

MINUTES OF THE MEETING OF THE DEFENDER COUNCIL

DATE: October 28, 2022

TIME: 10:00 a.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/88614812398?pwd=cnQ5SC9pVHVvOEluUTArAVBubkh3UT09>

Meeting ID: 886 1481 2398

Passcode: 315802

MEMBERS PRESENT: Craig De Costa
David Hayakawa
Stanton Oshiro
Crystal Glendon

MEMBERS ABSENT: Setsuko “Gina” Gormley- excused

ALSO PRESENT: Randall Nishiyama, Deputy Attorney General
James Tabe, Public Defender
Lee Hayakawa, Assistant Public Defender

Virtual meeting called to order at 10:07 a.m. by Chair De Costa.

Public Testimony:

Chair De Costa asked if there are any public comments. Public Defender O. Amadi inquired if council will share results regarding general questions regarding survey that was taken by all staff of the Offices of Public Defender statewide. Mr. Amadi expressed he felt it would be beneficial if it was shared with staff. Chair De Costa acknowledged Mr. Amadi’s question and suggestion. Chair De Costa did say that the council will discuss the topic.

Approval of Minutes from prior meeting held on October 14th, 2022:

Due to an error of protocols of posting of the agenda and meeting to public calendar, the meeting held on October 14th, 2022, and all decisions made in that meeting was rescinded. Member Oshiro motion to rescind decisions, and member Hayakawa second motion to ratify decisions from last meeting.

Minutes for September 09, 2022, was moved for approval by member Glendon and 2nd by member Oshiro.

Agenda for meeting was motioned for approval by member Hayakawa and 2nd by member Glendon.

Report by Public Defender James Tabe:

Notices of resignation recently made at the Oahu and Maui offices.
Oahu office in the process of hiring for the Account Clerk position and the COC Intake coordinator position.

State v. Obrero

Legislature may convene a special legislative session to address State v. Obrero. Our office is working with Sen. Rhoads (Chair of Senate Judiciary) and Representative Nakashima (Chair of House Judiciary and Hawaiian Affairs) on draft of bill.

Attorneys are filing Obrero motions where it is appropriate. We are preparing a challenge of the applicability of HRPP Rule 12 (g).

Executive session:

Chair De Costa entertaining a motion to go into executive session.
Oshiro moved. Glendon 2nd. No discussion. Unanimously approved. Motion carried.
Council goes into executive session at 10:23 a.m.

Council reconvenes at 12:02 p.m.

Survey- Chair De Costa and member Glendon will draft up a report regarding the results pertaining to question and suggestion by Public Defender O. Amadi.

It was also agreed by the council that a survey will be sent out once a year for staff to complete and review by Defender Council. Member Oshiro motion, member Hayakawa 2nd, unanimously approved by council.

Next meeting:

Next meeting scheduled for Friday, November 18th,2022, at 10:00 a.m. to address concerns with the evaluations.

Hayakawa moved to adjourn. Glendon 2nd. No discussion. Unanimously approved. Motion carried.

Adjournment: The meeting was adjourned at 12:11 p.m.