



# STATE OF IDAHO

COMMISSION OF PARDONS AND PAROLE

Brad Little  
Governor  
Ashley Dowell  
Executive Director

## QUARTERLY BUSINESS MEETING

**DATE/TIME:** January 13, 2020 9:30 a.m. MT  
**LOCATION:** South Idaho Correctional Institution  
13900 S. Pleasant Valley Road; Kuna, ID 83634

**Commissioners:**

Cortney Dennis	R. David Moore
Janie Dressen	Tony Plott
Mike Matthews	Patricia Young
Rich Wills	

**Executive Director:** Ashley Dowell

### Commission Staff Present:

Felicia Forbus, Violations Hearing Officer Supervisor  
James Keller, Parole Hearing Investigator Supervisor  
Michelle Day, Business Operations Manager  
Lissa Duncan, Hearings Manager

### Others Present:

Karen Magnelli, Idaho Deputy Attorney General  
Jarod Larson, **Governors Office Liaison**

## AGENDA

- 1. Call to Order:** 9:30am – Review of October 2019 Business Meeting Minutes
  - i. Action Item** – Approval of minutes. Commissioner Wills moved to approve, Commissioner Dennis, seconds.
  - ii.** Move to change the order of the agenda items. Commissioner Dennis moved to place Agenda Items 11 and 12 at the beginning, Commissioner Dressen seconds.
- 2. Temporary Administrative Rule**
  - i. Action Item:** Commissioner Moore moved to approve, Commissioner Dennis seconds.
- 3. Director's Update- Commission Business**

Executive Director Dowell reviewed Administrative Rules hearing with House Judiciary Committee. Proposed rules have passed the House and will be going to the Senate for approval. The Commission was informed of proposed legislation regarding crimes that would be required to go before the Governor for approval for pardons.

  - i. Action Item:** Hearings staff will separate Commutations for inmates from Commutations for parolees and create separate worksheets so the Commission can easily see who is or is not on parole while reviewing the petitions.

Commissioners should be aware when paroling inmates to out of state detainees that the jurisdiction of the detainee may book and release upon arrival into their custody. IDOC has staff who track those released onto parole to out of state detainees.



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Reimbursement: Pay for Commissioners is statutory at \$300 per day. There is not a lesser amount that can be paid if there is a recusal or working a partial day.

The Commission needs to be more specific when using the relationship special condition as to who it pertains to.

Parole Hearing Investigator Supervisor, James Keller, asked the Commissioners to be as specific as possible in what they want to see in the memo for the next hearing (ex: no more DORs, parole plan to assisted living, etc).

Beginning in May for the travel caseload and June for the local caseload, reports will be in bullet format. Reports will no longer include restitution or child support information.

#### 4. Discussion with IDOC Parole Officers

Four Parole Officers from District 4 Probation and Parole came before the Commission to discuss domestic violence, sex offender, and specialty court case loads and challenges.

#### 5. Presentation on Immigration Enforcement and Deportation Processes

Two agents from Immigration and Customs Enforcement met with the Commission to discuss the process once the inmate has been released to an ICE detainer.

#### 6. Miscellaneous File Reviews for Rider Hearing Dates

- i. **Action Item:** Commission staff will move the next hearing date to an appropriate date for those who are granted probation from a rider instead of conducting a miscellaneous file review. Commissioner Moore moved, Commissioner Dressen seconds.

#### 7. Telehealth as an Option for Evaluations and Treatment in Rural Areas

- i. **Action Item:** Commission will support sex offender's ability to utilize telehealth option within an approved environment in rural areas. Commissioner Dressen moved, Commissioner Plott seconds.

#### 8. Audio Recordings of Hearings

- i. **Action Item:** Audio recordings to be used for training or emergency purposes as of 1/13/2020. Commissioner Wills moved, Commissioner Moore seconds.

#### 9. Updates to Furlough Criteria

- i. **Action Item:** To adopt the updated furlough criteria after striking #9 and moving #8 to bottom. Commissioner Young moved, Commissioner Moore seconds.

#### 10. Executive Session: I.C. 74-206 (1)(f) By the Commission of Pardons and Parole, as provided by law to communicate with legal counsel.

In Session at 12:44 p.m. Roll Call Vote all approved.  
Out of Session at 1:33 p.m.

#### 11. Restitution Orders

Executive Director Dowell requested the Commission stop ordering restitution and payment of fines as a special condition of parole. It is statutory for the Courts to order restitution so there is no reason for the Commission to order it as part of the condition of parole. The court would go through a separate process if the parolee is not paying court ordered fines.

- i. **Action Item:** The Commission will not order payment of restitution or fines as a condition of parole. Commissioner Young moved, Commissioner Plott seconds.



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**12. Forfeiture Process - Handout**

Forfeiture of time on parole should be based on public safety and not as a sanction. Idaho Statute defaults to time spent absconding from supervision is forfeited but the Commission has the discretion to not forfeit fugitive time. Commissioners are able to forfeit a block of time rather than a specific period of time between dates and can choose which case number the forfeiture applies to.

- i. **Action Item:** accept first 6 suggestions as guidelines. Commissioner Wills moved, Commissioner Moore seconds.

**13. Training on new Commissioner laptops by IDOC IT staff**