



BOARD OF CORRECTION

DAVID MCCLUSKY
Chair

DODDS HAYDEN
Vice Chair

KAREN NEILL
Secretary

MINUTES

BOARD OF CORRECTION (BOC) MEETING

June 2, 2021, 9:00 AM – 10:30 AM MT

Idaho Correctional Industries, 1301 N. Orchard Street, Suite 110, Boise, ID 83706
Executive Conference Room and via Zoom (strongly encouraged)

Members Present:

Dr. David McClusky, Chair – via phone
Dodds Hayden, Vice Chair
Dr. Karen Neill, Secretary – absent

Others Present:

IDOC: Josh Tewalt, Bree Derrick, Christine Starr, Todd Plimpton (ICI), Dan Moschella, Mike Evans, Brian Underwood, Jamie Hess-Smith, Sandi Frelly, Karin Magnelli, Mark Kubinski, Cheryl Iseri
Members of the public (no roll taken)

- Call to order Business Meeting; welcome and introductions
 - Chair McClusky called the meeting to order at 9:11 a.m.
- Action Item – IDAPA Rules Reauthorization – Josh Tewalt, Jamie Hess-Smith, Sandi Frelly
 - For the third year in a row, the Legislature decided not to automatically renew the IDAPA rules, so they need to be reauthorized. Governor’s Office and Division of Financial Management have also been undertaking an effort to try to simply the Idaho Administrative Code to make it shorter and simpler to reduce the regulatory burden on Idahoans.
 - IDOC has done two things with this rules reauthorization
 - Some rules are scheduled to be reviewed next fiscal year, and we will look to see how they can be simplified, shortened, and easier for the public. Also removed unnecessary definitions for words not referenced in code, and removed redundant language that is also included in Idaho Code
 - Started some consolidation with Idaho Correctional Industries rules that were separate and consolidated those as a subchapter under the Board of Correction.
 - No other substantive changes except under Rule 135 relating to executions, where we changed SOP – which is publicly available - to allow for two liaison positions to be in the state witness area and the condemned witness area. The SOP was simply changed to reflect practice and wanted to add those allowances in IDAPA rule as well.

Vice Chair Hayden moved that pursuant to Section 20-212(1), Idaho Code, the Governor and the Board of Correction has found that adoption of these rules is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens. These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws. The expiration of these rules without due consideration and processes would undermine the public health, safety, and welfare, of the citizens of Idaho and deprive them of the benefit intended by these rules. Therefore, we are adopting these rules to be effective upon signature of the Governor; Chair McClusky seconded the motion. Vote taken: Chair McClusky – yes, Vice Chair Hayden – yes, Secretary Neill – absent.

Director Tewalt noted that this was a brief meeting to address the IDAPA rule issue, and IDOC is in the process of scheduling a Board meeting for July.

Vice Chair Hayden moved to begin executive session at 9:20 a.m.; Chair McClusky seconded the motion. Vote Taken: Chair McClusky – yes, Vice Chair Hayden – yes, Secretary Neill – absent.

I.C. 74-206 (1)(f) To communicate with legal counsel for the Idaho Department of Correction to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Vice Chair Hayden moved to adjourn Executive Session at 9:46 a.m.; Chair McClusky seconded the motion. Vote Taken: Chair McClusky – yes, Vice Chair Hayden – yes, Secretary Neill – absent.

Vice Chair Hayden moved to adjourn meeting at 9:47 a.m.; Chair McClusky seconded the motion. Vote Taken: Chair McClusky – yes, Vice Chair Hayden – yes, Secretary Neill – absent.

Submitted by:

Cheryl Iseri, Program Coordinator

Date

Dr. David McClusky, Chair

Date