

IN THE THIRD JUDICIAL DISTRICT OF IDAHO  
IN AND FOR THE COUNTY OF CANYON

Administrative Order No. 90-5

Administrative Order Amending  
Procedures Governing The Pre-Trial  
Release Program


This Court previously entered an administrative order which established a Pre-Trial Release Program in Canyon County and which set forth procedures to govern the operation of that program. Since the entry of that order, Canyon County has become subject to the provisions of a United States District Court judgment which governs the operations and maintenance of the Canyon County Jail. This judgment sets a "cap" on the jail population which is significantly lower than has been maintained at the jail over the past several years.

In order to assist the county in complying with the jail population mandates of the United States District Court, it is necessary that the pre-trial release program officers be given expanded authority to admit persons to recognizance releases. Therefore, IT IS HEREBY ORDERED that this Court's Administrative Order 89-2 be amended as follows:

5. A person charged with a misdemeanor who acquires a positive score of 6 or more points may be admitted to recognizance release by the Pre-Trial Release Officer upon conditions which the Officer finds appropriate. In addition, the Pre-Trial Release Officer may, when jail population conditions warrant it, release at his or her discretion persons charged with misdemeanors who acquire a positive score of less than 6 points, or who have been arrested on warrants for failure to pay fines, court costs or other fees. Provided that this Paragraph does not apply to any person charged with a misdemeanor involving child abuse, sexual abuse, domestic violence or other violent actions, driving under the influence of alcohol or other drugs where an accident is involved, providing controlled drugs to others, providing alcohol or drugs to minors, or charged with any failure to appear. In all such exclusions, the Pre-Trial Release Officer may not release the prisoner but shall submit a recommendation to the Court in accord with the procedure established in Paragraph 6.
  
6. A person charged with a felony other than the charges of grand theft or felony driving without privileges or with a misdemeanor identified in the exclusionary proviso to Paragraph 5 shall be released only by Court order. The Pre-Trial Release Officer shall present to the Court the interview document containing the assessed score and a recommendation as to release and conditions to be imposed upon release. A person charged with grand theft or felony driving without privileges who acquires a positive score of 6 or more points may be admitted to recognizance release at the discretion of the Pre-Trial Release Officer upon conditions which the officer finds appropriate.

IT IS FURTHER ORDERED that all other provisions of this Court's Administrative Order 89-2 as amended by Administrative Order 90-1 shall remain in full force and effect.

Dated this 16<sup>th</sup> day of August, 1990.

  
Jim R. Doolittle  
Administrative District Judge  
Third Judicial District  
County of Canyon, Idaho