



Idaho Statutes

TITLE 74

TRANSPARENT AND ETHICAL GOVERNMENT

CHAPTER 1

PUBLIC RECORDS ACT

74-124. EXEMPTIONS FROM DISCLOSURE -- CONFIDENTIALITY. (1) Notwithstanding any statute or rule of court to the contrary, nothing in this chapter nor chapter 10, title 59, Idaho Code, shall be construed to require disclosure of investigatory records compiled for law enforcement purposes by a law enforcement agency, but such exemption from disclosure applies only to the extent that the production of such records would:

- (a) Interfere with enforcement proceedings;
- (b) Deprive a person of a right to a fair trial or an impartial adjudication;
- (c) **Constitute an unwarranted invasion of personal privacy;**
- (d) Disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement agency in the course of a criminal investigation, confidential information furnished only by the confidential source;
- (e) Disclose investigative techniques and procedures; or
- (f) Endanger the life or physical safety of law enforcement personnel.

(2) Notwithstanding subsection (1) of this section, any person involved in a motor vehicle collision which is investigated by a law enforcement agency, that person's authorized legal representative and the insurer shall have a right to a complete, unaltered copy of the impact report, or its successors, and the final report prepared by the agency.

(3) An inactive investigatory record shall be disclosed unless the disclosure would violate the provisions of subsection (1)(a) through (f) of this section. Investigatory record as used herein means information with respect to an identifiable person or group of persons compiled by a law enforcement agency in the course of conducting an investigation of a specific act or omission and shall not include the following information:

- (a) The time, date, location, and nature and description of a reported crime, accident or incident;
- (b) The name, sex, age, and address of a person arrested, except as otherwise provided by law;
- (c) The time, date, and location of the incident and of the arrest;
- (d) The crime charged;
- (e) Documents given or required by law to be given to the person arrested;
- (f) Informations and indictments except as otherwise provided by law; and
- (g) Criminal history reports.



Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 74

TRANSPARENT AND ETHICAL GOVERNMENT

CHAPTER 1

PUBLIC RECORDS ACT

74-104. RECORDS EXEMPT FROM DISCLOSURE – EXEMPTIONS IN FEDERAL OR STATE LAW – COURT FILES OF JUDICIAL PROCEEDINGS – OFFICE OF ADMINISTRATIVE HEARINGS – JUDICIAL COUNCIL. (1) The following records are exempt from disclosure:

(a) Any public record exempt from disclosure by federal or state law or federal regulations to the extent specifically provided for by such law or regulation.

(b) Records contained in court files of judicial proceedings, the disclosure of which is prohibited by or under rules adopted by the Idaho supreme court, but only to the extent that confidentiality is provided under such rules, and any drafts or other working memoranda related to judicial decision-making, provided the provisions of this subsection making records exempt from disclosure shall not apply to the extent that such records or information contained in those records are necessary for a background check on an individual that is required by federal law regulating the sale of firearms, guns or ammunition.

[(c)](3) Any writings, drafts, notes, or working memoranda related to decision-making in any proceeding before the office of administrative hearings pursuant to sections 67-5280 through 67-5286, Idaho Code, as well as any records that are otherwise exempt from disclosure under this chapter that are filed or submitted to the office of administrative hearings in the course of any proceedings before it. Orders issued by the office of administrative hearings are not exempt from disclosure under this section, unless otherwise exempt from disclosure under this chapter.

(2) The judicial council ratings and tabulated scores from attorney questionnaires of candidates for a judicial vacancy whose names are submitted to the governor and the summary prepared pursuant to section 1-2102(4), Idaho Code, shall be public.

History:

[74-104, added 2015, ch. 140, sec. 5, p. 349; am. 2023, ch. 182, sec. 7, p. 502; am. 2023, ch. 210, sec. 4, p. 587.]

How current is this law?



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Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 74

TRANSPARENT AND ETHICAL GOVERNMENT

CHAPTER 1

PUBLIC RECORDS ACT

74-105. RECORDS EXEMPT FROM DISCLOSURE – LAW ENFORCEMENT RECORDS, INVESTIGATORY RECORDS OF AGENCIES, EVACUATION AND EMERGENCY RESPONSE PLANS, WORKER'S COMPENSATION. [EFFECTIVE UNTIL JULY 1, 2024] The following records are exempt from disclosure:

(1) Investigatory records of a law enforcement agency as defined in section 74-101(7), Idaho Code, under the conditions set forth in section 74-124, Idaho Code.

