

July 7, 2025

The Board of County Commissioners of Washington County, Idaho, does hereby meet this 7th day of July 2025.

IN THE MATTER OF ROLL CALL)

Donna White, Clerk, called roll call: Gordon Wilkerson, present; Jim Harberd, present; and Nate Marvin, present.

Jim Harberd opened the meeting and led the Pledge of Allegiance. Gordon Wilkerson gave the invocation.

IN THE MATTER OF CORRESPONDENCE/MEETINGS AND REPORTS)

Correspondence received by the Board was reviewed and disseminated as required.

The Board reviewed a resignation letter from Bonnie Brent-Dowell, Planning and Zoning Administrator.

The Board reviewed a June 30, 2025, letter from the United States Department of Agriculture, Payette National Forest Service regarding a proposed fee schedule.

Gordon Wilkerson reported that he attended an Idaho Association of Counties meeting regarding possible funding for roads last week. Wilkerson provided an update on other issues discussed at the meeting. Wilkerson stated he also attended the Weiser River Soil Conservation meeting. Wilkerson discussed the SREDA (Snake River Economic Development Alliance) meeting and advised that he had conversation with a gentleman that was looking to start a new microtechnology business here in Washington County with a starting wage of \$22.00 per hour. Wilkerson stated he will reach out to SREDA for possible grant funding.

Jim Harberd stated he attended the meeting to select an engineer for Cove Road Bridge Project.

Nate Marvin moved, seconded by Gordon Wilkerson, to sign Grant Funding Documentation from the R. K. Mellon Foundation to the Washington County Fair to be used for the construction of the beef barn. Motion carried.

Gordon Wilkerson moved, seconded by Nate Marvin, to approve an Alcoholic Beverage Catering permit to be used July 12, 2025, 1526 Sunnyside Road, Weiser. Motion carried.

Jim Harberd moved, seconded by Gordon Wilkerson, to approve the June Operation in Funds/Statement of Treasurer's Cash in the amount of \$14,967.699.90. Motion carried.

July 7, 2025

- D. Subdivisions And Zoning: Recommend subdivision and zoning ordinances.
- E. Annexations: Recommend changes to a comprehensive plan and zoning ordinance prior to annexation of an unincorporated area.
- F. City Impact Area: Recommend a map, a governing plan and ordinances for an area of city impact that is within the unincorporated area of the county.
- G. Citizen Participation In Administration: Provide ways and means to obtain citizen participation in the administration of ordinances.
- H. Process Zoning Permits: Prepare a procedure for processing zoning permits namely: special use permits, rezone applications, planned unit development proposals and variance applications.
- I. Zoning Amendment Requests: Hear all requests for amendment to the zoning ordinance [1](#), hold at least one public hearing and make its recommendation to the governing board.
- J. Zoning Changes: Recommend changes to the zoning ordinance [2](#) (if needed) to the governing board. (Ord., 4-29-1991).”

Washington County Commissioner Nate Marvin

Gordon Wilkerson read the following on the record:

“To the Citizens of Washington County,

My name is Gordon Wilkerson, and I serve as a Washington County Commissioner representing District 3. I’m writing to express my full support for Prosecuting Attorney True Pearce and to address recent public claims that do not reflect my experience working with him.

A recent letter submitted by Ron Jaeger falsely asserted that I criticized Mr. Pearce for seeking outside counsel. Let me be absolutely clear I have never made such a statement in any commissioner meeting. That claim is simply untrue.

In fact, I believe that True Pearce has been an incredible asset to Washington County. His decision making is thoughtful, informed, and always rooted in the best interests of our community.

True is professional, respectful, and hardworking. He’s provided the Board of Commissioners with sound legal advice, helped us navigate challenging issues, and treated everyone fairly and with integrity. His dedication and preparation have also

July 7, 2025

shown results, as under his leadership, Washington County secured its first felony jury trial conviction in over a decade.

It's important to understand that, as a prosecutor, Mr. Pearce is bound by attorney/client privilege and confidentiality. He cannot publicly respond to every accusation or explain the legal reasoning behind every decision. That restraint puts him at a disadvantage when facing public criticism, but it also speaks to his professionalism and ethical standards.

In my view, True Pearce has consistently done excellent work for Washington County. I appreciate his commitment to justice and his ongoing efforts to serve and protect our community.

Sincerely, Gordon Wilkerson, Washington County Commissioner, District 3”

Wilkerson then stated that he was going to address the issue with Mr. Jaeger. Wilkerson said that Mr. Jaeger had reached out to Wilkerson after reading the above statement. Wilkerson said that he and Jaeger discussed the statement. Per Wilkerson, Jaeger had said that if he were false, he apologized. Wilkerson further stated that if he were false, he would apologize. Wilkerson said that in reviewing the minutes and the meeting in which the issue came up, “What Mr. Jaeger heard, was not completely true, but what I did say was Mr. Pearce gone above his authority and in going to outside legal counsel. A little conflict. I miss-spoke, he mis-heard. Our hatchet is buried.”

