

Idaho Criminal Justice Commission
Regular Meeting
May 17th, 2019

Location: Local Government Center, 3100 S. Vista Ave., 2nd Floor, Boise, Idaho

Time: 8 a.m.–12 p.m.

Idaho Criminal Justice Commission Members Present:

Eric Fredericksen, Chair, SAPD	
Paul Wilde, Vice Chair, Idaho Sheriffs Association	Melissa Moody, Judge, District Court
Dan Hall, Chiefs of Police Association	Todd Lakey, Senate Judiciary & Rules
Melissa Wintrow, House Jud, Rules & Admin	Paul Panther, Idaho Attorney General’s Office
Grant Burgoyne, Senate Judiciary & Rules	Darren Simpson, Judge, District Court
Ashley Dowell, Comm of Pardons & Parole	Greg Chaney, House Jud, Rules & Admin
Kedrick Wills, Idaho State Police	Jared Larsen, Office of the Governor
Lisa Bostaph, Public Member	Denton Darrington, Public Member

Melinda Smyser, Office of Drug Policy
Monty Prow, IDJC
Josh Tewalt, Department of Correction
Darrell Bolz, Public Defense Commission
Sara Thomas, Idaho Supreme Court
Matt McCarter, Department of Education

Comprising a quorum of Idaho Criminal Justice Commission (Commission)

Idaho Criminal Justice Commission Members Absent:

Dave Jeppesen, Health & Welfare	James Cawthon, Judge, Magistrate Court
Lisa Bostaph, Public Member	Margie Gonzalez, Comm. on Hispanic Affairs
Bart Davis, U.S. Attorney, District of Idaho	Grant Loeb, Prosecuting Attorneys Assoc.

Seth Grigg, Idaho Association of Counties

Others Present:

Timothy Hibbard, ICJC/IAC
Lymaris Ortiz Perez, Comm. on Hispanic Affairs
Kelli Brassfield, IAC
Alexandra Curd, Office of Drug Policy
Bree Derrick, IDOC
Thomas Strauss, ISP
Ruby Mendez, ACLU-ID

Agenda <i>Who's Responsible</i>		Meeting Outcomes/Decisions Reached	Due Date
8:00 am (10 min)	Call to Order— <i>Chair Eric Fredericksen</i> <ul style="list-style-type: none"> Welcome and Roll Call— <i>Chair Eric Fredericksen</i> Review Commission's Vision and Mission Statement and Values— <i>Commission Members</i> 	Chair Fredericksen issues a welcome to new member, Representative Chaney. The Commission's Vision and Mission Statement and Values were read by the Commission members.	
Commission Management			
8:10 am (20 min)	Action Item – Approve April 2019 Minutes <u>Subcommittee Reports</u>	There was a motion to approve the April 2019 minutes by Paul Wilde and seconded by Todd Lakey. The motion carried. Paul Wilde gave an update on the Mental Health Subcommittee. Monty Prow gave an update on the Human Trafficking Subcommittee. Sara Thomas gave an update on the Education Subcommittee.	
Promote Well-Informed Policy Decisions			
8:30 am (40 min)	JRI Update – Where do we go from here? — <i>Josh Tewalt, Department of Correction</i>	Josh Tewalt gave an update on Justice Reinvestment: <ul style="list-style-type: none"> JRI initially was enacted to help avert correctional growth by adding new tools to probation and parole officers to deal with people on supervision, upgrading rehabilitation programming to provide state-of-the-art intervention to reduce recidivism, adding transparency to parole decision making, and add avenues to help victims receive restitutions. Current prison population is a few hundred above JRI projections, but still 400 below non-JRI projections. Cost avoidance, rather than cost savings. There has been some progress, but there is a serious upward trend in prison population lately. Based on JRI projections, Idaho has avoided \$19.4 million in prison incarceration costs. Since implementation, Idaho has collected more than 1.2 million dollars, and closed 603 restitution cases. Programming was also another major boon of JRI. In 2015, more than 12,000 moves were implemented specifically for program availability. It has been extremely successful. Idaho is far above the national average in program effectiveness, and ranks as having some of the best programs in the country. 	

