



## Judge Bush shares immigration facts with Rotary

Idaho State Journal: Jan. 30- Michael H. O'Donnell

U.S. Magistrate Judge Ronald Bush shared the path people take to secure naturalized citizenship during a Thursday luncheon of the Pocatello Rotary Club. The process takes five years. POCATELLO — U.S. Magistrate Judge Ronald Bush told Pocatello Rotarians on Thursday that few things in his work bring him more pleasure than holding naturalization ceremonies for newly minted American citizens. "This is one of the great thrills of being a judge," Bush said. The former Pocatello attorney earned his bachelor's degree from the University of Idaho and his law degree from the George Washington University School of Law in 1983. He has been a federal magistrate for the U.S. District Court since 2008. Attorney Howard Burnett, who practiced law with Bush at the firm of Hawley, Troxell, Ennis & Hawley in Pocatello, introduced the judge at the luncheon meeting held at the Clarion Inn. Burnett said his

old law partner was famous for his practical jokes. He shared that Bush once sent out a fake email using Burnett's private office computer telling everyone at the firm that Burnett was leaving to run for Idaho Treasurer. After receiving a bunch of odd replies, Burnett finally realized he had been pranked. "When I walked by his office, Ron's face was a red as his hair," Burnett shared. But Bush wasn't joking as he shared the long pathway to citizenship that many face when they decide to become full-fledged Americans. For those who are in the country legally, the normal process takes five years. The person has to be at least 18 years of age, be able to speak English, undergo a background check and pass a test on American history and politics. He threw out a tough question from the test bank used to test immigrants during the meeting. "Name the three people who authored the Federalist Papers," Bush said to a room suddenly filled with crickets. The answer is Alexander Hamilton, James Madison and John Jay. The papers were a series of articles the men wrote to promote ratification of the U.S. Constitution, which didn't take place until 1789 — 13 years after the Declaration of Independence. As of 2012, America contained 41 million immigrants who were able to successfully answer questions like these. Judge Bush said 20 percent of all the world's immigrants come to the U.S. even though this nation only has 5 percent of the world's population. In 2013, 780,000 people became naturalized citizens of the U.S., and more than 66,000 petitions to become citizens were denied. The leading countries for aliens seeking citizenship in the U.S. are Mexico, India, the Philippines, China, Cuba and the Dominican Republic. Judge Bush said it's gratifying to see foreign-born people jump through all the steps to become citizens of the U.S. and take the Pledge of Allegiance in a courtroom or larger-venue naturalization ceremony. He closed his presentation by sharing the speech he gives new citizens when he presides over one of these events. It begins with his personal visit to the Old North Church in Boston where two lanterns were hung to signal Paul Revere that British troops were crossing the Delaware River. "Today, you are the beacons of liberty," Judge Bush says in his speech to new citizens.

## Judge to rule on evidence testing request

Lewiston Tribune: Jan. 30- Ralph Bartholdt

Christopher J. Partee enters the courtroom Tuesday at 2nd District Court in Lewiston. He pleaded innocent to charges of second-degree murder related to the Feb. 11 death of Coby Bloodsworth at Peck. A 2nd District judge wasted little time in revealing his thinking Thursday as attorneys ironed out procedural questions in advance of Christopher J. Partee's second-degree murder trial. Jay P. Gaskill started the hearing, meant to resolve issues associated with the trial, with one word and a question. "Seriously?" Gaskill asked Nez Perce County Deputy Prosecutor April Smith, who has refused to allow the public defender's office to send evidence to its forensic expert in Texas for testing. The judge wanted to know why? "What am I going to do if it gets lost in the mail?" Smith asked. Shipping evidence away to experts in a murder case is not unusual, Gaskill said, citing a 2004 case in which Steven P. Droogs was convicted of felony manslaughter in the shooting death of 19-year-old Travis L. Palmer in the drive-through at Lewiston's Jack in the Box restaurant. Smith, who said she was unfamiliar with the case, said she assumed the Droogs evidence was shipped to a state lab for testing. It was, however, sent to the same private lab hired by Partee's attorney, Richard M. Cuddihy. Shipping evidence to a private party, including clothing worn by the defendant and the victim, as well as the firearm allegedly used in the slaying, breaks the chain of evidence, Smith argued. The chain of evidence refers to the meticulous documentation that assures crucial evidence is not altered or tampered with as it moves between experts, usually under the judicious eye of law enforcement. Partee has pleaded innocent to a second-degree murder charge related to the death a year ago of his friend, Coby Bloodsworth, who was shot twice in the chest with a .40-caliber handgun at Partee's Peck home, according to court records. Cuddihy said his expert has not examined evidence, including the firearm allegedly used in the slaying, bullets and the victim's clothing because the prosecutor's office will not allow him to send the evidence to Fort Worth-based Alliance Forensic Laboratory Inc. The prosecutor's office informed Cuddihy the expert must examine the evidence in Lewiston. "For a myriad of reasons it is not possible for the expert to perform the required examination at the Nez Perce County Sheriff's Office," Cuddihy wrote in his objection to the demand. Smith said her expert will travel from Arizona to inspect the same evidence at the sheriff's office, and she suggested Cuddihy's expert follow the same protocol. "We are not trying to keep any evidence from Mr. Cuddihy," Smith said. "(We're trying) to keep evidence safe." Cuddihy said the state has already sent the evidence in question to the state lab in Coeur d'Alene using certified mail - the same way he plans to send the evidence to Texas if the judge allows. "That's how they send all their evidence," he said. A hearing is set for Thursday to allow Smith to review the Droogs case before Gaskill makes a ruling on Cuddihy's request. Partee's jury trial is set for June 1.

## Judge: Teen statements will be heard during trial

Coeur d'Alene Press: Jan. 31- Keith Cousins

Statements made by a Coeur d'Alene teen to police after he was arrested for allegedly killing his father and brother in March will be heard during his trial, Kootenai County District Court Judge Benjamin Simpson ruled Thursday. Simpson was asked by Public Defender John Adams to suppress the statements made by his client, Eldon Samuel III, then 14, while he was detained and interrogated by Coeur d'Alene Police detectives. During a hearing last week, Adams argued that detectives downplayed the gravity of Samuel's situation - the teen faces life in prison if found guilty - and coerced him into signing a waiver of his Miranda rights so they could interrogate him without an attorney present. In his written decision on Adams' motion, Simpson said he conducted a thorough review of testimony and documentation on the issue prior to deciding to allow the teen's testimony. "Due to the nature and gravity of both the pending motion to suppress and the case as a whole, the court finds that it is necessary to provide a detailed, chronological account of the events that resulted in Eldon's alleged confession that is now at issue," Simpson wrote. The 57-page decision sheds light on what occurred in the hours after the teen allegedly killed his father, Eldon G. Samuel Jr., 46, and his younger brother, Jonathan Samuel, 13, at the Coeur d'Alene home in which they lived. Police records show the boy called in the report himself on March 24 at 9:09 p.m. and Simpson included a transcript of the call in his decision. Approximately halfway through the call, the following exchange took place:

OPERATOR: He had the gun, and you took it from him and shot him when he was hitting you?