IN THE MATTER OF MORATORIUM AMENDMENTS/LEGAL COUNSEL FOR PLANNING & ZONING/RELEASE OF PROSECUTOR’S MEMORANDUM OF OPINION)

Ron Jaeger met with the Board. Jaeger told the Board he and Wilkerson did talk. Jaeger stated there are things that have been put in Living in The News in the last week that he felt were important for the Board to know. Jaeger stated he had written responses to letters that were posted but decided not to post them as he is tired of “getting down in the mud with them.” Jaeger stated he was going to respond to some things that Mr. Chandler said. Jaeger stated Chandlers statements were absolutely false.

Jaeger discussed the moratorium and what was actually put in place. Jaeger stated it did “shut down” the whole county as far as A1 zoned property. Jaeger stated that the moratorium had been re-written from what we originally proposed and what was held up when the motion was made. Jaeger further stated that it was indicated at the end of the meeting, that there was something in the works to fix the moratorium. Jaeger asked if that was still happening, or could they go back to the original proposed moratorium so that it does not affect the normal development and splitting in the A1 zone as was done before this whole mess started?

Harberd asked if Jaeger was referring to remodels, or property splits.

Case Information

CR-2016-1102 | State of Idaho vs. Johnny Odell Buterbaugh

Case Number
CR-2016-1102
File Date
10/04/2016

Court
Washington County District Court
Case Type
Criminal

Judicial Officer
Wiebe, Susan E.
Case Status
Closed - After Judgment

Party

State
State of Idaho

Active Attorneys ▼
Lead Attorney
Walker, Delton Lary

Defendant
Buterbaugh, Johnny Odell

Aliases
AKA Buterbaugh, John O, Jr
CONV Buterbaugh, Johnny O
CONV Buterbaugh, John
AKA Buterbaugh, John Odell
CONV Butterbaugh, John O

DOB
01/07/1968

Gender
Male

Race
White

SSN
255-47-4293

Height
6' 1"

Weight
186 lbs

Drivers License
ID XW301009K

Active Attorneys ▼
Lead Attorney
Bond, Virginia Ann
Retained

Address
35 E. Idaho Street
Weiser ID 83672

Charge

Charges
Buterbaugh, Johnny Odell

	Description	Statute	Level	Date
1	Strangulation (Attempted)	I18-923	Felony	10/03/2016
2	Battery-Domestic Violence Inflicting Traumatic Injury	I18-918(2)(a)	Felony	10/03/2016

Bond

Bond Type	Bond Number	Bond Amount	Current Bond Status
Surety Bond	196353	\$20,000.00	Exonerated

Disposition Events

11/10/2016 Plea ▼

1	Strangulation (Attempted)	Not Guilty
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11/10/2016 Plea ▼

2	Battery-Domestic Violence Inflicting Traumatic Injury	Not Guilty
---	---	------------

05/26/2017 Disposition ▼

1	Strangulation (Attempted)	Guilty
---	---------------------------	--------

05/26/2017 Disposition ▼

2 Battery-Domestic Violence Inflicting Traumatic Injury

Guilty

05/26/2017 Felony Sentence ▼

1 Strangulation (Attempted)

Felony Sentence

Confinement

Type: State Prison

Facility: Idaho Department of Correction

Effective Date: 05/26/2017

Determinate: 3 Years

Indeterminate: 4 Years

Retained Jurisdiction

Retained Jurisdiction: 365 Days

Concurrent with case

Details: Count II

05/26/2017 Felony Sentence ▼

2 Battery-Domestic Violence Inflicting Traumatic Injury

Felony Sentence

Confinement

Facility: Idaho Department of Correction

Effective Date: 05/26/2017

Determinate: 3 Years

Indeterminate: 4 Years

Retained Jurisdiction

Retained Jurisdiction: 365 Days

Concurrent with case

Details: Count I

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO,

Plaintiff,

vs.

JOHNNY ODELL BUTERBAUGH,

Defendant.

CASE NO. CR-2016-1102

VERDICT FORM

By Thomas J. Thomas Deputy

BETTY J. THOMAS 11:50 A. M.
Clerk District Court

Filed May 24, 2017 P

1. We, the Jury, unanimously find the defendant, Johnny Odell Buterbaugh:

X Guilty of Attempted Strangulation

_____ Not Guilty of Attempted Strangulation

2. We, the Jury, unanimously find the defendant, Johnny Odell Buterbaugh:

X Guilty of Domestic Battery with Traumatic Injury

_____ Not Guilty of Domestic Battery with Traumatic Injury

If you find the defendant, Johnny Odell Buterbaugh, Not Guilty of Domestic Battery with Traumatic Injury, you must then answer Question 3.

3. We, the Jury, unanimously find the defendant, Johnny Odell Buterbaugh:

_____ Guilty of Domestic Battery

_____ Not Guilty of Domestic Battery

Dated this 26 day of May, 2017.

