



AURORA
PUBLIC
DEFENDER

Justice Fairness &
Compassion For All

PUBLIC DEFENDER COMMISSION MEETING

June 23, 2023, 12:15 P.M.

PUBLIC DEFENDER'S IN OFFICE AND VIRTUAL CONFERENCE ROOM

MINUTES

1. The meeting was called to order at 12:18 p.m.
2. Present were Commissioners Chair Tom Tobiassen, David Kaplan, Sara Hildebrand, and Tom Ashburn, along with Chief Public Defender Wilson. A quorum was declared to conduct Commission business.

Absent: Frances Smylie-Brown

3. Guests: E Cadiz, T Steward, C Ide, G Pastrich, A Moorehead, M Garrett, H Parnell, D Klein, and A DUBY.
4. Introductions-
5. Minutes: None for May- Interviews for Chief Position Held
6. Report from the Chief Public Defender:

Discovery

We recently turned in statistics to the court where out of 58 scheduled Jury Trials, 50 had discovery violation motions filed against them and Judges found violations on 42 of them issuing sanctions. Of those sanctions, 12 were dismissals.

Motions were filed on 6 cases where all we asked was that the court mandate discovery deadlines. After a 3 and half hour hearing, a historical order was given by the chief judge. Judge Day issued a standing order that is effective August 7, 2023, ordering that discovery be turned over to defense within 21 days of the order, undiscovered or new evidence notice must be provided in email or phone call within 1 business day, and shall provide it or make it available in the same manner as it was received within 2 business days.

Police records technicians were subpoenaed and then testified that electronic media is and has been provided to the City Attorney electronically. Commission Chair Tobiassen made note that police has been sending, to the prosecution, electronic discovery and records for years and this information was not acknowledged by the City Attorney at any of the discovery meetings that were held.

Commissioner Kaplan asked how this order will change the efficiency and procedures in the office. Chief Deputy Cadiz advised that depending on how the City Attorney chooses to share evidence, which she suspects will be via email, we will have them provide it to us using an office email address

and we will upload it into Legal Server. This will save time and paper since we will not have to scan it in.

Mental Health

We have not been provided with interns this summer, so Evan has been handling it all by himself. A big issue is that we don't have the extra bodies for weekend court. We are currently working on getting him some help.

Budget

2024-2025 will not be a good year financially for the city. \$6 million is no longer available since the OPT tax was eliminated. Our request in the amount \$276,000 to fund 2 positions, 1 of which is for mandated weekend court, was denied and placed in a non-departmental fund. This is how we have been able to cover weekend court.

New Chief Public Defender

Elizabeth Cadiz was hired as the new chief public defender. She will slowly be transitioning into the role and attending committee meetings such as Big 4, Finance committee, FISR, and Public Safety. She is no longer taking any new cases and is handling as much as she can of her current case load.

Pay for Performance

The City has instituted a new process for raises. This process currently does not apply to Judges, Public Defender Attorneys, and City Attorneys.

7. From the Commission:
We still have an opening for a civilian commission member.

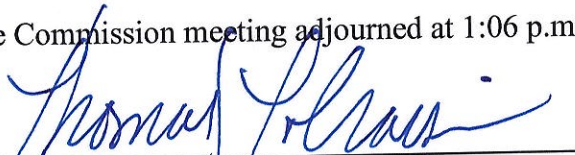
Chair Tobiassen will be out of town from July to October 3. We will need someone to host the meetings.

8. New Business

None

Next meeting will be held on July 28, 2023, at 12:15 p.m. in the Public Defender's Virtual Conference room.

The Commission meeting adjourned at 1:06 p.m.



COMMISSION CHAIRPERSON

Date

11/3/2023