

ISA General Meeting February 1, 2010

Meeting called to order by ISA President Wayne Rausch

Attendance: Sheriff's: Chris Goetz, Mitch Alexander, Marvin Williams, Chris Smith, Craig King, Dave Sanders, Lorin Nielsen, Patti Bolen, Doug McFall, Stu Lumpkin, Ric Anderson, Brent Bunn, Paul Wilde, Dave Johnson, Greg Sprungl, Robert Kirts, Blair Olsen, Kevin Halverson, Walt Femling, Chad Huff, Chuck Rolland, Wayne Rausch, Doug Giddings, Daryl Wheeler, Len Humphries, Daryl Crandall and Dale Buttrey.

Ward Noland IBHS, Larry McGhee POST, Cindy Malm, ISA, Joe Young Bonner County Commissioner, Steve Lutes NezPerce CSO, Mike Kane, Donnie Wunden Gem CSO and Vaughn Killeen.

Appointments: Sheriff Rausch- There are two appointments that need to be filled. One is on the ILETS board and the other is the Juvenile Justice Commission. Any one that is interested in one of these appointments needs to talk to Sheriff Rausch during this meeting.

Legal Issues: Dave Sasser- There are two cases from the 9th Circuit that everyone should read and make sure that the policy is updated. The first is about Taser use and how it should not be used in place of going hands on. Dave said that there are cases that Deputies have used a Taser through the jail bars. Clearly the inmate behind the bars does not pose a threat to the Deputy and a Taser should not be used. The second case involves interviewing child victims of sexual abuse. If the child is at school the parent must be notified before the child can be interviewed. ICRMP does not provide insurance for overtime claims and the law enforcement exemption in FLSA does not apply to dispatchers. Courts have found that if a person can be seen changing clothes that it is considered a strip search and you need to have justification for the search. If you are going to do a cavity search call ICRMP or your PA before doing it. There will be legislation about texting this year. Do not let your employee's text and drive. There has been too much communications about personnel issues by email causing issues with discovery. If you need to discuss a personnel matter with someone other than legal counsel do it in person or by telephone. There has been a Lexipol committee formed to review updates when they become available. This committee will give their advice about the updates but each agency that has Lexipol has the final decision for their agency.

Budget Report: Vaughn- To date ISA has expended \$136,000 and has only received \$130,000. This is normal for this time of year and more revenue is expected. The annual audit will be coming out soon. Motion to accept by Sheriff Nielsen, second Sheriff Olsen motion passed.

Homeland Security Report: Ward Nolan- Nolan talked about the Idaho State Alert and Warning System, (ISAWS). This is a notification system that has pilot programs going on in Boise and Bonner Counties.

There will be state wide availability by June and it will cost each county \$4,000 per year or less depending on what level of service they want. Homeland Security money can be used for this project.

Operations Committee Report: Sheriff Alexander- The gas tax issue for the search and rescue fund is probably going to be put off at least one year. The rule for the distribution of the dollar collected for law enforcement from ATV registration is moving forward. Mike Kane also reports that he has had positive feedback regarding increasing the dollar to three dollars. There is some new legislation being put forward by the Idaho Recreation Council. It will include mandatory education for unlicensed operators, define how unlicensed operators are supervised and require helmets for those under 18 operating snowmobiles and specialty off highway vehicles. The Search and Rescue fund is doing well.

Training Committee Report: Sheriff Wheeler- Civil School will be hosted by NezPerce County on April 21 and 22. It will be at the Fish and Game Building in Lewiston. They would like to start a talk group for Civil Deputies and put info on the ISA web page. For the June Conference they are trying to get some representatives from Oakland and from Pierce County WA to talk about critical incidents.

Jail Standards Committee: Sheriff Wilde- The review committee for the POST Detention Academy Curriculum will be starting soon. There has been a new subcommittee started to review the Jail Standards Operations Manual, Sheriff Nielsen will chair the committee. Dave Sasser is coming up with an interim guideline for taking money from inmates. There are 24 Counties that have met the Jail Standards. When inmate mail is returned or not delivered to the sender must be notified.