Benjamin Sanchez 153
Presiding Juror

Case Information

CR-2017-2452 | State of Idaho vs. Dale A Huggins

Case Number
CR-2017-2452
File Date
12/26/2017

Court
Washington County District Court
Case Type
Criminal

Judicial Officer
Wiebe, Susan E.
Case Status
Closed

Party

State
State of Idaho

Active Attorneys ▼
Lead Attorney
Walker, Delton Lary

Defendant
Huggins, Dale A

DOB
01/21/1961

Gender
Male

SSN
519-92-0403

Height
5' 11"

Weight
170 lbs

Drivers License
ID BA177429E

State ID
ID ID00102479

Address

Inactive Attorneys ▼
Attorney
Felton, Timothy Lee
Public Defender

Work Phone
208-550-1299

Fax Phone
2084143764

Lead Attorney
Roker, Matthew Jessey
Retained

Work Phone
208-454-7375

Fax Phone
2084596908

230 Wye ST
Marsing ID 83639-5180

Attorney
Darrington, Timothy Shane
Public Defender

Work Phone
208-495-2806

Charge

Charges
Huggins, Dale A

	Description	Statute	Level	Date
1	Controlled Substance-Possession of	I37-2732(c)(1) {F}	Felony	12/23/2017

Bond Settings

Setting Date
5/25/2018
6/8/2018
8/2/2019

Bond

Bond Type	Bond Number	Bond Amount	Current Bond Status
Surety Bond	2018-AA-31791	\$1,000.00	Exonerated

Disposition Events

01/12/2018 Plea ▼

1	Controlled Substance-Possession of	Not Guilty
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11/09/2018 Disposition ▼

Judicial Officer
Wiebe, Susan E.

1	Controlled Substance-Possession of	Guilty
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11/09/2018 Felony Sentence ▼

1	Controlled Substance-Possession of	Felony Sentence
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Fee Totals

\$285.50

\$1,000.00

\$1,500.00

\$60.00

Fee Totals

\$2,845.50

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO,

Plaintiff,

vs.

DALE A. HUGGINS,

Defendant.

CASE NO. CR-2017-2452

VERDICT FORM

We, the Jury, duly empaneled and sworn to try the above-entitled action, for our verdict, unanimously find the defendant, Dale A. Huggins:

AS TO COUNT I, Possession of a Controlled Substance, Methamphetamine:

X GUILTY

____ NOT GUILTY

Dated this 28th day of August, 2018.

Traci Widener

Presiding Juror

Filed August 28, 2018
BETTY J. THOMAS 4590 M.
Clerk District Court

By *[Signature]*

Deputy

Case Information

CR44-18-3667 | State of Idaho Plaintiff, vs. Joshua Allen Houlet Defendant.

Case Number
CR44-18-3667

Court
Washington County Magistrate
Court

Judicial Officer
Wiebe, Susan E.

File Date
09/12/2018

Case Type
Criminal

Case Status
Closed

Party

State
State of Idaho

Active Attorneys ▼
Lead Attorney
Walker, Delton Lary

Defendant
Houlet, Joshua Allen

DOB
04/27/1993

Gender
Male

SSN
624-64-1880

Height
5' 11"

Weight
185 lbs

Drivers License
ID MD204926J

Address
54 Rogers Lane
McCall ID 83638

Active Attorneys ▼
Lead Attorney
Roker, Matthew Jessey
Retained

Inactive Attorneys ▼
Attorney
Darrington, Timothy Shane
Retained

Work Phone
208-495-2806

Charge

Charges

Houlet, Joshua Allen

	Description	Statute	Level	Date
1	Property-Malicious Injury to Property	I18-7001(2)	Felony	09/11/2018
2	Assault	I18-901	Misdemeanor	09/11/2018

Bond Settings

Setting Date

9/12/2018

Disposition Events

01/16/2019 Disposition ▼

Judicial Officer
Wiebe, Susan E.

1 Property-Malicious Injury to Property

Not Guilty

2 Assault

Guilty (After Trial)

02/22/2019 Amended Disposition ▼

Judicial Officer
Wiebe, Susan E.

Amend Reason
Court Ordered

1 Property-Malicious Injury to Property

Dismissed by Court

2 Assault

Guilty

02/22/2019 Misdemeanor Sentence ▼

2 Assault

Misdemeanor Sentence

Fee Totals

\$157.50

\$142.50

Fee Totals

\$300.00

Confinement

Type: County Jail

Facility: Idaho Department of Correction

Term: 90 Days

Effective Date: 02/22/2019

Pre-Sentence Credit for Time Served

Credit Term: 90 Days

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO,

Plaintiff,

vs.

JOSHUA ALLEN HOULET,

Defendant.

