

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Wednesday, March 15, 2017

TIME: 1:30 pm or Upon Adjournment

PLACE: EW 42

MEMBERS: Chairman Luker, Vice Chairman Malek, Representatives Perry, Dayley, Trujillo, McDonald, Cheatham, Kerby, Nate, Chaney, Amador, Hanks, Zito, Zollinger, Gannon, McCrostie, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Dan Trescott, Trescott Law; Ian Thompson, IACDL; Jeff Brownson; Jim Kouril; Mikel Hautzinger; Maribel Jimenez-Arguello; Joe Nooner; Scott Bandy, Heather Reilly, IPAA; Jeff Black; Kay Hess; Paul Jagosh, FOP; Michael Henderson, Barry Wood, Idaho Supreme Court; Marshall Wolfe; Joseph Miller, Mauk, Miller & Hawkins; Michael Dempsey; Tony Geddes; Bruab Holland, Jenna Maguire, AIF; Wayne Hoffman, IFF; Dallas Morris, Paul Riggins; Mike and Vicky Hormac; Kathy Griesmeyer, ACLU; Heidi Gillespie, IMMA; Gerald Wolff, CEPA

Chairman Luker called the meeting to order at 1:33 P.M.

Rep. Rubel presented an informational hearing on Mandatory Minimum Sentencing. **Rep Rubel** presented reviewing the numbers and percentages on the incarcerated rate versus drug crime rate.

Rep. Perry provided a history on the minimum mandatory sentencing in Idaho and the impacts Idaho has proving no achievement effects on deterrence as previously believed.

Ian Thompson, Idaho Association Criminal Defense Lawyers, and **Judge Deb Bail** presented a Power Point in support. Idaho has the lowest crime rate and is the safest place to live. To best serve the state, judges should be allowed to use their tools and reduce recidivism.

Holly Koole, Idaho Prosecuting Attorney turned over her time to **Scott Bandy and Heather Reilly**, IPAA; to present opposition to removing minimum sentencing. To protect our state and keep drug king pins out of Idaho minimum mandatory sentencing should not be removed.

In response to questions, **Judge Bail** responded there have been good and bad experiences with minimum mandatory sentencing. Idaho needs to be protected from drug trafficking.

Paul Jagosh, FOP; **Clay Christensen**, Boise Police Department/FOP/, spoke **in opposition**. They were of the opinion that removing minimum mandatory sentencing would not protect Idaho from drug traffickers, but that can be done with judicial discretion.

Dan Trescott, Trescott Law, **Logan Joyce**, **Jeff Brownson**, **Mikel Hautzinger**, **Joe Nooner**, **Jeff Black**; **Kay Hess**, **Joseph Miller**, Mauk, Miller & Hawkins **Dallas Morris**, **Kathy Griesmeyer**, ACLU spoke **in support**. They were of the opinion that mandatory minimum sentencing does not allow the judges to look into individual circumstances.

Gerald Wolff, **CEPA** spoke **in opposition** to moving mandatory minimum sentencing declaring the current rules do not take away from a judges power.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 5:58 P.M.

Representative Luker
Chair

Heidi McKay
Secretary