

## **PROPOSED REGULAR SESSION MINUTES OF THE DEFENDER COUNCIL**

DATE: January 26, 2024

TIME: 10:00 a.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/84807035188?pwd=cU1PSXNQQVIQVndkSkNCUG45Y1hWUT09>

Meeting ID: 848 0703 5188

Passcode: 923469

MEMBERS PRESENT: Crystal Glendon (in person)  
Stanton Oshiro (virtual)  
Gina Gormley (virtual)

ALSO PRESENT: Randall Nishiyama, Deputy Attorney General (in person)  
Stella Kam, AG Attorney (in person)  
Jon Ikenaga, Public Defender (in person)  
Hayley Cheng, Assistant Public Defender (in person)

Virtual meeting called to order at 10:03 a.m. by Chair Glendon.

**Public Testimony:** 10:04 a.m.

At 10:04 a.m., Chair Glendon solicited public testimony. (in person and zoom)

No public testimony received.

Public testimony closed at 10:04 a.m.

**Approval of Agenda:** 10:04 a.m.

At 10:04 Chair Glendon requests approval for Regular session and Executive Session minutes for Thursday, November 2, 2023

Member Oshiro moved for approval of minutes held on November 2, 2024; Member Gormley second motion; motion approved unanimously at 10:09

**Report by Public Defender Jon Ikenaga:** 10:09 a.m.

At 10:09 a.m., Mr. Ikenaga begins his report of operations and updates for Office of Public Defender.

1. Met with O'ahu circuit court judges. Future meetings planned with family, district, and circuit court judges on all islands as well.
  - To offer position on certain issues.
  - Plan more follow up and regular meetings.
2. Meetings with legislators- Rep. Tarnas, Rep. Takayama, Sen Gabbard, Rep. Ganaden.
  - Future meetings with Sen. San Buenaventura and Sen. Rhoads.
3. Watching two bills in legislation session.
  - Habitual misdemeanor bill
  - Lowering DUI limit from .08 to .05
4. All staff meeting on O'ahu office for all divisions- district/family and family
  - Revised duties of felony supervisors, cover some cases, appearances in court for extraditions.
5. Meetings with neighbor islands supervisors, individual island visits planned:  
January 31,2024- Maui  
February 2024- Kona, Hilo, Kaua'i.
6. Attended for Jail diversion graduation- OPD Felony supervisor gave a quick speech.
7. Contacted prosecutors for their salary schedule to compare for future proposal to request raises/parity in pay for Deputy Public Defenders (DPD).
8. Slowly filling vacant positions. Trouble recruiting/hiring DPD II due to low salary and high cost of living.
9. Exploring to acquire pay increase for support staff (non-attorneys).
10. Planning for in-person PD seminar this year. Representatives from all islands to attend on O'ahu. (May 20-24, 2024)

**Regular Session:** At 10:24 a.m.

Discussion regarding pending lawsuit: Public First Law Center v. Defender Council; Jon N. Ikenaga; and Agribusiness Development Corporation Board of Directors, First Circuit, 1CCV-24-0000050.

Chair Glendon introduces Stella Kam (AG Attorney) who deals with Sunshine Law and Uniform Information Practices Act (UIPA) and Randal Nishiyama (Deputy Attorney General).

Chair Glendon explains the council's decision to open participation for input and comments from public regarding the applicants for Public Defender (PD) position was initiated in good faith and as encouragement for the selection process.

Member Oshiro reiterates that accepting comments for selection process was indeed in good faith. To make process a more justified, equitable, and fair decision, that would best for selection for the new PD, and the office.

AG Stella Kam shares that the lawsuit involves the Sunshine Law. Comments for applicants were requested by plaintiff. Names and personal information of commenters (name, cell phone, address etc.) were allowed to be masked to protected confidentiality of commenters for the UIPA request. All comments were required to be disclosed to Civil Beat (Public First Law Center).

Chair Glendon opened floor for questions and comments to in person attendees and zoom attendees.

Defender council along with Stella and Randall listened and addressed questions and concerns.

**Executive session:** 10:46 a.m.

Chair Glendon entertained a motion to enter 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 10:46 a.m.

**Open session reconvened:** 11:30 a.m.

Open session reconvened at 11:30 a.m.

Council decided to add statement made by Chair Glendon in open session on November 2, 2023, to meeting minutes.

Member Oshiro motion, member Gormley seconds. Unanimous. Minutes will be amended to the November 2, 2023, minutes.

Member Oshiro points out his name is misspelled on page 5. Correction to be made by Chaston Tobosa.

**Next meeting:**

Next meeting is scheduled for Friday, April 26, 2024, at 10:00 a.m. in person (at Office of Public Defender) and via Zoom (link will be provided in future on <https://calendar.ehawaii.gov/calendar/>).

Chair Glendon opens floor for any other business to attend to by in person and zoom attendees. None brought up by attendees.

**Adjournment:** 11:32 a.m

Chair Glendon asked for motion to adjourn the meeting. Member Gormley moved to adjourn. Member Oshiro second. Motion unanimously approved.

Meeting was adjourned at 11:32 a.m.