



PUBLIC NOTICE

Notice is hereby given to the public that the Louisiana Public Defender Board will meet at 12:00 p.m. on Friday, November 9, 2018, at the Goodwill Industries facility, 3400 Tulane Avenue, New Orleans, Louisiana, 70119.



LOUISIANA PUBLIC DEFENDER BOARD

Friday, November 9, 2018

Goodwill Industries - 3400 Tulane Avenue – Training Room 183C
New Orleans, LA
12:00 p.m.

AGENDA

1. Call to Order and Comments by Chairman, Frank Holthaus
Announcements: Welcome New Board Member: Chaz Roberts
Commendation: Ami Stearns
Catherine Lafleur Legal Advocacy for Children and Families
Award 2018: Richard Pittman
American Society of Criminologists Annual Meeting
2. Adoption of the Agenda* pgs. 638-639
3. Call for Public Comment
4. Adoption the Minutes, September 27, 2018 Meeting* **Tab 1**, pgs.640-644
5. Executive Session¹
6. Budgetary and Fiscal **Tab 2**
 - a. Financial Report through Sep 30, 2018* pgs. 645-649
 - b. 2020 Budget Request pgs. 650-651
The FY20 budget request is to be submitted no later than November 1, 2018.
7. Policy **Tab 3**
 - a. Sexual Harassment Policy* pgs. 652-667
ACT 270 which addresses sexual harassment prevention, policy and training requirements and mandatory yearly reporting was passed in the 2018 regular legislative session. Data collection will be required by all state agencies beginning January 2019 and mandatory yearly reporting will be required beginning February, 2020. The Policy Committee will need to address the different levels of compliance for which the Board is/may be responsible.
 - b. Public Defenders Servings as City Prosecutors* pgs. 668-674
In December of 2010, the prior Board adopted the policy that all paid employees and independent contractors of a District Defender's Office, including, but not limited to the District Defender, are prohibited from serving as prosecutors in any court within the judicial district(s) in which they perform public defender services. Limited exception has been granted to the 8th, 30th and 15th Judicial District Public Defender Offices. At the September 27th meeting, the Board asked the Policy Committee to revisit this issue.

¹ The Board may vote to go into executive session pursuant to La. R.S. 42:16 and 42:17 (formerly La. R.S. 42:6 and 42:6.1), by a two-thirds vote of the members present. The executive session is limited to matters allowed to be exempted from public discussion pursuant to La. R.S. 42:17, including strategy sessions with respect to litigation and prospective litigation after formal demand. In accordance with La. R.S. 42:19(A)(b)(iii), the Board may discuss the following: *Joseph Allen et al v. John Bel Edwards, et al*, Docket: C655079, Section 27, 19th JDC, Parish of East Baton Rouge.

- c. Open Meeting Law, Rules of Order, LPDB Meeting Protocol pgs. 675-678
In an effort to address both the district defenders' and the Board members' articulated dissatisfaction with the current structure of meetings, the Policy Committee is addressing changes to present to the full board.
- 8. JLWOP Conflict Contract*
The Board will need to address JLWOP conflicts.
- 9. District Updates **Tab 4**
 - a. Solvency Projections – informational pg. 679
 - i. Local Revenue Changes pgs. 680-681
Staff compiled
 - b. District Defender Salary Increases pgs. 682
 - i. Donald Kneipp – District 2
A site visit is planned for December 4, 2018, pursuant to the salary increase request protocol.
 - ii. Rick Candler – District 3* pgs. 683
A site visit is planned for November 7, 2018 pursuant to the salary increase request protocol. Staff will present their recommendation to the full Board as the information is not available at the time of posting.
 - iii. Tony Tillman – District 30* pgs. 684-685
Site visits are complete and staff are recommending a salary increase Staff are also recommending the increase retroactive to September 27, 2018.
 - c. ROS Updates pg. 686
 - i. Caddo – District 1
Staff have completed site visits and are working with the District Defender Smart to finalize an amended ROS Plan.
 - ii. Acadia-Lafayette-Vermilion – District 15
Staff have been made aware of the potential for ROS in District 15, requested an updated ROS plan, scheduled an initial site visit for October 31st and will provide a status to the full Board.
 - iii. East Baton Rouge – District 19
Staff have completed site visits and are recommending continued ROS. District Defender Mitchell has submitted an amended ROS Plan and staff are working with the district to finalize their plan.
 - d. DAF FY2020 Formula - Status
 - i. P & N Formula
DAF disbursement based upon the formula created by P & N for FY2020 in the event it is considered in preparing the DAF formula for the coming fiscal year.
- 10. *Yarls v. Bunton*, 5th Circuit Court of Appeals – Status **Tab 5**, pgs. 687-695
- 11. *State v. Robinson*, Capital Subpoena - Status
- 12. Division Reports **Tab 6**
 - a. Capital pgs. 696-700
 - b. Juvenile Strategic Plan pgs. 701-702
- 13. Other Business
 - a. DDAC
- 14. Next Meeting
- 15. Adjournment*