

SUMMARY STATEMENT

State of Idaho v. Kristopher A. Wrede
Docket No. 49569

Kristopher A. Wrede pleaded guilty to felony making threats against elected officials. He was sentenced to a unified term of confinement of five years, with a minimum period of confinement of two years. The district court suspended the sentence and placed Wrede on probation. Later, Wrede filed several motions, including a motion to waive or reduce the costs of supervision. The district court denied Wrede's motion but agreed to recommend to the Idaho Department of Correction (IDOC) that it should consider reducing or terminating Wrede's cost of supervision based on his mental health, performance on probation, indigency, and presumed required payment to other supervising agencies.

On appeal, Wrede argued the district court abused its discretion in denying his motion to waive or reduce the cost of his probation supervision fees because the district court failed to perceive the issue as one of discretion or, in the alternative, failed to reach its decision by an exercise of reason.

The Court of Appeals held that there are two statutes relevant to whether a district court has authority to waive or reduce a state probationer's cost of supervision--I.C. §§ 20-221 and 20-225. In construing the statutes together, the Court determined that although I.C. § 20-221(1) grants a district court the authority to modify any term or condition of probation, pursuant to I.C. § 20-225, IDOC only has the authority to determine the amount of cost of supervision fees and later modify the amount. Thus, the district court did not err in denying Wrede's motion because it lacked the statutory authority to do so.

*This summary constitutes no part of the opinion of the Court but has been prepared by court staff
for the convenience of the public.*