



## Justice & Public Safety Committee

Annual Conference | Boise, ID | September 25, 2018

Boise Centre | Room 110-AB | 10:00 AM – 12:00 PM

### MEETING MINUTES

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#### Members Present:

Chair: Paul Wilde, Bonneville Sh.  
Vice: John Buck, Gem Cor.  
Bannock: Ken Bullock, Com.  
Bannock: Radene Barker, Tr.  
Blaine: Jacob Greenberg, Com.  
Boise: Jim Kaczmarek, Sh.  
Clark: Greg Shenton, Com.  
Clearwater: Chris Goetz, Sh.  
Fremont: J'Lene Cherry, Tr.

Madison: Kim Muir, Cl.  
Payette: Donna Peterson, Tr.  
Power: Deanna Curry, Tr.  
Twin Falls: Kristina Glascock, Cl.  
Twin Falls: Jack Johnson, Com.  
Valley: Doug Miller, Cl.  
Valley: Patti Bolen, Sh.  
Washington: Betty Thomas, Cl.

#### Members Absent:

Ada: Dotti Owens, Cor.  
Adams: Joe Iveson, Com.  
Bannock: Lorin Nielsen, Sh.  
Bannock: Radene Baker, Tr.  
Benewah: Phil Lampert, Com.  
Blaine: Angenie McCleary, Com.  
Boise: Dan Blocksom, Pr. Att.

Bonneville: Daniel Clark, Pr. Att.  
Canyon: Pam White, Com.  
Clark: Pamela Barrett, Cl.  
Custer: Lura Baker, Cl.  
Gem: Rick Johnson, As.  
Shoshone: Keisha Oxendine, Pr. Att.  
Shoshone: Mike Gunderson, Sh.

#### Others Present:

Seth Grigg, IAC  
Timothy Hibbard, IAC  
Amanda Bartlett, OPE  
Tony Grange, OPE  
Bryon Welch, OPE  
Lauren Basley, OPE  
Vaughn Killeen, ISA  
M. Kane, ISA  
Aaron Freudenthal, PDC  
Bear Lake: Cindy Garner, Cl.  
Bannock: Stephen Herzog, Pr. Att.  
Butte: Rose Beverly, Com.  
Canyon: Kieran Donahue, Sh.  
Caribou: Kelly Wells, Sh.  
Cassia: Paul Christensen, Com.  
Clark: Macoy Ward, Com.  
Clark: Bart May, Sh.  
Clearwater: Carrie Bird, Cl.

Franklin: Shauna Geddes, Cl.  
Fremont: Jordan Stoddard, Com.  
Jefferson: Steve Anderson, Sh.  
Kootenai: Rich Houser, As.  
Latah: Henrienne Westberg, Com.  
Latah: Bill Thompson, Pr. Att.  
Latah: Richard Skiles, Sr.  
Lewis: Mike Ponozzo, Com.  
Lincoln: Ann Youts, Tr.  
Madison: Jon Weber, Com.  
Madison: Rick Henry, Sh.  
Minidoka: Laura Twiss, Tr.  
Owyhee: Toni Gruenwald, As.  
Owyhee: Angie Barkell, Cl.  
Power: Anson Call, Pr. Att.  
Twin Falls: Becky Petersen, Tr.  
Washington: Donna Atwood, Cl.

**Call to order by Chair Paul Wilde.**

Introductions of members present and guests.

**A motion was raised to approve the minutes from the February meeting by Patti Bolen and seconded by Jack Johnson. The motion carried.**

Chair Paul Wilde read the resolution script.

***Jim Kaczmarek spoke on Deputy residency requirement option (JPS-01).*** Although case law allows for law enforcement agencies to require that their officers reside in the jurisdiction in which they work, Idaho statute currently prohibits imposing this requirement on officers. Residing elsewhere can create some issues regarding the availability of deputies residing close by for call-out, response time, additional compensation for call-out responses, and additional wear and tear on county vehicles. **Proposed:** Enact legislation that gives County Sheriffs the option of requiring their officers to reside within the community that they work. There was discussion on the potential legal issues this resolution may bring up, followed by a discussion on the optional nature of the proposed legislation. **A motion was raised to adopt resolution IGA-01 by Jim Kaczmarek and seconded by Jeff Goetz. The motion carried by vote of 10 to 7.**

***Kristina Glascock spoke on the Collection of Debt Owed to the Court and Disclosure of Information for Juvenile Correction Act Cases (JPS-02).*** Now that Idaho Court Administrative Rule 32(g)(9) exempts juvenile court records from disclosure, Twin Falls County has been unable to turn Juvenile Corrections Act cases to a collection agency in order to collect court-ordered fees from juvenile offenders and their parents. **Proposed:** To allow the collection of fees in JCA cases and the disclosure of information for the purposes of collections. This would be accomplished by amended I.C. 19-4708 and I.C. 20- 520. **A motion was raised to adopt resolution JPS-02 by Jeff Goetz and seconded by Jack Johnson. The motion carried.**

