

**Idaho Criminal Justice Commission**  
**Sexual Offenses Subcommittee**  
 May 24, 2021

**Location:** Idaho Association of Counties 3100 S Vista Ave #200, Conference Room B, Boise, ID  
**Time:** 2:00 p.m.–3:30 p.m.

**Members:**

Ashley Dowell, Chair, Idaho Comm. Pardon/Parole	Scott Grow, Idaho State Senator
Erik Lehtinen, Deputy State Appellate Pub. Defender	Nancy Volle, Sex Offender Management Board
Carol Redding, Idaho State Police	Colleen Zahn, Criminal Chief, Office of the Attorney General
Greg Chaney, Idaho State Representative	Paul Jagosh, Fraternal Order of Police
Melissa Wintrow, Idaho State Senator	

**Members Not Present:**

Jared Larsen, Office of the Governor  
 Louis Hougaard, Office of the Governor  
 John Dinger, Deputy Ada County Prosecutor  
 Heidi Johnson, Deputy Ada County Public Defender

Agenda		Due Date
2:00 pm	Call to Order	
	<ul style="list-style-type: none"> <li>• Welcome and Roll Call</li> </ul>	
	<ul style="list-style-type: none"> <li>• Approve December 2020 minutes                             <ul style="list-style-type: none"> <li>○ ACTION ITEM</li> </ul> </li> </ul>	There was a motion to approve the minutes from the December 2020 meeting by Scott Grow and seconded by Erik Lehtinen. Motion carried.
	<ul style="list-style-type: none"> <li>• Overview of Past Subcommittee Topics</li> </ul>	Governor requested this subcommittee to review Adam Walsh funding and the possible need for future legislation.

	<ul style="list-style-type: none"> <li>• Spousal Rape Statute Changes</li> </ul>	<p>This subcommittee has reviewed registration requirement and also had an overview on Idaho's compliance to SORNA. Idaho's funding has been diverted due to some lack of full compliance.</p> <p>Senator Wintrow gave an overview of the spousal rape legislation. The legislature voted unanimously to remove the spousal rape statute. "Full faith and credit" weren't included. Idaho needs to recognize marriage laws from other states. The Governor was concerned about sex trafficking of children.</p> <p>Ashley mentioned that the governor's concerned about what constitutes "marriage" see letter. There could be some short comings in other areas that the criminal justice commission could review.</p> <p>Colleen Zahn mention that an individual could have penetration of a child and then get married. This could be done under compulsion. Some believe that if the "act" happened before the marriage, the individual could still be charged. Another instance that are a concern is that an individual could marry a child under another jurisdictions of law for the purpose of assaulting them and then divorcing them when they are done with the child. We want to make sure that these are not happening.</p> <p>How do we account for these concerns? There is some draft legislation that would define "marriage" that would exclude instances where a child is under compulsion. It will be hard to try and cover every example of how this might happen.</p> <p>We will work on drafting language and then present to ICJC in a hope that ICJC would move forward with.</p> <p>Senator Wintrow is open to the group bringing suggestions to the next meeting for a bigger discussion.</p>
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	<ul style="list-style-type: none"> <li>Identify Topics for June Meeting</li> </ul>	<p>Spousal rape suggestions and possible draft language.</p> <p>Nancy Volle will give an overview of the SOMB.</p> <p>Repealing/reviewing outdated law discussion. Crime against nature and fornication. Review for oddities as well.</p> <p>Overview of the Montana case.</p>
	<p>Adjourn- Next Scheduled Meeting, June 21, 2021 at 2:00pm</p>	<p>Paul Jagosh made a motion to adjourn, Scott Grow seconded. Motion carried. The meeting adjourned at 2:35 pm.</p>

