

MINUTES
HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE

DATE: Friday, February 13, 2015

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Wills, Vice Chairman Dayley, Representatives Luker, McMillan, Perry, Sims, Malek, Trujillo, McDonald, Cheatham, Kerby, Nate, Scott, Gannon, McCrostie, Nye, Wintrow

**ABSENT/
EXCUSED:** Reps. Wills, Wintrow

GUESTS: Holly Koole, IPAA; Don Drum, PERSI; Michael Kane, ISA; Adam Jarvis, DFM; Dan Blocksom, Idaho Association of Counties; Ian Thomson, IPDC.

Chairman Dayley called the meeting to order at 1:30 PM.

RS 23430: **Michael Kane**, Idaho Sheriffs Association, presented **RS 23430**. The purpose of this proposed legislation is to simplify the process involving prison and jail lawsuits brought by prisoners based upon prison and jail conditions in the state courts. It is modeled on the federal Prison Litigation Reform Act. The intent is to reduce frivolous claims, allow the court to act as a gate keeper to eliminate the clearly frivolous filings and require the inmate to exhaust his remedies at the jail or prison before it comes before the court.

MOTION: **Rep. Kerby** made a motion to introduce **RS 23430**. **Motion carried by voice vote.**

RS 23410: **Michael Kane**, Idaho Sheriffs Association, presented **RS 23410**. The intent of this proposed legislation is to ensure the cost of housing probationers and parolees committed to a county jail for discretionary jail time, is borne by the state rather than county property taxpayers.

MOTION: **Rep. Perry** made a motion to introduce **RS 23410**. **Motion carried by voice vote.**

RS 23411: **Michael Kane**, Idaho Sheriffs Association, presented **RS 23411**. The intent of the proposed legislation is to ensure that peace officers who are promoted to perform supervisory duties do not lose peace officer status for purposes of retirement calculations performed by the Public Employee Retirement System of Idaho (PERSI).

MOTION: **Rep. Trujillo** made a motion to introduce **RS 23411**. **Motion carried by voice vote.**

RS 23481: **Michael Kane**, Idaho Sheriffs Association, presented **RS 23481**. The intent of the proposed legislation is to repeal an obsolete law requiring permission from a district judge before a sheriff moves a prisoner in cases of "pestilence or contagious disease." It also repeals an obsolete law regarding expenses or removing a person from the county jail.

MOTION: **Rep. Perry** made a motion to introduce **RS 23481**. **Motion carried by voice vote.**

RS 23482: **Michael Kane**, Idaho Sheriffs Association, presented **RS 23482**. The intent of the proposed legislation is to repeal an obsolete law regarding jurisdiction in cases of fighting duels.

MOTION: **Rep. Sims** made a motion to introduce **RS 23482**. **Motion carried by voice vote.**

RS 23556: **Holly Koole Rebholtz**, IPAA presented **RS 23556**. The intent of the proposed legislation is to clarify that the court may issue an order forbidding the defendant from engaging in prohibited conduct defined by the order.

MOTION: Rep. Malek made a motion to introduce **RS 23556. Motion carried by voice vote.**

Director **Kevin Kempf**, Idaho Department of Correction, updated the committee on changes made throughout the last year in the department. **Debbie Field** was recently confirmed as the board chairman, where she serves with **Howard "J.R." Van Tassel** and **Dr. David McClusky**. The department is currently assessing the agency's staff, exactly what it is they do and how they can best utilize each position; as well as their structure and processes. The Security Retention Plan is the department's first priority. They are losing their experienced staff and currently only 50% have more than two years of experience. In addition, they are losing new officers and currently 64% of their officers have less than two years of experience. The Department transferred to the Idaho State Correctional Center in July, and the yard has been completely transformed. This transformation is one of several meaningful opportunities the department strives to provide for inmates. Idaho Correctional Industries also provides meaningful opportunities and inmates are achieving new levels of education, whether it is vocational training or completing their GED. Treatment has gone up each year, but it works, helps and does reduce recidivism.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:40 PM.

Representative Dayley
Chair

Katie Butcher
Secretary