

MINUTES  
**SENATE JUDICIARY & RULES COMMITTEE**

**DATE:** Wednesday, February 19, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Lodge, Vice Chairman Vick, Senators Davis, Mortimer, Nuxoll, Hagedorn, Lakey, Bock and Werk

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Lodge** called the meeting to order at 1:31 p.m. and asked the secretary to call the roll.

**RS 22906** **Relating to Peace Officers Standards and Training - Senator Goedde** stated this legislation deals with law enforcement education. There is an academy in North Idaho and two other vocational technical law enforcement entities, one at Idaho State and the other at the College of Southern Idaho.

The Peace Officer Standards and Training (POST) Meridian has been providing a number of services to the North Idaho Academy, but those services have been curtailed. Included in the legislation is a redefining of fine money and how it should be allocated to take some of the burden off the local property taxpayers by splitting the fine money that goes to POST in Meridian and allocating the split funds between the current two academies. The College of Southern Idaho plans on establishing an academy program in their school; hence they would be eligible for some of these funds.

**Chairman Lodge** asked what is the difference between the academies and POST. **Senator Goedde** replied the curriculum is the same the difference is the academies are short duration, North Idaho College is 14 weeks and POST in Meridian is 10 weeks. The vocational technical programs are two semester programs. The same course work is taught in all these institutions. **Chairman Lodge** asked if an individual took a law enforcement major at Boise State University and then hired by the Idaho State Police would they then go to POST for further training? **Senator Goedde** answered that if you graduate from North Idaho Academy and pass the test that POST regulates then the individual is certified; it would be as if they went to the POST Meridian. The advantage to the local law enforcement agencies is that an individual who lives elsewhere in the State who might not be able to go to Meridian for 10 weeks could take the POST course at the North Idaho Academy.

**MOTION:** **Vice Chairman Vick** moved to print **RS 22906**. Seconded by **Senator Mortimer**. The motion carried by **voice vote**.

**PASSING OF THE GAVEL:** Chairman Lodge passed the gavel back to Vice Chairman Vick.

**Relating to Justice Reinvestment - Chairman Lodge** explained that in January 2013 Representative Wills and Senator Lodge set some goals. In March 2013 Idaho was given the opportunity to apply for a grant to fund the study of its criminal justice system. The State applied to the Council of State Governments (CSG) and was accepted. For the last 10 months an expert team from CSG has been studying Idaho's Criminal Justice System. The team went through over 570,000 documents and spent hundreds of hours studying all aspects of the State's criminal justice system. The common goal was to find an Idaho solution to increase the public safety and control correction costs. CSG worked on data analysis and engaged a working group of over 30 individuals and an interim committee throughout the summer and fall to find solutions to the criminal justice problems.

The CSG team found that Idaho had the third lowest crime rate in the nation, but the State's recidivism was larger and higher than the national average. More than half of the individuals released from prison were reincarcerated within three years after they left the prison. Idaho's prison population is the second fastest growing in the country and in the next five years it will increase by 16 percent at a cost of \$288 million. What are the drivers of the growth in the prison system. 1) to many offenders are failing on probation and parole and are being sent back to prison; 2) non-violent offenders in Idaho spend almost twice as much time in prison as the national average; and 3) the state has no system in place to track the outcomes in quality of the recidivism reduction strategies.

How will the legislation improve the present justice system? This legislation before you intends to strengthen probation and parole supervision with a well-trained workforce that will hold offenders accountable. The plan is to have these individuals come out of the correctional system as productive, accountable citizens who hold themselves responsible. They support their families, they repay their victims and are accountable to their communities. Structuring parole so that prison space is prioritized for violent offenders and more resources are directed into community treatment to lower the recidivism costs. At present, individuals are released from the prison system and they have no support in the community and find out that life was easier in prison than being out on the streets. Many ministries have come forth, as we started the process of Justice Reinvestment, asking to become more actively involved in the community. Part of the reinvestment process will require that programs be evaluated to make sure that taxpayer dollars are being used wisely. At present the State has many programs but no way of evaluating them.

If this legislation is applied effectively it will slow down Idaho's prison population growth and save \$288 million over the next five years because the State will not have to build another prison. Each bed in the prison costs \$165,000. Over the next 5 years \$33 million of the savings will be reinvested in probation and parole officer training, community treatment and quality assurance measures. These improvements have the potential to reduce recidivism by 15 percent over the next 5 years. The implementation of this policy will depend on how all the various agencies work together. Board of Corrections, Probation and Parole, Idaho Department of Corrections and the courts. All of these agencies have had input into the crafting of this legislation and consensus has been reached to redraft our justice system.

**Senator Mortimer** moved to print **RS 22934**. Seconded by **Senator Bock**. The motion carried by **voice vote**.

**PASSING OF  
THE GAVEL:**

Vice Chairman Vick passed the gavel back to Chairman Lodge.

**Senator Davis** asked Holly Koole, representing the Idaho Prosecuting Attorneys Association (IPAA), if **RS 22934** is printed and the Senate bill comes back before the Committee will the prosecuting attorneys be supportive of the legislation. **Ms. Koole** responded that their Association would be supportive of the legislation that includes the changes that their association made to the bill last week. **Senator Davis** asked are you aware of prosecutors around the State that might have a conflict with the changes that the Association has been able to negotiate on behalf of prosecutors statewide. **Ms. Koole** replied that their Association has 44 elected officials and over 200 deputies. IPAA, who represents seven judicial districts, is supportive of the legislation.

**Chairman Lodge** stated that this is probably one of the few times that all three branches of government have worked together to craft legislation that will help save and change lives. Over 9,000 children have a parent in the prison system in Idaho. By the time they are 18 years old 10 percent of those children will be in the juvenile system. The chances of them going to prison themselves are 5 times higher. There are 10 million children in the United States that have had a parent in jail and 1.5 million that have a parent in jail now. 65 percent of the men in prison and 85 percent of the women in prison have a child or two. To save these children's lives all states need to make changes in how we help these individuals become accountable productive citizens.

**MOTION:** **Senator Lakey** moved to approve the Minutes of January 24, 2014. The motion was seconded by **Senator Mortimer**. The motion carried by **voice vote**.

**Senator Mortimer** moved to approve the Minutes of January 27, 2014. The motion was seconded by **Senator Lakey**. The motion carried by **voice vote**.

**Senator Nuxoll** moved to approve the Minutes of January 29, 2014. The motion was seconded by **Senator Bock**. The motion carried by **voice vote**.

**Senator Hagedorn** moved to approve the Minutes of January 31, 2014. The motion was seconded by **Senator Nuxoll**. The motion carried by **voice vote**.

**Senator Werk** moved to approve the Minutes of February 3, 2014. The motion was seconded by **Senator Bock**. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business, **Chairman Lodge** adjourned the meeting at 1:50 p.m.

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Senator Lodge  
Chair

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Carol Deis  
Secretary