CALLER: No, I had the gun. I was hiding it from him, and...

OPERATOR: Okay.

CALLER: And then he started hitting me. Told me to get out of the house. Leave everything. Told me to get out. And he, he started. And I said no. And he started hitting me. And then he, and the next time he hit me, shot him.

OPERATOR: Okay.

CALLER: (Inaudible)

OPERATOR: Alright. So your brother's John Samuel?

CALLER: Yeah.

OPERATOR: How old's your brother?

CALLER: Eleven I think.

OPERATOR: Okay. And you shot him too?

CALLER: Yeah.

The call ends shortly after, when Coeur d'Alene Police officers arrive at the home. Samuel was arrested and taken to an interview room at the police station. "This is a Miranda warning. You know how you see on TV, you see like these cop shows? They're just TV shows. Let me tell ya, they're made up. But they slam guys against the car," a transcript of Detective Wilhelm's conversation with the teen reads. "They're slamming them up against the car and they read these rights to them. And it's kind of at the same time, sometimes they slam up against the car, put them in jail, then they read his rights. And so that's not anything like this. Alright." According to the transcript, Samuel nodded his head "yes" and the detective tells the teen that "these are just some rights that everyone is entitled to," before reading him his Miranda rights. The teen replied "um-hum" both times he was asked if he understood what the detective was saying. He was then handed a pen and signed two documents agreeing to waive his Miranda rights. In his decision, Simpson wrote that Samuel was in custody "for Miranda purposes" from the moment handcuffs were placed on him and that the teen was not kept from his right to legal counsel since the interrogation took place "prior to commencement of Eldon's criminal prosecution." "Based upon the totality of the circumstances as discussed in detail above, for example Eldon's indications that he understood his Miranda rights and his use and understanding of sophisticated terminology, the court finds that Eldon's Miranda waiver was knowing, intelligent and voluntary," Simpson wrote. Samuel faces one count of first-degree murder and one count of second-degree murder and is scheduled for a jury trial in June.

## Judge denies motion to dismiss in perjury case

Coeur d'Alene Press: Jan. 31- Keith Kinnaird/ Hagadone

SANDPOINT - A 1st District judge denied on Tuesday a motion to dismiss a subornation of perjury charge against former Bonner County Clerk Ann Dutson-Sater, court records show. Judge Benjamin Simpson issued the ruling from the bench following oral arguments on the defense motion in Coeur d'Alene. The felony charge stems from Dutson-Sater allowing an organizer of a Lake Pend Oreille School District trustee recall to swear under oath that he had seen all of the signatures being gathered when he hadn't. Dutson-Sater has said she mistakenly believed the recall backer could make the declaration because he had seen a majority of the signatures being collected. The recall of Chairman Steve Youngdahl never got off the ground because organizers fell short of the required number of signatures needed to initiate an election. School district patrons sought the recall because Youngdahl advocated arming certain staff members to protect students in the event of a school shooting. Dutson-Sater's counsel, Sandpoint attorney Josh Hickey, argued that the recall petition effectively ceased to exist after it was nullified, which meant that the subornation also ceased to exist. The case's special prosecutor, Kootenai County Prosecutor Barry McHugh, called that argument illogical and argued that the voided petition did not nullify the subornation, court records indicate. Simpson agreed and found that Dutson-Sater's representation to Bokowy resulted in a false oath regardless of whether the petition was valid or not. Dutson-Sater, 56, is free on her own recognizance. She lost last fall's general election to Michael Rosedale. A three-day jury trial is set for March. Former Idaho Secretary of State Ben Ysursa filed an affidavit in the case stating that Dutson-Sater exercised poor judgment and made a serious mistake in administering election law, but that those missteps did not rise to the level of a felony offense in his view. Ysursa said in the affidavit that the public interest is poorly served by criminalizing a clerk's efforts to assist the public in the administration of election laws. "The public interest is even more poorly served by criminalizing a mistake when the mistake did not in the end result in holding an election when there were not enough signatures to force an election," Ysursa wrote.

## Public defender pushed for access to Samuel

Coeur d'Alene Press: Jan. 31- David Cole

COEUR d'ALENE - At 11:59 p.m. on March 24, Kootenai County Chief Public Defender John Adams called the county's central police dispatch to say he heard a 14-year-old was in custody for murder. Adams told a dispatcher he was on his way to the Coeur d'Alene Police Department to see the boy. Three hours earlier, Eldon G. Samuel III had called 911 to report the shooting of his father and brother. Adams knew about the arrest after someone called him with a tip about a major new case. He rushed to the department's headquarters. By 12:25 a.m., on what was now the 25th, Adams was in the police department lobby. He handed an officer a copy of the Idaho statute concerning juveniles and their right to an attorney while being held and questioned by police. The officer said he would pass the copy on to his superior officer, and Adams responded that he would wait for a response. Eventually, Lt. Rob Turner emerged to meet Adams. According to a transcript of their conversation, which was included in a written decision filed in Samuel's case this week by 1st District Judge Benjamin Simpson, the conversation played out this way:

Lt. Turner: What can I do for you John?

Adams: I just want to see the guy you have in custody. Have a talk with him, make sure he's OK and make sure he understands his rights.

Lt. Turner: OK. He does. Can I help you with anything else?

Adams: No. I just wanted to see him.

Lt. Turner: (Inaudible.) Have a good night.

Adams: Uh, is he OK?

Lt. Turner: Yep.

Adams: (Inaudible.) How's he doing? (Inaudible.)

Lt. Turner: John, I'm under an investigation, and you're impeding that right now.

Adams: No. I am following my obligation.

Lt. Turner: No. You're impeding my investigation. I have a lot to do.

Adams: Can I get a card or something?

Lt. Turner: It's Turner, you know who I am. Have a good night.