CASE NO. CR44-18-3667 | 3666

VERDICT FORM

We, the Jury, duly empaneled and sworn to try the above-entitled action, for our verdict, unanimously find the defendant, Joshua Allen Houlet:

AS TO COUNT I, ASSAULT,

☒ GUILTY

☐ NOT GUILTY

AS TO COUNT II, MALICIOUS INJURY TO PROPERTY,

☐ GUILTY

☒ NOT GUILTY

AS TO COUNT III, RESISTING OR OBSTRUCTING OFFICERS,

☒ GUILTY

☐ NOT GUILTY

Filed January 16, 2019
Donna Atwood 5:00pm
Clerk District Court

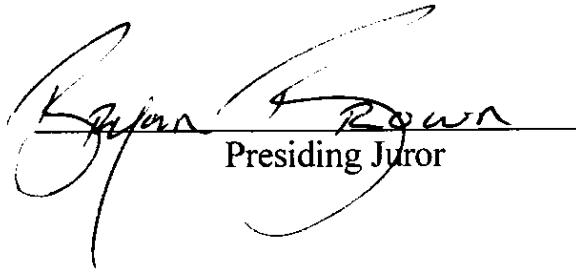
By [Signature] Deputy

AS TO COUNT IV, FAILURE TO PROVIDE PROOF OF LIABILITY
INSURANCE,

 GUILTY

 X **NOT GUILTY**

Dated this 16 day of January, 2019.


Presiding Juror

Case Information

CR44-18-3775 | State of Idaho Plaintiff, vs. Keith A Clements Defendant.

Case Number	Court	Judicial Officer
CR44-18-3775	Washington County District Court	Wiebe, Susan E.
File Date	Case Type	Case Status
10/11/2018	Criminal	Closed

Party

State
State of Idaho

Active Attorneys▼
Lead Attorney
Walker, Delton Lary

Defendant
Clements, Keith A

Active Attorneys▼
Lead Attorney
Roker, Matthew Jessey
Retained

DOB
08/31/1981

Gender
Male

Race
White

SSN
530-94-4835

Height
5' 8"

Weight
220 lbs

Drivers License
ID XW306388G

Address

877 EATON RD
WEISER ID 83672

Charge

Charges
Clements, Keith A

	Description	Statute	Level	Date
1	Children-Lewd Conduct with Child Under 16	I18-1508	Felony	06/01/2016

Bond Settings

Setting	Date
	10/11/2018
	11/9/2018
	3/18/2019

Bond

Bond Type	Bond Number	Bond Amount	Current Bond Status
Surety Bond		\$50,000.00	Exonerated

Disposition Events

01/14/2020 Plea ▼

Judicial Officer
Wiebe, Susan E.

1	Children-Injury To Child	Guilty
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05/18/2020 Plea ▼

Judicial Officer
Wiebe, Susan E.

1	Children-Lewd Conduct with Child Under 16	Not Guilty
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05/19/2021 Disposition ▼

Judicial Officer
Wiebe, Susan E.

1	Children-Lewd Conduct with Child Under 16	Dismissed by Court
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Events and Hearings

10/11/2018 New Case - Criminal

Delton L. Walker, ISB No. 5839
Prosecuting Attorney
S. Fred Wheeler, ISB No. 5063
Deputy Prosecuting Attorney
232 E. Main Street
Weiser, ID 83672
Telephone: (208) 414-0390
Facsimile: (208) 414-0404
wcpaefile@co.washington.id.us

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO,

Plaintiff,

vs.

KEITH ALAN CLEMENTS,

Defendant.

Case No. CR44-18-3775

INDICTMENT

KEITH ALAN CLEMENTS is accused by the Grand Jury of Washington County by this Indictment, of the crime of **LEWD CONDUCT WITH A MINOR UNDER SIXTEEN**, committed as follows:

COUNT I: Keith Alan Clements, on or between the 1st day of June, 2016 and the 25th day of July, 2016, in the County of Washington, State of Idaho, did willfully and lewdly, commit a lewd act upon the body of a minor, S. P., under the age of sixteen years, to-wit: of the age of 9 years, by manual to genital contact and/or genital contact and/or manual to anal contact with the intent arouse or gratify the sexual desire of the Defendant, in violation of Idaho Code 18-1508, **LEWD CONDUCT WITH A MINOR UNDER SIXTEEN**, a **Felony**.

A TRUE BILL

Michelle Chang
Presiding Juror of the Grand Jury of
Washington County, Idaho

April Storms
Serenity Powell
Aaron Walker

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

State of Idaho
Plaintiff,
vs.
Keith A Clements
Defendant.

Case No. CR44-18-3775

Court Minutes

JUDGE: Wiebe, Susan E.

CLERK: Henri Fortik

HEARING TYPE: Jury Trial

DATE: May 14, 2019

LOCATION: District Court

COURT REPORTER: Leda Waddle/Christine Rhodes

Parties Present:

State of Idaho

Attorney: Delton Lary Walker

Keith A Clements

Attorney: Matthew Jessey Roker

Hearing Start Time: 9:16 AM

The defendant appeared with his court-appointed attorney, Matthew Roker.

Delton Walker, Prosecuting Attorney, appeared on behalf of the State.

Mr. Walker informed the court that he has had no contact with the victim since Subpoena.

The Court informed the parties that it had a conflict with Juror 383.

Mr. Walker informed the parties that he had a conflict with Juror 378, Juror 438 and Juror 377.

No objection to preliminary jury instructions by counsel.

No preliminary motions by the State.

Mr. Roker had no preliminary motions other than the witnesses be excluded until called and advised not to discuss testimony with anyone.

Mr. Walker requested that one officer be present.

