping with our MH cases, Devrey along with Equitas and AMH, will write a paper about the program that will get published and be a model for other municipalities. Information on how to get a fellowship program in other municipal courts then eventually state systems in addition to early intervention knowledge and redirecting people out of criminal and into civil world therapy and treatment.

#### Mental Health Grant

The draft agreement from Mental Health Colorado was sent out to everyone. They will be providing a 104-thousand-dollar grant that will provide a licensed professional mental health counselor or social worker in our office plus funds to increase payment for the current competency evaluations. The person we hire will be our agent and this will help facilitate the warm hand off when the case here is dismissed and moves on to AMH through the fellows. The same fellow they had already worked with and are familiar with will handle the case.

Some of the wording in the MOU will need to change regarding ownership of data and a clause regarding the ability to finish the project so a new MOU will be provided.

We are working with City personnel in order to make this happen.

### Conflicts Contract

The contract is being finalized with ADC and should have it complete by mid Nov.

### CJCC

CJCC concept and deciding if it will be done is first on the agenda, then the mission statement along with who the members will be, is going to be discussed at the next big 4 meeting. Once decided, the presentation to Council will be given sometime after the election.

### Discovery

A request to be placed on the November Public Safety Committee meeting was sent to Councilman Gruber. Due to a mix up, the discovery topic was brought up at the October meeting. There was a lot of confusion and miscommunication with the presentation. The committee decided to bring it up at the next scheduled meeting on November 9<sup>th</sup>, which will include Scott Newman, Head of IT.

Commissioner Kaplan asks if the FTE positions discussed at the discovery meeting was for a year or a certain time frame? Wilson answered that it was unclear, and that Mr. Newman also asked that or if the positions were contract positions.

Commissioner Kaplan makes mention that the handling of discovery at the City Attorney Department seems unbelievable that it is not put into electronic format. Wilson answers that that is what CA Heckman said when Commissioner Tvedt asked and that Heckman also mentioned having purchased a server in 2019 to help make the transition into E-Discovery.

### NLADA Assessment

The final assessment has been released and is on their website. Chief Wilson has given the assessment to the Mayor and City Council along with City Manager Twombly. Part of the assessment mentioned the issues with paper discovery. The Aurora Sentinel has shown interest in the fact and will be writing a story on the matter.

### Office Space

We will be needing more space come January with the new position and 2 FTE attorneys. Chief Wilson would like to talk to City Manager Twombly about moving some of our administrative staff over to the AMC building. We would be asking for 6 offices and a conference room. If the Commission approves, it is something he would like to discuss further.

### MH First Aid

On Thursday the 28<sup>th</sup> of October we will have trainers come in to help train us on how to diffuse MH crisis. The training will provide CLE credits and be very helpful with our clients.

7. From the Commission:

Commissioner Kaplan asks about an NLADA recommendation regarding the number of dismissals on day of trial. Should we move on that topic now? Chief Wilson wants to see where things are at with Council. Perhaps come up with a Commission to further discuss this.

Commissioner Tobiassen asks if there are any updates regarding topics that came of the assessment that we would like to discuss. Chief Wilson mentions putting together a list of items to discuss with Public Safety and wait till new Council is sworn in. This will serve as an introduction to the new members of who we are.

Commissioner Tobiassen reports that the salary compensation adjustment request for the Chief was sent in along with a letter from Commissioner Tvedt. The response was that it was received and under review.

Commissioner Tobiassen also reports that an email to Councilman Gardner was sent regarding the E-Discovery issue and the buy-build aspect. Hoping to get a response soon and discuss further.

At the next meeting we will be inviting HR Director Ryan Lantz to join us, and the meeting will be held on November 19, 2021 at 12:15 p.m. in the Public Defender's Virtual Conference room.

The Commission meeting adjourned at 1:25 p.m.

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COMMISSION CHAIRPERSON

Date \_\_\_\_\_