Adams told The Press Friday that he took Turner's comments about "impeding" the murder investigation as a direct threat of arrest. Coeur d'Alene police officials couldn't be immediately reached for comment Friday afternoon. "I didn't believe there would be anybody at the police department who would be looking out for his best interests," Adams said. "They were all there as an arm of the government, building evidence against him, not to help him." Adams said the law, according to his reading, states that Samuel has a right to consult with an attorney once in police custody. Police, he said, should have consulted with two prosecutors who were at the station, asking them whether Adams should have an opportunity to speak with the boy. "They didn't even let them know that I was there or give them the statute," Adams said. A magistrate was also present at the station, as police wanted to investigate inside the home where Samuel and his family were living and the murders took place, he said. If he had been allowed to meet and counsel Samuel, Adams said, the boy would have stopped talking immediately. "I have no doubt in my mind the police, the adult trained interrogators, would have no longer interrogated him," Adams said.

## Attorney defends commissioners action to suspend North Bannock County Fair

Idaho State Journal: Feb. 1- Michael H. O'Donnell

POCATELLO — Even though it wasn't listed as a specific agenda item last Wednesday, Bannock County's chief civil attorney Ian Service said the county commissioners' elimination of the North Bannock County Fair was perfectly legal. A motion to eliminate the fair was made in open session following a closed meeting with two potential new members of the Bannock County Fair Board, according to Service. Also attending the closed session were existing Fair Board members George Chandler and Greg Vickers from the northern part of the county, and Sheldon Barfuss and Michelle Jones of the southern part of the county. The agenda posted by the commissioners prior to the Jan. 28 meeting did specify that potential Fair Board candidates would be interviewed. It did not mention the possible elimination of the north fair and the designation of the South Bannock County Fair in Downey as the only annual event. "We had been talking about consolidation of the two fairs for months and months," Service said, adding the commissioners didn't feel the issue warranted its own public hearing. After the executive session to "discuss personnel issues," Commissioner Steve Hadley made a motion to eliminate the fair in Pocatello this year, and put all the county's resources into the Downey fair. Commissioners Howard Manwaring and Karl Anderson supported the motion. "They made a great decision," Service said. "It's forward thinking." While there are many who may support the elimination of the Pocatello fair, people have expressed unhappiness in the way the action took place. "The people of the county deserve a voice," Almond said about holding a well-advertised meeting on the fair issue. "And they had no voice." Robert Taylor, of Pocatello, sent an email to the Journal stating he thinks the commissioners violated Idaho's Open Meetings law when they obviously discussed the elimination of the north county fair during an executive session. "I don't disagree with the need to combine the North and South Bannock County Fairs," Taylor wrote. "However, I take exception to how the commissioners came to their decision, which was a blatant violation of Idaho's Open Meetings Law." Service said it's his job to make sure the commissioners don't violate state law when it comes to meetings or discussions of issues outside of meetings. He said his efforts have been well-received by the commissioners, and commission chairman Manwaring takes open meetings law seriously. However, Bannock County Prosecuting Attorney Steve Herzog said agenda items should reflect the topics that will be covered in a county commission meeting. "Otherwise you're thwarting the intent of the open meetings law," Herzog said. Service said he only has a few days prior to a meeting to review how agenda items are listed. He said the Jan. 28 agenda did list that potential new Fair Board members would be interviewed. Service also said that the lack of agendas and public notice of meetings was one of the big issues with the old Bannock County Fair Board, and that's what led to the suspension of all its members and an audit last spring. The commissioners' legal representative also said executive sessions shouldn't be abused. "You can't go into executive session every time you want to close the door," Service said. "I think this one (the session prior to the fair vote) was fair."

## Idaho chief justice outlines coming 'transformation' of state courts

Roger Burdick sees significant personnel and technological changes on the horizon.

Idaho Statesman.com: Feb. 3- Betsy Russell/ Spokesman-Review

Eighteen of Idaho's district and appellate judges have retired since 2009, and another 34 - 63 percent - are eligible to retire in the next five years, Chief Justice Roger Burdick told lawmakers Monday. "It is crucial during this time of transition that we continue to recruit the most highly qualified individuals to serve in the judiciary, and that we ensure that they are fully trained and supported," Burdick said in the annual State of the Judiciary message to the House and Senate. Idaho's courts also are going through a technology transformation, Burdick said, transitioning to a fully online, statewide court records system that will mark a "sea change" in how court records are filed, managed and accessed in Idaho, easing access and, eventually, cost. "At this date we are on budget and on schedule to pilot this spring the program in Twin Falls County," he said. Burdick said the Justice Reinvestment initiative is "the most important change, indeed a transformation, in criminal justice during my career." The effort is aimed at reserving prison space for the most dangerous offenders and reforming how Idaho manages sentencing, treatment, probation and parole with the aim of reducing recidivism. "This will not be accomplished overnight or without additional resources," Burdick said. "It will take years to train and change the attitudes and practices historically entrenched in all aspects of the criminal justice system. It is vital that the Legislature stay committed to the reinvestment of correctional savings to the goals of community supervision, training of probation officers and community rehabilitation resources." He also called for reform of Idaho's public defender system "We hope further study, education and resources will result in a new, creative approach to this constitutional duty," he said.

## Prosecuting Attorney Offers College Scholarship

MagicValley.com: Feb. 3

TWIN FALLS | A college scholarship for graduating seniors in Twin Falls county now is being offered by the county's prosecuting attorney. Applicants must write an essay on: "What can be done to reduce the use and sale of illegal drugs in Twin Falls County?" Students also must give an oral presentation. A full tuition scholarship will be awarded for the 2015-16 academic year to the College of Southern Idaho. Second- and third-place finalists will receive a one-semester scholarship to CSI. "I am very excited to be able to help further the education of a deserving Twin Falls County student and, at the same time, give them a forum to educate their fellow students and the community about the dangers of illegal drugs," said county Prosecutor Grant Loeb. Applications are available at any county high school and at the prosecutor's office. The deadline is March 2. For more information, call 208-736-4020.

## Court orders rider for theft

Coeur d'Alene Press: Feb. 4- Keith Kinnaird/ Hagadone

SANDPOINT -Jurisdiction was retained Monday for a Sandpoint woman who faced more than 30 criminal charges after stealing another woman's financial transaction cards last year. That means Zoe Hannah Maynard will serve up to a year in prison before a decision is made to place her on probation or order her to serve an underlying prison term. Maynard, 20, also admitted violating the terms of her probation in a felony drug possession case by being charged with additional crimes, which stemmed from the 2014 theft of a woman's financial transaction cards. Maynard was accused of using the cards at local stores to purchase merchandise or receive cash back on minor purchases, according to police reports in the case. All told, Maynard racked up \$1,041 in fraudulent transactions. Maynard was charged with one count of felony theft, eight counts of burglary, eight counts of criminal possession of a transaction card, seven counts of forgery and eight counts of misdemeanor theft. In exchange for pleading to the felony theft charge, the 31 other charges were dismissed, court records show. Maynard entered an Alford plea to the lone remaining charge, which meant that she admitted no culpability for the offenses but conceded she could be convicted of them. First District Judge Barbara Buchanan agreed to adopt the state and defense recommendation of retained jurisdiction in the theft case, court records indicate. Buchanan imposed an underlying sentence of one to three years and retained jurisdiction, also known as a rider. The admitted probation violations resulted in a concurrent rider. Maynard was arrested for possessing meth in 2013 and was given a two- to four-year term with retained jurisdiction.

