



Report to Governor
C.L. "Butch" Otter
and the 1st Regular
Session of the 63rd
Idaho Legislature

Idaho Supreme Court
451 W. State St.
PO Box 83720
Boise, ID 83720

P: (208) 334-2246
F: (208) 947-7590
www.isc.idaho.gov



Sentencing Alternatives

Providing Opportunities to Change

FELONY SENTENCING COMMITTEE PROVIDING LEADERSHIP

The Felony Sentencing Committee has been instrumental in working in concert with the Council of State Governments Justice Center, Senate Bill 1357, to provide judicial leadership and guidance on implementation of a data-driven, justice reinvestment approach to the criminal justice system.

The committee continues to be involved with the review of recommendations from working groups focused on the restructure of discretionary jail, early discharge from supervision, development of a Limited Supervision Unit within the Idaho Department of Correction, and design of a supervision matrix with emphasis on incentives and sanctions for those on supervision.

In addition, the committee has provided direction to the House Bill 648 Working Group for a consistent mental health assessment process for those in the criminal justice system, focusing on strengthening information provided to the judiciary for sentencing decisions. The committee suggests and provides guidance to the judiciary with outcome data on sentencing practices and recidivism rates while promoting improved community-based alternatives and to address gaps in delivered services.

PRETRIAL JUSTICE: JUSTICE BEGINS AT THE BEGINNING

The State of Idaho was invited to assemble a delegation and attend the Pretrial Justice Policy Forum, sponsored by the National Center for State Courts and the Public Welfare Foundation, held in Washington, D.C. in June 2014.

The purpose of the policy forum was to encourage jurisdictions to advance evidence-based pretrial reform practices that serve as a model for pretrial justice at the state level. The Idaho delegation was tasked with exploring pretrial justice and to begin the process of developing an action plan to address limitations and opportunities.

Delegation members then addressed the Idaho Criminal Justice Commission in July 2014 to propose the development of a statewide committee on Pretrial Justice. The formation of the committee was approved by the Commission, and the committee began their work in September 2014. The committee was tasked with developing consistent, evidence-based practices in Pretrial Justice to enhance the Idaho criminal justice system.

TRAINING AND CERTIFICATION OF MISDEMEANOR PROBATION OFFICERS

To date, nine Misdemeanor Probation Peace Officer Standards and Training (POST) Academies have been held, graduating 135 officers. All academies are conducted at POST on an annual basis. The Misdemeanor Training Council continues to work with POST to plan in-service education and to enhance officer training statewide.

In April 2014, the Misdemeanor Training Council approved the allocation of cost of supervision funds in the amount of \$35,000 to conduct a Job Task Analysis for misdemeanor probation officers statewide. The Job Task Analysis will set the foundation for revising the Misdemeanor Probation Officers Basic academy curriculum incorporating evidence-based practices. Further, it will provide POST with clear and legally defensible guidance on a variety of matters pertaining to the essential job functions, training and certification of officers. The Job Task Analysis will allow POST to develop medical standards for future hires and ensure that these standards reflect actual job performance requirements. The Job Task Analysis began May 2014 and is expected to be completed October 2014.

MISDEMEANOR SENTENCING ADVISORY TEAM: JUDICIAL LEADERSHIP TO ENHANCE SENTENCING ALTERNATIVES

The Misdemeanor Sentencing Advisory Team (MSAT) consists of magistrate judges from each judicial district who work together to enhance sentencing options for misdemeanor offenders, particularly through increasing the professionalism and capabilities of adult misdemeanor probation services statewide. The MSAT approved Pretrial Justice as a priority to support the construction of a framework for the pretrial process and to provide guidance to jurisdictions on the use of a validated risk assessment. In addition, the team coordinates with Judicial Education to identify training opportunities to support the needs of magistrate judges, including “Pretrial Justice” presented by national expert, Tim Murray, during the May 2014 Magistrate Judges Conference.

ACCESS TO RECOVERY (ATR): SUBSTANCE ABUSE TREATMENT

Access to Recovery is a federal grant awarded to the Department of Health and Welfare that provides approximately \$1.89 million in substance abuse disorder treatment for supervised misdemeanants annually. Treatment services targeted to intervene with destructive behavior for these offenders assisted in reducing their substance abuse and recidivism. October 1, 2013 marked the beginning of the fourth and final year of this funding with a completion date of September 30, 2014. The funds provided substance abuse treatment for 1,172 individuals that otherwise may have faced terms of confinement.