

FILED  
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H. OLVERA, DEPUTY

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

In the Matter of Discretionary Jail )  
Time for Felony Probationers )

Administrative  
Order  
2006-5

**WHEREAS**, the district judges in the Third Judicial District typically and consistently utilize discretionary jail time as a condition of probation, and

**WHEREAS**, the use of discretionary jail time has proven to be an effective incentive as part of a graduating degree of sanctions to enforce and encourage rehabilitation of criminal defendants on felony probation, and

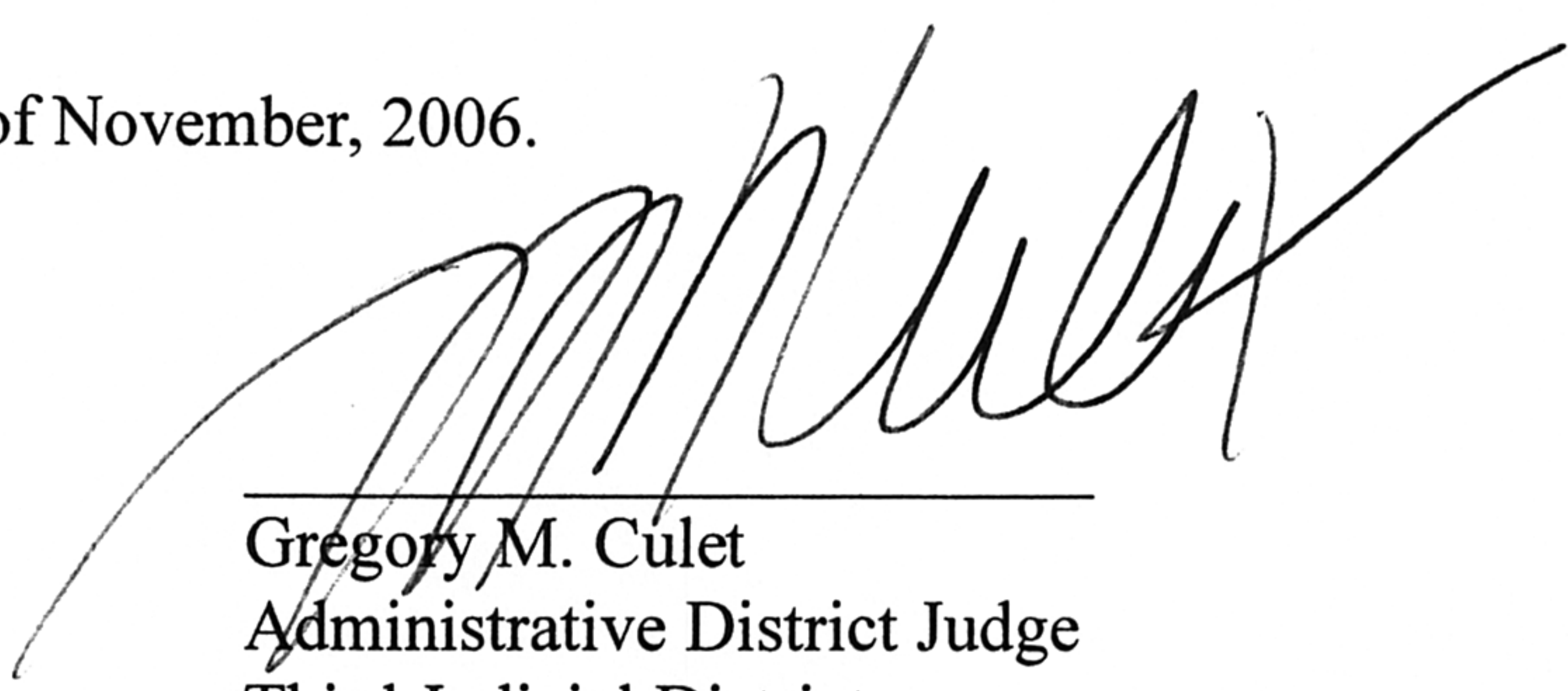
**WHEREAS**, one significant benefit of the use of discretionary jail time by probation officers is that it can be utilized immediately upon the discovery of a violation having been committed by the probation;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Department of Correction probation officers are authorized to utilize up to seven days of discretionary jail time for probationers under their supervision in the Third Judicial District without having prior approval of the district judge who placed the defendant on probation.

**IT IS FURTHER ORDERED** once discretionary jail 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. The required verification may be made by facsimile transmission to the respective judge's listed fax number.



**BE IT SO ORDERED** this 9<sup>th</sup> day of November, 2006.

A large, stylized handwritten signature in black ink, appearing to read 'G. M. Culet', is written over a horizontal line.

Gregory M. Culet  
Administrative District Judge  
Third Judicial District