## Idaho juvenile corrections head defends agency to lawmakers

Idaho Statesman.com: Feb. 2- Ryan Struyk/ AP

BOISE, IDAHO — The director of Idaho's Department of Juvenile Corrections defended her agency after lawmakers raised concerns about a recent lawsuit alleging sexual abuse by staffers at a detention center in the southwest part of the state. Sharon Harrigfeld, who is up for reappointment, told the Senate Judiciary and Rules committee Monday that the department is doing its best to care for young people in its facilities. "We're doing everything in our power to make sure the juveniles in our care are safe and secure," she told the lawmakers. Harrigfeld declined to comment on the lawsuit specifically. At least 10 former youths have come forward in the last year alleging they were sexually abused at the detention center in Nampa. Democrat Sen. Grant Burgoyne of Boise probed for further information on Harrigfeld's role. "I appreciate that the lawyers don't want you to discuss the lawsuit," he said. "But I think I'd be remiss if I didn't ask you a couple of questions that maybe you can't answer." Burgoyne asked if she had testified and whether the committee could access her testimony. Harrigfeld said her deposition was public and that she would compile a packet of documents to give to the committee. "I think we all appreciate that allegations get made, and it doesn't necessarily mean they are true," Burgoyne said. "I imagine that there are two or more sides to this matter." In defense of her agency, Harrigfeld pointed to recent successful audits of facilities in St. Anthony and Nampa, carried out as part of the federal Prison Rape Elimination Act. The Nampa auditor said that the facility was excellent, and the scope of the audit did not allow him to list all the positive aspects of the program, she said. A different auditor is performing three separate audits to maintain independence, Harrigfeld said. Three individuals had filed separate claims against the state before a group of seven former detainees filed a lawsuit in October. They are seeking damages of \$8.4 million for sex abuse that they say happened between 2008 and 2012. The panel is expected to vote on Harrigfeld's reappointment on Wednesday.

## Idaho attorney general announces \$21.5 million settlement

Idaho Statesman.com: Feb. 3- AP

BOISE, IDAHO — Idaho Attorney General Lawrence Wasden says the state will receive \$21.5 million after resolving a lawsuit with Standard & Poor's Financial Services. Wasden in announcing the settlement Tuesday says it's one of the largest settlements ever obtained under Idaho's Consumer Protection Act. He says the settlement holds S&P accountable for misrepresentations that extended into 2011. S&P will pay \$1.375 billion to 20 states and the U.S. Department of Justice involving litigation accusing the company of engaging in false and misleading practices leading up the financial crisis that began in 2008. Wasden says the company emphasized its independence and objectivity while manipulating analytical models to produce credit ratings its clients wanted.

## Former jailer convicted of having sex with boy gets out of prison

Lewiston Tribune: Feb. 6- AP

NAMPA - A former supervisor at a southwest Idaho juvenile detention facility sentenced to 20 years in prison last year for having sex with a 15-year-old male inmate has been released from jail in a process called retained jurisdiction. Julie McCormick was released following a hearing in 3rd District Court on Wednesday in which her sentence was changed to 10 years of supervised probation. She checked in with a state parole office for the first time that afternoon. McCormick was sentenced in March after pleading guilty to sexually abusing a juvenile offender at the Juvenile Correction Center in Nampa where she was the head of security. But Judge Brady S. Ford retained jurisdiction, meaning he could reassess the sentence if McCormick responded well to treatment. "The retained jurisdiction has accomplished what I wanted it to accomplish," Ford said at McCormick's hearing Wednesday, the Idaho-Press Tribune reported. "It provided initial sex offender programming while she was in the secure environment." Ford ruled that while on supervised probation, McCormick must have no contact with the victim and no unsupervised contact with juvenile males. She must also register as a sex offender for the rest of her life. McCormick's voice trembled when she described the treatment program in prison, saying it was one of the best things that has happened to her. "I had to confront myself, your honor, and I had to be honest for the first time in my life," she said. "It was liberating and terrifying, and it showed me who I could have been all along if I allowed myself to be. If you grant me probation, it won't be a mistake, and you won't see me again." Gerald Bublitz, McCormick's attorney, said his client earned the right to be considered for early release. "I don't think you're going to have any issues with Ms. McCormick on probation, Judge," he said. "I think she's going to be a model probationer." In a related matter, the victim in the case filed both a tort claim and a lawsuit last year against the Idaho Department of Juvenile Correction alleging that he was sexually abused by McCormick. Two other claims have been made in the last year and a half by youths formerly held at the Nampa facility contending that they were sexually abused by two staffers.

