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# MINUTES

Idaho State Public Defense Commission Meeting

Public Defense Commission Conference Room

322 E. Front Street #590, Boise, Idaho 83702

June 27, 2024 at 1:00 pm

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*Commission Members Present:* Darell Bolz, Chair, Eric Lehtinen, Vice-Chair, Ben Andersen, Angie Barkell, Dan Dinning, Linda Trout

*Commission Members Absent:* Dave Cannon, Melissa Wintrow

*PDC Staff Members Present at Meeting Site:* Kathleen Elliott, Jennifer Cichocki, Brady King, Mark LaSalle, Jared Ricks

*SPD Staff Members Present:* Eric Fredericksen, Brady King, Shannon Romero, Patrick Orr, Rachel Burdick,

*Members of the Public Present at Meeting Site:* Joe Aldridge, Keegan Hahn, Jennifer Roark, Tammy Zokin, Jared Larsen

## *Welcome and Call to Order – Chair Bolz*

The meeting was called to order 1:05 pm

Chair Bolz asked everyone present at the meeting to introduce themselves and everyone did so.

## *Consent Agenda*

*(Items on the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless a Commissioner so requests, in which case the item will be removed from the Consent Agenda and placed on the regular agenda.)*

Approval of May 9, 2024 Meeting Minutes

Commissioner Dinning moved to approve the Consent Agenda and Commissioner Lehtinen seconded.

And the roll call vote to do so was as follows:

Darrell Bolz, Chair	Yes
Linda Trout, Member	Yes
Erik Lehtinen, Vice-Chair	Yes
Angie Barkell, Member	Yes
Dan Dinning, Member	Yes
Ben Andersen, Member	Yes

David Cannon, Member      Absent  
Melissa Wintrow, Member   Absent

The motion carried.

*Executive Director Report:*

Director Elliott stated that the PDC continues to work with the SPD on the transition. The PDC continues to collect data and work on the archival process. She thanked the Commission for all its work. She thanked Chair Bolz for being an exceptional ally for public defense. Director Elliott stated that the Idaho State Public Defense College would now be called the Darrell Bolz Defense College and she presented Chair Bolz with a water bottle with the new SPD logo and college name on it.

There were no questions.

*Joint Regional Coordinator Report:* Regional Coordinator Jared Ricks said that he had nothing to add to his written report but would take questions if there were any.

There were no questions.

*State Public Defender Report:*

State Public Defender Eric Fredericksen thanked the PDC staff noting how much had been accomplished since he started in September. He introduced the SPD staff to the Commission including:

Rachel Burdick - started on June 26 as the CMS Coordinator.

Patrick Orr – Communication Director

Shannon Romero – Alternate Counsel Division Director

Brady King – General Counsel

Mark LaSalle – Research Analyst for the PDC will be staying on with the SPD

Jared Ricks – Regional Coordinator for the PDC will be joining the SPD to work in the Alternate Counsel Division

Jennifer Cichocki – Coming from the PDC to the SPD as Training and Projects Coordinator

Kathleen Elliott – Executive Director of the PDC will be joining the SPD as Deputy Director

Mr. Fredericksen thanked the Governor’s Office for all its support. He also thanked Chair Bolz and the Commission.

*Legislative and Budget Update:*

Director Elliott stated that she did not have anything on which to update the Commission.

Chair Bolz asked how much money was going to be left over after the agency sunsets. Director Elliott stated that there will be little money left over that will need to be sent back.

Mr. Fredericksen said that the PDC has been trying to prepay things to get ahead because he is very concerned about the budget in light of the child protection cases that were added to the SPD’s case load this

past session.

*Message From the Governor's Office:*

Jared Larsen from the Governor's Office thanked Chair Bolz, Director Elliott and SPD Fredericksen. He stated that it was a highlight of his career to bring the legislation that created the SPD to pass.

Director Elliott read a letter from the Executive Director of the Sixth Amendment Center praising the PDC for all its hard work and accomplishments.

