

Thank you all for your contributions to the selection process.

I'd like to lay out the process we've engaged in to select the next State Public Defender.

On or about August 4, 2023, we published the announcement for this position via the HSBA Job Opportunities listserv and emails to the Office of the Public Defender and the Hawai'i Association of Criminal Defense Lawyers. The announcement required that applicants meet certain qualifications and submit a resume and letter of interest to the Defender Council by 9/8/23. The letter of interest was to describe the applicant's qualifications to lead the office and their leadership vision for the office.

We received 5 applications for the position.

On September 13, 2023, a request for Comments on State Public Defender Candidates was sent out to the OPD and HACDL. It was also posted to the State OPD website. Candidates were informed and allowed to forward the request for Comments to any persons interested in submitting confidential comments on any candidate. We received a total of 87 comments via Jotform, a few direct emails, and a few calls from members of the public. Each of these comments/concerns/emails/calls were shared with all council members and our AG.

1 application was rejected for qualification reasons.

4 applicants were interviewed on 10/4/23 by a quorum of Council Members.

Each applicant underwent the same process. All candidates were asked the same standard questions, and then asked a set of questions tailored to them and based on the confidential comments received by members of the public.

If the Council had further questions, we asked applicants to submit a follow up response via email. Each applicant who was invited to submit a follow up response did so within a timely manner, and the Council members were each provided a copy and reviewed the same.

Let us first start out by expressing that, I believe we speak for the majority of people here: we all love this office and what it stands for. Being a PD is a defining point for many of us – whether you're still a member of this office, a former member or even someone who practices adjacent to the office and embraces the same collective values we believe in. Indigent defense is not an easy career path, but we all chose it and it shaped us into the attorneys, and people, we are today.

The Office of the Public Defender is a special place. To lead this office takes a certain amount of experience, patience, grit, compassion and dedication.

Of the 4 candidates who we interviewed, we found 3 to possess the qualities we are looking for in the next leader of this state-wide office.

We will be addressing these 3 candidates only.

Each candidate submitted a very detailed vision plan for the office.

We were certainly impressed and see value to each of the ideas/objectives that were set forth.

We could tell the genuine thought and care that went into each vision statement and know that each candidate is dedicated to this office, leading it into its future and this process.

So thank you to each of you for your full participation.

Their interviews were intense and these candidates had to respond to very pointed questions by the Council members.

We ranked their responses on a point system.

We asked some of them to submit follow-up responses if we felt the need.

We also asked tailored questions of each candidate that were based on the comments we received from you all and other members of the public.

We thank all of you who submitted very candid comments for and against the applicants. When we first requested comments, we were bombarded with a list of concerns regarding the process. Some complained that seeking public comment has never been sought before. Others raised concerns about the true anonymity of their comments for fear of retaliation if their support or non-support of certain candidates got back to the candidate. Some expressed concerns that bots would

somehow hack the comment process and submit fake support/non-support for candidates. This didn't happen.

As for anonymity, unless you identified yourself personally, we do not have a way to identify the commentor via Jotform . However, some of the comments are very specific, so if shared publicly, it won't take much to identify the author if you have personal involvement in the situation. Because of this, we generalized the comments to the candidates and picked out the common themes for questions and responses. We promised to protect the identity of those submitting comments by keeping the comments confidential and anonymous. We also were made very aware that many people would not have participated in the commenting process if the comments were not confidential/anonymous. Due to the highly sensitive personnel related comments made by the commentors, we will continue to keep these comments confidential and anonymous.

We screened each comment and evaluated them for support/non-support of a candidate.

We took each comment very seriously and formulated our tailored questions for the candidates based upon the common themes we saw in the comments.

We also tabulated the for and against comments per candidate.

After undergoing this process since September 9, we have come to a final decision to appoint the candidate who laid out a plan that addressed:

1. Leadership
2. Training
3. Action at the legislature
4. Human Resources