The attached are Primary Source Documents of the Idaho Board of Nursing for:

SHERIDAN SPAULDING
PN-13454

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
Dear Ms. Spaulding:

During their meeting on May 1-2, 2008, the Board of Nursing members took action to accept the Stipulation and Consent Order to Suspend your license for a fixed period of three (3) years, followed by an Indefinite Suspension. Enclosed is a copy of the Final Order.

The Order became effective May 1, 2008. Please be advised that you may apply for reinstatement as indicated in Sections C.2 a through f.

Sincerely,

[Signature]

SANDRA EVANS, MAEd, RN
Executive Director

SE:lhs
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:  

SHERIDAN L. SPAULDING,
License No. PN-13454,
Respondent.  

Case No. BON 07-084  

STIPULATION AND CONSENT ORDER  

WHEREAS, information has been received by the Idaho State Board of Nursing (the “Board”) that constitutes sufficient grounds for the initiation of an administrative action against Sheridan L. Spaulding (“Respondent”); and

WHEREAS, the parties wish to expeditiously settle the matter in lieu of proceeding to an administrative hearing before the Board; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A. Stipulated Facts and Law

A.1. The Board regulates the practice of nursing in the State of Idaho in accordance with title 54, chapter 14, Idaho Code.

A.2. The Board has issued License No. PN-13454 to Respondent. Respondent’s license is subject to the provisions of title 54, chapter 14, Idaho Code and the Board’s rules at IDAPA 23.01.01, et seq.

A.3. On or about December 10, 2007, Respondent was convicted after a plea of guilty of Grand Theft, a felony, in State v. Spaulding, Idaho Fifth Judicial District for Twin Falls County Case No. CR-2007-8817. According to the Affidavit in Support of Complaint filed in Case No. CR-2007-8817, Respondent, while a patient at the Center for Plastic Surgery in Twin Falls, Idaho, stole one box of Botox and two boxes of Juvederm from the Center for Plastic Surgery on August 20, 2007. Respondent also admitted to the arresting officer to stealing from the Center for Plastic Surgery at least three prior times to the August 20, 2007, visit, a total of four boxes of Botox, one box of Restalyn and three
boxes of Juvederm, totaling approximately $9,500 of injectable medications. As a result of the conviction, Respondent was placed on supervised probation for a period of three years. A true and correct copy of the Judgment of Conviction in Case No. CR-2007-8817 is attached hereto as Exhibit A.

A.4. Respondent’s conviction of a felony and actions constitute grounds for discipline against Respondent’s nursing license, specifically:
   a. Idaho Code § 54-1413(1)(c) and Board Rule 100.02 (conviction of a felony);
   b. Idaho Code § 54-1413(1)(g) and Board Rule 100.08 (a nurse shall not violate the Board’s laws, rules or standards of conduct and practice); and
   c. Board Rule 101.04.e (a nurse shall not obtain, possess, furnish, or administer prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs).

A.5. Respondent, in lieu of proceeding with a formal disciplinary action, hereby agrees that the Board may enter a final order against her license as set forth in Section C below.

B. Waiver of Procedural Rights

I, Sheridan L. Spaulding, by affixing my signature hereto, acknowledge that:

B.1. I have read, understand and admit the allegations pending before the Board as stated in Section A, above, and I agree that the Board has jurisdiction to proceed in this matter.

B.2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to testify myself; the right to reconsideration of the Board’s orders; the right to judicial review of the Board’s orders; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of nursing in the State
of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this Stipulation as a resolution of the pending allegations.

B.3. I understand that in signing this Stipulation I am enabling the Board to impose disciplinary action upon my license without further process.

C. Stipulated Discipline

C.1. Respondent’s license is SUSPENDED for a fixed period of three (3) years followed by an indefinite suspension. Said suspension shall begin immediately upon the Board’s entry of an order adopting this Stipulation as the decision of the Board. During such suspension, Respondent shall not practice nursing in the State of Idaho.

