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| <b>F I L E D</b><br>A.M. <u>4:30</u> P.M.<br><b>MAR 02 1992</b><br>NED J KERR, CLERK<br><b>J. BUCKLEY</b><br>DEPUTY CLERK |
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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

|                                    |                |
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| IN THE MATTER OF STANDARDS FOR )   | Administrative |
| THE DETENTION OF JUVENILES PRIOR ) | Order          |
| TO A DETENTION HEARING )           | 92-1           |

IT IS HEREBY ORDERED that the following standards shall govern the decision of Intake Officials throughout the Third Judicial District as to whether a child should be placed in secure detention prior to being brought before the court pursuant to Section 16-1811(2), Idaho Code, and Rule 17(b), Idaho Juvenile Rules:

1. Mandatory Release

The Intake Official shall release the child unless the child:

- a. Is charged with a crime which 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 willful disregard for the property rights of others that release of the child would, more likely than not, constitute a substantial risk to the community.
  - (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.
  - (5) 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.
  - (6) Is documented to have left, without permission, a court ordered out-of-home placement.



- (7) Is documented to have been adjudicated on two or more delinquencies within the past twelve (12) months.
  - (8) Is documented to currently be on probation for a crime which would be a felony if committed by an adult.
- b. Is charged with a crime which 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 willful disregard for the 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.
  - (5) 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.
  - (6) Is documented to have left, without permission, a court ordered out-of-home placement.
- 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 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; or
- f. Has violated the conditions of a home detention order or a conditional release from detention.



Dated this 26<sup>th</sup> day of February, 1992.

/s/  
Jim R. Doolittle  
Administrative District Judge  
Third Judicial District