## Walton demands his day in court

Lewiston Tribune: Feb. 6- Ralph Bartholdt

A Clarkston man is suing county and state law enforcement for allegedly strapping him to a chair two years ago in the Nez Perce County Jail as part of a DUI investigation, drawing his blood without consent, choking him until he spit blood and putting a hood over his head. The DUI charge was later dismissed. In a lawsuit filed in U.S. District Court, Dustin Walton alleges he was arrested by the Idaho State Police after a Feb. 3, 2013, traffic stop in Lewiston. Walton refused to submit to a breath test to determine his blood-alcohol concentration and was arrested on a charge of DUI, according to the lawsuit. He was transported to the Nez Perce County Jail, where he was restrained using straps and belts while blood was forcibly drawn, according to the suit filed against the county, the Nez Perce County Sheriff's Office, the state of Idaho and the state police. Walton alleges officers moved the chair away from a surveillance camera and restrained him further with a chokehold that caused him to cough blood, according to the lawsuit. Afterward, he alleges police put a hood over his head, "which restricted his ability to see and his ability to breathe and forced Mr. Walton to swallow his own blood," according to the suit filed by attorneys Jonathan Hally and James W. Grow Jr. of Lewiston. He is seeking an unspecified dollar amount and is demanding a jury trial. According to court documents filed two years ago in Lewiston's 2nd District Court, Walton was driving west on D Street at approximately 2 a.m. when he was stopped by a state trooper. Walton allegedly had slurred speech, bloodshot eyes, smelled like alcohol and admitted he had been drinking and smoking marijuana, according to a state police report. When he refused to submit to a field sobriety test, he was arrested and booked into the jail where his blood was forcibly drawn. By allegedly strapping her client to a chair and choking him, Lewiston defense attorney Paige Nolta, who represented Walton two years ago in the criminal case, argued in 2nd District Court that law enforcement used unreasonable force to obtain a blood sample from her client. According to court documents, Walton told police, "I'm not going to resist you, man." He also told officers, "You aren't getting my blood." Walton was calm and did not resist officers until he was being choked, according to court records. "The defendant only became belligerent after officers restrained him and began to use force on him before a blood draw was even attempted," Nolta argued. Nez Perce County Magistrate Gregory K. Kalbfleisch dismissed the misdemeanor DUI charge as well as a charge of resisting police officers. Walton was convicted of possession of a controlled substance and driving without privileges, both misdemeanors. Nez Perce County Sheriff Joe Rodriguez said policies at the jail have changed, in part because of the Walton case. He said blood is no longer drawn at the jail in DUI cases. At the time of the incident, Idaho law allowed police to forcibly draw blood, but a law change last year made forcible blood draws without a warrant illegal. State police Capt. Lonnie Richardson said he has not seen the lawsuit. Suits against the state are sent to the agency's headquarters, he said. Nez Perce County Deputy Prosecutor Nance Ceccarelli had also not seen the suit and declined to comment.

## Gossage held for trial in son's murder

Lewiston Tribune: Feb. 6- Ralph Bartholdt

A Lewiston magistrate ruled Thursday there is probable cause to charge a 20-year-old Lewiston man with first-degree murder in the death of his infant son. After listening to almost three hours of testimony Thursday in 2nd District Court, the bulk of it presented by a Seattle pediatrician and the Lewiston police detective who investigated the case, Magistrate Michelle Evans ruled to hold Cody A. Gossage over for trial on the murder charge. Gossage is being held without bond in the Nez Perce County Jail pending a Thursday arraignment before 2nd District Judge Jay P. Gaskill. He is accused of killing his 5-month-old son, Jordan B. Bigman-Gossage, after allegedly shaking the boy Oct. 29 while the child was in his care at the family's home on the 1200 block of Bryden Avenue. The child died two days later at Harborview Medical Center in Seattle. Seattle pediatrician Ken Feldman, who works at Harborview and appeared via Skype, said Jordan's injuries included torn retinas and bleeding in both eyes, skull tissue hemorrhaging that resulted in acute brain swelling, trauma and respiratory failure indicative of whiplash. "In his case, it was unusually severe," Feldman said. He associated the child's fractured ribs with being forcefully gripped, which is common in shaking events, he said. Lewiston Police Detective Jason Leavitt testified Gossage, during interviews with officers, admitted to shaking the child. Gossage allegedly told Leavitt that he accidentally dropped his son against the couch as he was trying to calm the child during a crying episode, then picked him up and snapped his head, the detective testified. Lewiston paramedics, called as witnesses by public defenders Rob Kwate and Gregory Hurn, testified that broken ribs are sometimes caused by performing CPR. A Lewiston police dispatcher instructed the defendant in CPR over the phone after he called 911, according to testimony. Kwate pointed out that Feldman, a child abuse pediatrician since 1983, has been sued nine times for malpractice. All of the suits were dismissed, Feldman said. Evans said Thursday's testimony pointed toward an aggravated battery, which could have resulted in injuries from which the child may have died. Idaho Code stipulates that any murder that occurs during the commission of an aggravated battery on a child younger than 12 is classified as first-degree murder. "It supports first-degree murder as far as probable cause is concerned," she said. If convicted, Gossage faces the possibility of either life in prison or the death penalty.

## Chief justice: Idaho courts in midst of 'transformation'

Spokane Eye on Boise February 2, 2015

Idaho Supreme Court Chief Justice Roger Burdick delivers his "State of the Judiciary" address to the Senate on Monday morning (Betsy Russell) Eighteen of Idaho's district and appellate judges have retired since 2009, and another 34 – 63 percent – are eligible to retire in the next five years, Chief Justice Roger Burdick told lawmakers today in his annual "State of the Judiciary" message to the House and Senate. "It is crucial during this time of transition that we continue to recruit the most highly qualified individuals to serve in the judiciary, and that we ensure that they are full trained and supported," he said. Idaho's courts also are going through a technology transformation, Burdick said, transitioning to a fully online, statewide court records system that he said will mark a "sea change" in how court records are filed, managed and accessed in Idaho, greatly easing access and, eventually, cost. "At this date we are on budget and on schedule to pilot this spring the program in Twin Falls County," he said. Burdick said the Justice Reinvestment initiative that all three branches of Idaho's state government have endorsed and launched is "the most important change, indeed a transformation, in criminal justice during my career." The effort is aimed at reserving prison space for the most dangerous offenders, and reforming how Idaho manages sentencing, treatment, probation and parole with the aim of reducing recidivism. "This will not be accomplished overnight or without additional resources," Burdick said. "It will take years to train and change the attitudes and practices historically entrenched in all aspects of the criminal justice system. It is vital that the Legislature stay committed to the reinvestment of correctional savings to the goals of community supervision, training of probation officers, and community rehabilitation resources." He also called for reform of Idaho's public defender system, saying, "We hope further study, education and resources will result in a new, creative approach to this constitutional duty." Burdick, who is addressing both the Senate and the House today, said, "We are truly embarked on a transformational period in our court's history. We will keep you informed and stand ready to assist in these important policy decisions for all Idahoans."

## Ex-city worker gets probation for stealing copper pipe

By ALI TADAYON Post Register January 29, 2015

A former city employee was sentenced Thursday to five years probation for stealing about \$6,500 worth of copper pipe from the Idaho Falls Water Department. Kendall Quinton, 54, of Iona, pleaded guilty to felony grand theft. The charge carries a potential punishment of up to 14 years in prison. Pursuant to a plea agreement, the prosecutor's office recommended probation after Quinton paid back the money, which he did Thursday, Bonneville County Chief Deputy Prosecutor James Murdock said. Quinton voluntarily surrendered to Idaho Falls police officers Oct. 14 after a warrant was issued for his arrest. An investigation was launched in March, after the Water Department discovered the missing pipe. The pipe was locked up in a storage facility and meant to be scrapped. The money from recycling the pipe was supposed to go back to the city. Quinton, who worked as a water supply operator since 2001, had access to the pipe. He was taking the pipe to be scrapped at Millcreek Metals in Roberts for his own gain, authorities said. After a security camera system showed Quinton entered a facility where the missing pipe was stored, Water Department officials contacted the police. Quinton was fired April 14.

