

Attachment 1
The Idaho Criminal Justice System
Ashley Dowell, Chair
January 12, 2024

The Idaho **CRIMINAL JUSTICE SYSTEM**

Ashley Dowell, Chair
Idaho Criminal Justice Commission

Idaho Criminal Justice Commission

- The Idaho Criminal Justice Commission (ICJC) was created in 2005 by Governor Kempthorne's Executive Order and has been reauthorized by subsequent Governors.
- The Idaho Criminal Justice Commission is committed to collaboration to address important criminal justice issues and challenges by **developing and proposing balanced solutions**, which are cost-effective and based on “best” practices to achieve a **safer Idaho**.



Idaho Criminal Justice Commission

27 members from three branches of government
and the community.

Idaho Criminal Justice Commission Members Present:

Ashley Dowell, Chair, Comm of Pardons & Parole
Tracy Basterrechea, Chiefs of Police Association
Kieran Donahue, Idaho Sheriffs Association
Chris Mathias, House Jud, Rules & Admin
Dave Jeppesen, Health & Welfare
Melissa Wintrow, Senate Judiciary & Rules
Kedrick Wills, Idaho State Police
Daniel Chadwick, Vice Chair, Public Member
Erik Lehtinen, SAPD
Jonathon Brody, Judge, District Court

Thomas Sullivan, Judge, Magistrate Court
Todd Lakey, Senate Judiciary & Rules Chairman
Joshua Hurwit, U.S. Attorney, District of Idaho
Jeff Nye, Idaho Attorney General's Office
Darren Simpson, Judge, District Court
Bruce Skaug, House Jud & Rules Admin
Jared Larsen, Office of the Governor
Denton Darrington, Public Member
Marianne King, Office of Drug Policy

Monty Prow, IDJC
Josh Tewalt, Department of Correction
Kathleen Elliott, Public Defense Commission
Bernadette LaSarte, Public Member
Sara Omundson, Idaho Supreme Court
Grant Loeb, Prosecuting Attorneys Assoc.
Seth Grigg, Idaho Association of Counties
Greg Wilson, Department of Education

Comprising a quorum of Idaho Criminal Justice Commission (Commission)

The criminal justice system in Idaho is complex.

Criminal Justice in Idaho



- Two types of **adult** criminal processes
 - Misdemeanors
 - Felonies

- Juvenile crimes are handled **differently**

**Presentation adapted from “What is the sequence of events in the criminal justice system?” provided by Prosecutor Bryan Taylor*



Entry into the system

Prosecution and pretrial services

Adjudication

Sentencing and sanctions

Corrections



Entry into the system

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Corrections

Entry into the system



- A crime is reported
- Investigation and possible arrest by law enforcement
 - May be released without charges
 - May be unsolved

Contacts- Entry into the system



- Law Enforcement
 - Idaho Chiefs of Police Association
 - Idaho Sheriff's Association
 - Idaho State Police
- Prosecutor
 - Idaho Prosecuting Attorneys Association
 - Idaho Office of the Attorney General



Entry into the system

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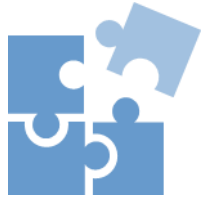
Corrections

Prosecution and pretrial services



- Charges filed by prosecutor
 - Charges may be dismissed, amended or added throughout process
- Initial appearance
 - Bail or detention
 - Pretrial release
- Preliminary hearing (felony only)
- Pretrial conference (misdemeanor)

Contacts- Prosecution and pretrial services



- Prosecutor
 - Idaho Prosecuting Attorneys Association
 - Idaho Office of the Attorney General
- Defense Counsel
 - May be private counsel
 - County Public Defender*
- Judiciary
 - Idaho Supreme Court
- Pretrial Services/Jail
 - Idaho Sheriff's Association

*Statewide Public Defender Office under development



Entry into the system

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Corrections

Adjudication



- Arraignment
 - Charges may be dismissed, amended or added throughout process
 - Charges may be amended
- May plead guilty and eliminate need for a trial
- Trial
 - May be acquitted
 - Convicted of crime

Contacts- Adjudication



- Prosecutor
 - Idaho Prosecuting Attorneys Association
 - Idaho Office of the Attorney General
- Defense Counsel
 - May be private counsel
 - County Public Defender*
- Judiciary
 - Idaho Supreme Court
- Jail
 - Idaho Sheriff's Association

*Statewide Public Defender Office under development



Entry into the system

Prosecution and pretrial services

Adjudication

Sentencing

Corrections

Sentencing



- Felonies
 - Probation
 - Unified sentence
 - Determinate or fixed
 - Indeterminate
 - Incarceration- jail or prison
 - Rider
- Misdemeanors
 - Probation
 - Jail

Contacts- Sentencing



- Judiciary
 - Idaho Supreme Court
- Incarceration
 - Jail- Idaho Sheriff's Association
 - Prison/Rider- Idaho Department of Correction
- Misdemeanor Probation
 - County
- Felony Probation
 - Idaho Department of Correction



Entry into the system

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Adjudication

Sentencing and sanctions

Corrections

Corrections



- Probation (Judge)
 - Misdemeanor- County, Felony- IDOC
 - May be revoked and underlying sentence executed
- Incarceration
 - Prison or jail
 - Parole (Commission)
 - After prison term and parole hearing
 - Supervised by IDOC

Contacts- Corrections



- Probation
 - Idaho Supreme Court
 - Misdemeanor- County
 - Felony- Idaho Department of Correction
- Incarceration
 - Prison- Idaho Department of Correction
 - Jail- Idaho Sheriff's Association
- Parole
 - Idaho Commission of Pardons and Parole
 - Supervision by IDOC

Other critical parts of the system



- Juvenile Offenders
 - Separate system
- Appeals of court rulings
- Mental health
- Substance abuse treatment
- Education
- Treatment courts

Contacts- Other critical parts of the system



- Juvenile Offenders
 - Department of Juvenile Corrections
 - County probation
- Appeals
 - State Appellate Public Defender
 - Office of the Attorney General
- Mental health/Substance abuse
 - Department of Health and Welfare
 - Office of Drug Policy
- Education
 - Department of Education
- Treatment courts
 - Idaho Supreme Court

Thank you

 icjc.idaho.gov