IDAHO ASSOCIATION OF COUNTIES

The Idaho Criminal Justice System

Connecting the pieces — the county's role from arrest to incarceration.

Franklin County Courthouse



THE ROAD MAP

How a case moves through the system

01	02	03	04	05
Arrest	**Prosecution**	**Courts**	**Custody & supervision**	**Funding & oversight**
Sheriff	Prosecuting attorney	Clerk, court facilities	Jail, misdemeanor probation	Board of county commissioners

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01

STAGE ONE

Enforcement & Arrest

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ENFORCEMENT & ARREST

The sheriff opens the case

- **Preserves the peace** and arrests offenders.
- Takes arrestees before the **nearest magistrate**.
- Attends court and **serves all process**.
- Calls on **city police and ISP** when needed.

Source Idaho Code §§ 31-2202, 31-2227

02

STAGE TWO

Prosecution

PROSECUTION

The prosecuting attorney files the charges

- Prosecutes **all felonies**, whoever made the arrest.
- Prosecutes **misdemeanors** charged by state or county officers.
- Handles **city cases** only by written contract.
- Serves as **legal adviser** to the board.

Source Idaho Code §§ 31-2604, 31-2607



THE COURTS

Two trial levels, seven judicial districts

Magistrate division

In every county

Misdemeanors, warrants, preliminary hearings, bail, and juvenile cases.

District court

Judges elected by district

Original jurisdiction in all cases, including felony trials.

Source Idaho Code §§ 1-101, 1-702, 1-705, 1-801, 1-2201, 1-2208

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THE COURTS

State judges, county courthouses

- Counties provide court **facilities, staff, and supplies**.
- The state pays **magistrate salaries**.
- The **clerk** attends every term of district court.
- Commissioners help select **magistrates**. The Full District Magistrates Commission includes a commissioner from every county, one county clerk, judges, mayors, citizens, and attorneys.

Source Idaho Code §§ 1-1001, 1-1002, 1-1613, 1-2203, 1-2217, 1-2219

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Every county houses its courts.

Teton County Courthouse

THE COURTS

Problem-solving courts

- Each county's district court **may establish** them.
- **Drug courts** and **mental health courts**.
- Treatment, sanctions, and **close monitoring**.
- Appropriated through the **Idaho Supreme Court**, with facilities, county staffing, and participant-funded treatment accounts provided by the county.

Source Idaho Code §§ 19-5603, 19-5607, 19-5608, 19-5609



CUSTODY & SUPERVISION

Three county-run pieces

County jail

Required · § 20-601

Kept by the sheriff for pretrial and sentenced inmates.

Misdemeanor probation

Required · § 31-878

Board provides it, funded by fees and appropriations.

Pretrial supervision

Optional · § 31-880

Board may establish a supervised release program.

Source Idaho Code §§ 20-601, 20-612, 31-878, 31-880

THE COST OF A JAIL BED

$35

Default daily charge when no agreement sets the rate

95%

Of the Medicaid rate for inmate medical care

3 mo.

How often commissioners must review the jail

State Inmates (IDOC): $80/day flat reimbursement rate paid by the state to counties under I.C. § 20-237A, plus all necessary medical and dental costs

Source Idaho Code §§ 20-605, 20-607, 20-622

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05

STAGE FIVE

Funding & Oversight

FUNDING & OVERSIGHT

Commissioners touch every stage

- Fund **court facilities** and staff.
- Inspect the **county jail** quarterly.
- Provide **misdemeanor probation**.
- Authorize **deputy prosecutors**.

Source Idaho Code §§ 1-1613, 1-2217, 20-622, 31-878, 31-2602

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CONNECTING THE PIECES

One decision ripples through every office

An arrest	A jail bed the county pays for
A charge	Hearings in a county courtroom
A sentence	Jail days or county probation
All of the above	The county budget

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KEY TAKEAWAYS

Working as one system

1. Know which office owns each stage.
2. Meet regularly across offices.
3. Share jail and caseload data.
4. Plan budgets and facilities together.

SOURCES

Idaho Code references

Title 1, Ch. 1 — Enumeration of courts

Title 1, Ch. 7 — District courts

Title 1, Ch. 8 — Judicial districts

Title 1, Ch. 10 — Clerk of the district court

Title 1, Ch. 16 — Courts, misc. provisions

Title 1, Ch. 22 — Magistrate division

Title 19, Ch. 56 — Drug and mental health courts

Title 20, Ch. 6 — County jails

Title 31, Ch. 22 — Sheriff

Title 31, Ch. 26 — Prosecuting attorney

§§ 31-878, 31-880 — Probation and pretrial

legislature.idaho.gov/statutesrules/idstat

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Questions?

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