The court granted that request [0848]

The Court took a recess until 9:00 a.m. to make sure the victim appeared. [0850]

The parties responded to the court they were ready to proceed to trial.

The witness stepped down. [0410]

The Defense rests.

The Jury was released and instructed to return back tomorrow at 9:00 a.m. [0410]

RESUMING SECOND DAY OF TRIAL May 15, 2019. [0901]

(Christine Rhodes – Court Reporter)

Mr. Walker had no objection to jury instructions.

Mr. Roker had an objection to the issue of unanimity instructions be included.

Court is relying on *State vs. Baker 161 ID 289*

The objection is noted by the Court. [0903]

The jury entered the courtroom. [0904]

Counsel waived roll call of the jury. [904]

The Court read the Jury Instructions to the Jury. [0905]

Mr. Walker made closing argument. [0913]

Mr. Roker made closing argument. [0929]

Mr. Walker made final closing argument. [0941]

Alternate Juror 360 selected and excused. [0945]

The Clerk administered the oath to the Bailiff. [0946]

The Jury is released to deliberate. [0948]

The Court is in recess. [0949]

The Court is back on record [1251]

The Court advised the parties that Juror #434 informed the other jurors that he knew of a previous charge regarding the defendant and what should happen at this point. [1252]

Juror 434 returned to the courtroom. [1253]

Mr. Roker moved for a mistrial. [1254]

Mr. Walker concurred [1254]

The Jury returned to the courtroom. [1255]

The Court declared a mistrial. [1255]

The Court read the final Jury Instruction. [1257]

The Jury was released and discharged. [1258]

Mr. Walker requested another trial.

Victim and family entered courtroom. [1300]

The Court advised victim and family of the mistrial and status.

Mr. Roker noted, for the record, that the defendant never been charged previously. [0101]

The Court set the matter for a **Status Conference on May 24, 2019, at 9:00 a.m. [0103]**

Court Adjourned at 1:03 p.m.

In the Supreme Court of the State of Idaho

IN RE: IDAHO SUPREME COURT
RESPONSE TO COVID-19 EMERGENCY

ORDER

On March 13, 2020, Governor Brad Little entered a Proclamation and declared a State of Emergency in response to the novel coronavirus (COVID-19) emergency in the State of Idaho. In light of this measure and to protect the health and safety of court employees, elected officials, and the general public, and under Article V, Section 2 of the Constitution and the inherent powers of the Supreme Court, hereby provides the following guidance to judges and ORDERS the following measures to be implemented from Monday, March 16, to Friday, April 10, 2020:

1. With the exception of emergency matters, child protection hearings, domestic violence hearings, and evidentiary hearings in criminal cases, all in-person appearances for civil and criminal dockets shall be excused. Judges are encouraged to use telephonic or video technology for all necessary hearings, including arraignments and mental health hearings.
2. All civil trials, hearings, and motions should be postponed and rescheduled for a later date unless the assigned judge finds the proceedings can be held and adequately recorded through telephonic or video means. Any civil trial or hearing currently in progress shall be continued or completed at the discretion of the presiding judge.
3. Reasonable attempts should be made to reschedule all criminal trials, subject to a defendant's right to a speedy trial.
4. With the exception of emergency matters and hearings statutorily or by Court Rule required to be held, small claims, eviction, juvenile, probate, traffic, and guardianship cases shall be continued.
5. In civil cases, courtroom attendance should be limited to attorneys, parties, necessary witnesses, and jurors. In criminal hearings, not including trials, court room attendance

should be limited to attorneys, parties, victims, and necessary witnesses. Access by the media to proceedings shall be at the discretion of the presiding judge.

6. A case involving an attorney or party who is ill or in a high-risk category shall be rescheduled. In custody defendants who are symptomatic of the virus shall not be transported to the courthouse.
7. Unless public safety compels otherwise, Judges shall issue summonses in lieu of bench warrants or notices of failure to appear.
8. All show cause dockets for payment of fines and court costs scheduled within this timeframe shall be continued for 60 days.
9. The 21-day preliminary hearing requirement for out-of-custody defendants under ICR 5.1 is waived during the effective dates of this Order.
10. Jurors who are ill, caring for someone who is ill, or in a high-risk category shall have their jury service postponed to a later date.
11. New juror orientations should be suspended.
12. Existing jury panels may be extended at the discretion of the Administrative District Judge of the district.
13. By Court rule, attorneys are already required to use e-Filing.
14. Local Elected Clerks are urged to consider establishing using drop boxes for conventionally filed documents if available.
15. Signage shall be posted at all public entry points advising individuals not to enter courtrooms or court services offices if they have:
 - a. Visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the CDC in the previous 14 days;

