

**Idaho Criminal Justice Commission
Human Trafficking Subcommittee
July Meeting Minutes
July 26th, 2018**

Location: Idaho Water Center, 322 East Front Street, Suite 570 Boise, Idaho.

Time: 1:15 p.m.–2:45 p.m.

Members Present:

Eric Fredericksen, Chair, SAPD
Tim Brady, Co-Chair, Boise City Police
John Dinger, Deputy Ada County Prosecutor
Michael Miraglia, Boise City Police
Jason Horst, Idaho State Police
Roxanne Printz, Idaho Dept. H&W

Melissa Wintrow, House Jud, Rules & Admin
Kendra Knighten, Office of the Governor
Anne Connor, Idaho Dept. Juv. Corr.
Annie Pelletier, ICASDV
Matt McCarter, Department of Education

Patti Anne Lodge, Senate Judiciary & Rules
Greg LeDonne, Idaho Attorney General's Office
Taunya Jones, Idaho Supreme Court
Dawn Maglish, Director, Inside Out
Jennifer Zielinski, ID Anti-Trafficking Coalition

Comprising a quorum of the ICJC's Human Trafficking Subcommittee

Members Absent:

Rodney Draper, Federal Bureau of Investigation
Patti Anne Lodge, Senate Judiciary & Rules

Others Present:

Agenda <i>Who's Responsible</i>		Meeting Outcomes/Decisions Reached	Due Date
1:15 pm	Call to Order– <i>Chair Fredericksen</i>		
	<ul style="list-style-type: none"> Welcome and Roll Call–<i>Chair Fredericksen</i> 	-Roll call, initial discussion by Chair Fredericksen of Open Meetings law and schedule for July Meeting	
Subcommittee Management			
1:20 pm (5 min)	<ul style="list-style-type: none"> Discussion of Meeting Minutes <ul style="list-style-type: none"> April 2018 – Action Item 	-Individual responsible for keeping minutes unavailable for April meeting. -Volunteers for scribing minutes at future meetings -John Ropp will be keeping minutes for the subcommittee.	
1:25 pm (60 min)	<ul style="list-style-type: none"> Discussion of Safe Harbor Amendments <i>Eric Fredericksen SAPD & Greg LeDonne, Idaho Attorney General's Office</i> 	-Introduction of language for I.C 18-8601. -No Discussion for suggested amendments. -Mr. Miraglia motions to send to ICJC & seconded -Passes unanimously (Kendra Knighten abstains) -Chair Fredericksen introduces language for I.C. 18-8603 -No discussion for suggested amendments -Mr. Miraglia motions to send to ICJC & seconded. -Passes unanimously (Kendra Knighten abstains) -Chair Fredericksen introduces language to be removed – IC 18-8605 -No discussion, Mr. Miraglia moves to send to ICJC & seconded -Passes unanimously, (Kendra Knighten abstains) -Chair Fredericksen introduces I.C. 18-8602. -Mr. Dinger expresses concern that controlled substances have no legal value, so wouldn't be able to prosecute some cases. -Discussion on whether controlled substances have a legal value. -Chair Fredericksen introduces language from safe harbor provisions. -Mr. Dinger states that judicial diversion violates separation of powers	

		<p>-Discussion of prosecutorial vs. judicial diversion.</p> <p>-Mr. Dinger comments that prosecutors already have the power to divert juveniles</p> <p>-Discussion of what is currently done throughout the state.</p> <p>-Mr. Horst states that prosecutors throughout the state don't always see cases the same, there is a difference in resources and handling of cases.</p> <p>-(Unknown) comment that it is necessary to have the diversion and rehabilitation language in the statute for federal grant funding purposes.</p> <p>- Mr. Miraglia states that it is helpful to have "cooperation agreement" language as part of the affirmative defense.</p> <p>-Chair Fredericksen expresses concern that "cooperation agreement" not constitutional, may violate the Idaho constitutional protections for victims, can't premise a parties status as a victim on whether they cooperate with law enforcement.</p> <p>-Ms. Pelletier expresses concerns with having IC 18-310(2) control when safe harbor provisions are not applicable, in particular an unlawful possession/discharge decision.</p> <p>-Motion to send safe harbor provisions (with second) to ICJC with ICJC to determine:</p> <ul style="list-style-type: none"> -Judicial vs. prosecutorial discretion -Use of I.C. 18-310(2) -Use of cooperation agreement <p>-Passes unanimously (Kendra Knighten abstains, John Dinger absent)</p> <p>Motion to send IC 18-8602 to ICJC and identify concerns about "value" of controlled substances (seconded)</p> <p>-Passes unanimously (Kendra Knighten abstains, John Dinger absent)</p>	
2:25 pm (10 min)	<ul style="list-style-type: none"> • ACTION ITEM <ul style="list-style-type: none"> ○ Vote Statutory Amendments ○ Send to ICJC 	-Suggested revisions, as amended, sent to ICJC.	
2:35 pm (10 min)	<ul style="list-style-type: none"> • Identify Topics for August Meeting • Schedule August Meeting 	-Meeting will be scheduled after ICJC meets depending on action on suggested revisions.	

2:45 pm	Adjournment	-Adjourned	

“Collaborating for a Safer Idaho”

