

## Skepticism surrounds board's approval of public defender position

June 5, 2023



The Del Norte County Board of Supervisors is looking to appoint a public defender, but not without some doubters.

After receiving a questionable evaluation by the state office of the public defender for indigent defense services, the board selected a managed assigned counsel (MAC) option at its May 23 meeting. Two positions will be offered: office of the public defender and a legal secretary I/II classification. The appointed public defender will serve at the pleasure of the board.

Supervisor Dean Wilson, who was not present for this unanimous vote, expressed his opposition on money needed to operate the office.

“We’re heading into tough times. This is not the time to make this move,” Wilson said.

Instead, Wilson recommended the hiring of a fifth public defender.

There are few who remember Del Norte used to have an office for the public defender. Wendy Kim served in the position in 1981.

One who is qualified to render an opinion on defense of the indigent is attorney Dohn Henion. Henion served as a contracted public defender for nine years back in the '80s with Kim, was Crescent City attorney for 15 years and Del Norte County counsel for four years.

“It would need to be proven to me the office of public defender would be cost-effective,” he said. “The addition of the office will not solve the problem of overworked and underpaid legal staff. The appointment by the board won’t fix the problem. Ultimately, the Superior Court will make those decisions. I also observe many cases with multi clients charged and the need for an alternate public defender is required, as provided in larger counties.”

Henion agreed remuneration to contracted attorneys is artificially low but said the public defenders do an excellent job in providing legal services to indigent clients.

Qualifications for the newly-created public defender include

- Bachelor’s degree from an accredited four-year college or university
- Possession of a law license from California
- Graduation from an accredited law school
- A valid California driver’s license.

The applicant must have a minimum of seven years of experience as a practicing attorney with a focus on criminal defense and four years of experience providing managerial supervision providing legal counsel for indigent defense.

The state office of the public defender has offered to disseminate the recruitment notice through its department.

For additional information, applicants should contact Human Resources in Del Norte county. Recruitment begins immediately.

In other business, the board amended residence requirements for planning commissioner.

Heretofore, the appointed commissioner was required to reside within the district of the supervisor making the appointment. With the amending of the ordinance, the district supervisor may now appoint the commissioner from Del Norte County at-large. All appointments for Planning Commission must be approved by a majority of the board.

The board also amended its already-passed tobacco retail license ordinance to allow the transfer of an existing tobacco license to a new owner.

The number of retailers selling tobacco products has been established outside city limits, per ordinance passed in 2022.

The board's action allows for those retailers selling tobacco in July of last year to transfer existing, active licenses to new ownership.

The board meets next on Tuesday, June 13, at 10 a.m. at the Flynn Center.