- b. Resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
 - c. Traveled domestically within the United States where COVID-19 has sustained widespread community transmission;
 - d. Been asked to self-quarantine by any doctor, hospital, or health agency;
 - e. Been diagnosed with or have had contact with anyone who has been diagnosed with COVID-19; or
 - f. A fever, cough or shortness of breath.
16. Individuals attempting to enter in violation of these protocols shall be denied entrance by the sheriff as designated for courthouse security by the Administrative District Judge, a bailiff, or court security officer.
17. Bailiffs shall discourage congregating outside courtroom doors and encourage social distancing inside the courtroom.
18. Individuals with legitimate court business who are ill, caring for someone who is ill or in a high-risk category are advised to stay home and request a continuance by calling the local Court Clerk. Elected Court Clerks are urged to appoint one (or more as necessary) point persons to process these requests and notify the presiding judge and involved attorneys.
19. Local Courts are encouraged to provide sanitation materials (such as hand sanitizer or bleach wipes) at all courtroom entrances and counsel tables

Nothing in this Order shall preclude the Administrative District Judges from implementing additional local restrictions not in conflict with this order and as needed. This Order shall be effective from March 16, 2020, to April 10, 2020, or until further Order of this Court.

DATED this 13th day of March, 2020.

By Order of the Supreme Court

Roger S. Burdick
Roger S. Burdick, Chief Justice

ATTEST:

Karen A. Lehman
Clerk

SUPERSEDED

Delton L. Walker, ISB No. 5839
Prosecuting Attorney
S. Fred Wheeler, ISB No. 5063
Deputy Prosecuting Attorney
232 E. Main Street
Weiser, ID 83672
Telephone: (208) 414-0390
Facsimile: (208) 414-0404
wcpaefile@co.washington.id.us

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO,

Plaintiff,

vs.

KEITH ALAN CLEMENTS,

Defendant.

Case No. CR44-18-3775

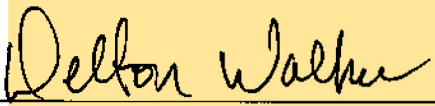
REINSTATED INDICTMENT

KEITH ALAN CLEMENTS is accused by the Grand Jury of Washington County by this Indictment, of the crime of **LEWD CONDUCT WITH A MINOR UNDER SIXTEEN**, committed as follows:

COUNT I: Keith Alan Clements, on or between the 1st day of June, 2016 and the 25th day of July, 2016, in the County of Washington, State of Idaho, did willfully and lewdly, commit a lewd act upon the body of a minor, S. P., under the age of sixteen years, to-wit: of the age of 9 years, by manual to genital contact and/or oral to genital contact and/or manual to anal contact with the intent arouse or gratify the sexual desire of the Defendant, in violation of Idaho Code 18-1508, **LEWD CONDUCT WITH A MINOR UNDER SIXTEEN**, a Felony.

All of which is contrary to the form, force and effect of the statute in such case made and provided and against the peace and dignity of the State of Idaho.

DATED this 20th day of October, 2020.

A handwritten signature in black ink, reading "Delton Walker", is written over a yellow rectangular background.

DELTON L. WALKER
Prosecuting Attorney
Washington County, Idaho

FOR IMMEDIATE RELEASE: Feb. 3, 2021

Contact: Nate Poppino
Phone: 208-296-9055
Email: npoppino@idcourts.net

Idaho Supreme Court Sets Conditions for Resuming Jury Trials on March 1, 2021

Both criminal and civil jury trials may resume across Idaho starting on March 1, 2021, as long as courts follow certain conditions and limitations ordered by the Idaho Supreme Court in response to the coronavirus pandemic.

[The order](#), published today, also allows impaneling new grand juries subject to the same conditions.

The Idaho Supreme Court ordered a halt to jury trials late last year due to worsening spread of the virus, the related health and safety risks posed by ordering juries, case parties and court staff into close proximity with each other, and concerns over the impact on health care providers and systems. Today's order relies on COVID-19 incidence rate standards established in two of the Court's related orders in September 2020.

Per today's order, the courts will prioritize jury trials for criminal cases, starting with those in which a defendant is incarcerated. Civil jury trials will be prioritized after those.

Jury trials must follow safety protocols the Court detailed in [a separate order July 24, 2020](#). Today's order states that jury proceedings can still be postponed if the administrative district judge for the relevant court determines local COVID-19 incidence rates meet certain thresholds laid out in today's order — or that other circumstances exist that pose a substantial increase in the health or safety risks to jury trial participants.

Today's order (and all previous COVID-19 judicial emergency orders) can be viewed by visiting isc.idaho.gov and selecting "State Judicial Emergency Orders Regarding COVID-19" on the home page.

####

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO,

Plaintiff,

vs.

KEITH ALAN CLEMENTS,

Defendant.

CASE NO. CR44-18-3775

VERDICT FORM

We, the Jury, duly empaneled and sworn to try the above-entitled action, for our verdict, unanimously find the defendant, Keith Alan Clements:

AS TO COUNT I, Lewd Conduct with a Minor Under Sixteen:

 GUILTY

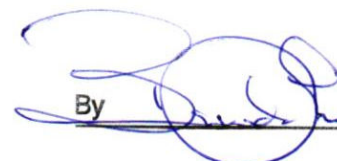
 X **NOT GUILTY**

Dated this 19 day of May, 2021.



