



BRAD LITTLE
GOVERNOR

March 26, 2024

The Honorable Mike Moyle
Speaker of the House
Idaho House of Representatives
Hand Delivery

Dear Speaker Moyle,

I hereby advise you that I have signed on March 26, 2024, and transmitted to the Office of the Secretary of State, with my approval, the following House bill to wit:

H 494

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 12:10 p.m. on March 22, 2024.

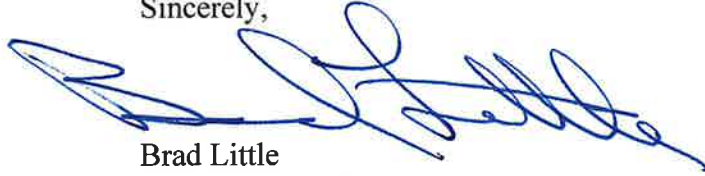
The improvements in this bill to the criminal laws on commercial sexual activity and human trafficking, as well as the related forfeiture provisions, are needed and I am proud to support them.

However, I feel compelled to reiterate my strong support of this state's longstanding policy of local control in criminal prosecutions. The primary duty of the county prosecutor is enforcing the penal provisions in state law. That authority is protected from intermeddling by state officials and has been affirmed by the Idaho Supreme Court. Creating concurrent authority with state officials to prosecute crimes can unnecessarily blur otherwise clear responsibilities in law and increases the likelihood of jurisdictional squabbles. Consequently, I would be disinclined to support future proposals that might erode local control in this area.

Moreover, I view Section 26 of this bill as largely superfluous. Section 31-2603(b) already provides the legal framework in any criminal case—not just human trafficking cases—for counties to seek prosecutorial assistance from the Attorney General. The required biennial report in this section would be best assigned to the Idaho Statistical Analysis Center at the Idaho State Police which for decades has prepared reports on crime and law enforcement in Idaho. By law, POST handles law enforcement training. If general funds to support law enforcement training for human trafficking are warranted, I believe the POST Council is best equipped to collaborate with all stakeholders to develop and carry out that training.

Given these observations, I would encourage the Legislature to be particularly thoughtful about the fiscal note of this bill. There is no need to hastily grow state government over duplicative provisions tucked in a single section of an otherwise commendable bill.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brad Little', with a stylized flourish extending to the right.

Brad Little
Governor of Idaho