## Judge weighs releasing medical history

Morning News January 30, 2015

LEWISTON (AP) — A Judge is considering a request to release the medical history of a 2-year-old who prosecutors say died of internal bleeding after being struck by her northern Idaho baby sitter. The Lewiston Tribune reports that Natasha Hodges' defense attorney wants access to medical records for 2-year-old Rylee Mingo, as well as her sister and the emergency room doctor who treated her. Prosecutors have charged Hodges with first degree murder, but defense attorney Richard Cuddihy says that Mingo died of natural causes from pancreatitis, an inflammation of the pancreas. Cuddihy also on Wednesday said that the doctor who first treated Mingo in the emergency room did not follow protocols and that his judgment was impaired by undergoing medical treatment himself. "It's clear by the record that a number of protocols weren't followed," Cuddihy said. "That information is important for us to piece this together for the jury." Once the toddler had problems breathing, Hodges called 911, but Mingo later died after arriving at a hospital. Hodges, 30, was silent throughout the hearing on Wednesday, as Judge Jeff Brudie from the 2nd District Court questioned both sides on releasing the records. Nez Perce County Deputy Prosecutor April Smith argued that the requested records aren't relevant to the trial. "The state feels any other records are beyond the scope of discovery and (don't) have anything to do with Rylee," Smith said. "Discovery is not intended to be a fishing expedition." Cuddihy also said that records from the first 30 minutes that Mingo was in the emergency room at St. Joseph Regional Medical Center are missing, and that the toddler's blood sugar level was much too low. The judge will issue a written order in response. A jury trial is set for April 9.

## I.F. man admits setting fire to attorney's home

By ALI TADAYON Post Register January 30, 2015

An Idaho Falls man charged with first-degree arson admitted that he set fire to an attorney's home Dec. 15 in Idaho Falls. Melvin "Mel" Savage, 44, admitted to the crime Monday in a civil deposition ordered by attorney Laurie Gaffney and her husband Eric Andersen, the victims of the fire. Savage faces two felony charges of first-degree arson and first-degree stalking in Bonneville County. Gaffney represented Savage's ex-wife in the couple's divorce proceedings. Gaffney and Andersen reported that someone had tried to set fire to their home in the early morning hours of Dec. 15. They suspected Savage, who they said had been harassing them. Savage was arrested on a Bonneville County warrant the following day in Loveland, Colo., by Larimer County Sheriff's deputies. After Savage had his initial court appearance on the arson charge, Gaffney and Andersen filed a lawsuit against him. Savage was deposed Monday at the Bonneville County Courthouse. During the deposition, attorney Jeff Banks, representing Gaffney and Andersen, asked Savage if he had received medical treatment while incarcerated in the Larimer, Colo., County Jail. "Now, at the time of your arrest, did you have any

medical condition that you were treated for?" Banks said. "Yeah," Savage said. "They took me to the hospital. I had some burns." In Savage's Larimer County Jail booking photo, what appear to be burns are visible. Banks later asked, "And what was the cause of the burns?" "Fire," Savage said. Savage confirmed the fire was started in a window well at Gaffney's home. Banks then asked, "What was the reason for starting the fire in, what you said, Gaffney's window well?" "Stupidity," Savage said. In the deposition, Savage said that before starting the fire, he filled up a red gas can at a nearby Maverik store. He said he put a paper towel in the nozzle and lit it on fire and dropped the gas can into the window well. Savage said he didn't intend to drop it down the window well. He meant to drop it on the sidewalk by Gaffney's house. But after he lit it, "it blew up" and he dropped it. He said he then ran to his 2013 Toyota Corolla parked nearby, and drove straight to Colorado. After the deposition ended, Savage wrote a letter to the Post Register, which was received Tuesday. In the letter, Savage said the deposition was "forced," and since he was only notified of it Jan. 23, the Friday before the deposition was to take place, he was unprepared. "My first words to the court reporter and Mr. Banks was that I was not prepared to answer any questions on such short notice," Savage said. "I had no chance to contact an attorney over the weekend. I was trapped and threatened, I sat all alone and was bombarded with questions." The day before Savage was subpoenaed for Monday's deposition, he sent another letter to the Post Register, saying that because of Gaffney's claims and the Post Register's Jan. 11 article, "Sleepless nights: I.F. attorney victim of arson attack" he already was virtually convicted of the crime. "(Bonneville County Prosecutor Danny Clark) should be furious with these folks and should muzzle Mrs. Gaffney," Savage said in the Jan. 22 letter. "Better yet, let her continue to defile her pathetic reputation, and her profession as a whole." Savage is scheduled to be arraigned Feb. 10. At that time, he will enter a plea. He remained in custody Friday at Bonneville County Jail. His bond is set at \$250,000. First-degree arson is punishable by up to 25 years in prison. First-degree stalking is punishable by up to five years in prison and no less than one year.

## **Idaho has received 84 applications for courts director, former chief justice is acting head for now**

Spokane Eye on Boise February 2, 2015

Idaho has received 84 applications so far from throughout the nation to replace former state courts Administrative Director Patti Tobias, who left this fall to take a position with the National Center for State Courts, Chief Justice Roger Burdick told lawmakers today in his annual "State of the Judiciary" address. Burdick said the state has benefited from continuing to work with Tobias on the ongoing implementation of the Justice Reinvestment Act through the state's contract with her new employer. While the search is on for Tobias' replacement, Burdick said the court has formally appointed former Chief Justice Linda Copple Trout as interim administrative director, and Senior Judge Barry Wood as deputy director. "It is unprecedented in the nation to have a former chief justice come back to serve as administrative director," Burdick said. "We are very grateful for her service. I can say without reservation both have the complete trust and backing of the Idaho judiciary."