Presiding Juror

Filed May 20, 2021
Donna Atwood 11:20 AM
Clerk District Court

By  Deputy

Case Information

CR44-22-0984 | State of Idaho Plaintiff, vs. Victor M Sierra Defendant.

Case Number
CR44-22-0984

Court
Washington County District

Judicial Officer
Stuchlik, Kiley

File Date
07/27/2022

Court
Case Type
Criminal

Case Status
Closed

Party

Victim (Participant)
Casas, Catherine Gomez

DOB
09/01/2009

Gender
Female

State
State of Idaho

Active Attorneys ▼
Lead Attorney
Walker, Delton Lary

Defendant
Sierra, Victor M

DOB
03/19/1969

Gender
Male

SSN
518-29-9418

Active Attorneys ▼
Lead Attorney
Miller, Joseph C.
Retained

Height

5' 8"

Weight

180 lbs

Drivers License

OR 9560631

Address

974 Smith Lane

Weiser ID 83672-0670

Charge

Charges

Sierra, Victor M

	Description	Statute	Level	Date
1	Children-Lewd Conduct with Child Under 16	I18-1508	Felony	09/01/2016
2	Child Sexual Abuse by Causing or Having Sexual Contact with a Minor Under 16 YOA	I18-1506(1)(b)	Felony	09/01/2016

Bond Settings

Setting Date

7/27/2022

8/11/2022

Bond

Bond Type	Bond Number	Bond Amount	Current Bond Status
Surety Bond	100-10739965	\$100,000.00	Exonerated

Disposition Events

10/24/2022 Plea ▼

Judicial Officer
Stuchlik, Kiley

1	Children-Lewd Conduct with Child Under 16	Not Guilty
2	Child Sexual Abuse by Causing or Having Sexual Contact with a Minor Under 16 YOA	Not Guilty

04/14/2023 Disposition ▼

Judicial Officer
Stuchlik, Kiley

1	Children-Lewd Conduct with Child Under 16	Acquittal
2	Child Sexual Abuse by Causing or Having Sexual Contact with a Minor Under 16 YOA	Acquittal

Filed April 14, 2023
Donna Atwood 5:20pm
Clerk District Court

By Candice Shimm Deputy

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO,

Plaintiff,

vs.

VICTOR MANUEL SIERRA
AGUILAR,

Defendant.

CASE NO. CR44-22-0984

VERDICT FORM

We, the Jury, duly empaneled and sworn to try the above-entitled action, for our verdict, unanimously find the defendant, Victor Manuel Sierra Aguilar:

AS TO COUNT I, Lewd Conduct with a Minor Child Under Sixteen:

 GUILTY

 X **NOT GUILTY**

AS TO COUNT II, Sexual Abuse of a Child under the Age of Sixteen Years:

 GUILTY

 X **NOT GUILTY**

Dated this 14 day of April, 2023.

#124
Presiding Juror

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

STATE OF IDAHO
Plaintiff,

v.

AUSTIN JAMES FREELAND
Defendant.

Case No. CR44-22-1605

Court Minutes

Judge: Stuchlik, Kiley
Clerk: Henri Fortik
Court Reporter: Tamara Weber
Hearing Type: Jury Trial

Date: 03/19/2024 – 03/20/2024
Location: District Court
Interpreter:

Parties Present:

State of Idaho Attorney: Fred Wheeler
Austin James Freeland Attorney: Krista Lynn Howard

Hearing Start FTR Time: 1:03 PM

The matter came before the court for scheduled Jury Trial.

The Court called the case. Fred Wheeler, Deputy Prosecuting Attorney, appeared on behalf of the State. Krista Howard, appeared on behalf of the defendant. The defendant appeared.

Counsel indicated they were ready to proceed.

The court instructed the clerk to draw a juror number to fill seat #8.

Juror #90 was called and seated in #8.

Counsel had no objection to the way the jury panel was drawn.

The Court introduced all courtroom personnel and explained their duties, and reviewed jury service with jurors.

The Court welcomed the jurors and instructed the clerk to call roll. Out of 40 jurors, four were not present, being **Juror #6, #59, #66 and Juror #103**.

The Court noted that if the absent jurors do not appear by 5:00 p.m., an Order to Show Cause will be issued.

The Court introduced Fred Wheeler representing the State, the defendant, Austin James Freeland, and his attorney, Krista Howard.

The Court instructed the clerk to administer the oath to all jurors in the gallery and those seated in the jury box.

The Court reviewed voir dire examination and the procedures followed.

The Court made note that 27 jurors were pre-selected and seated in the jury box as follows:

the State. Krista Howard, appeared on behalf of the defendant. The defendant appeared.

Mr. Wheeler advised the court that the State has five (5) exhibits and they are on thumb drive. Mr. Wheeler inquired of the court if the court had any special way it would like the thumb drive marked since it has all five (5) exhibits. Mr. Wheeler further advised the court that defense counsel and the State have agreed to admission of the exhibits except for one.

Ms. Howard concurred with Mr. Wheeler. Ms. Howard advised that she had an objection to one exhibit.

Mr. Wheeler advised the court that the exhibit in question is the photograph of the fifty dollar bill.