C.2. At the conclusion of the 3-year fixed suspension period, Respondent may apply for reinstatement of her license after she has provided the Board with documentation verifying that she has fully satisfied the following conditions:

a. Respondent shall provide to the Board written verification from her probation officer in Case No. CR-2007-8817 that she has complied with all conditions of probation and has been released from probation.

b. Respondent shall complete the following NCSBN online education courses: “Ethics of Nursing Practice,” “Professional Accountability and Legal Liability for Nurses,” and “Online Nurse Practice Act.” Respondent shall submit proof of successful completion of each course to the Board within thirty (30) days of completing the course.

c. Respondent shall submit to the Board copies of a comprehensive mental health evaluation by an evaluator approved by Board staff, as well as treatment recommendations, if any. Respondent shall fully comply with and complete any and all treatment recommended by the evaluator. At the conclusion of the treatment course, Respondent must obtain and provide the Board with a written opinion from the evaluator that the Respondent has cooperated with and successfully completed the evaluation and treatment course, and that Respondent may safely practice nursing and poses no risk to
the public. Respondent shall complete all consent and/or information release forms or other documentation needed to comply with state or federal law, or which the evaluator and/or Board may deem necessary or desirable to facilitate the evaluator’s or Board’s ability to obtain or exchange with each other information or documents related to the Respondent’s evaluation and treatment.

d. Respondent shall demonstrate to the Board by either personal appearance before the Board or a summary paper outlining and discussing her methods to avoid criminal behavior in the future, including critical thinking skills to be utilized should she be tempted to steal again. Respondent must also identify a professional who will help her problem-solve that it is wrongful to take, obtain and/or withhold property that does not belong to her.

e. Respondent shall provide documentation to the Board regarding what she did with the medication that she stole as described in Paragraph A.3 above.

f. Respondent shall pay the investigative costs and attorney fees incurred by the Board in this matter in the amount of Five Hundred and No/100 Dollars ($500.00).

C.3. During the term of Respondent’s suspension, Respondent’s license shall be a single-state license and Respondent shall not be eligible to practice on the Compact privilege in any other state participating in the Nurse Licensure Compact with the State of Idaho.

C.4. Respondent shall not commit any further violations of the Nursing Practice Act or the rules of the Board and shall comply with the Board’s laws and rules.

C.5. Any request for reinstatement shall be evaluated by the Board pursuant to the guidelines in Board Rule 120, and the Board may request that Respondent appear before the Board. After evaluation, the Board may deny Respondent’s request for reinstatement, grant reinstatement, or issue a limited license allowing Respondent to practice under specific terms and conditions.
C.6. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

C.7. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D. Presentation of Stipulation to Board

D.1. The Board’s prosecutor shall present this Stipulation to the Board with a recommendation for approval.

D.2. The Board may accept, modify with Respondent’s approval, or reject this Stipulation. If the Board rejects the Stipulation, an administrative Complaint may be filed with the Board. Respondent waives any right Respondent may have to challenge the Board’s impartiality to hear the allegations in the administrative Complaint based on the fact that the Board has considered and rejected this Stipulation. Respondent does not waive any other rights regarding challenges to Board members.

D.3. If the Board rejects this Stipulation then, except for Respondent’s waiver set forth in Paragraph D.2., this Stipulation shall be regarded as null and void, and admissions in this Stipulation and negotiations preceding the signing of this Stipulation will not be admissible at any subsequent disciplinary hearing.

D.4. Except for Paragraph D.2. which becomes effective when Respondent signs this Stipulation, this Stipulation shall not become effective until it has been approved by a majority of the Board and a Board member signs the attached Order.

E. Violation of Stipulation and Consent Order

E.1. If Respondent violates this Stipulation and Consent Order, the violation shall be considered grounds for additional discipline and the Board may impose additional discipline pursuant to the following procedure:

a. The Board’s staff shall schedule a hearing before the Board to assess whether Respondent has violated this Stipulation and Consent Order. The staff shall also
serve notice of the hearing and charges to Respondent and to Respondent’s attorney, if any. Within fourteen (14) days after the notice of the hearing and charges is served, Respondent may submit a response to the allegations. If Respondent does not submit a timely response to the Board, the alleged violations will be deemed admitted.

b. At the hearing, the Board and Respondent may submit evidence and present oral argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to evidence relevant to whether Respondent has violated this Stipulation and Consent Order. At the hearing, the facts and substantive matters related to the violations described in Section A shall not be at issue.

c. At the hearing, the Board may impose additional discipline, which may include the suspension or revocation of Respondent’s license, the imposition of fines, the recovery of costs and attorney fees incurred by the Board and/or other conditions or limitations upon Respondent’s practice.