***Kristina Glascock spoke on Tax Intercept on Debt Owed to the Courts (JPS-03).*** Clerks are unable to use tax intercept to collect on balances under \$50 leaving a lot of cases with a balance due of less than \$50. Since the implementation of Odyssey, we have started getting tax intercepts on JCA cases and we didn't with ISTARs. **Proposed:** to clarify that tax intercept can be applied to JCA cases and to remove 1-1624(5) allowing intercepting taxes for balances lower than \$50. **A motion was raised to adopt resolution JPS-03 by Jacob Greenberg and seconded by Betty Thomas. The motion carried.**

***Kristina Glascock spoke on Pre-trial Release and Misdemeanor Probation Fees (JPS-04).*** The Idaho Supreme Court would like to remove pre-trial release and misdemeanor probation fees associated with 31-870 from Odyssey. **Proposed:** To clarify that fees ordered pursuant to I.C. 31-870 for pre-trial release and misdemeanor probation can be assessed and collected in Odyssey and assigned priority #3 under I.C. 31-

3201I. **A motion was raised to adopt resolution JPS-04 by Kim Muir and seconded by Jacob Greenberg. The motion carried.**

1G.

***Seth Grigg spoke on the Resolution providing for a state based public defender system and to provide for equalization of local and state funding (JPS-05).*** Public defense is a state responsibility that has been delegated to counties without sufficient funding. Counties generally lack both the funding and administrative oversight necessary to oversee public defense services. Create a state based public defender system. Public Defense costs have gone up significantly. Grant funding process has been very challenging. Need for more State assistance and cost sharing. **Proposed:** The establishment of a state based public defender system in which the state of Idaho assumes oversight responsibility of public defense in Idaho. Counties would have the option of continuing to provide a county based public defense office should they choose to do so. For all counties, public defense spending would be capped at 2018 levels. County spending on public defense would be capped until there is funding parity between counties and the state at which point future expenses would be split 50/50. Counties for which the state provides public defense services would continue paying their local share to the state to assist in funding the state public defense system. **A motion was raised to adopt resolution JPS-05 by Jacob Greenberg and seconded by Doug Miller. The motion carried.**

1H.

***Seth Grigg spoke on the resolution for a Justice Fund Levy Increase (JPS-06).*** The problem is that most every county has reached the top of the levy limit in the Justice Fund. In the case of Bingham County we are topped out in the levy limit and have only the Sheriff's Office in the levy. Currently Bingham County needs to add onto its jail and in order to do this we would be asking the voters for a bond. However, in looking at the levy limit, we could get the bond but would not be able to hire any new employees to work in the jail nor provide food or any other types of service for the inmates due to the restriction on the levy limit. **A motion was raised to adopt resolution JPS-06 by Donna Peterson and seconded by Greg Shenton. The motion carried.**

1I.

***Chris Goetz spoke on the resolution for a Jail Capital Improvement Optional Sales Tax (JPS-07).*** A Jail Capital Improvement optional sales tax would give counties the opportunity to pass tax with a 60% threshold for Jail funding only. There was a discussion on political feasibility with this and raising of the justice levy going out together. It would be good to put the tax on the public and off the back of the property owners. **Proposed:** The proposal recommends a threshold of 60% to pass a Jail Capital Improvement tax. The revenue can only be used to fund the construction of a county jail or modifying an existing county jail. The amount, duration and purpose of the proposal shall be noted on the ballot vote. See attached

statutory language. **A motion was raised to adopt resolution JPS-06 by Ken Bullock and seconded by Jim Kaczmarek. The motion carried.**

There was no representative from IDOC to give their update. The committee moved on to the next item on the agenda.

Chair Paul Wilde lead the committee in a prioritization of committee resolutions as follows: **JPS-06, JPS-05, JPS-07, JPS-04, all of the rest equal.**

Skip Clapp was not present. The committee moved on to the next item on the agenda.

Grant Loeb was not present. The committee moved on to the next item on the agenda.

Seth Grigg lead a discussion on foregone questions that might come if justice levy is raised. A discussion was had on removing levy caps, or combining levies together such as current expense and justice levy.

Jan Bennetts from the Prosecuting Attorney's Association gave a presentation on first time offender prison sentencing. A JRI graduate killed an officer and went on a crime spree, killing many others. JRI needs to be fixed. The first time offender sentencing is working. It's a misnomer to say that non-violent drug offenders are filling our prisons.

**At 11:47 AM a motion was raised to adjourn by Ken Bullock and seconded by Jack Johnson. The motion carried.**