



Minnehaha County Public Defender

MEETING MINUTES

DATE: Tuesday, September 10th, 2019

TIME: 7:30 AM

LOCATION: PDO Conference Room

Call to Order

- **Public Defender Advisory Board Meeting**
- **Meeting to Discuss**
 - Agenda
- **Attendee Names**
 - Traci Smith,, Mike Miller Jean Bender, Dean Karsky, Ryan White, John Hinrichs, Betsy Doyle and Tessica Severson,.
- **Attendees Not Present**
 - Sid Strange
- **Public Attendees**

Call the Meeting to Order:

Commissioner Karsky called the meeting to order. Traci Smith handed out the Agenda for today's meeting, an updated report of the Public Defender's Office financials, a case assigning chart, and a copy of the Advisory Board Meeting minutes from the meeting held on 03/19/19.

(1) Minutes were approved from the 3/19/19 meeting.

(2) Commissioner Karsky moved to the second Item on the agenda which was the updated Public Defender Financial Report. Traci Smith briefly went over the financial report.

(3) Commissioner Karsky went on to Item number three on the agenda which was a staffing & case supervision update. Traci explained that we were authorized to add another senior trial attorney position to our office, and because of that addition we were able to change the way we assign cases. We now have a violent felony team, a non-violent felony team, and a misdemeanor team. Traci explained that this change is going really well and she has received a lot of positive feedback from the Attorneys. Traci explained that Judge Houwman created an in-custody review team as part of the MacArthur grant, so people that have been in custody between 30 and 60 days, will get a review with the team to see if they can come up with options where they would be eligible for release. Jonathan Leddige from our office is also part of that team, and attended a training in San Francisco that was completely paid by the National Legal Aid and Defender Association. Traci Smith and Mike Miller attended the Mental Health training in Chamberlain. Commissioner Bender commented that she heard good feedback about the training. Betsy Doyle and Mike Miller will be attending the Alternative Court Training in Fargo. Judge Powers will be starting the Mental Health Alternative Court. Commissioner Karsky asked if this court will be like the drug court, and Veterans court, where we will have to staff the program. Mike Miller explained yes, we will have to staff this new Alternative Court. Traci Smith explained we will be starting meetings for that in October. John Hinrichs asked who we planned on assigning to this



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new alternative Mental Health Court. Traci Smith explained that she and Betsy Doyle will be the Attorneys for this new program. Commissioner Karsky asked Traci what the Mental Health court will do to her workload, with already having to spend 20 hours a week or more on mental commitments. Traci Smith explained that she has delegated Alexander Voisin to assist her with the mental health commitments and she is only typically has to cover on Tuesdays. Traci Smith stated that it's not a discussion for today, but wanted to sometime in the future talk about trying again to get a Mental Health contract set up to have a private Attorney take the mental commitments over. Commissioner Bender stated that she thinks that it would be a good opportunity to discuss this right now because there is a lot of relooking at process taking place. Betsy Doyle explained that the mental health court will not solve or minimize the number of mental commitments we are doing each week. Competency type issues will not be involved with the Mental Health Court. Mental health court will be only for those that have Mental illness but are "functioning". Commissioner Karsky asked if we were fully staffed. Traci explained that Mary Baker is going over the Public Advocates office so we will be hiring for a paralegal position. Traci Smith explained she pulled our new cases stats this morning, for this time last year we had opened 5785 new cases, as of this year we have opened 5898 new cases, at this time we are up by 113 cases so far this year.

(4) Public Comment:

Rhanda Heller - 3612 S Anita Ave, Sioux Falls, SD 57103: Rhanda Heller spoke about concerns she had about our laws in regards to illegal unlicensed massage therapists. She also had concerns about Defendants not showing up for court. She had concerns with what the Public Defender's office is doing to utilize the tax payer's dollars being spent for paying interpreters for these defendants.

Sierra Broussard - Sioux Falls: Sierra Broussard spoke about concerns with court dates for clients being charged with unlicensed massage being delayed. Sierra Broussard also expressed concern that this practice is tied into sex trafficking.

Bridget Myers: Bridget Myers stated she currently sits on the board for Massage Therapy, and has been on the board 6 years. Bridget Myers expressed concerns with how our state is handling the unlicensed massage cases, and about the low fines that are being given in court and suggest making the fines much higher. Commissioner Karsky explained that anytime a fine is imposed those fines are imposed legislatively by the state, not by the local government.

James Johanneson: Became a message therapist for his wife. His wife was afraid of sexual predators that tried to expose themselves to her during the massage, and she did not feel safe. James Johanneson expressed concerns that if higher fines or stricter penalties are not imposed, that licensed massage therapists will have to continue to put up with people thinking they can do this.

Commissioner Karsky thanked everyone for coming and for their concerns and comments.



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Commissioner Karsky suggested we set a date for the next Advisory Board Meeting sometime after Thanksgiving. December 10th was decided for the next meeting.

(6) New Business: Commissioner Bender had questions about the new case manager position. Mike Miller explained that we are working with Amber Bartels as the Case Manager for our office. Mike explained that we have had meetings with Human Services and Debbie from Southeastern to come up with flow charts which will define which of them will handle the Client.

Traci announced that there will be another fundraiser this year for the mental health project at the County Club again. It will be the first Friday in November. Save the dates have not went out yet, but once they do, she will make sure everyone gets one.

Adjournment

Meeting adjourned at approximately 8:10 am.