



IDAHO CRIMINAL JUSTICE
COMMISSION
LEGISLATIVE UPDATE 2018

VISION

- Collaborating For a Safer Idaho

MISSION

- The Idaho Criminal Justice Commission is committed to collaboration to address important criminal justice issues and challenges by developing and proposing **balanced solutions**, which are **cost effective** and based on “best” practices to **achieve a safer Idaho**.

VALUES

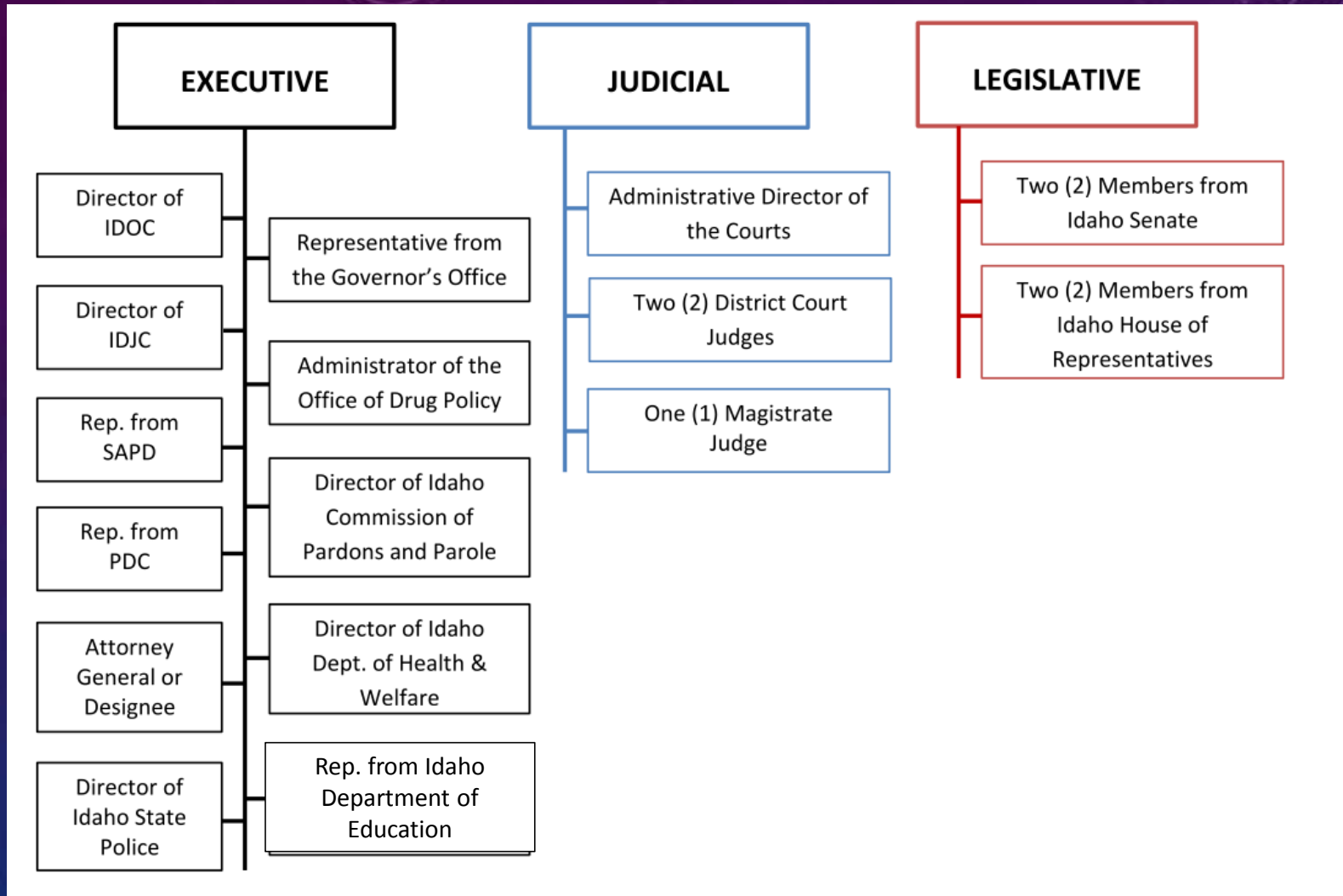
- We are **committed** to learning and enhancing our understanding.
- We **communicate** honestly.
- We **encourage** open dialogue and feedback.
- We are **flexible** and innovative.
- We **keep** our commitments.
- We **respect** all contributions.
- We are **sensitive** to the unique perception and needs of others.

