

FILED

A.M. 2:30 P.M.

MAY 09 1991

BARBARA JAYO, CLERK
JOANN McDANIEL
Deputy Clerk

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE OWYHEE
COUNTY JAIL

ADMINISTRATIVE ORDER
NO. 91-4

ADMINISTRATIVE ORDER ESTABLISHING
OWYHEE COUNTY JAIL RELEASE PROGRAM

The present jail used by Owyhee County was designed and built to incarcerate eight (8) inmates, and the population of the Owyhee County Jail has exceeded eight (8) persons. The holding of more than eight (8) persons overnight in the Owyhee County Jail increases the possibility of civil disorder in the jail with resultant injury to inmates and/or staff. The County cannot take unilateral action to relieve the overcrowded condition, but the Owyhee County Jail can operate, for a limited time, at a maximum population of eight inmates.

THEREFORE BE IT ORDERED THAT the Owyhee County Sheriff shall reduce the population of the Owyhee County Jail to a maximum of eight (8) inmates at 6:00 o'clock P.M. each day. If the population of the

Jail is in excess of eight at 6:00 o'clock P.M., the following standards will be regarded to reduce the population:

A. The Sheriff will complete and update personal information for each inmate in custody to determine each individual's ranking, based on:

1. Outside Jurisdiction Inmates

Any inmate that can be released to another jurisdiction where charges are pending.

2. Misdemeanor Inmates

Any misdemeanor inmate that has served the majority of a sentence and has no disciplinary report while in custody will be returned to the sentencing Judge to determine if they are a candidate for house arrest and ^{be} allowed to return to work.

3. Pre-Sentenced Inmates

Use of VERA point Scale Release System standards contained in Administrative Order No. 89-2 as amended by Administrative Order No. 90-5. See Exhibits A and B as attached.

4. Sentenced and Felon Inmates

Use of the Vera Point Scale Release System as outlined in Administrative Order No. 89-2/90-5 and who in the

judgement of the Sheriff would present a lesser propensity to commit criminal acts and commit violent acts. See Exhibits A and B as attached.

5. All proposals for release will be submitted to the Prosecuting Attorney and the resident Magistrate for the purpose of gaining their input prior to any discretionary releases.
 6. A report will be prepared each week and submitted to the court for their continued information.
- B. Prior to any release, each inmate will sign an agreement whereby they agree to rules that limit their activity to work, church, school and home. They will be allowed to attend family events, travel for care of family welfare and other legitimate activity on a case by case basis with the approval of the Sheriff.
- C. Released inmates will agree to contact the Sheriff on a regular basis as directed.
- D. Released inmates will agree to return to the Owyhee County jail to be held in compliance with any Court Order that is in effect at the time of the required return, if room becomes available.

E. Any violation of the agreement or any criminal activity will subject the inmate to immediate return to the Owyhee County Jail. A level of probable cause will be sufficient to return the inmate.

DATED this 6th day of May, 1991.


Judge Doolittle

OWYHEE COUNTY SHERIFFS' OFFICE

RELEASE AGREEMENT

I understand that I am being considered for early release from the OWYHEE COUNTY JAIL due to the overcrowding caused by the commitment of more persons than is possible for the Jail to hold. If I am granted an early release, I understand that I must obey all the laws of the State of Idaho and abide by the following rules and direction as explained to me.

Employer is _____

Type of work _____

Work hours---From _____ to _____, Days: _____ through _____

Travel to and from work _____

Church attended _____

Date and hours: _____

School attended _____

Date and hours _____

Residence: _____

Own or rent _____

All Persons that reside there _____

List all travel that will be required on a regular basis to maintain your family (grocery, doctor, etc.)

I, _____, agree that I will attend work and school as listed above. When not at work or school as listed, I will leave my residence only as listed above or with the permission of the Sheriff. Any time that I am unable to attend work or school or if I am required to leave the residence for a legitimate reason not listed, I will request and receive permission