

What's going on with Idaho's state police?

Marty Trillhaase/Lewiston Tribune

In its 75 years, the Idaho State Police has never given the public the slightest reason to doubt its professionalism and independence.

Until now.

As reported by the Idaho Statesman's Dan Popkey this week, Gov. C.L. (Butch) Otter ordered the ISP to reopen an investigation involving the wife of former House Speaker - and current candidate for secretary of state - Lawrence (Boss) Denney, R-Midvale.

While employed at the Commission on Aging, Denney's wife, Donna, had been moonlighting for My State USA. A nine-month investigation concluded in January 2012, that Mrs. Denney had improperly used her office computer for her second job.

Firing offense? If Denney had not already left Aging, she might have been.

Grounds for a civil lawsuit? Possibly.

Criminal? No. Theft of state money or equipment is a crime. Theft of time is not.

Case closed. Or so ISP Detective Bret Kessinger thought.

But six months later, his boss at the time - Col. Jerry Russell, the governor's appointed ISP head - called him in. Russell wanted the investigation reopened, Donna Denney interviewed and the results then written up in a memo.

All of which Kessinger found to be "a real head-scratcher." After all, if no crime was committed, what would be the point of interviewing Donna Denney?

"In my 16-year-career, I have never been asked to do that," Kessinger told the Statesman's Cynthia Sewell.

Rep. Denney provided one answer. He complained to Popkey that Otter had the case reopened to undermine the Midvale Republican's chances to remain speaker, a race he ultimately lost to Rep. Scott Bedke, R-Oakley.

Otter said he intervened because he wanted Donna Denney treated fairly.

"If you're accused of something, you need to be able to say, 'Well, no, that isn't exactly right, this is right, and here's my evidence to show my innocence,'" Otter told Popkey.

Bottom line: On the governor's orders, the ISP reopened a criminal investigation involving the spouse of a political adversary.

This disclosure comes on the heels of the current head of the ISP, Col. Ralph Powell, aborting an investigation into how Corrections Corporation of America bilked Idaho taxpayers for unworked shifts at the Idaho Correctional Center it was paid \$29 million a year to manage.

Chronic understaffing fueled inmate violence at ICC, gaining it the moniker "the gladiator school," and handing CCA a federal contempt of court citation.

To conceal this understaffing, CCA employees falsified time cards. Hired by the Department of Correction, the consultant KPMG's forensic audit found more than 26,000 hours of mandatory guard posts were understaffed.

For more than a year, Idahoans were assured the ISP was conducting a criminal probe. But last month, Powell told Rebecca Boone of The Associated Press no detective was assigned, no case file was opened and no prosecutor was called in to review the evidence. He alone - a political appointee answerable to the governor and with virtually no investigative expertise - decided no laws were broken.

CCA is a politically wired outfit. No politician has received more than the \$20,000 CCA has lavished on Otter's campaigns. The governor's former chief of staff, Jason B. Kreizenbeck, took a job as a lobbyist for CCA.

Otter only reluctantly agreed to move management of ICC back to the state correction department. After Powell disclosed his decision, the governor rebuffed Attorney General Lawrence Wasden's call for a new state criminal probe. Otter acquiesced to it after his GOP primary election opponent, Sen. Russ Fulcher, R-Meridian, began to hammer away at the issue.

Ultimately, the FBI stepped in to conduct its own investigation.

That's not how law enforcement is supposed to work.

That's not how it traditionally operated in Idaho.

Then Otter became governor.

Now, a pattern of gubernatorial interference is taking shape.

What else aren't they telling us? - M.T.