

MINUTES
SENATE JUDICIARY & RULES COMMITTEE

DATE: Friday, March 09, 2018

TIME: Upon adjournment of the Senate and Majority Caucus.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Lodge, Vice Chairman Lee, Senators Hagedorn, Lakey, Anthon, Foreman, Potts, Burgoyne, Nye

ABSENT/ EXCUSED: Senator Hagedorn

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: **Vice Chairman Lee** called the Judiciary & Rules Committee (Committee) to order at 12:06 p.m.

PASSED THE GAVEL: Chairman Lodge passed the gavel to Vice Chairman Lee.

DOCKET NO.: **Rules of the Sexual Offender Management Board. Nancy Volle**, Program Manager, Sexual Offender Management Board (SOMB), presented **Docket No. 57-0101-1701**, which updates SOMB rules.

DISCUSSION: **Senator Potts** questioned why there was a removal of a reference to the Association for the Treatment of Sexual Abusers Code of Ethics and Guidelines for the Assessment, Treatment, and Management of Male Adult Sexual Abusers in a section, but nothing to replace the deletions. **Ms. Volle** clarified SOMB will be removing the reference to ATSA information as SOMB has its own standards and practices.

Senator Burgoyne asked about the elimination of post-conviction guidelines and standards for sexual offenders' polygraph tests; and lack of same in the rules. **Ms. Volle** responded SOMB addressed the guidelines in a different set of rules.

Senator Nye questioned the reliability of polygraph examinations. **Chairman Lodge** introduced Brad Hunt from the Office of the Administrative Rules Coordinator. **Mr. Hunt** explained the SOMB was focusing on polygraph examinations quality assurance.

MOTION: **Senator Potts** moved to approve **Docket No. 57-0101-1701**. **Senator Burgoyne** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: Vice Chairman Lee passed the gavel to Chairman Lodge.

GUBERNATORIAL APPOINTMENT HEARINGS: **Committee Consideration of Gubernatorial Appointments to the Sexual Offender Management Board: Jean Fisher (Boise, ID), William Crawford (Caldwell, ID), Melissa Hultberg (Boise, ID), Moira Lynch (Boise, ID)**. The Committee considered the approval of Ms. Fisher, Mr. Crawford, Ms. Hultberg, and Ms. Lynch to SOMB. Each one of the appointees' described their past experiences, interest and dedication of service on the SOMB.

DISCUSSION:

Ms. Fisher, Deputy Prosecuting Attorney, Ada County Prosecutor's Office, testified she has been a prosecutor with the Ada County Prosecutor's Office for 29 years. She stated currently serving her third term with the SOMB. She spent the majority of her career prosecuting child sex offenses, as well as adult sex offenses, domestic violence, and elder abuse.

Mr. Crawford, Chief Investigator, Canyon County Prosecutor's Office, explained his background overseeing polygraph examinations. He spoke of his office solving hundreds of cases using polygraphs and lack of qualified polygraph examiners in Idaho currently conducting polygraphs.

Senator Potts asked why there is such a low level of adoption for polygraphs. **Mr. Crawford** replied there are regulations in place which prohibit an individual from starting a private polygraph practice.

Vice Chairman Lee questioned the reliability of polygraph testing and inquired about the training needed to be a polygraph examiner. **Mr. Crawford** explained the elaborate training necessary and spoke to the accuracy of polygraph tests.

Ms. Hultberg, Juvenile Services Coordinator, Idaho Department of Juvenile Corrections, spoke of her background as the clinical supervisor overseeing juvenile sex offenders. She noted her experience overseeing the treatment and rehabilitation of juveniles.

Ms. Lynch, District Manager, Idaho District for Probation and Parole, described her 20 years of experience with the Department of Correction.

Vice Chairman Lee asked Ms. Lynch to share challenges supervising sex offenders and comment on any funding challenges. **Ms. Lynch** commented on treatment and not victimizing anyone. She spoke of her background in getting people through the program so those who do not need assistance are not facing incarceration. She stated the goal of the program is public safety and officers need to have appropriate equipment to do their jobs properly.

ADJOURNED:

There being no further business, **Chairman Lodge** adjourned the meeting at 12:33 p.m.

Senator Lodge
Chair

Anna Wroblewski-Jones
Secretary

Samuel Griffin
Assistant Secretary