

SUMMARY STATEMENT

Searcy v. Idaho State Board of Correction, Docket No. 43019

In an appeal from the district court in Ada County, the Supreme Court affirmed the district court's grant of summary judgment in favor of the Idaho Department of Correction (IDOC) and the Idaho State Board of Correction (the Board). The appeal involved inmate Barry Searcy's challenge to various fees that the Board imposed for different services. Searcy's complaint alleged that the IDOC and the Board illegally charged inmates fees for: (1) commissary goods, (2) telephone calls, (3) photocopies, (4) medical services, and (5) hobby supplies. In 2013, the district court granted summary judgment in favor of the IDOC and the Board, dismissing all of Searcy's claims.

The Court of Appeals affirmed the district court on January 14, 2015. However, the Court of Appeals was divided as to whether all IDOC rules imposing fees, even those concerning "the government and discipline of the correctional facility" under Idaho Code section 20-244, are subject to the rulemaking requirements of Idaho Code section 20-212.

The Supreme Court granted review. It affirmed the district court's grant of summary judgment, deciding that: (1) the fees are not unconstitutional taxes; (2) the Board acted within its constitutional authority; and (3) the Board followed the correct rulemaking process. Regarding the last issue, the Supreme Court determined that IDOC rules imposing the challenged fees under Idaho Code section 20-244 are not subject to the rulemaking process set forth in Idaho Code section 20-212.