

Georgia Public Defender Council

MINUTES

05/13/16

10:00 AM

GPDC CENTRAL OFFICE, SUITE 200
104 Marietta Street NW, Atlanta GA 30303

MEETING CALLED BY	Chairman Ron Cross
TYPE OF MEETING	Regular Meeting
FACILITATOR	Bryan Tyson, Executive Director
NOTE TAKER	Kari Kitchens
ATTENDEES	Council members present: D. Sims, R. Cross, D. Seagraves, L. Paris, Hon. M. Miller, Hon. Arch McGarity, E. Tolley, Staff present included: J. Rodgers, B. Bullard, C. Karounos, J. Stokes, K. Kitchens.

The meeting was called to order by Chairman Ron Cross at 10:02 AM

APPROVAL OF AGENDA	R. CROSS	Agenda unanimously approved.
APPROVAL OF MINUTES	R. CROSS	Minutes from prior meeting unanimously approved.
DIRECTOR UPDATE	B. TYSON	B. Tyson noted new CPDs since last council meeting: Rick Waller- Macon Circuit, Robert Persse – Eastern Circuit. B. Tyson has now visited 27 out of 43 circuits. Announced the retirement of CPDs Ernie Sheffield of South Georgia circuit and Mike Thomas of Pataula circuit. There are three supervisory panels currently working to fill CPD vacancies in the circuits of Brunswick, Pataula & South Georgia. There are 14 upcoming CPD term expirations.
BUDGET	B. TYSON	B. Tyson presented Amended 2016 budget process of converting emergency funds to state funds. FY 2017 places expected budget to be approx. \$55 million. Noted that budget moved from \$38 to \$55 million during Governor Deal's leadership show his commitment to this agency. Chairman Cross acknowledged Gov Deal for his support.
PROJECT UPDATES	J. R. S. RODGERS	Training is a priority. An assessment was conducted among the circuits, prompting new training goals. Sarah Grace Alexander was hired as the new training and recruitment coordinator. Annual Training this year in Savannah will focus on best practices. Legal Research contract signed with Lexis Nexis will provide for support staff through. This will help save time for investigators. E-document program started as a pilot program in the Appalachian, Augusta and Toombs circuits. Phase II will begin this fall and will expand to include Clayton County. The program should be fully operational by fall of 2017.
LEGISLATIVE UPDATE	B. TYSON/C. KAROUNOS	HB 751 House budget mirrored the Governor's recommendation that 20 juvenile attorneys be added; Senate reduced to 5, were ultimately able to secure 15 juvenile attorney positions. Priority given to 15 circuits with greatest need. Specialized training will occur in partnership with Barton Law Clinic to ensure juvenile training for the new hires. B. Tyson acknowledged that these positions were the first positions added to agency outside of a result of litigation. He also discussed Pay Parity Initiative. Gov recommended 3% pay increase; extending to all staff. Late will present to council for vote on pay scale to equalize attorney pay among the circuits and DA's offices.

VOTING ITEMS COUNCIL

A resolution to approve the Fleet Bond Package was presented to council. Hon. A. McGarity motioned and E. Tolley seconded to approve resolution. Council unanimously approved motion. The assistant public defender attorney pay schedule was presented to the council for approval. A motion to approve was made by Hon. A. McGarity, with a second by E. Tolley. Council unanimously approved motion. There were 72 re-applications to Retain Funds recommended for approval. D. Seagraves motioned to approve and Hon. A. McGarity seconded the motion. Council unanimously voted to approve proposed applications.

NEW BUSINESS COUNCIL

Hon. A. McGarity shared news of a state data bank project being discussed that would update the jury pool, with convicted felon information and the like. He also shared with the council his concerns regarding the efficiency of transporting of persons (prisoners) charged with crimes among various circuits. He would like to find a better (more cost effective) method to transport prisoners from various circuits. Council took a short break 10:35 to 10:55.

HEARING & EXECUTIVE SESSION COUNCIL

Mr. Cross called council back to order at 10:55 a.m. and proceeded with the agenda item of the appeal of the Brunswick CPD's removal. Mr. Gough was present and invited to present his case to the council. Mr. Gough addressed the issue of speedy trial demands, as outlined in his termination letter. Mr. Gough cited office policies to refute the items listed in letter, including speedy trial demands. Mr. Gough addressed bond hearings and the issue of clients unnecessarily sitting in jail. Mr. Gough accepted responsibility for his office's culture. And concluded at 11:32 am with the right to reserve the remaining 29 minutes.

Mr. Gough resumed again at 11:33 to add information about his predecessor. Mr. Gough requested restoration to serve as CPD for his circuit. With 23 minutes left, Mr. Gough yielded to B. TYSON. AT 11:38 AM B. Tyson presented to the council and provided an overview of Mr. Gough's termination letter and what he characterized as a culture of "fear and intimidation" in the Brunswick office. He concluded his remarks at 11:56. Questions from council members were then asked and answered. B. Tyson concluded his time at 12:02. Mr. Gough began his rebuttal at 12:05. He requested to be reinstated and concluded at 12:41 pm.

Hon. A. McGarity wanted it to be on the record that no one had contacted him regarding this case. Hon. A. McGarity stated that the issue at hand (appeal of Tyson's decision to remove Gough as CPD) is being decided based on presentation and supporting documents. He then asked if Mr. Gough was objecting to his input based on Mr. Gough's comments Tyson contacted council members prior to this hearing. Mr. Gough said he did not object. Council recessed at 12:57.

Executive session was called at 1:05. B. Tyson did not join in Executive Session. Chairman Cross ended the executive session and reconvened the council meeting at 1:25. E. Tolley made a motion to uphold the actions of the executive director. The motion was seconded and with no further discussion, Chairman Cross asked for a vote. The Council unanimously voted to approve the motion. L. Paris made a motion to adjourn and Hon. A, McGarity seconded. Chairman Cross adjourned the meeting at 1:34 p.m.

NEXT MEETING DATE

TBD