E.2. This Stipulation and Consent Order is the resolution of a contested case and is a public record.

E.3. This Stipulation contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above Stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I am waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this Stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this Stipulation according to the aforementioned terms, and I hereby agree to the above Stipulation for settlement. I understand that if the Board approves this Stipulation subject to changes, and the changes are acceptable to me, the Stipulation will take effect and an order modifying the terms of the Stipulation will be issued. If
the changes are unacceptable to me or the Board rejects this Stipulation, it will be of no effect.

DATED this 26th day of April, 2008.

[Signature]
Sheridan L. Spaulding
Respondent

I recommend that the Board enter an Order based upon this Stipulation.

DATED this 27th day of April, 2008.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By [Signature]
Karl T. Klein
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-1404, the foregoing is adopted as the decision of the Board of Nursing in this matter and shall be effective on the 1st day of May, 2008. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By [Signature]
Susan Odom, Ph.D., R.N.
Chair

STIPULATION AND CONSENT ORDER - 7
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7TH day of MAY, 2008, I caused to be served a true and correct copy of the foregoing by the following method to:

Sheridan L. Spaulding
1212 E. 4344 N.
Buhl, ID 83316

☐ U.S. Mail
☐ Hand Delivery
☒ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile: __________________________
☐ Statehouse Mail

Karl T. Klein
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile: __________________________
☒ Statehouse Mail

_____________________________________
Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

State of Idaho,
Plaintiff,

vs.

SHERIDAN LYNN SPAULDING
SSN [redacted]
DOB 01/10/1956,

Defendant.

Case No. CR-2007-8817

JUDGMENT OF CONVICTION
UPON A PLEA OF GUILTY TO ONE FELONY COUNT,
ORDER GRANTING A WITHHELD JUDGMENT UPON A PLEA OF GUILTY TO

I. APPEARANCES.

1. The date of sentencing was 12/10/07, (hereinafter called sentencing date).

2. The State of Idaho was represented by counsel, Julie Sturgill, of the Twin Falls County
Prosecutor's office.


4. The defendant was represented by counsel, Hyong Pak.

5. G. Richard Bevan, District Judge, presiding.

II. ARRAIGNMENT FOR SENTENCING; I.C. § 19-2510, I.C.R. 33.
1. **Arraignment:** The defendant, SHERIDAN LYNN SPAULDING, was informed by the Court at the time of the sentencing of the nature of charge and the defendant’s plea, which in this case was:

**Crime of:** Grand Theft, a felony.

**Idaho Code Section(s):** 18-24036(1); 18-2407(1)(b).

**Maximum Penalty:** Court costs, restitution, up to fourteen (14) years imprisonment, up to five thousand dollar ($5,000) fine, or both such fine and imprisonment.

**Idaho Code Section(s):** 18-2408(2)(a).

**Guilty by Plea** — date of: 10/29/07.

2. **Grounds for Not Entering Judgment (I.C. §§ 19-2510, 19-2511):** The defendant was then asked by the Court whether the defendant had any legal cause to show why judgment should not be pronounced against the defendant, to which the defendant responded "No."

III. **PELA OF GUILTY PREVIOUSLY ENTERED AND ACCEPTED.**

1. The defendant, SHERIDAN LYNN SPAULDING, previously pled guilty on the date of 10/29/07, (hereinafter called "the entry of plea"), to the crime set forth in section II immediately above.

