



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTIES OF ADAMS,
CANYON, GEM, OWYHEE, PAYETTE AND WASHINGTON

STANDARDS FOR DETENTION) ADMINISTRATIVE ORDER
PRIOR TO DETENTION HEARING) 87-4

The following standards shall govern the decision of Intake Officials throughout the 3rd Judicial District as to whether a child should be placed in secure detention prior to being brought before the court pursuant to I.C. Sec. 16-1811(2) and I.J.R. 17(b):

1. Mandatory Release

The Intake Official shall release the child unless the child:

- a. Is charged with a crime that would be a felony if committed by an adult and one or more of the following circumstances is present:
 - (1) The crime is a crime of violence; or
 - (2) The crime could reasonably have resulted in serious bodily injury or death to others; or
 - (3) The crime demonstrates that the child has exhibited such a wanton and reckless disregard of the property rights of others that release of the child would, more likely than not, constitute a substantial risk to the community.

- b. Is charged with a crime that would be a misdemeanor if committed by an adult and one or more of the following circumstances is present:
- (1) The crime involved physical injury to another person; or
 - (2) The crime demonstrates that the child has exhibited such a wanton and reckless disregard of property rights of others that release of the child would, more likely than not, constitute a substantial risk to the community; or
 - (3) The crime is an assault or battery of a sexual nature; or
 - (4) The child is a chronic offender and that the release of the child could, more likely than not, constitute a substantial risk to the community.
- c. Is documented to be a fugitive from another jurisdiction; or
- d. Is documented to be an escapee or absent without leave from a juvenile institution operated by the State of Idaho or any County in Idaho; or
- e. Is documented to have had judicial sanctions taken against the child for the child's failing to appear for a court hearing within the previous twelve (12) months; or
- f. Is the subject of a written order signed by a Judge directing that the child be taken into custody and placed in detention, or be taken into custody pending transfer to another agency.

Dated: 6/15/87


Administrative District Judge