

MEETING NOTES

1. MINUTES OF JUNE 2, 1995 BOARD MEETING MOTION FOR APPROVAL (LIELL/RICHMOND) VOTE: UNANIMOUS FOR APPROVAL

2. MINUTES OF OCTOBER 14, 1995 BOARD MEETING, DISCUSSION OF CHANGES, CHANGES NOTED AND MADE MOTION FOR APPROVAL OF CORRECTED MINUTES (RICHMOND/LIELL) VOTE: UNANIMOUS FOR APPROVAL

3. EXECUTIVE DIRECTOR REPORT:

A. STATUS REPORT - Counties eligible for State reimbursement in non-capital cases: 6 total Clark, Marion, Miami, Montgomery, LaPorte and Orange. - Counties in Process: 2 total (1) Monroe (adopted ordinance in 11/95, apptd. board and all judges behind program. (2) Fulton Ordinance introduced and tabled. SPECIAL NOTE AND UPDATE ON LAKE COUNTY: Vice-chnm Toomey reported... meeting with 4 of judges resulted from law suit by Ind Civil Lib Union. Rudolph, Lansky/Page, Maroc and Letzsinger there at meeting. Maroc and Letzsinger in favor. Because of Lake counties uniqueness of appointed as well as elected judges, special legislation may have to be introduced to exempt Lake County from Public Defender statute. May need two boards. SPECIAL NOTE ON WAYNE COUNTY: chm English reported county might consider hiring investigator. SPECIAL NOTE FOR WABASH COUNTY: LIELL reported developments in her area.

B. COMPUTER NETWORK: Have not hired network administrator yet...still looking at several candidates... Concluded agreement with Lexis/Nexus...\$20,000 per year...any member who wants a password and ID... to call to obtain direct access w/o going through IPDC...there will be 4 ports for Ind cases. Each additional port cost \$1500. May add port for US Supreme Court and 7th Circuit. Additional areas available for consideration LEX see/Lex statutes available. L/N also may make available option to members to obtain another ID to provided access to other data bases (States). There would be no subscription fee or charge, but would merely pay for time usage (at per minute rate). The problem with this is a user would have to get out of Indiana access and reenter into other data base. IPDC will continue program with MICHIE. LANDIS felt as usage of L/N increases MICHIE will decrease. The most positive thing of L/N is that its case updates occur within 2 weeks. MICHIE is normally 3 months behind on its updates. Lexis/Nexus will begin January 1, 1997. IPDC staff still has use and access to WESTLAW for \$100, plus pay as go. IPDC will publish this information in PUBLIC DEFENDER and by direct mail. Training sessions for all subscribers will also be advertised. If enough persons interested in an area, may hold training sessions in local areas. LIELL requested IPDC look into obtaining program on SHEPARD'S. LANDIS noted L/N can be used in a similar fashion, but will check on cost and availability of SHEPARD'S. HENNESSEY noted for the record the importance of SHEPARD'S in today's court room practice.

4. LEGISLATION:

A. PRELIMINARY DRAFT 3248 - IC 35-42-2-1 BATTERY...Endorsed by Criminal Law Study Commission...Added Language "resulting in bodily injury"...BOARD ACTION - OPPOSED.

B. PRELIMINARY DRAFT 3249 - IC 35-45-10-5 STALKING...Not endorsed by Criminal Law Study Commission...CLSC took no action. BOARD ACTION - (Discussion: Statute vague) OPPOSED.

C. PRELIMINARY DRAFT 3289 - IC 35-50 -1-2 SENTENCING FOR USE OF FIREARM, RESULT ADDITIONAL FIXED TERM OF 20 YEARS. BOARD ACTION: (Discussion: Reference made to recent SUPREME COURT case. Also question on definition of "use") OPPOSED.

D. LWOP [Life Without Parole] - AMEND IC 35-50-2-3 CONCERNING CRIMINAL LAW AND PROCEDURE. BOARD ACTION: (Discussion: General discussion occurred concerning language deleted from statute and fiscal impact resulting from passage of bill. Several issues raised: Issue - Is R 24 going to apply to LWOP? Issue- Can you give a fixed term over 55?) OPPOSED.

E. CRIMINAL LAW STUDY COMMISSION: PROPOSAL RE: IC 35-50-2-11 REDUCTION OF PENALTY AND SENTENCE FOR NOT APPEALING. BOARD ACTION: (Discussion: An immediate question of Conflict of Interest is created especially for the Trial Public Defender) OPPOSED.