Ms. Howard provided argument with regard to her objection to the admission of the photograph. [932]

The Court inquired of Ms. Howard if she had a rule in which she is objecting under.

Ms. Howard believes it applies under Rule 1001, the Best Evidence Rule. Ms. Howard argued that the exhibit is not admissible because it is a duplicate. Under Rule 1004 it is not admissible.

Mr. Wheeler argued that based on Officer Newbold's testimony and pursuant to Rule 401 it is certainly relevant in this case and under Rule 402 all evidence is admissible unless there is a rule that keeps it out. The rule by defense counsel does not keep this out. Mr. Wheeler indicated that under Rule 1003 allows for the admissibility of copies when the original has been lost or destroyed. [937-939]

Ms. Howard countered that she stands on her earlier objection. [939]

The Court found that photograph as a duplicate of the fifty dollar bill is not admissible because it was not in the control of the defense and it is related to a controlling issue and there are genuine questions raised about the original's authenticity and it would be unfair to admit. Based on that the Court ruled that a duplicate of the bill is not admissible to prove the content of the bill under the Best Evidence Rule.

Mr. Wheeler provided argument with regard to the court's ruling. [945-947]

The Court advised it would stand on its ruling. [947-948]

9:48 a.m. – Court Recessed

10:03 a.m. – Court Reconvened

Fred Wheeler, Deputy Prosecuting Attorney, appeared on behalf of the State. Krista Howard, appeared on behalf of the defendant. The defendant appeared.

Mr. Wheeler advised the court that based on the court's ruling, the State cannot proceed. Mr. Wheeler moved to dismiss the case. [1004-1007]

Ms. Howard had no objection.

The Court, based on the State's motion and Rule 48 and in the interest of justice the Information and charges are dismissed without prejudice. [1007]

Mr. Wheeler inquired if he could have a few minutes to dismiss his witnesses. [1007-1010]

10:11 a.m. The Jury entered the courtroom.

The Court thanked the jurors for their service and dismissed them from the courtroom.

10:12 a.m. – Jurors left the courtroom.

Court adjourned at 10:13 a.m.

/s/ Henri Fortik, Deputy Clerk

Case Information

CR44-23-1647 | State of Idaho Plaintiff, vs. Tony Eugene Freitas Defendant.

Case Number	Court	Judicial Officer
CR44-23-1647	Washington County District Court	Eames, David
File Date	Case Type	Case Status
12/28/2023	Criminal	Closed

Party

State
State of Idaho

Active Attorneys ▼
Lead Attorney
Walker, Delton Lary

Inactive Attorneys ▼
Attorney
Pearce, True
Work Phone
208-414-2038

Payor of Bond (Participant)
Nelson, Lisa Marie

DOB
05/29/1973

Gender
Female

SSN
519-04-8720

Height
5' 11"

Weight

220 lbs

Drivers License

ID XW303661H

Address

11 W Liberty Apt 4

Weiser ID 83672

Defendant

Freitas, Tony Eugene

DOB

11/21/1965

Gender

Male

Race

Unavailable

SSN

549-57-6854

Height

6'

Weight

230 lbs

Drivers License

ID XW310592J

Address

1358 Airport Road

Weiser ID 83672

Inactive Attorneys ▼

Lead Attorney

Barrera, Benson

Retained

Work Phone

208-340-2115

Fax Phone

2084166616

Attorney

Koonce, Heidi Katrina

Court Appointed

Work Phone

208-459-4446

Fax Phone

208-287-7409

Charge

Charges

Freitas, Tony Eugene

	Description	Citation	Statute	Level	Date
1	Arrests & Seizures-Resisting or Obstructing Officers	34832	I18-705	Misdemeanor	12/27/2023

2 Probation Violation - MD

MPV

Not
Applicable

02/14/2025

Bond Settings

Setting Date

2/14/2025

2/18/2025

3/11/2025

Bond

Bond Type	Bond Number	Bond Amount	Current Bond Status
Surety Bond	CF10-70430190	\$10,000.00	Exonerated
Cash Bond	95875	\$300.00	Converted

Disposition Events

01/16/2024 Plea ▼

Judicial Officer
Eames, David

1	Arrests & Seizures-Resisting or Obstructing Officers	Not Guilty
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02/18/2025 Plea ▼

Judicial Officer
Eames, David

2	Probation Violation - MD	Admit
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07/09/2024 Disposition ▼

Judicial Officer
Eames, David

1	Arrests & Seizures-Resisting or Obstructing Officers	Guilty (After Trial)
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04/22/2025 Disposition ▼

Judicial Officer
Eames, David

2	Probation Violation - MD	Admission/Finding of Probation Violation
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08/19/2024 Misdemeanor Sentence ▼

1	Arrests & Seizures-Resisting or Obstructing Officers	Misdemeanor Sentence
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Fee Totals

\$157.50

\$842.50

\$1,000.00

\$65.00

Fee Totals

\$2,065.00

By Susan L. Gorman Deputy

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON
MAGISTRATE DIVISION

VERDICT

Presiding Officer