## **I.F. man gets probation for domestic violence**

By ALI TADAYON Post Register February 2, 2015

An Idaho Falls man was sentenced Monday to four years probation for physically abusing a 25-year-old woman on at least two occasions in 2014. Bradley James Burns, 26, pleaded guilty Dec. 17 to felony domestic battery by inflicting traumatic injury, misdemeanor violation of a no-contact order and misdemeanor intentional destruction of a telecommunication line. Pursuant to a plea agreement, Bonneville County prosecutors dropped an additional charge of misdemeanor intentional destruction of a telecommunication line and misdemeanor domestic battery. In exchange for Burns' guilty plea, prosecutors also agreed to recommend Burns participate in a domestic violence treatment program instead of going to prison. Bonneville County chief deputy prosecutor James Murdock said Burns enrolled in the Bonneville County domestic violence problem-solving court and is a month into the program. District Judge Dane Watkins Jr. sentenced Burns to an underlying prison term of two to seven years. If Burns is unsuccessful in the program, Watkins could order him to serve that time in prison. Bonneville County Sheriff's deputies arrested Burns Oct. 12 on the 100 block of S. Maurine Drive in Bonneville County. Before deputies arrived, Burns and the victim reportedly were arguing. By talking to the victim, Burns was violating a no-contact order that was set by Magistrate Judge L. Mark Riddoch on Aug. 11. The same day Burns was charged with misdemeanor domestic battery and intentional destruction of a telecommunication line. When the victim took out her cellphone and threatened to call law enforcement, Burns took the phone away. Burns then punched the victim causing a laceration in her mouth, bruising on her face and a concussion. When deputies arrived, they arrested Burns and transported the victim to Eastern Idaho Regional Medical Center where she was treated and released the same day.

## **Meridian murder suspect arraigned Cameron Post, 23, told investigators he fired in self-defense**

By JOHN FUNK February 3, 2015 Idaho Press-Tribune

BOISE — Cameron Post, 23, remained stony-faced and silent when he appeared via video link before Ada County Magistrate Judge Michael Oths Monday afternoon for arraignment on a charge of second-degree murder. According to the criminal complaint read aloud by Oths during the hearing, Post is suspected of shooting his father-in-law, Trent Spreier, 57, in the head with a .40 caliber pistol Saturday on the 900 block of Crater Lake Court in Meridian. Meridian Police responded to a report of a shooting in the 900 block of Crater Lake Court at 6:55 p.m. Saturday where initial information indicated Post had been in a dispute with Spreier. Police said the two men got into an argument over the use of a vehicle earlier in the day which escalated into a confrontation outside Spreier's home. Officers said there were no witnesses to the shooting, which occurred in Post's vehicle with Spreier standing at the driver's side door. Police say Post shot Spreier once, hitting him in the face. Spreier was transported to Saint Alphonsus Regional Medical Center in Boise where he was pronounced dead at 7:37 p.m. Bound by restraints into a wheelchair, Post didn't speak a single word from the courtroom video screen, instead allowing his attorney Anthony Geddes to do the talking. Prosecutors asked for a \$1 million bond,

which Oths granted. Geddes said the defense would argue bond at a later date, adding only that he believed \$1 million is excessive. According to information presented in court, Post himself called 911, reporting that he'd just shot a man who tried to attack him. Post and Spreier had a disagreement about a vehicle earlier in the day, court records state, and Post told Meridian Police Department investigators that he was seated in a vehicle when Spreier approached him and threatened to "beat him up." Investigators believe Post shot Spreier in the head with a Glock pistol, court records state. He told detectives he did not believe Spreier was armed, nor did Spreier threaten to kill him, and he acknowledged that he carried the pistol for selfdefense. The Ada County Coroner's Office said the cause of death was homicide by a single gunshot wound. Post will next appear for a preliminary hearing 8:30 a.m. Feb. 13 before Ada County Magistrate Judge John Hawley.

## **Defense attorney calls it bar brawl, not hate crime**

Post Register February 4, 2015 7:09 p.m.

BOISE, Idaho (AP) — A defense attorney for one of two men charged with committing a federal hate crime told jurors Tuesday that the fight that led to the charge was simply a barroom brawl, not a racially motivated attack. The trial of Beau E. Hansen and Jonathan L. Henery began in Idaho's U.S. District Court this week. Prosecutors say the two men, who are both white, yelled racial slurs while they assaulted a black man at a Boise strip club. Attorneys for both men concede that their clients might be guilty of battery, but nothing more, the Idaho Statesman reported. "This is a bar fight. It's not a hate crime," Thomas Dominick, the attorney for Henery, said in opening statements. Mark Ackley, who represents Hansen, also denied that race played any role, telling jurors that Derrick Lewis provoked the fight by saying something degrading to Henery's sister. "It was a free-for-all. It was a barroom brawl," Ackley said. Lewis, now 46, said he still suffers from eye trouble from injuries he suffered in the Oct. 20, 2013 attack. He told jurors that he was just looking for a lost piece of his cellphone headset when he walked past Hansen and Henery inside the club. As he passed the group, Hansen looked his way, Lewis said. "He turned and looked at me, and immediately the smile left his face and was replaced by a grimace," Lewis said. "He launched himself off the couch like there was an emergency." If convicted, the men face up to 10 years in prison. The trial is expected to last two weeks.

## **IDJC staffer convicted of lewd conduct gets probation Judge: Julie McCormick's crime 'absolutely unacceptable,' she responded well to treatment**

By JOHN FUNK February 5, 2015 Idaho Press-Tribune

CANYON COUNTY — Julie McCormick, a former Idaho Department of Juvenile Corrections staffer convicted of lewd conduct with a minor under 16, will be released from prison after less than a year in custody. She was convicted after she confessed to having a sexual relationship with a 15-year-old male inmate. McCormick, 33, was sentenced in March 2014 to 20 years in prison with five years fixed by 3rd District Judge Bradley S. Ford. But Ford retained jurisdiction for 365 days, allowing himself the option to reassess the sentence if McCormick responded well to treatment programs. "The retained jurisdiction has accomplished what I wanted it to accomplish," Ford said at McCormick's hearing Wednesday. "It provided initial sex offender programming while she was in the secure environment." Nonetheless, Ford highlighted the severity of McCormick's offense — taking sexual advantage of a minor over whom she held a position of authority — describing her conduct as "absolutely unacceptable." When invited to make a statement, McCormick's voice trembled as she described her prison treatment program as one of the best things that's ever happened to her. "I had to confront myself, your honor, and I had to be honest for the first time in my life. It was liberating and terrifying, and it showed me who I could have been all along if I allowed myself to be," she told Ford. "If you grant me probation, it won't be a mistake, and you won't see me again." McCormick will spend 10 years on supervised probation instead of the remainder of her prison sentence, Ford ruled. During that time, she must have no contact with the victim and no unsupervised contact with juvenile males. She must also register as a sex offender for the rest of her life, Ford ordered, and she may be required to inform all potential employers of her sex offender status. Deputy Prosecuting Attorney Erica Kallin noted that McCormick seemed to struggle with her own sense of responsibility at the time of sentencing. "She was certainly taking a victim stance, and she wasn't just taking a victim's stance — she was blaming the victim during the pre-sentence investigation and the psychosexual investigation," Kallin told Ford. "She indicates in her assessment that the victim was the only man that she ever really loved. There's still some thinking errors, because at 15, you're not a man." It's difficult to assess a female offender's likelihood to re-offend, Kallin argued, because the measuring sticks are geared toward men who commit sex crimes, and women offend for different reasons. "In many ways, Ms. McCormick is the stereotypical female offender," she told Ford. "What Ms. McCormick did is an ultimate violation of trust and does place our community in danger." Gerald Bublitz, McCormick's attorney, argued that his client took her assigned programs seriously and earned the right to consideration for early release. "I don't think you're going to have any issues with Ms. McCormick on probation, Judge," he told Ford. "I think she's going to be a model probationer." If she fails to meet the terms of her probation, she risks returning to Idaho Department of Correction custody for the remainder of her 20-year sentence. As of Wednesday, McCormick had spent a total of 602 days in custody, though not continuously

