

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO

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ADMINISTRATIVE ORDER H15-DW.1

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RE: DISCRETIONARY JAIL TIME/DETENTION TIME

Whereas, the judges in the First Judicial District typically and consistently utilize discretionary jail time or discretionary detention time as a condition of probation, and

Whereas, the use of discretionary jail or detention time has proven to be an efficient incentive as part of a graduating degree of sanctions to enforce and encourage rehabilitation of individuals on probation, and

Whereas, one significant benefit of the use of discretionary jail time or discretionary detention time by probation officers is that it can be utilized immediately upon the discovery of a violation having been committed by the probationer;

Now, Therefore, Consistent with the Idaho Criminal Rule 33,

IT IS HEREBY ORDERED the Kootenai County Adult Misdemeanor Probation Department is authorized to utilize up to **two consecutive days** of discretionary jail time for probationers under their supervision in the First Judicial District without having prior approval of the magistrate judge who placed the defendant on probation.

IT IS FURTHER ORDERED the Kootenai County Juvenile Probation Department is authorized to utilize up to **two consecutive days** of discretionary detention time for probationers under their supervision in the First Judicial District without having prior approval of the magistrate judge who placed the juvenile on probation.

IT IS FURTHER ORDERED the Department of Correction probation officers are authorized to utilize up to **two consecutive days** of discretionary jail time for probationers under their supervision in the First Judicial District without having prior approval of the district judge who placed the defendant on probation.

IT IS FURTHER ORDERED once discretionary jail or detention time is utilized by a probation officer under the provisions of this order that probation officer must submit a verification of its use in writing to the respective judge's chambers by the following business day with copies to all parties and/or counsel of record. The required verification may be made by facsimile transmission to the respective judge's listed fax number

IT IS FURTHER ORDERED that Administrative Order H10-DW.2 is hereby amended and superseded.

DATED this 28 day of August, 2015.

Lansing L. Haynes  
Lansing L. Haynes  
Administrative District Judge

cc: First Judicial District and Magistrate Judges  
Elected Clerks in the First Judicial District  
Probation and Parole  
Kootenai County Adult Misdemeanor Probation  
Kootenai County Juvenile Detention  
Kootenai County Juvenile Probation

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Discretionary Jail Time/Detention Time