2. At the entry of the plea of guilty, and pursuant to I.C.R. 5 and 11, the following occurred:

   A. The defendant was advised by the Court of the following:

      i. The nature of the charge against the defendant, the minimum and maximum punishments, and other direct consequences which may apply;

      ii. That the defendant was not required to make any statement and that any statement made by the defendant may be used against the defendant in a court of law;

      iii. That the defendant was presumed to be innocent;

      iv. That by entering a plea of guilty to the above identified charge, the defendant would:

         a. Waive the right to a trial by jury;

         b. Waive the right to require the State to prove each material element of the crime charged beyond a reasonable doubt;
c. Waive the right to free Court appointed counsel to represent the defendant through a jury trial if the defendant was indigent;

d. Waive the right to a speedy trial;

e. Waive the right to challenge the evidence presented by the State, and specifically the right to confront and cross examine the witnesses who testified against the defendant;

f. Waive the right to present evidence on the defendant's own behalf, specifically including the right to subpoena witnesses at the County's expense;

g. Waive the right against compulsory self-incrimination;

h. Waive any and all possible defenses to the charge brought against the defendant, both factual and legal; and

i. Lose the right to appeal except as to the sentence imposed.

B. The Court inquired of whether any promises had been made to the defendant or whether the plea was a result of any plea bargaining agreement, and if so, the nature of the agreement; and that the defendant was informed that the Court was not bound by any promises or recommendations from either party as to punishment.

C. The defendant was advised, in accordance with I.C.R. 11 (d)(2), that if the Court did not accept the sentencing recommendation or request, the defendant nevertheless had no right to withdraw the defendant's guilty plea on that basis.

D. The defendant stated and acknowledged that the plea was knowingly and voluntarily given; and that the plea was given of the defendant's own free will and volition.

E. That there was a factual basis to support the said plea.

F. Whereupon the defendant entered a plea of guilty to said charge.

G. The Court then found that the plea was entered upon the advice and consent of the defendant's counsel.

H. Whereupon the Court accepted the plea of guilty and found and adjudged the defendant, SHERIDAN LYNN SPAULDING, guilty of the crime identified and set forth in section II "Arraignment for Sentencing" above.
IV. SENTENCING DATE PROCEEDINGS.

On 12/10/07, the sentencing date, and after the arraignment for sentencing as set forth in section II "Arraignment for Sentencing" above, the Court proceeded as follows:

1. Determined that more than two (2) days had elapsed from the plea to the date of sentencing. I.C. § 19-2501, I.C.R. 33(a)(1).

2. Discussed the presentence report and relevant matters with the parties pursuant to I.C. § 20-220 and I.C.R. Rule 32.

3. Determined victim’s rights and restitution issues pursuant to I.C. § 19-5301 and Article 1, § 22 of the Idaho Constitution.

4. Offered an aggravation and/or mitigation hearing to both parties, including the right to present evidence pursuant to I.C.R. 33(a)(1).

5. Heard comments and sentencing recommendations of both counsel and asked the defendant personally if the defendant wished to make a statement and/or to present any information in mitigation of punishment. I.C.R. 33(a)(1).

6. The Court made its comments pursuant to I.C. § 19-2512, and discussed one or more of the criteria set forth in I.C. § 19-2521.

V. JUDGMENT WITHHELD AT THIS POINT IN TIME.

1. IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, THAT JUDGMENT IS WITHHELD for a period of 3 year(s) from the date of 12/10/07, and the defendant is placed on probation for a period of 3 year(s) beginning on 12/10/07 to and under the control of the Idaho State Board of Correction, (I.C. § 19-2601(5), I.C.R. 33(d)), subject to the following terms:

   A. **Supervision Level**: Pursuant to I.C. § 20-219, I.D.O.C. is charged with the duty of supervising all persons convicted of a felony and placed on probation. As such, the level of supervision is left to the discretion of I.D.O.C.

   B. **Exhibit 1, General Conditions**: Abide by the Court Ordered General Conditions of Probation attached hereto as Exhibit 1, which exhibit is by this reference incorporated herein.

   C. **Exhibit 2, Specific Conditions**: Abide by the Court Ordered Specific Conditions of Probation attached hereto as Exhibit 2, which exhibit is by this reference incorporated herein.

