



AURORA
PUBLIC
DEFENDER

Justice Fairness &
Compassion For All

PUBLIC DEFENDER COMMISSION MEETING

June 24, 2022 12:15 P.M.

PUBLIC DEFENDER'S IN OFFICE AND VIRTUAL CONFERENCE ROOM

MINUTES

1. The meeting was called to order at 12:30 p.m.
2. Present were Commissioners Tom Tobiassen, Sara Hildebrand, Tom Ashburn, Colette Tvedt, and David Kaplan, along with Chief Public Defender Doug Wilson. A quorum was declared to conduct Commission business.

Absent: Johanna Cartledge and Frances Smylie-Brown,

3. Guests: Reyna Lopez, Jenise Herrera, and Tasha Steward.
4. Minutes: No minutes to approve
5. Introductions
6. Report from the Chief Public Defender:

Workload

New positions through SLAR process were requested based upon our workload study. Preliminary report is due July 8th. We predict that an FTE will be needed based on the numbers but also an FTE will be needed due to weekend court. The impact on workload for weekend court has not been conducted. Chief Wilson, Court Administrator Atkinson, Chief Judge Day, and City Attorney Heckman have talked with our Budget analyst Jackie Ehmann to express our concerns regarding budget and staffing for weekend court which is scheduled to start on January 1st, 2023.

Commissioner Tvedt asked if contracting out for weekend court would help. Chief Wilson explains that with the new increase to hourly rate at ADC, it would be more cost efficient to get salaried positions.

City Manager Twombly wants to meet with Dept Directors in Courts to talk about the issue.

Commissioner Ashburn asked if a preliminary plan was provided with budget numbers showing what it could cost the city. Chief Wilson replied that no fiscal note or analysis was done. It is unclear if they fully understand the impact to staffing and departments that are affected by this change.

Commissioner Tvedt asks if the plan is to be present in court vs remote appearances. Chief Wilson states that it will be physically in court.

Commissioner Tobiassen states that in some places staff is placed on call and would be paid OT with minimum of 4 hours. Chief Wilson agrees and states that it would depend on if we get the added position we requested. Suggestions and ideas on staffing weekend court are welcomed.

Chief Wilson explains that if we get the request granted, we would have a designated attorney for weekend court plus help with other cases.

MVT/FTA

City council is working on passing an ordinance with minimum mandatories and FTA's. If someone FTA's court, they would need to serve mandatory 10 days. On MVT cases, first time offenders would automatically get 60 days jail, subsequent would get minimum 120 jail sentence. Our jury trial case load will significantly increase.

Commissioner Kaplan asked if the votes are there to pass the FTA part of the ordinance. Chief Wilson states that he believes they will have the votes to pass these.

Commissioners Kaplan and Hildebrand express concerns with incarcerating indigent people and due process matters.

Salaries

The city is working on addressing salaries based on the salary surveys and inflation. Unsure if this will affect everyone.

Mental Health FTE

An additional \$230,000 in grant funds for next year was requested from the fines committee in order to help fund a current position. It is added as a SLAR request just in case.

Commissioner Tobiassen asked if it was documented that way and asked if all this is in conjunction with Aurora Mental Health and if the city funds the position would we be able to hire a person to do the work that AMH was doing for us. Chief Wilson explains that currently, our contract MH professional Mr. Davies is filling that grant funded position. These funds would cover the position and competency evaluations.

Commissioner Tvedt asked if we could look at legal recourses to help get additional funds to help with the evaluations. Chief Wilson responded that state fines are not only due to length of time evaluations take but also on restorations and the city does not have restorations. In the 8-10 months that we have been doing this, we have had around a 50% of those cases in treatment. We used to have 0%.

Supplemental money was requested to help with these evaluations and FTA's, which is a major problem with our mental health cases.

Commissioner Tvedt points out that with the new ordinance regarding FTA's, MH clients will be greatly affected, and space will run out in the holding facilities/jails. Funding these facilities will also bring budget concerns.

Ethical Wall

The proposed ethical wall is still in the works. City Attorney Brotzman has the latest version and is pending his approval.

Public Defender Commission Recruitment

We have 3 positions up for reappointment in October. We should start working on the process sooner rather than later.

7. From the Commission:

Nothing from the commission

Next meeting will be held on July 22, 2022 at 12:15 p.m. in the Public Defender's Virtual Conference room.

The Commission meeting adjourned at 1:34 p.m.

COMMISSION CHAIRPERSON

Date _____