

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2020-20

CONTINUING THE IDAHO CRIMINAL JUSTICE COMMISSION

WHEREAS, it is in the best interest of the citizens of the State of Idaho that government promote efficiency and effectiveness of the criminal justice system and, where possible, encourage dialogue among the respective branches of government to achieve this effectiveness and efficiency; and

WHEREAS, combating crime and protecting citizens from criminal depreations is of vital concern to government; and

WHEREAS, communication and cooperation among the various elements of the community of criminal justice professionals is of utmost importance in promoting efficiency and effectiveness; and

WHEREAS, providing policy makers and criminal justice decision makers with accurate information results in better decisions, improving public safety and resulting in more efficient use of public resources; and

WHEREAS, under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968 and the Crime Control Act of 2005, each state is encouraged to develop and implement a competitive mechanism for awarding certain federal grant funds; and

WHEREAS, Idaho's current criminal justice efforts and initiatives require clear strategic planning and continued coordination; and

WHEREAS, since its creation in 2005, the Idaho Criminal Justice Commission has advised and made recommendations to Idaho Governors on criminal justice policy in forum that brings stakeholders together to respectfully work together.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by the authority vested in me by the Constitution and the laws of the State of Idaho do hereby order that Executive Order 2018-03 is repealed and replaced by this order, and in so doing do also order that:

- I. The Idaho Criminal Justice Commission ("Commission") is hereby established. The Commission shall consist of twenty-seven (27) members and the membership shall be as follows:*
 - a. Ex Officio Members:*
 - i. The Attorney General or designee;*
 - ii. The Director of the Idaho Department of Correction;*
 - iii. The Director of the Idaho State Police;*
 - iv. The Director of the Idaho Department of Juvenile Corrections;*
 - v. The Administrator of the Office of Drug Policy;*
 - vi. The Executive Director of the Idaho Association of Counties;*
 - vii. The Executive Director of the Idaho Commission of Pardons and Parole;*
 - viii. The Director of the Idaho Department of Health and Welfare or designee;*
 - ix. The Administrative Director of the State Courts;*
 - x. The State Appellate Public Defender; and*
 - xi. The United States Attorney for the District of Idaho or designee.*
 - b. Members Appointed by the Governor:*
 - i. A representative from the Governor's Office;*
 - ii. A representative from the Idaho Prosecuting Attorneys Association;*

- iii. *A representative from the Idaho Sheriffs ' Association;*
 - iv. *A representative from the Idaho Chiefs of Police Association;*
 - v. *A representative from the Idaho State Department of Education;*
 - vi. *Three (3) citizens at large, with special consideration given to individuals with experience or education related to the Mission of the Idaho Criminal Justice Commission, and/or those individuals representing tribal or other underrepresented communities in Idaho; and*
 - vii. *A representative serving on the Idaho Public Defense Commission or the Executive Director.*
- c. *Members Appointed by Other Officials:*
- i. *Two (2) members from the Idaho Senate appointed by the President Pro Tempore;*
 - ii. *Two (2) members from the Idaho House of Representatives appointed by the Speaker of the House; and*
 - iii. *Three (3) representatives from the Idaho judiciary appointed by the Chief Justice, with at least one (1) representative being a district judge and at least one (1) representative being a magistrate judge*
2. *The Commission members representing the judiciary and the United States Attorney for the District of Idaho or designee will serve in a nonvoting, advisory capacity.*
 3. *Any designees authorized by this order must be from the same office or agency as the Commission member. Ex-officio members, unless expressly allowed by this order to select a designees their office or agency, may not allow a designee to vote in their stead.*
 4. *All Commission members appointed by the Governor serve at the pleasure of the Governor and vacancies among Commission members with a term-fixed by this order shall be refilled in the same manner as the original appointment and-for the duration of the unexpired term.*
 5. *The terms of all Commission members appointed by the Governor shall terminate on thirty-first day of January. The terms of all Commission members appointed by the Governor shall be before four (4) years, except the citizens at large, whose terms shall be before two (2) years.*
 6. *The Chair of the Commission shall be appointed by the Governor to serve at the pleasure of the Governor. A Vice-Chair shall be selected annually by the members of the Commission. The term of office of the Vice-Chair shall be one (1) year. The Chair may succeed himself as approved by the Governor and the Vice-Chair may succeed himself as approved by the Commission.*
 7. *The Commission shall receive administrative staff support from the State agencies represented on the Commission.*
 8. *The Commission will meet no less than-four (4) times annually.*
 9. *The Commission may appoint subcommittees consistent with the needs of the Commission to address-pertinent issues that merit more in-depth consideration.*
 10. *Commission members will serve without compensation or reimbursement for expenses, including related travel and per diem to attend Commission meetings.*
 11. *The purpose of the Commission shall be to-provide policy-level direction and to-promote efficient and effective use of resources, based on a data- driven approach and evidenced- based practices, for matters related to the State 's criminal justice system. To that end it shall:*
 - a. *Identify critical challenges facing the criminal justice system and recommend strategies to resolve them by;*
 - b. *Developing and adopting a three-year strategic plan to be reviewed annually;*
 - c. *Analyzing the long-range needs of the criminal justice system;*