Executive Order 2015-10

C.L. "BUTCH" OTTER
GOVERNOR



WHEREAS, it is in the best interest of the citizens of the State of Idaho that government promote efficiency and effectiveness of the criminal justice system and, where possible, encourage dialogue among the respective branches of government to achieve this effectiveness and efficiency...



COUNTIES

One (1) Representative from Idaho Prosecuting Attorney's Association

One (1) Representative from Idaho Sheriff's Association


CITIES

One (1) Representative from Idaho Chiefs of Police Association


OTHER STAKEHOLDERS

One (1) Representative from Idaho Commission on Hispanic Affairs

Two (2) Citizens with Special Consideration Given to Individuals within the Disciplines Related to the Purpose of the Commission

The background of the slide features a gradient from dark purple at the top to a deep blue at the bottom. Faint, semi-transparent illustrations of interlocking gears are scattered across the background, particularly on the right side, suggesting a theme of mechanics or interconnected systems.

WHEREAS, communication and cooperation among the various facets of the community of criminal justice professionals is of utmost importance in promoting efficiency and effectiveness...



IDAHO CRIMINAL JUSTICE
COMMISSION STRATEGIC PLAN
FOR THE STATE OF IDAHO

COMBATING CRIME AND PROTECTING CITIZENS

GOAL - Reduce victimization and recidivism in the state of Idaho

Objective 1: Identify and establish subcommittees relating to accountability, prevention, education, and recidivism reduction.

Objective 2: Strengthen knowledge base in Idaho by enhancing data collection abilities and sharing capabilities

PROVIDING POLICY MAKERS AND CRIMINAL JUSTICE DECISION MAKERS WITH ACCURATE INFORMATION

GOAL - Advance delivery of justice through effective interventions by proposing balanced solutions, which are cost effective and based on best practices

Objective 1 - Determine reasonable expectation of community needs and services based on resources

Objective 2 - Promote standards and equity

Objective 3 - Reduce criminogenic risk factors through the expanded use of risk assessments, policies and programming

Objective 4 - Ongoing assessment of problem solving courts and other community-based sentencing alternatives

Objective 5 - Examine emerging issues

PROMOTING EFFICIENCY AND EFFECTIVENESS OF THE CRIMINAL JUSTICE SYSTEM

GOAL - Promote well-informed policy decisions

Objective 1 - Identify strategies to promote efficiencies and effectiveness in the criminal justice system

Objective 2 - Continue presentations and training on trends, best practices and priority issues

Objective 3 - Create and implement data sharing mechanisms and agreements among stakeholder agencies

Objective 4 - Maintain awareness of substance abuse trends and priority issues

Objective 5 – Identify sustainable funding for priorities in ICJC's strategic plan

SUBCOMMITTEE WORK

PRE-TRIAL JUSTICE

MENTAL HEALTH AND SUBSTANCE ABUSE

RESEARCH ALLIANCE

HUMAN TRAFFICKING

GRANT REVIEW COUNCIL

CRIMINAL LAW REVIEW

PRETRIAL JUSTICE – ALTERNATIVES TO INCARCERATION

The two fundamental goals of pretrial are to assure the appearance of defendants in court and to assure community safety. The program operates under six fundamental functions that guide implementation and operation. The functions prescribe how a pretrial services unit will provide the information to the judiciary, safely monitor the supervised release of defendants, and report progress to stakeholders.

Nationwide, there are 300-400 state and local pretrial services programs that serve a myriad of functions. The pretrial stage of the criminal justice system uses a combination of law enforcement, court and county jail resources.