(2) Juvenile records of a person maintained pursuant to chapter 5, title 20, Idaho Code, except that facts contained in such records shall be furnished upon request in a manner determined by the court to persons and governmental and private agencies and institutions conducting pertinent research studies or having a legitimate interest in the protection, welfare and treatment of the juvenile who is thirteen (13) years of age or younger. If the juvenile is petitioned or charged with an offense that would be a criminal offense if committed by an adult, the name, offense of which the juvenile was petitioned or charged, and disposition of the court shall be subject to disclosure as provided in section 20-525, Idaho Code. Additionally, facts contained in any records of a juvenile maintained pursuant to chapter 5, title 20, Idaho Code, shall be furnished upon request to any school district where the juvenile is enrolled or is seeking enrollment.

(3) Records of the custody review board of the Idaho department of juvenile corrections, including records containing the names, addresses and written statements of victims and family members of juveniles, shall be exempt from public disclosure pursuant to section 20-533A, Idaho Code.

(4)(a) The following records of the department of correction:

(i) Records of which the public interest in confidentiality, public safety, security and habilitation clearly outweighs the public interest in disclosure as identified pursuant to the authority of the state board of correction under section 20-212, Idaho Code;

(ii) Records that contain any identifying information or any information that would lead to the identification of any victims or witnesses;

(iii) Records that reflect future transportation or movement of a prisoner;

(iv) Records gathered during the course of the presentence investigation; and

(v) Records of a prisoner as defined in section 74-101(10), Idaho Code, or probationer shall not be disclosed to any other prisoner or probationer.

(b) Records, other than public expenditure records, related to proposed or existing critical infrastructure held by or in the custody of any public agency only when the disclosure of such information is reasonably likely to jeopardize the safety of persons, property or the public safety. Such records may include emergency evacuation, escape or other emergency response plans, vulnerability assessments, operation and security manuals, plans, blueprints or security codes. For purposes of this paragraph, "system" includes electrical, computer and telecommunications systems, electric power (including production, generating, transportation, transmission and distribution), and heating, ventilation, and air conditioning. For purposes of this subsection, "critical infrastructure" means any system or asset, whether physical or virtual, so vital to the state of Idaho, including its political subdivisions, that the incapacity or destruction of such system or asset would have a debilitating impact on state or national economic security, state or national public health or safety, or any combination of those matters.

(c) Records of the Idaho commission of pardons and parole shall be exempt from public disclosure pursuant to sections 20-1003 and 20-1005, Idaho Code. Records exempt from disclosure shall also include those containing the names, addresses and written statements of victims.

(5) Voting records of the former sexual offender classification board. The written record of the vote to classify an offender as a violent sexual predator by each board member in each case reviewed by that board member shall be exempt from disclosure to the public and shall be made available upon request only to the governor, the chairman of the senate judiciary and rules committee, and the chairman of the house of representatives judiciary, rules and administration committee for all lawful purposes.

(6) Records of the sheriff or Idaho state police received or maintained pursuant to sections 18-3302, 18-3302H and 18-3302K, Idaho Code, relating to an applicant or licensee, except that any law enforcement officer and law enforcement agency, whether inside or outside the state of Idaho, may access information maintained in the license record system as set forth in section 18-3302K(16), Idaho Code.

(7) Records of investigations prepared by the department of health and welfare pursuant to its statutory responsibilities dealing with the protection of children, the rehabilitation of youth, adoptions and the commitment of mentally ill persons. For reasons of health and safety, best interests of the child or public interest, the department of health and welfare may provide for the disclosure of records of investigations associated with actions pursuant to the provisions of chapter 16, title 16, Idaho Code, prepared by the department of health and welfare pursuant to its statutory responsibilities dealing with the protection of children, except any such records regarding adoptions shall remain exempt from disclosure.

(8) Records, including but not limited to investigative reports, resulting from investigations conducted into complaints of discrimination made to the Idaho human rights commission, unless the public interest in allowing inspection and copying of such records outweighs the legitimate public or private interest in maintaining confidentiality of such records. A person may inspect and copy documents from an investigative file to



Latah County Sheriff's Office

Deputy Report for Incident 22L-6269

Nature: Animal Problem

Address: [REDACTED]

Location:

Moscow ID 83843

Offense Codes: ANPR

Received By: Williams, M

How Received: T

Agency: LCSO

Responding Officers: Kim, S, Gilbertson, C

Responsible Officer: Kim, S

Disposition: CLO 11/08/22

When Reported: 17:46:24 10/20/22

Occurred Between: 17:41:31 10/20/22 and 17:46:26 10/20/22

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant: 4005

Last: [REDACTED]

First: [REDACTED]

Mid: [REDACTED]

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED]

Sex: [REDACTED]