VINE: Vaughn- The VINE program will continue with the grant received by ISA. This grant can be extended to cover the program for three years. We are also applying for the Court Module of the VINE program. The cost is \$500,000 and is supported by the Idaho Supreme Court. This module allows for victims to be notified anytime that the offender has a court appearance. The current VINE system only notifies the victim when the inmate is released from custody. The grant will cover all County Jails and IDOC.

9-12 Project Letter: There was discussion about sending a modified version of Sheriff Raney's letter as a response to the 9-12 Project questionnaire. There was a motion made by Sheriff Buttrey to modify and send the letter after legal review, second by Sheriff Williams but the motion failed.

Mexican Consulate: Consul Ricardo Pineda- The Consulate in Boise covers all of Idaho and Montana and is there to help Mexican Nationals. They can also help verify Mexican Nations identification and help verify Official Mexican documents.

ITD DMV Modernization Project: Tyler Zundel- The current computer platform is from 1980 and it is getting very difficult to work on and get parts. The new system would consolidate driver's license and vehicle registration information.

Motion to adjourn by Sheriff Wilde, second by Sheriff Johnson, motion passed.

ISA General Meeting February 2, 2010

Legislative Update: Mike Kane- HB447 Relief for mental commitment to get a concealed weapons permit when petitioned through the court. The NRA is pushing for expungement of records so that people that are currently not allowed to get a permit could get one. Tribal bill has not RS yet but ISA opposes. Col. Russell has been assigned to try and compromise the issues. Sheriffs need to start gathering facts and stats about Tribal and Non-Tribal crimes on the reservations. There is a bill to reduce the excessive DUI limit to .15. An industrial hemp bill has been proposed and everyone agreed to oppose this bill. FOP has a bill to keep normally public information about officer or former officers private. We will support this bill. Expect to see a bill about shackling pregnant women. There will be some kind of texting bill. Discussion was about if there should be a law enforcement exemption. The consensus was that texting on phones should not be exempt but we need to be able to use vehicle mounted computers. We are waiting for an AG's opinion about Sheriff's standards. The question is if POST certification can be required before running for office or after being elected. EMS legislation is being brought by IAC and they want our support. After Teresa Baker agreed to add language about the nothing in the bill would change the fact that all search and rescue is under the jurisdiction of the Sheriff we agreed to support the bill. We were asking for legislation to exempt the Sheriff from having to get an auctioneers license. After some research was done it was found that the only requirement to get the license was to pay \$10 to the Treasurer and that Statewide the program brought in \$2600 we are looking at just removing the Statue on auctioneer's licenses. There will be a bill to raise the limit of a reportable boating accident from \$500 to \$1500. We are asking to raise the one dollar that we get from ATV licensing to three dollars. So far there has not been opposition to doing that. There is a bill to allow Attorneys to do garnishments and we oppose that.

IDOC: Director Reinke- The State is currently 99% full with 328 in County Jails. They have a 4.3 million dollar shortfall for this year and not sure what they will have for next year.

ISP: Col Russell- They are currently down several officers and hope to get some soon. With all of the budget cuts they have kept the labs intact so far. Major Powell is now the major for the Forensic Unit. Ked Wills is being promoted to Major to take over support services.

POST: Steve Raschke- There are no planned academy cuts. They are reducing the budget in other areas. They are also changing how they approach decertifications. They will primarily rely on the information provided to POST by the agency and on the recommendation for decertification.

Community Tissue: Sally Kurdy- Discussed scene referral program for human tissue donations. They have access to the organ donor database and can determine if the victim is on the list. They ask that we get the info on the victim to them as soon as possible because there are time lines for different types of human tissue. If possible they would like to have the location of the death, time, gender, age and name.

2010 Census: The push for the 2010 census will be starting this month and going through the summer. Census workers will have identification and can go to every residence for the purpose of the census.

National Law Enforcement Memorial Museum: John Shanks-Talked about the museum that is being built at the National Law Enforcement Memorial. They are looking for donations from all Law Enforcement Organizations. They have bricks available but would like the Sheriff's Association to purchase a seat in the theater. The donation required for a seat is \$10,000 but it can be paid over a four year period. Federal asset forfeiture funds can be used for the donation. Sheriff Femling made a motion that the ISA purchase a theater seat over the next four years. He is willing to use some of his forfeiture money towards the purchase, second by Sheriff Green, motion passed.