   D. **Special Terms and Conditions**: In addition, the Court orders the following special conditions.
a. Community service non-drug case: The defendant shall perform 100 hours of community service within 240 days at the direction of the defendant’s probation officer. I.C.R. 33(d)(3).

b. PSI/APS: The defendant shall abide by all recommendations as given in his/her PSI on pages 9–10.

c. Employment: The defendant shall be working full-time, or be looking for work on a full-time basis.

d. Mental Health Evaluation: The defendant shall obtain a Mental Health Evaluation. He/She shall obtain said evaluation by 02/01/08. Thereafter, he/she shall abide by all of its recommendations.

e. Programs Specified by PO: The defendant shall enroll in, meaningfully participate in, and complete any program(s) specified by her Probation Officer.

f. Time allowed for payment of court costs, fines and restitution: The defendant must pay all court costs, fines and restitution with all amounts due by 10/10/10. To that end, and beginning on the date of 02/01/08, and continuing on the 10th day of each calendar month thereafter, the defendant shall make monthly payments to the clerk of the court in the sum of at least $112.00, until all court costs, fines and restitution are paid in full.

g. Apology: The defendant shall apologize in writing to the victim of his crime and provide the court of copy of this apology by 12/20/07.

h. Budget: The defendant shall establish a budget with his/her probation officer and verify income and expenses as requested.

i. Checking Account / Credit Cards: The defendant shall not have a checking account or any credit cards unless specifically approved by his/her probation officer.

j. Indebtedness: The defendant shall not have any indebtedness over $250.00 unless specifically approved by his/her probation officer.

k. Follow other Court Orders: The defendant shall comply with all other court orders to which she is a party, including payment of child support if applicable.

2. Court Costs: The defendant shall pay court costs in the sum of $97.50.
VI. ORDER REGARDING RESTITUTION.

Restitution to Victim: The Court hereby ORDERS a Judgment of Restitution to be entered in this case in the sum of $3446.03, (I.C. § 19-5304 (victim)). A separate written order of restitution shall be entered. I.C. § 19-5304(2). This amount is payable through the Clerk of the District Court to be disbursed to the victim(s) in this matter.

VII. O.R. RELEASE.

The conditions of the defendant's O.R. Release (own recognizance release) in this case having been satisfied, the conditions are ordered dismissed. I.C.R. 46(g).

VIII. ORDER ON PRESENTENCE INVESTIGATION REPORTS.

The parties are hereby ordered to return their respective copies of the presentence investigative reports to the deputy clerk of the court's custody and use of said report shall thereafter be governed by I.C.R. 32(h)(1), (2), and (3).

IX. ENTRY OF JUDGMENT - PROBATION - RECORD BY CLERK.

The Court orders the Judgment and record be entered upon the minutes and that the record be assembled, prepared and filed by the Clerk of the Court in accordance with I.C. § 19-2519(a).

X. RIGHT TO APPEAL/LEAVE TO APPEAL IN FORMA PAUPERIS.

The Right: The Court advised the defendant, of the right to appeal this judgment within forty two (42) days of the date it is file stamped by the clerk of the court. I.C.R. 33(a)(3), I.A.R. 14(a).

In Forma Pauperis: The Court further advised the defendant of the right of a person who is unable to pay the costs of an appeal to apply for leave to appeal in forma pauperis, meaning the right as an indigent to proceed without liability for court costs and fees and the right to be represented by a court appointed attorney at no cost to the defendant. I.C.R. 33(a)(3), I.C. § 19-852(a)(1) and (b)(2).

IT IS SO ORDERED.

DATED: 12-10-2007

SIGNED: [Signature]

RICHARD BEVAN, District Judge

JUDGMENT OF CONVICTION - 6
ACCEPTANCE OF PROBATION

State of Idaho,     
)       
) ss.       
County of Twin Falls     
)

I, SHERIDAN LYNN SPAULDING, being first duly sworn on oath, deposes and states that I reviewed Exhibit 1, General Conditions of Probation, and Exhibit 2, Specific Conditions of Probation. That I have received a copy of this JUDGMENT OF CONVICTION UPON A PLEA OF GUILTY TO ONE FELONY COUNT, ORDER GRANTING A WITHHELD JUDGMENT UPON A PLEA OF GUILTY TO ONE COUNT, I.C. § 19-2601(3), I.C.R. 33(d), that I understand the terms of that probation, and I agree to abide by the conditions outlined in this order. I further certify that I have read and understand each term of probation.