*PDC Designation of SPD:*

Commissioner Trout moved to designate the SPD to request, review and/or audit the counties' records related to PDC Financial Assistant and payments from the Idaho Tax Commission intended for indigent defense. This designation is made pursuant to Idaho law and rules and the PDC Financial Assistance Agreements signed by each county. Commissioner Lehtinen seconded.

And the roll call vote to do so was as follows:

Darrell Bolz, Chair	Yes
Linda Trout, Member	Yes
Erik Lehtinen, Vice-Chair	Yes
Angie Barkell, Member	Yes
Dan Dinning, Member	Yes
Ben Andersen, Member	Yes
David Cannon, Member	Absent
Melissa Wintrow, Member	Absent

The PDC designation of the SPD was approved.

*Approval of June 27, 2024 Meeting Minutes:*

Director Elliott stated that as this was the final PDC meeting, she would like the PDC to move to allow Chair Bolz to approve the final meeting.

Commissioner Trout moved to designate Chair Bolz to approve the minutes of the June 27, 2024 meeting of the PDC it is the final meeting. Commissioner Barkell seconded the motion

And the roll call to do so was as follows:

Darrell Bolz, Chair	Yes
Linda Trout, Member	Yes
Erik Lehtinen, Vice-Chair	Yes
Angie Barkell, Member	Yes
Dan Dinning, Member	Yes
Ben Andersen, Member	Yes

David Cannon, Member      Absent  
Melissa Wintrow, Member   Absent

The motion carried.

*Executive Session:*

Commissioner Trout moved pursuant to Idaho Code 74-206 to convene in executive session under Idaho Code 74-206(1)(d) to discuss records exempt from disclosure under Idaho Code 74-106(1), under Idaho Code 74-206(1)(f) to communicate with legal counsel about pending litigation and under I.C. 74-105 (18) to discuss confidential information about an attorney's fitness to represent indigent defendants.

Commissioner Lehtinen seconded the motion.

And the roll call to do so was as follows:

Darrell Bolz, Chair              Yes  
Linda Trout, Member            Yes  
Erik Lehtinen, Vice-Chair      Yes  
Angie Barkell, Member        Yes  
Dan Dinning, Member          Yes  
Ben Andersen, Member        Yes  
David Cannon, Member        Absent  
Melissa Wintrow, Member      Absent

The motion carried.

The Commission went into executive session at 1:47 pm.

Chair Bolz called the meeting back to order at 2:12 pm.

*Final Action or Decision on Items Considered During Executive Session:*

Commissioner Trout moved to approve applicant #66's application for continuing eligibility as co-counsel for trials. Commissioner Lehtinen seconded.

And the roll call to do so was as follows:

Darrell Bolz, Chair              Yes  
Linda Trout, Member            Yes  
Erik Lehtinen, Vice-Chair      Yes  
Angie Barkell, Member        Yes  
Dan Dinning, Member          Yes  
Ben Andersen, Member        Yes  
David Cannon, Member        Absent  
Melissa Wintrow, Member      Absent

The motion carried.

Commissioner Trout moved to deny applicant #67's application for lead counsel but to approve the application for co-counsel for capital trials. Commissioner Lehtinen seconded.

And the roll call to do so was as follows:

Darrell Bolz, Chair	Yes
Linda Trout, Member	Yes
Erik Lehtinen, Vice-Chair	Yes
Angie Barkell, Member	Yes
Dan Dinning, Member	Yes
Ben Andersen, Member	Yes
David Cannon, Member	Absent
Melissa Wintrow, Member	Absent

The motion carried.

Commissioner Trout moved to approve applicant #68's application for inclusion on the capital roster as co-counsel for trials. Commissioner Lehtinen seconded.


And the roll call to do so was as follows:

Darrell Bolz, Chair	Yes
Linda Trout, Member	Yes
Erik Lehtinen, Vice-Chair	Yes
Angie Barkell, Member	Yes
Dan Dinning, Member	Yes
Ben Andersen, Member	Yes
David Cannon, Member	Absent
Melissa Wintrow, Member	Absent

The motion carried.

Chair Bolz adjourned the meeting at 2:15 pm.

Minutes approved by Chair Bolz on July 8, 2024.

  
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Kathleen J. Elliott, Executive Director