- d. *Assessing the cost-effectiveness, return on investment and performance measures of the use of State and local-funds in the criminal justice system;*
 - e. *Reviewing data and reporting relating to Idaho's implementation of the Justice Reinvestment Act subsequent criminal justice reforms;*
 - f. *Advise and develop recommendations for the Governor and the Legislature, when appropriate, nonpublic policy and strategies to improve the State 'criminal justice system;*
 - g. *Review and evaluate criminal justice policies and proposed legislation to determine the impact on the State 'adult and juvenile justice systems;*
 - h. *Promote communication among criminal justice professionals and the respective branches of State and local government to improve professionalism, create partnerships, and improve cooperation and coordination at all levels of the criminal justice system; and*
 - i. *Research and evaluate evidenced-based practices and use-findings to influence decisions on-policy.*
12. *The Grant Review Council ("Council") shall be established under the Commission and is charged with disbursing federal grant funding appropriated under provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; of the Violence Against Women Act of 1994, and other such federal grant programs as may come within the purview of the Idaho State Police with the overall mission of enhancing the efficiency and effectiveness of the criminal justice system in Idaho.*
- a. *The Council shall consist of thirteen (13) members of the Idaho Criminal Justice Commission for the purpose of assisting the Idaho State Police in its distribution of grant funds. The Council membership shall be as follows:*
 - i. *The Attorney General or designee;*
 - ii. *The Administrative Director of the State Courts;*
 - iii. *The Director of the Idaho Department of Correction;*
 - iv. *The Director of the Idaho State Police;*
 - v. *The Director of the Idaho Department of Juvenile Corrections;*
 - vi. *The Administrator of the Office of Drug Policy;*
 - vii. *The Idaho State Appellate Public Defender;*
 - viii. *A representative from the Idaho Prosecuting Attorneys Association;*
 - ix. *The Executive Director of the Idaho Association of Counties;*
 - x. *Two (2) citizens at large;*
 - xi. *A representative from the Idaho Sheriffs 'Association; and*
 - xii. *A representative from the Idaho Chiefs of Police Association.*
 - b. *In addition, the Council shall consist of the following seven (7) members appointed by the Chair of the Commission upon recommendation by the Commission:*
 - i. *A representative from the Idaho Council on Domestic Violence;*
 - ii. *A representative from a statewide advocacy agency;*
 - iii. *A prosecuting attorney;*
 - iv. *A representative from the juvenile justice system;*
 - v. *A representative from the misdemeanor probation system;*
 - vi. *A Chief of Police; and*
 - vii. *A Sheriff.*
 - c. *The Chair of the Council shall be appointed by vote of the members of the Council and shall serve a term of four (4) years. The Chair will report to the Commission not less than annually on the activities, actions, and decisions of the Council regarding the distribution of grant funds.*
 - d. *Each member of the Council shall be entitled to one vote in the matters before them.*

- e. *No member may participate in a vote for a direct award of funds in which the member receives personal pecuniary benefits, as defined by Idaho Code. Unless prohibited by federal grant restriction, when a member has authority over an entity or agency which has applied for a direct award of funds, the member shall disclose the relationship to the Council. Upon disclosure of such relationship, the member may vote upon the award unless the member requests to be excused.*
- f. *Participation by Council members (or their designees, when authorized by this order) in the scoring and evaluation of the individual grant applications is required. Members not participating in the scoring and evaluation process will not be entitled to vote on the awarding of the application.*
- g. *Meetings of the Council shall be convened as determined necessary by the Chair of the Council, Chair of the Commission, or the Idaho State Police.*
- h. *The principal staff functions of the Council shall be located with the Idaho State Police.*
- i. *Members of the Council will receive travel reimbursement in accordance with Idaho State Police policy and procedures.*
- j. *The Council will establish by-laws in accordance with guidance provided by the Bureau of Justice Assistance and the Idaho State Police, and consistent with the Commission's long-term strategies.*
- k. *Members of the Council will receive training provided by the Idaho State Police and in conjunction with the Commission.*
- l. *Members of the Council will meet at least once a year to assist in strategic planning efforts with representatives from the Idaho State Police. The Council shall develop a strategic funding plan consistent with the statewide strategic planning efforts of the Commission.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 21st day of December in the year of our Lord two thousand and twenty.



BRAD LITTLE
GOVERNOR

LAWRENCE DENNEY
SECRETARY OF STATE