SHERIDAN LYNN SPAULDING

Witnessing Probation Officer

NOTICE OF ORDER
I, Teresa Yocham, Deputy Clerk for the County of Twin Falls do hereby certify that on the day of 12/10/07, filed the original and caused to be served a true and correct copy of the above and foregoing document: JUDGMENT OF CONVICTION UPON A PLEA OF GUILTY TO ONE FELONY COUNT, ORDER GRANTING A WITHHELD JUDGMENT UPON A PLEA OF GUILTY TO ONE COUNT, I.C. § 19-2601(3), I.C.R. 33(d), to each of the persons as listed below:

Prosecuting Attorney: Julie Sturgill

Defense Counsel: Hyong Pak

Twin Falls County Jail

Idaho Department of Probation

Idaho Department of Corrections

Teresa Yocham  
Deputy Clerk
1. **Supervision Level:** The defendant’s level of supervision, including caseload type and electronic monitoring shall be determined by the Idaho Dept of Correction. 

2. **Laws and Conduct:** The defendant shall obey all municipal, county, state and federal laws. The defendant shall comply with all lawful requests of any agent of the Idaho Dept of Correction. The defendant shall be completely truthful at all times with any agent of the Idaho Dept of Correction. During any contact with law enforcement personnel the defendant shall provide their identity, notify the officer(s) that they are under supervision and provide the name of their supervising officer. The defendant shall notify their supervising officer of the contact within 24 hours. 

3. **Residence:** The defendant shall not change residence without first obtaining permission from an authorized agent of the Idaho Dept of Correction. 

4. **Reporting:** The defendant shall report to his/her supervising officer as directed. The defendant shall provide truthful and accurate information or documentation whenever requested by the Idaho Dept of Correction. 

5. **Travel:** The defendant shall not leave the State of Idaho or the assigned district without first obtaining permission from his/her supervising officer. 

6. **Extradition:** If the defendant does leave the State of Idaho, with or without permission, the defendant does hereby waive extradition to the State of Idaho and will not contest any effort to return the defendant to the State of Idaho. 

7. **Employment/Alternative Plan:** The defendant shall seek and maintain gainful, verifiable, full-time employment. The defendant shall not accept, cause to be terminated from, or change employment without first obtaining written permission from his/her supervising officer. In lieu of full-time employment, the defendant may participate in full-time education, a combination of employment and education, vocational program or other alternative plan based on the offender’s specific situation and as approved by his/her supervising officer. 

8. **Alcohol:** The defendant shall not purchase, possess, or consume alcoholic beverages in any form and will not enter any establishment where alcohol is a primary source of income. 

9. **Controlled Substances:** The defendant shall not use or possess any illegal drug. The defendant shall not use or possess any paraphernalia for the purpose of ingesting any illegal drug. The defendant shall not use or possess any controlled substances unless lawfully prescribed for him/her by a licensed physician or dentist. The defendant shall use medications only in the manner prescribed by their physician or dentist. 

10. **Firearms/Weapons:** The defendant shall not purchase, carry, possess or have control of any firearms, chemical weapons, electronic weapons, explosives or other dangerous weapons. Other dangerous weapons may include, but are not limited to: knives with blades over two and one half inches in length, switch-blade knives, brass knuckles, swords, throwing stars and other martial arts weapons. Any weapons or firearms seized will be forfeited to IDOC for disposal. The defendant shall not reside in any location that contains firearms unless the firearms are secured and this portion of the rule is exempted in writing by the District Manager.
11. Search: The defendant shall consent to the search of his/her person, residence, vehicle, personal property, and other real property or structures owned or leased by the defendant or for which the defendant is the controlling authority conducted by any agent of the Idaho Dept of Correction or law enforcement officer. The defendant waives his/her Fourth Amendment Rights concerning searches. 

