

IDAHO CRIMINAL JUSTICE COMMISSION

"Collaborating for a Safer Idaho"
Established 2005
C.L. "BUTCH" OTTER
Governor

2011 Accomplishments

Adopted June 28, 2013

Legislation Drafted and Passed

- H0235, Criminal Gang Enhancement Act was passed, which closed gaps and loopholes in the Idaho Criminal Gang Act to support gang suppression.
- S1154aa, Sex Offender Registration Notification and Community Right-to-Know Act legislation was passed to bring Idaho closer to compliance with the Adam Walsh Act, while not likely to comply. The main elements were:
 - Removed all "violent sexual predator" language.
 - Contains no tier levels, all offenders are on same basis.
 - Renamed and changed responsibilities of Sex Offender Classification Board to a 9-member Sex Offender Management Board.
 - Changed registration notification to public and data collection requirements to conform with Adam Walsh Act.
 - Clarified process for removal from registry under current standards.
 - Juvenile registry stayed intact.
 - Existing VSPs were grandfathered in and appropriate changes were made based on this action.
 - The heightened registry requirements were clarified.
 - A misdemeanor that is a registerable offense according to the Act, but not in Idaho, was removed.
 - Registry information that would be available to the public was clarified.

Children of Incarcerated Parents Subcommittee

- Developed and widely distributed the *Parents Behind Bars: Children of Incarcerated Family Members* toolkit document. The targeted audience is educators and caregivers. Not only does it include the subcommittee's Commission-approved guiding principles, bill of rights for children, and tips for caregivers and educators, but, most importantly, it contains questions children may ask about arrest, court and the court process, conviction, sentencing, prison and prison life, and probation and parole.

Misdemeanor Probation Project Subcommittee

- Misdemeanor Probation Project Subcommittee—First graduation of misdemeanor probation officers from POST Academy was held. There were 15 graduates who represented 11 counties.
 - There are signed administrative orders in all seven judicial districts adopting Misdemeanor Probation Standards and Professional Responsibilities.
 - Supervised misdemeanor probation has been accessing Access to Recovery funds. To date, 106 intakes have been completed. The target number to serve this fiscal year (federal) is 700 clients. Misdemeanor probation has been working to increase the number of clients.
 - A certification process for misdemeanor probation officers has been identified and implemented.

Public Defense System Subcommittee

- The contract attorney was hired for a period of one year—April 1, 2011, through March 31, 2012.

Regional Offender Management Centers Subcommittee (ROMC)

- This grant-funded project was completed and the final report of the project distributed to Commission members and other stakeholders.
 - The project focus was on the geographical area of Twin Falls, Jerome, and Gooding counties.
 - While the final report strongly showed that a ROMC is an economical project, subcommittee members recognized that the current economic climate is not conducive to such a project. However, they agreed that time must be devoted to educating a variety of groups and individuals. As a result, the ROMC project was added to the agenda for the next Sheriffs' Association conference.
 - There are two additional geographical areas that could benefit from a state and county partnership for a ROMC. They are in the counties of Canyon and Kootenai. Commission members committed to assist with the education piece.
 - The subcommittee was disbanded due to successful completion of the goals and objectives of the grant.

Criminal Justice Research Alliance Subcommittee

- Regarding the Results First Project, a contract with Boise State University was entered into to:
 - Complete a working model prior to agencies' legislative planning activities in the fall.
 - Organize and motivate lead multiple agency team members to perform the work.

- Communicate the project status, issues and needs to the Research Alliance Subcommittee and stakeholders.
- Liaison with funders and the model developer.
- Manage all aspects of the project through to satisfactory completion.

Sex Offender Management Subcommittee

- The process for determining high-risk sex offenders will be a responsibility of the Sexual Offender Management Board.
 - The Sexual Offender Management Board was directed to continue to work with the Sex Offender Management Subcommittee and to provide regular updates of the Board to the Commission.

Constitutional Amendment

- A small work group was created to consider a constitutional amendment in Article X, Section 5 of the Idaho Constitution pertaining to misdemeanor probation authority. The authority is not consistent with Idaho Code.
- Until such time as the constitutional amendment can be voted on, the Commission adopted memorandum of understanding as the appropriate vehicle for filling the gap for those counties that choose to contract with Idaho Department of Correction.

Other Accomplishments

- The Idaho Criminal Justice Commission was re-established via Executive Order 2011-11. The Criminal Justice Grant Review Board was moved under the Commission as a subcommittee and renamed Grant Review Council. Members viewed this as an opportunity to create efficiencies by enhancing communications and aligning the two groups' strategic goals, objectives, and activities.
- Upon the signing of S1154aa, Sex Offender Registration Notification and Community Right-to-Know Act by the Governor, a letter was sent to the federal office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) indicating that Idaho is moving forward with substantial compliance. Only reason Idaho does not comply is due to the lack of publicly displaying sex offenders' employment addresses on the registry.
- The first joint meeting with Board of Juvenile Corrections and Board of Correction was held.
- On behalf of the Commission, the Chair wrote a letter to the chairs of the House and Senate judiciary and rules committees to not support any introduction of proposed medical marijuana legislation.