Pretrial Functions

- Verification of defendant information
- Universal screening of all defendants
- Assessment of risk
- Follow-up interviews of defendants unable to meet financial obligations of release
- Accountable monitoring and supervision of defendants in the community
- Report outcome measures to stakeholders

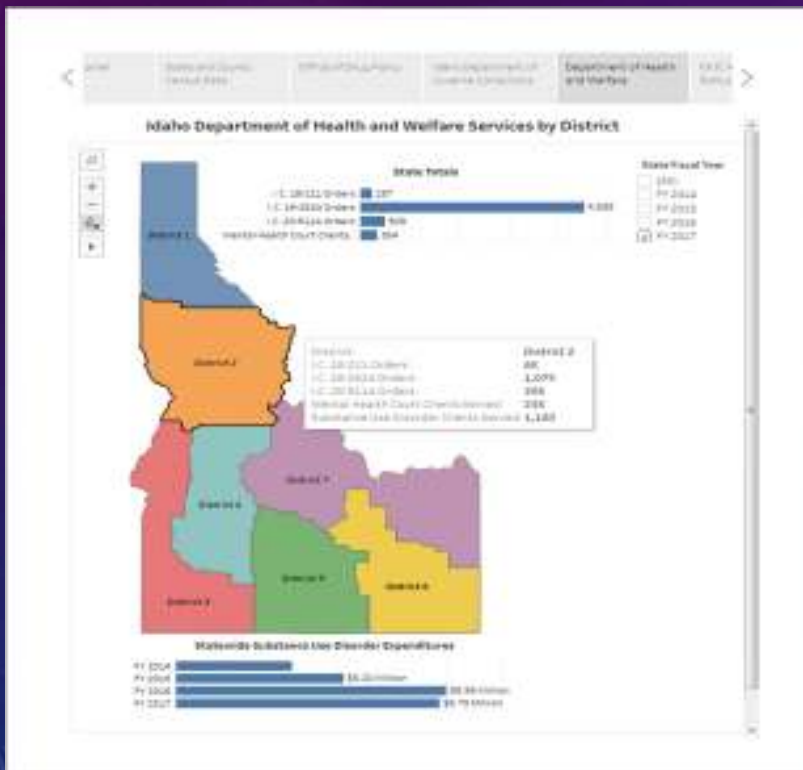
PRE-TRIAL JUSTICE RECOMMENDATIONS

- Recommendation 1: Risk Assessment
- Recommendation 2: Representation at Arraignment
- Recommendation 3: Data Collection
- Recommendation 4: Pretrial Monitoring and Supervision
- Recommendation 5: Citations in Lieu of Arrest
- Recommendation 6: Preventive Detention

MENTAL HEALTH AND SUBSTANCE ABUSE SUBCOMMITTEE

- Focused on the ongoing Opioid Epidemic
- Follow-up Mental Health Summit

IDAHO CRIMINAL JUSTICE COMMISSION DASHBOARD



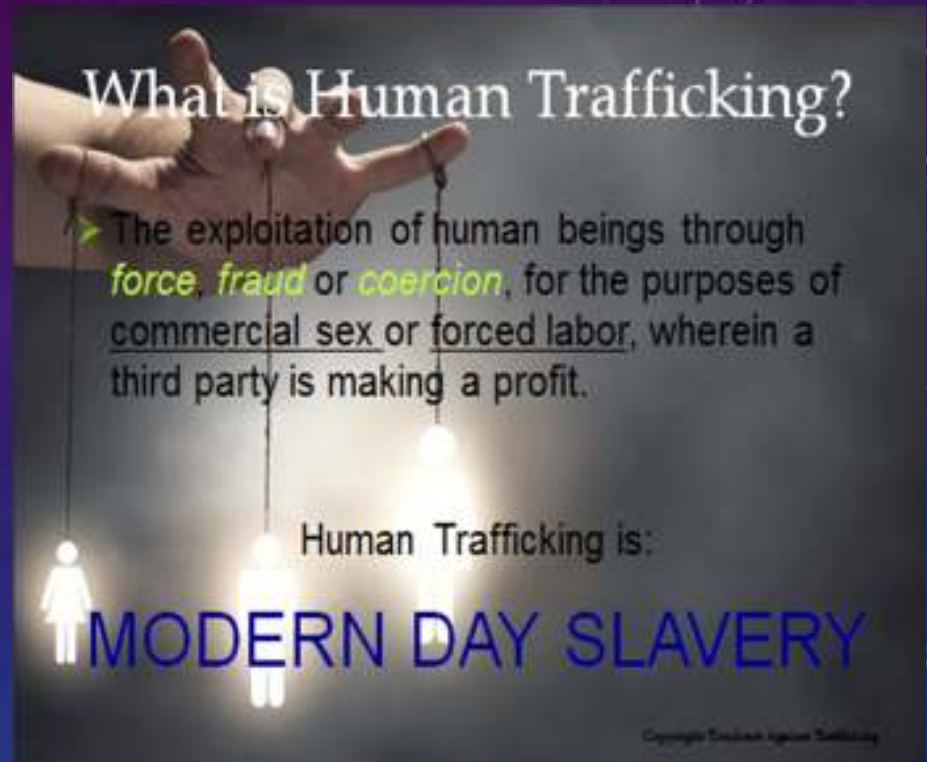
- Criminal Justice Research Alliance Subcommittee
 - ID Department of Juvenile Corrections
 - ID Department of Corrections
 - Commission on Pardons & Parole
 - Office of Drug Policy
 - Department of Health & Welfare
 - ID Supreme Court
 - ID State Police/Stat. Analysis Center
- Provide current and accurate statewide data relevant to criminal justice policies and decision-making
- Updated annually
 - Currently, rolling out data as available
- Live date: February 1, 2018
- Link: <https://icjc.idaho.gov/>