Phone: [REDACTED]

City: [REDACTED]

Offense Codes

Reported:

Observed:

Additional Offense: ANPR Animal Problem

Circumstances

Responding Officers:

Unit :

Kim, S

328

Gilbertson, C

323

Responsible Officer: Kim, S

Agency: LCSO

Received By: Williams, M

Last Radio Log: 19:40:05 10/20/22 CLN

How Received: T Telephone

Clearance: RTF Report to Follow

When Reported: 17:46:24 10/20/22

Disposition: CLO **Date:** 11/08/22

Judicial Status:

Occurred between: 17:41:31 10/20/22

Misc Entry:

and: 17:46:26 10/20/22

Modus Operandi:

Description :

Method :

Involvements

Date

Type

Description

Relationship

Narrative

On October 20th, 2022, at approximately 1746 hours, I was advised of suspicious activity at [REDACTED]. I was informed by dispatch that according to the reporting party, later identified as [REDACTED], her neighbor discovered [REDACTED] dog in a nearby Quonset hut and it had been skinned but not eaten. I was also informed that the dog's face and legs were intact and not skinned.

I arrived at the scene at approximately 1816 hours. I interviewed [REDACTED] and her neighbor, [REDACTED], who resided at [REDACTED]. According to [REDACTED], she already buried the dog. I asked [REDACTED] if I could see the dog and take pictures of it. I asked [REDACTED] if she had any enemies who might be responsible. [REDACTED] did not answer the question but [REDACTED] replied. [REDACTED] grabbed a shovel to dig the animal out.

I interviewed [REDACTED] while [REDACTED] was digging the dog out. According to [REDACTED], she said that she did not want to accuse [REDACTED] but mentioned that [REDACTED] was upset that [REDACTED]. According to [REDACTED], she did not want me to interview [REDACTED] because she did not want to accuse her without any evidence. I told [REDACTED] that I would document what she told me in my report but would not interview [REDACTED]. [REDACTED] also mentioned that she found a mutilated animal on [REDACTED] approximately two weeks ago. According to [REDACTED], it appeared that someone or a thing exposed the brain of the animal by cutting the top half of its skull. [REDACTED] said that the mutilated animal might have been a rabbit.

It appeared that both sides of the dog were skinned. It appeared to be precisely cut possibly with a sharp tool. The edges of the skin that was still on the animal's remains were relatively straight as if it was cut with a knife. The muscles, meaty parts, were not disturbed or eaten. It did not appear that the dog was attacked by predatory animals.

During the interview, [REDACTED] told me that her friend, [REDACTED], found the dog first. I asked [REDACTED] if I could get [REDACTED]'s phone number. According to [REDACTED], [REDACTED] was currently residing in Moscow so she could just have her come to the scene.

At an unknown time, [REDACTED] arrived at the scene with her son, [REDACTED]. I interviewed both [REDACTED] and [REDACTED]. According to [REDACTED], [REDACTED] let the dog out at approximately 0200 hours on October 20th, 2022. [REDACTED] said that the dog usually came right back. According to [REDACTED], [REDACTED] said that the dog sprinted out of the house as if it saw something. [REDACTED] attempted to find the dog but was unsuccessful. She then asked [REDACTED] to come to her residence and help her find the dog because she had to go to Costco located in Clarkston, Washington. [REDACTED] arrived at the residence at approximately 1354 hours and found the dog. According to [REDACTED], the dog was found approximately 80 feet southeast of the residence in the field. [REDACTED] said that she saw a big bird around the dog. A piece of the dog's intestine was still in the spot where [REDACTED] found the dog. [REDACTED] also informed me that she found a dog collar approximately 15 feet away from the dog's remains.

I asked both [REDACTED] and [REDACTED] if they had any game cameras or security cameras around the scene. They said that they did not. I asked [REDACTED] if there were any neighbors nearby who could have harmed the dog. [REDACTED] said they could not think of anyone.

I took pictures of the animal and the scene. I gave written statements to both [REDACTED] and [REDACTED]. I asked them to fill out the statements and drop them off at the Latah County Sheriff's Office. They said they would.

On an unknown date and time, [REDACTED] left me a voicemail. She said an unknown suspect damaged her mailbox. According to [REDACTED], her mailbox was made of metal and there was a dent in it. [REDACTED] said that the mailbox was still useable but difficult to open or close the lid.

I submitted the pictures of the animal and the scene in the evidence drive.

/s/ Deputy Sean Kim #328

Thu Nov 3 23:47:10 2022

/s/ Sgt D. Carpenter #216

Tue Oct 25 10:45:58 2022

Kim, S

SIGNATURE