

MINUTES OF THE MEETING OF THE DEFENDER COUNCIL

DATE: August 04, 2023

TIME: 10:00 a.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/84297143555?pwd=WFpWK253YytiVjNxB1RZTW1tUUZrZz09>

Meeting ID: 842 9714 3555

Passcode: 707487

MEMBERS PRESENT: Crystal Glendon (virtual)
Stanton Oshiro (virtual)
Gina Gormley (virtual)
David Hayakawa (virtual)

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

Virtual meeting called to order at 10:02 a.m. by Chair Glendon.

Chair Glendon opened the issue of Member Hayakawa being appointed District Court judge. Member Hayakawa recused himself from all activities of the Defender Council until such time the Hawai'i State Senate consents or rejects his nomination for district court judge. If confirmed, Hayakawa will resign. If he is rejected, Hayakawa will continue as a member.

Approval of Agenda

Member Oshiro moved to amend agenda for Friday, August 4, 2023, to include discussion of Member Hayakawa's nomination for judge that was not on the original agenda, due to new development in the time from posting agenda to public calendar and actual meeting. Chair Glendon seconded the motion. There was no opposition to the motion.

At 10:09 a.m. Member Hayakawa left meeting to avoid any conflicts of interest.

Public Testimony:

At 10:09 a.m., Chair Glendon solicited public testimony.

No public testimony received.

Public testimony closed at 10:10 a.m.

Approval of Minutes of Meeting held on June 16, 2023:

Chair Glendon opened for approval of minutes held on June 16, 2023. Member Gormley seconded the motion. Minutes approved unanimously at 10:10 a.m.

Approval of the executive session minutes was deferred to allow Chair Glendon to obtain the minutes from previous Chair De Costa.

Report by Public Defender James Tabe: 10:10 a.m.

1. Community Outreach Court nominated as Team of the Year for Budget and Finance Incentive Program team.
2. DPDs on all islands going to trial. Highlighted O'ahu DPD Edward Aquino for his acquittal on a 20+ years old murder cold case.
3. The office's request to upgrade the internet for Oahu, Hilo, Kona, and Maui has been approved. Meeting with vendor following week for installation, maintenance, and startup.
4. Congratulated and announced former DPD David Hayakawa on nomination of District Court Judge.

Executive session: 10:16 a.m.

Chair Glendon entertained a motion to enter into executive session.

Member Oshiro moved to enter executive session. Member Gormley seconded the motion. No discussion. Motion was unanimously approved. Council went into executive session at 10:16 a.m.

Open session reconvened:

Open session reconvened at 11:00 a.m.

Selection process to appoint Public Defender:

The opening of the Public Defender position will be announced on August 4, 2023. Applications will be due September 8, 2023.

Applicants will be contacted via e-mail for interview on September 11, 2023. The list of candidates will be made public. The public will be able to submit comments on the candidates; comments will be confidential. The deadline for comments will be September 22, 2023.

Interviews conducted possibly on October 4, 2023.

The next meeting to be scheduled for November 2, 2023 at 10 a.m. At the meeting, the Council will vote for the selection of the Public Defender publicly.

A working group comprised of Chair Glendon and Member Gormley was established for the purpose of the advertisement of the Public Defender position.

Working group to address legislative matters:

Defender Council previously created a working group to address legislative matters, including pay increases. The working group is comprised of Members Gormley and Chair Glendon.

Next meeting:

Next meeting is scheduled for Thursday, November 2, 2023, at 10:00 a.m. in person and via Zoom.

Member Gormley moved to adjourn the meeting. Member Oshiro seconded the motion. No discussion. Motion unanimously approved.

Adjournment:

Chair Glendon moved to adjourn the meeting. Member Gormley seconded the motion. Motion unanimously approved.

Meeting was adjourned at 10:59 a.m.