

<b>APPROVED - MINUTES</b>	
<b>Committee</b>	<b>UTAH INDIGENT DEFENSE COMMISSION</b>
<b>Date, Time</b> <b>Location</b>	<b>Thursday, October 24, 2024, 2 PM – 4 PM</b> <b>370 E South Temple, Suite 500, Salt Lake City, UT 84111. Also, virtually via Zoom.</b>
<b>Commissioners Present</b>	Richard Mauro, Tom Ross, Aaron McKnight, Michael Zimmerman, Casey Hopes, Margaret Lindsay, Wally Bugden, Paul Dodd, Pam Vickrey, Tyler Clancy.
<b>Commissioners Excused</b>	Chair Lorene Miner Kamalu, John Kwarm, Todd Weiler, Michael Dreschel.
<b>Staff</b>	Matthew Barraza, executive director; Adam Trupp, assistant director; Joshua Buhay, financial analyst; Zoraya Gappmaier, training & managing attorney, Katriina Adair, grant program manager, Debra Nelson, chief appellate officer.
<b>Guests</b>	Josh Esplin
<b>Agenda Item</b>	<b>Welcome &amp; Introductions</b>
	Commissioner Vickrey, who chaired the meeting, introduced herself and welcomed the attendees. Commissioners who were present introduced themselves and the entities they represent.
<b>Agenda Item</b>	<b>Approval of Minutes</b>
	Commissioner Mauro moved to approve the minutes from the previous commission meeting on September 19, 2024. It was seconded by Commissioner Lindsay. The motion was passed unanimously.
<b>Agenda Item</b>	<b>New Commissioner Introduction</b>
	Paul Dodd, a new commissioner from the League of Cities and Towns who replaced Ryan Loose, was introduced.
<b>Agenda Item</b>	<b>Utah County Discussion</b>
	Matthew Barraza said that Utah County Public Defenders Association’s (UTCPD) contract with Utah County was expiring soon, and that the county had decided to start an RFP to fill the contract. He stated that he had met with many Utah county officials to discuss the IDC’s core principles and explained that the best route for indigent defense was to have a full-time office. Josh Esplin from the UTCPD stated that they were

working on their bid and that the UTCPD appreciated the IDC's support. Commissioner Lindsay asked if there had been any additional conversations with Utah County's County Attorney after they had made comments in a news article. Josh Esplin responded that the UTCPD had met and conversed with the County Attorney and other county executive staff.

Commissioner Mauro stated that one of the primary problems that the 6<sup>th</sup> Amendment Center recognized as a basis to create the IDC was the conflict many county attorneys had in terms of what public defense contracts looked like. He continued that one of the IDC's first moves after its creation was to get rid of many of those public defense contracts that were directly controlled by county attorneys and prosecutors' offices. Commissioner Mauro noted that the IDC provides funding to Utah County and had the right to pull funding from the county if the county decided to implement a new contract that contradicted the IDC's core principles.

Matthew Barraza said that in his meetings with Utah County officials, he had brought up how many grants the IDC funded in the county and that if the grant-funded positions disappear, the county will necessarily lose funding for those positions per the stipulations of the grant agreements.

Commissioner Hopes stated that in Carbon County, prosecutors had brought similar complaints regarding being outnumbered by better compensated defense attorneys.

Commissioner Ross noted that he agreed with Matthew Barraza regarding the grant funding's contractual obligations but asked if the IDC's intent was to work with them proactively to prevent backsliding or risking degradation of relationships between the Commission and county leadership.

Matthew Barraza responded he had been cognizant of maintaining long-term relationships with the County Attorney and other officials. Adam Trupp noted that the RFP had systemic, structural issues separate from whether the IDC agreed with the RFP process, such as potentially reinvolving the Prosecutors' office in matters of public defense that would violate the IDC's core principles.

Commissioner Bugden stated that the Commission supports the principles of the IDC, that Utah County was falling backwards, and that the Commission should make a statement to communicate that if the county breaks the provisions of the grant agreement, they could lose funding. He

	<p>continued that the IDC should take a position and make a stand, even if that results in affecting the Commission’s relationship with Utah County.</p> <p>Commissioner Lindsay mentioned that the Commission couldn’t know what would happen to the indigent defense systems in Wasatch, Millard, and Juab, if Utah County awarded the RFP to a non-UTCPD entity.</p> <p>Commissioner Ross stated that the IDC should be careful about burning bridges with Utah County or getting confrontational with counties, as the legislature may not feel the same way.</p> <p>Commissioner Vickrey stated her concern with the difficulty in finding a balance between overstepping boundaries and the legislature possibly becoming upset that the IDC allowed State funding passed to Utah County for building infrastructure to be wasted by allowing the county to scrap the UTCPD.</p> <p>Commissioner Clancy stated that as a legislator, if the IDC were to make a statement against a county, he would have to resign from the commission.</p> <p>Commissioner Mauro noted that as a state commission that manages state funds, the IDC would have an obligation to, at the minimum, make a statement or give notice regarding the future of Utah County’s grant funding.</p> <p>Commissioner Vickrey stated she didn’t want the IDC to be on the hook for a decision made by Utah County’s Commission. She also pointed out that the Commission didn’t need to take action at this time because Utah County had yet to make a decision as to whether to renew UTCPD’s contract or not.</p> <p>Matthew Barraza predicted that a decision might be made by the November Commission meeting and that staff could have a draft letter for the Commission to consider if needed at that meeting.</p>
<b>Agenda Item</b>	<b>Other Business</b>
	None
<b>Agenda Item</b>	<b>Public Comment</b>
	None
<b>Next Meeting</b>	Thursday, November 21, 2024.
<b>Adjourn</b>	<b>Meeting adjourned at 2:58 PM</b>

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