IDAHO BIANNUAL REPORT ON CRIME VICTIMS & VICTIM SERVICES

- Idaho lacks consistent, comprehensive, and credible data on crime victimization, crime victims, and victim rights/services statewide, for example:
 - Victim satisfaction with existing services/rights does not exist statewide and/or cannot be compared across locations
 - Need for, barriers to, and violations of existing rights and services does not exist statewide
- Existing relevant data is collected and housed across multiple agencies (e.g., ISP, DHW, ICDVVA, among others)
 - Difficult to obtain a clear picture of needs and barriers
 - Inhibits data driven policy initiatives and decision-making
- Proposed biannual report would respond to four recommendations from the *Crime Victims in Idaho* report
 - Collaborative report
 - Standardize currently collected data
 - Collect other relevant data
 - Evaluate victims' experiences
- Collection and analysis of existing data from Idaho agencies relevant to victimization
- Systemic analysis of SAK/case progression
- Online survey to crime victims about rights, satisfaction with services, and needs
- Initial report cost=\$128,240
- Ongoing biannual cost=\$66,796

HUMAN TRAFFICKING

- Committee's Focus
 - Gaps in Enforcement
 - Detection
 - Support Systems for Victims



What is Human Trafficking?

➤ The exploitation of human beings through *force, fraud* or *coercion*, for the purposes of commercial sex or forced labor, wherein a third party is making a profit.

Human Trafficking is:

MODERN DAY SLAVERY

Copyright: Endslavery.org

PROTECTED INNOCENCE CHALLENGE

STATE ACTION. NATIONAL CHANGE.

Idaho Report Card 2016

Idaho's human trafficking law includes sex trafficking of minors, relying on certain predicate crimes of commercial sexual exploitation of children (CSEC) and the crime of patronizing prostitution which brings buyers' conduct under the trafficking law. Minors may face prosecution for prostitution offenses as well as barriers to accessing victims' compensation to fund their recovery.

Final Score

71.5

Final Grade

C



7.5

10

18.5

25

15

15

5

10

13.5

27.5

12

15

HOW IDAHO SCORED

- ***Criminalization of Minor Sex Trafficking – 7.5/10***
 - Only violated if offender engages in human trafficking while committing another specified crime.
- ***Criminal Provisions Addressing Demand – 18.5/25***
 - Idaho silent on mistake of age?
 - No asset forfeiture for buyers.
- ***Criminal Provisions for Traffickers – 15/15***
- ***Criminal Provisions for Facilitators – 5/10***
 - No crime for benefiting from or assisting and aiding human trafficking.
 - May face prosecution under other laws.
- ***Protective Provisions for Child Victims – 13.5/27.5***
 - Idaho's Rape Shield law only applies criminal cases of rape?
 - Idaho's expungement inadequate?
 - No immunity for minor victims from prosecution.
 - No defense for adult victims from prosecution.
- ***C.J. Tools To Investigate and Prosecute – 12/15***
 - Encourages but does not require law enforcement training.

CRIMINAL LAW REVIEW

- Statutes were reviewed, proposed changes include:
 - Forcible Penetration by Use of Foreign Object
 - Sexual Battery
 - Aggravated Sexual Battery



Idaho Criminal Justice Commission

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