F. 1996 HB 1020: IC 35-38-1-7 & IC 35-44-3-9: TRAFFICKING WITH AN INMATE. BOARD ACTION: OPPOSED.

G. 1996 HB 1023: IC 33-15-23-5.5: COURT RECORDS - REQUIRES COURT REPORTER TO PROVIDE A COPY OF UNOFFICIAL RECORD OF COURT PROCEEDINGS TO A PARTY UPON WRITTEN REQUEST...LIMITS CHARGE FOR COPY

TO	MEETING NOTES
	ACTUAL COST OF REPRODUCTION, BOARD ACTION: OPPOSED <i>Support</i>
	H. 1986 SB 004: IC 35-44-3-9: TRAFFICKING WITH INMATE: BOARD ACTION: OPPOSED.
	I. 1986 SB 008: IC 9-13-2; IC 9-24-6-15; IC 9-30; IC 14-15-8; AND IC 35-33-1-6: BLOOD ALCOHOL LEVELS. BOARD ACTION: OPPOSED.
	J. 1986 SB 011: IC 35-33-5-2; AND IC 35-33-5-7: NO KNOCK SEARCH WARRANT. BOARD ACTION: (SEE WINSTON CASE) OPPOSED.
	K. 1986 SB 013: IC 35-50-6: LIMITATION ON PLEA AGREEMENTS. BOARD ACTION: OPPOSED
	L. 1986 SB 023: IC 31-6-4: PROTECTIVE PLACEMENTS WITH RELATIVES. BOARD ACTION: (LANTZ/LIELL)
	SUPPORTED.
	M. 1986 SB 024: IC 31-6-11-14: CHILD PROTECTION TEAM. BOARD ACTION: (Discussion re occurrences in various board members communities) NO POSITION TAKEN BY BOARD.
	N. 1986 SB 025: IC 9-30-5-3; AND IC 9-30-5-5: OPERATING A VEHICLE WHILE INTOXICATED. BOARD ACTION: OPPOSED.
	O. 1986 SB 060: IC 9-24-2; IC 31-8-4-15.9; IC 35-41-1-12.3; AND IC 35-43-1-2: DRIVER'S LICENSE SUSPENSION FOR GRAFFITI. BOARD ACTION: OPPOSED.
	P. 1986 SB 067: IC 35-44-3-9.5: WEAPON POSSESSION WHILE INCARCERATED: BOARD ACTION: (Discussion of proposed legislation - vagueness; noted: already lose 1 year of good time) OPPOSED.
	Q. BAIL REFORM: CRIMINAL LAW STUDY COMMISSION Recommended an extensive study be performed... data needed. Marion County via Prosecutor Newman are submitting a bail reform bill re Bondamen. LANDIS noted copies unavailable at this time will be submitted at January 1996 board meeting.
	5. OLD BUSINESS:
	A. SEMINARS: 1996 Seminar Schedule distributed. Terry Harper provided copies of Evaluation sheets from 1995 seminars. Information provided to Terry Harper for "MENTAL HEALTH SEMINAR" re: Ombudsman. Board member Quinton L. Ellis has volunteered to help on "MENTAL HEALTH SEMINAR".
	B. PERFORMANCE STANDARDS AND GUIDELINES FOR PUBLIC DEFENDERS: BOARD ACTION: (DISCUSSION: CHR M ENGLISH ENCOURAGED BOARD MEMBERS TO READ AND STUDY GUIDELINES. DISCUSSION WILL OCCUR AT JANUARY MEETING.) TABLED TILL JANUARY BOARD MEETING.
	C. T-SHIRT CONTEST: BOARD ACTION: TABLED TILL JANUARY MEETING.
	D. PRO BONO AWARD: BOARD MEMBERS TO SUBMIT NAMES OF POTENTIAL CANDIDATES OF AWARD. AWARD TO BE CALLED "THE GIDEON" AWARD.
	6. NEW BUSINESS:
	A. BOARD MEETINGS: LIELL recommended and board agreed that members of IPDC receive more advance notice of Board meetings and members of IPDC be encouraged to attend. This is especially true when Board meetings are held in conjunction with seminars. Notice of Board meetings should be placed in the INDIANA DEFENDER.
	B. LEGISLATION: Discussion of publishing summaries of proposed legislation to members of IPDC via INDIANA DEFENDER. Board members encouraged to keep members of IPDC in their area informed on proposed legislation.
	7. ADJOURNMENT - Next Board Meeting January 19, 1996 6:30 P.M. @ Westin Hotel, Indianapolis, Indiana.
	Jeffery L. Lantz, Secretary IPDC