

IDAHO CRIMINAL JUSTICE COMMISSION

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

2012 Accomplishments

Adopted June 28, 2013

Children of Incarcerated Parents Subcommittee

- Pilot projects with two elementary schools were developed to teach children with incarcerated parents socialization skills. Idaho Department of Health and Welfare entered into an agreement with a data tracker from Boise State University.
- A repeat survey of inmates at Idaho prison facilities (not the private prison) was distributed to determine how many inmates had children under age 18. This was a follow-up to a similar survey conducted in 2010 with the results between the two very similar.

Sex Offender Management Subcommittee

- Subcommittee members agreed and recommended to the Commission that Idaho would not be complying with the Sex Offender Registration Notification Act. Commission members concurred.

Gang Strategies: Enforcement, Reduction, Re-entry and Legislation Subcommittee

- The *Gang Strategies Recommendations* document adopted in 2011 was revised and the title changed to *Community Guide to Address Criminal Gangs in Idaho*.
- A long-term plan was developed regarding the distribution of *Community Guide to Address Criminal Gangs in Idaho* and accepted by the Commission.

Human Trafficking Subcommittee

- In order to respond to the Governor's request for the Commission to bring forth recommendations on human trafficking in Idaho, a human trafficking subcommittee was created. The objectives were:
 - Determine if there is truly a problem in Idaho.
 - Identify Idaho's current human trafficking laws and determine if changes are necessary.
- Subcommittee reached the conclusion that Idaho's human trafficking statutes do not need to be changed, however two gaps do need to be closed:
 - Make it a felony to utilize a minor for prostitution.
 - Make utilizing a minor for prostitution a registerable offense.

- Recommendations were made to the Commission, which were accepted:
 - Educational opportunities should be made available to law enforcement officers, prosecutors, and defense attorneys. Idaho Criminal Justice Commission should write letters to specific groups requesting education in human trafficking—Peace Officers Standards and Training, Idaho Prosecuting Attorneys Association, and Idaho Association of Criminal Defense Lawyers.
 - Enact a law separately criminalizing the buying of sex with a minor.
 - Make sex with a child a registerable crime.
 - Enact a law requiring defendants to forfeit all assets used in connection with the commission of a commercial sexual exploitation of a child crime.

Public Defense System Subcommittee

- Recommendations in legislative format were developed and presented to the Commission.
 - Determination of indigency
 - Juvenile issues
 - Public defense commission

Criminal Justice Research Alliance Subcommittee

- Idaho Department of Correction assumed temporary ownership of the data for the Results First Model.
- The following agencies entered into a memorandum of understanding to contribute funds to an account held by Idaho Association of Counties to provide for the hiring of a part-time economist to become extensively familiar on the cost-benefit analysis model developed by Washington State Institute for Public Policy.
 - Idaho Department of Correction
 - Idaho Department of Juvenile Corrections
 - Ada County Sheriff's Office
 - Office of Drug Policy
 - Idaho Supreme Court
 - Idaho Department of Health & Welfare
- Interviews were held for a part-time economist.

Legislation Drafted and Passed

- Public defense legislation that was drafted were categorized as three pieces:
 - Determination of indigency.
 - Juvenile's right to waive counsel.
 - Child protection.

The last two pieces were previously considered as one piece of legislation known as "juvenile issues."

- A House concurrent resolution was drafted to create a legislative interim committee to address the public defense commission model and funding issues; it passed in 2013.
- Human trafficking legislation was drafted, and passed in 2013, to
 - Make it a felony to utilize a minor for prostitution.
 - Make utilizing a minor for prostitution a registerable offense.

Legislation Supported

- S1340 passed which clarifies that court ordered testing of bodily fluids is not to be included in the cost of supervision fee and to clarify that the court can order the payment of other lawful costs and fees that may be imposed on individuals who are on probation.

Misdemeanor Probation Subcommittee

- County misdemeanor probation supervisors agreed to a standard monthly misdemeanor probation report which will involve logging into a web-based database.

Constitutional Amendment

- Senate Joint Resolution (SJR) 102 was an amendment to Idaho's constitution to clarify that the Idaho Department of Correction has control and management over adult felony probation and parole. SJR 102 passed both House and Senate bodies.
- The amendment went before the voters in November 2012 and passed.

Documents Adopted

- *Rules of Conduct* was adopted. It is a guide to provide to guests who attend Commission meetings as well members about meeting etiquette.
- *Community Guide to Address Criminal Gang Activity* was adopted.

Strategic Planning

- A three-year strategic plan was adopted in 2012.

Other Accomplishments

- A joint meeting with the Board of Juvenile Corrections was held.
- Since the state share of the funds for the Treasure Valley Partnership Special Assistant U.S. Attorney Project are passed through the Idaho Department of Correction, the Commission supported the department director to seek additional funds from the legislature. Additional \$10,000 was approved in 2013.