		<ul style="list-style-type: none"> • Despite all of the progress and best intentions, prison populations continue to grow. Population is made up of 6,803 termers, 1,481 riders, and 570 parole violators. • Looking at why people are failing supervision, substance abuse is the majority reason why people are failing on supervision. • IDOC is undergoing significant structural changes to probation and parole and how fundamentally they supervise people by looking at not only how they add more resources on the supervision front, but also provide more resources to the probation and parole officers to help take things off their plate and all them to have good interactions with those they supervise, and also give them more tools such as electronic monitoring. 	
<p>9:10 am (50 min)</p>	<p>Opioid and Controlled Substance Use — <i>Melinda Smyser, Office of Drug Policy</i></p>	<p>Melinda Smyser gave a presentation on opioid and controlled substance use.</p> <ul style="list-style-type: none"> • The Office of Drug Policy was established in 2007 with a \$55,000-dollar budget. The budget is the still the same today. • The mission is to lead Idaho substance abuse efforts by developing a strategic action plan. • ODP asked how can they effect the whole state, especially those outside the urban areas. A \$2.3-million-dollar grant is given annually to help at-risk communities for prevention, awareness and education. • A \$1.8-million-dollar grant is given annually for substance abuse service that is provided directly to youth, families, and at-risk youth, around the state of Idaho. • Idaho runs a lot on grants, but not everyone knows how that money is spent. It is a recommendation that these grant monies are tracked. • “Addiction” is not the correct term. “substance use disorder” is the proffered term. • Hemp cannot be roadside tested for THC. • The Governor wants to solve interstate and intrastate transportation of hemp. • In 2017, 1 Idaho resident died from a drug overdose every 36 hours. From 2013 to 2017 60% of Idaho drug overdose deaths in which one or more drugs were identified involved opioids. The annual number of drug overdose deaths increased 377%, from 64 deaths in 2000, to 241 deaths in 2017. 	

10:00 am (20 min)	Break		
10:20 am (40 min)	Public Records Request Training— <i>Karen Magneli, Attorney General's Office</i>	<p>Karen Magneli gave a presentation on public records and public meeting laws:</p> <ul style="list-style-type: none"> • The Idaho Criminal Justice Commission does not have any specific exemptions. • Cannot charge sales tax for public records requests. • You do not have to “create a record” to comply with a request. • There are some exemptions about people requesting records about themselves. For example, inmates may not request records about themselves. • If the requests are too broad, you may ask to narrow it. • You have 3 days to respond to a request. If there is a need, you may seek a 10-day extension. If it’s not done by then, its considered denied and in default. If there is litigation, that won’t look good. • If you do deny a request, there needs to be a reason for the denial. And they need to be notified of their right to appeal. They have 180 days to appeal. A form should be created for this. • A fee may be established. 150 days are free. Anything after that can be charged for (usually 10 cents a page), after 2 hours, you can charge a labor fee (at the rate of the lowest paid employee that is qualified that can complete the request). <p>There were a variety of different questions about open meeting laws. These are the guidelines that were given:</p> <ul style="list-style-type: none"> • Be self-aware of conversations outside of ICJC that might creep into ICJC business. If you feel that you may have made a violation, bring it forward to ICJC, and clear it up. • Any time there are 2 or more individuals, violations may take place so be mindful of that. • When ICJC members email each other, those emails are considered records. If a violation is made, it can be cured during the next meeting. • Legislators (or other positions) who are acting as a legislator (or other positions) when talking about ICJC business, that shouldn’t be considered a violation. • As long as an individual doesn’t respond to an email, then it is not an email. Advice from the Chair: “add ‘please do not respond’ at end of 	

		<p>ICJC emails to members of the Commission” so that conversations do not take place that might violate the open meeting law.</p> <p>Paul Panther disclosed a potential violation to the open meeting law in his communication with Erik Fredericksen. This was cured by motion the end of the meeting minutes.</p>	
11:00 am (15 min)	<p>Rules of Conduct</p> <p>Action Item – Approve Changes to Rules of Conduct</p>	<p>Erik Fredericksen disclosed that he met with the Governor’s office and discussed the Rules of Conduct with them, amended the rules, and sent it back to them for approval, which they did. This was cured by motion the end of the meeting minutes.</p> <p>There was a motion to approve the Rules of Conduct by Jared Larsen and seconded by Ashley Dowell. The motion carried.</p>	
11:15 am (15 min)	<p>ICJC Strategic Plan</p> <p>Action Item – Adopt Strategic Plan</p>	<p>The ICJC Strategic Plan was discussed and changes will be as follows:</p> <ul style="list-style-type: none"> • On page 1, number 2 – strike out “ and Prevention And Treatment Research (PATR)” • On page 2 number 2, change “Erik Fredericksen” to “Monty Prow” • Change the headings on all applicable pages “Governor’s Executive Order 2015-10” to “Governor’s Executive Order 2018-03” • On page 5 number 3, change “Number” to “Outcomes” • On page 5 number 4 strike out “, Idaho Association of Counties Mental Health Summit” • On page 5 number 5, change “Implement Justice Reinvestment Initiative” to something that will be decided on by the Chair and brought back to the commission at a later date. 	
11:30 am (30 min)	<p>Other ICJC Business, Next Meeting Update</p>	<p>CIT training will be on the July agenda.</p> <p>There was a motion to add an action item to cure any potential open meetings law violations to the agenda by Paul Panther and seconded by Darrell Bolz The motion carried.</p>	

	Action Item – Cure any Potential Violations to the Open Meetings Law.	There was a motion to cure the previously stated disclosures of potential violations of the open meetings law by Paul Panther and seconded by Darrell Bolz. The motion carried.	
12:00 pm	Adjournment	The meeting was adjourned.	

Next regularly scheduled meeting to be held in Boise, Friday, June 28th, 2019

“Collaborating for a Safer Idaho”

