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FOR IMMEDIATE RELEASE
TUESDAY, DECEMBER 23, 2008

JOINT MEDIA STATEMENT: NEGOTIATED RESOLUTION REACHED IN FERDINAND CASE

NOTE: Below is a joint media statement from the City Attorney's Office and defense counsel for Canyon County Commissioner David Ferdinand.

On August 28, 2008, Canyon County Commissioner David Ferdinand's pending misdemeanor case went to jury trial. After two days of testimony, the six-person jury deliberated and was unable to reach a unanimous verdict. Consequently, the matter was set for a new jury trial.

As a result of significant discussion between the Boise City Attorney's Office and Commissioner Ferdinand's legal counsel, David Leroy, a negotiated resolution has been reached in this case. The agreement was for the Commissioner to plead to an amended misdemeanor charge of "Obstructing a Public Way" under Boise City Code § 6-17-02.

Both parties carefully weighed and considered the resources required to re-try the matter. Based upon each party's reflection and vigorous negotiation, this resolution has been reached to avoid a lengthy re-trial and to avoid the uncertainty which trials inevitably pose.

To accomplish this, the City of Boise has dismissed its appeal and amended the Complaint to allege a violation of Boise City Code § 6-17-02, "Obstructing a Public Way"; Commissioner Ferdinand has entered an *Alford* plea of guilty to this non-firearm related charge; and Magistrate Daniel Steckel, upon the recommendation and urging of the parties, imposed a fine of \$50 and court costs of \$72.50.

This resolution will preclude the conduct of a second trial, and avoid the ongoing appeal process. The parties believe this to be a fair and just resolution of the case.

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