## **NO STRANGER TO CONTROVERSY College of Idaho alumna Candy Dale enjoys giving time back to school**

By ANNA STAYER February 5, 2015 Idaho Press-Tribune

CANYON COUNTY — There are two cards on the desk of Candy Dale, Idaho's chief magistrate judge for the U.S. District Court: One features a print of a yellow Labrador and the other is of Wonder Woman. "Our first lab was a wedding gift," Dale said. Unfortunately, it's been "too long" since the couple owned a lab. They both travel a lot for work and think their absences would be difficult on a dog. Dale regularly travels to district courts in Coeur d'Alene, Moscow and Pocatello as well as national conferences for district court judges. She's also presided over two of Idaho's most controversial cases in recent years: The 2013 coyote-wolf hunt case in Salmon and her controversial decision last year ruling Idaho's same-sex marriage ban unconstitutional. When Dale's not seated behind the bench, she's helping people reintegrate into society after serving time for federal drug crimes. Dale helped launch a drug court-style program for the district with Judge Mikel Williams in 2008. She also finds time to ski (both water and snow), hike, exercise and serve on the Board of Trustees for her alma mater, The College of Idaho. The more Dale shares about her list of personal and professional

obligations, the less you wonder why Idaho's first female district court judge has a Wonder Woman card on her desk. A LIFELONG IDAHOAN Dale grew up in south Boise near the airport with her parents and two sisters. Her father worked for a road construction and paving business, and her mother worked as an English teacher and then a receptionist for former Idaho Gov. C.A. Robins before becoming a homemaker. "I didn't come from a family of lawyers," Dale said. "I actually knew very little about the law." That's why Dale decided to major in mathematics at The College of Idaho after graduating from Borah High School in 1975. She planned to become a teacher, but plans changed after she spent the fall semester of 1977 in England learning about the country's education system as well as its culture, politics and law. She enrolled in a political science course and "before it ended, I talked to the professor about law school," Dale said. "That was kind of when the first seed was planted." Her politics professor and adviser practically pushed Dale into taking the LSAT, a standardized exam that's a key component of any law school application. "They were so supportive and encouraging" that Dale soon found herself enrolled at the University of Idaho College of Law where she thrived. Dale served as editor-in-chief of the college's law review and graduated in the top 10 of her class. It was also where she met her husband, Jim Dale. The couple married in 1984 and have one daughter, Lindsay, who is in her third year of medical school. "She said the one thing she didn't want to be when she grew up was a lawyer," Dale said with a laugh. "I try not to take that personally." LOCAL TIES RUN DEEP Once Dale settled into her career and married life, she got involved with The College of Idaho's national alumni board. "I just have deep ties to the college by virtue of the professors there," Dale said. Since it was such a small school, Dale's classmates and professors felt more like an extended family. Her classmates and professors even taught her to ski. "Now you'd think that's kind of odd because you'd think I would have learned to ski when I was growing up here in Boise," Dale said. Dale's involvement with The College of Idaho continued to grow over the years. "Even with her demanding duties, Judge Dale volunteers her time to help C of I students achieve success," College of Idaho President Marv Henberg said. "Not many college students can say they've rubbed elbows with a United States chief magistrate." In 2007, Dale joined the school's board of trustees, and in 2011, she became board chairwoman. That put her at the center of the college's 2012 decision to reinstate its football program. Dale found the timing strangely fitting. She'd been one of three students tasked with helping the board save the college in 1977 when it decided to disband most of its athletic programs. "It's kind of interesting that I was involved full circle in some capacity," Dale said. "It was a really good day, the first game." APPOINTMENT TO THE BENCH In 2007, Dale successfully applied for one of two open positions as a magistrate judge with Idaho's U.S. District Court. After her appointment, Dale presided over a range of cases that dealt with everything from the environment to how to implement the Individuals with Disabilities and Education Act. But she didn't make national headlines until December 2013 when WildEarth Guardians sued to stop a coyote-wolf derby in Salmon. The environmental group claimed the U.S. Forest Service failed to properly permit the event, but Dale ruled against WildEarth just days before the derby was set to start. She wrote in her opinion that because fees and prizes weren't collected or awarded on Salmon-Challis National Forest lands, the organizers didn't need a permit. The public sent Dale quite a few letters in response to the derby ruling, but those paled in comparison to the ones she received after ruling that Idaho's same-sex marriage amendment violated federal constitutional law. "I haven't read everything that was out there," Dale said. "I guess, put it this way, there were several adjectives people used." When a case is high profile, Dale spends "more time on each and every word and sentence in the decision." "My goal is to write it so that whoever reads it ... even though they may not agree with it, there's a chance they'll understand it," Dale said. That desire to ensure people comprehend is a hallmark of Judge Dale, said Mark Cecchini-Beaver, one of Dale's law clerks. "In some instances there is something of a teacher in Judge Dale," Cecchini-Beaver said. "She really focuses on the fairness of the process – especially in criminal cases to make sure everyone understands what's going on." Judges never know when a major case is going to land on their desk. They're randomly assigned by the court. That element of surprise keeps Dale on her toes because the variety requires her to research and learn about a range of federal law and legal precedents. Dale wouldn't have it any other way. She loves her job and hopes to she has many more years ahead of her on the bench. The two men who preceded her as magistrate judges served 16 and 24 years before retiring. Dale probably won't stay quite that long. She's already got her eye on a few retirement dreams. "The first thing we're going to do once one of us retires is get a yellow lab puppy," Dale said. Then, she's going to take it hiking in the foothills.