



IDAHO CRIMINAL JUSTICE COMMISSION

"Collaborating for a Safer Idaho"

Established 2005

C.L. "BUTCH" OTTER
Governor

Brent D. Reinke, Chair
Idaho Department of Correction

Gary Raney, Vice-Chair
Idaho Sheriffs' Association

Paul Panther
Office of Attorney General

Sen. Patti Anne Lodge
Sen. Les Bock
Senate Judiciary and Rules

Rep. Richard "Rich" Wills
Rep. Grant Burgoyne
House Judiciary, Rules & Administration

Patti Tobias, Administrator
Idaho Supreme Court

Judge John Stegner
Judge Patrick Owen
District Court

Judge James Cawthon
Magistrate Court

Col. Ralph Powell
Idaho State Police

Sharon Harrigfeld
Idaho Department of Juvenile Corrections

Olivia Craven
Commission of Pardons and Parole

Dick Armstrong
Department of Health and Welfare

Sara B. Thomas
State Appellate Public Defender

Grant Loeb
Idaho Prosecuting Attorneys Association

Dan Hall
Chiefs of Police Association

Daniel Chadwick
Idaho Association of Counties

Margie Gonzalez
Idaho Commission on Hispanic Affairs

Natalie C. Mendoza
Denton Darrington
Public Members

Mark Warbis
Office of the Governor

Matt Hyde
Department of Education

Elisha Figueroa
Office of Drug Policy

May 30, 2013

The Honorable Dean M. Mortimer
Co-Chair, Public Defense Reform (HCR026)
Idaho Senate
7403 S. 1st E.
Idaho Falls, ID 83404

The Honorable Darrell Bolz
Co-Chair, Public Defense Reform (HCR026)
Idaho House of Representatives
3412 College Ave.
Caldwell, ID 83605-6136

Dear Senator Mortimer and Representative Bolz:

In 2009, the Idaho Criminal Justice Commission created a Public Defense Subcommittee that researched and analyzed the delivery of indigent defense in Idaho. During the course of its deliberations, the Subcommittee reviewed and considered a number of sources including Idaho law and the way indigent defense is delivered in Idaho's 44 counties. The Subcommittee also reviewed a report from the National Legal Aid and Defenders Association, other state systems and statutes, case law and various standards on indigent defense promulgated by national organizations.

The Public Defense Subcommittee's Recommendations, as well as the Final Report to the Subcommittee by its contract staff attorney, were submitted to the Idaho Criminal Justice Commission. Those documents accompany this letter. Several of the Subcommittee's recommendations became law during the 2013 legislative session with the passage of house bills 147, 148 and 149.

As a result of the work of the Public Defense Subcommittee, the Idaho Criminal Justice Commission identifies four critical areas for consideration by the Legislative Interim Committee on Public Defense Reform (HCR 26):

1. The structure and organization of indigent defense delivery (See, e.g., Idaho Code Section 19-859.);
2. The oversight and accountability of indigent defense delivery;

3. The mechanisms, standards and funding for training and education for defending attorneys as defined in Idaho Code Section 19-851(1); and
4. Long-range planning for stable and ongoing funding of indigent defense delivery.

In order to effectively address the administration, delivery and standards of indigent defense in Idaho, the Idaho Criminal Justice Commission respectfully requests your consideration of these critical areas. The Idaho Criminal Justice Commission and the Public Defense Subcommittee, as always, are available as a resource and welcome the opportunity to provide additional information and assistance as you may require.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent D. Reinke", with a large, stylized flourish extending from the end of the signature.

Brent D. Reinke
Chair

BDR:zb

Encs.: Recommendations of the Public Defense Subcommittee
Final Report to the Idaho Criminal Justice Commission's
Public Defense Subcommittee
Evaluation of Trial-level Indigent Defense Systems in Idaho,
National Legal Aid & Defender Association