


Idaho Commission of Pardons and Parole  	<b>Standard Operating Procedure</b>	Title: Remission of Fines or Penalty		Page: 1 of 3
		Control Number: <b>112</b>	Version: <b>1.0</b>	Adopted:  <i>11-30-2020</i>

Ashley Dowell, Executive Director, approved this document,

Open to the public: Yes

*Ashley Dowell*  
✓

### SCOPE

This standard operating procedure (SOP) provides procedures for Commission of Pardons and Parole (Commission) staff regarding remission of fines.

<b>Revision Summary</b>
Revision date ( <i>j _J _</i> ) version <i>_</i> : [Insert a short description of changes from the previous version only, unless there was a revision within the last six months, then you may include that summary.]

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### PAROLE COMMISSION IDAPA RULE NUMBER

50.01.01.600

### POLICY CONTROL NUMBER (Insert Number or Delete)

112

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## PURPOSE

The purpose of this SOP is to provide guidelines to Commission staff regarding remission of fines or penalty.

## RESPONSIBILITY

This SOP applies to all employees.

## GENERAL REQUIREMENTS

An application must be completed on the Commission's Remission of Fines or Penalty form.

1. **Request.** Application for the Remission of Fines or Penalty must be submitted on the petition for remission of fines or penalty provided by the Commission. The petition must outline the reasons the Commission should remit the fine or penalty
2. **Petition.** The petitioner must provide certified copies from the court or clerk of the court in the jurisdiction that assessed the penalty with the application. Any such documentation must show the amount of fine or penalty assessed and the amount owing. An incomplete petition will be returned to the petitioner and not processed.
3. **Review.** The Commission reviews the petition and supporting documents for the remission of fines or penalty during a quarterly hearing session in January, April, July and October. The petition and supporting documents will be reviewed in executive session during the scheduled Parole Hearing session. The petition and supporting documents are:
  - o Application for remission of fines
  - o Criminal history/ILETs
  - o Judgement of fines
  - o Certified amount owed
  - o QTPProfile
  - o iCourts docket for all cases.
  - o

During the review the Commission will decide whether to grant a hearing

4. **Hearings.** Hearings are granted or denied at the sole discretion of the Commission and the petitioner will be notified of a hearing decision in writing.

Should a hearing be granted, a packet will be created for use by the Commissioners at the hearing. This packet will include:

- o Minutes from the Commission review;
- o Packet from the Commission review
- o Time Calculation, and Parole Hearing Screens (found in Reflections);
- o Minutes from parole hearings;
- o An investigative report completed by the Parole Investigator.

If a hearing is scheduled, notice of the hearing will be published in a newspaper of general circulation in Boise, Idaho at least once a week for four consecutive weeks immediately prior to the hearing. A copy of notice of publication will be mailed to the prosecuting attorney of the county that originally assessed the penalty. The petitioner will also be notified of the date, time, and location of the hearing by mail sent to the last known address.

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The decision and supporting documents concerning the decision of the Commission will be filed with the Secretary of State. All written materials used in the Commission's deliberations are subject to disclosure pursuant to the Idaho Public Records Act. The ILETs/criminal history and individual commissioners votes are not public record and will not be released.

If the fine is remitted, an official document will be submitted to the clerk of the court where the fine or penalty was originally assessed. This document will be considered satisfaction of the judgment.

#### **.References**

IDAPA 50.01.01.600

Idaho Code §20-210A

Idaho Constitution Section 7 article IV

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