12. Cost of Supervision: The defendant shall comply with Idaho Code 20-225, which authorizes the Idaho Dept of Correction to collect a cost of supervision fee. The defendant shall make payments as prescribed in his/her monthly cost of supervision bill. 

13. Associations: The defendant shall not associate with any person(s) designated by any agent of the Idaho Dept of Correction.

14. Substance Abuse Testing: The defendant shall submit to any test for alcohol or controlled substances as requested and directed by any agent of the Idaho Dept of Correction or law enforcement officer. The defendant may be required to obtain tests at their own expense. If the results of the test indicate an adulterant has been used to interfere with the results, that test will be deemed to have been positive.

15. Evaluation and Program Plan: The defendant shall obtain any treatment evaluation deemed necessary and as ordered by the Court or any agent of the Idaho Dept of Correction. The defendant shall meaningfully participate in and successfully complete any treatment, counseling or other programs deemed beneficial and as directed by the Court or any agent of the Idaho Dept of Correction. The defendant may be required to attend treatment, counseling or other programs at their own expense.

16. Cooperation with Supervision: When home, the defendant shall answer the door for the probation officer. The defendant shall allow the probation officer to enter their residence, other real property, place of employment and vehicle for the purpose of visitation, inspections and other supervision functions. The defendant shall not possess, install or use any monitoring instrument, camera, or other surveillance device to observe or alert them to the approach of his/her probation officer. The defendant shall not keep any vicious or dangerous dog or other animal on or in their property that the probation officer perceives as an impediment to accessing the defendant or their property.

17. Absconding Supervision: The defendant will not leave the state or the assigned district in an effort to abscond or flee supervision. The defendant shall make himself/herself available for supervision and program participation as instructed by the probation officer and will not actively avoid supervision.

18. Court Ordered Financial Obligations: The defendant shall pay all costs, fees, fines and restitution in the amount and manner and to the parties ordered by the Court. The defendant shall make payments as ordered by the Court or as designated in a Payment Agreement and Promissory Note to be completed with an agent of the Idaho Dept of Correction.

19. Confidential Informant: The defendant shall not act as a confidential informant for law enforcement, except as allowed in Idaho Dept. of Correction policy and with the written consent of both the Court and the Idaho Dept. of Correction.

20. Intra/Interstate Violations: If allowed to transfer supervision to another district or state the defendant agrees to accept any violation allegation documents purportedly submitted by the agency/officer supervising the defendant in the receiving district or state as admissible into evidence as credible and reliable. The defendant waives any right to confront the author of such documents.

21. Additional Rules: The defendant agrees that other supervision rules may be imposed depending on the district or specific field office that provides his/her supervision. At all times, these additional rules will be imposed only after considering the successful supervision of the defendant and the secure operation of the district or specific field office. All additional rules will be explained to the defendant and provided to him/her, in writing, by an agent of the Idaho Dept of Correction.
EXHIBIT 2

COURT ORDERED

SPECIFIC CONDITIONS OF PROBATION

IMPOSED IN ADDITION TO THE EXHIBIT 1 GENERAL CONDITIONS

I.C. § 20-221

1. Stipulate to the admission of test results: Should the defendant be requested to submit to tests for controlled substances, the defendant shall stipulate to the admission of those blood, urine, or breath test results in the form of a certified affidavit at any probation hearing following a judicial determination that live testimonial evidence would otherwise be impractical. However, the defendant, at the defendant's own expense may have the lab analysis of the defendant's blood, urine, or breath performed at an in-state approved lab of the defendant's choosing upon notifying the official administering the test at the time the test is requested.

2. Discretionary county jail time to be served in the future: The defendant shall serve not more than 30 days in the county jail at the discretion of the defendant's probation officer, with the prior approval of the Court. Any time spent in jail pursuant to an Agent's Warrant and/or for absconding supervision does not count against this discretionary jail time.

3. Polygraph examinations: The defendant shall submit to polygraph examinations at the defendant's own expense when requested to do so by the defendant's probation officer.

I have read, or have had read to me, the above conditions of probation contained in EXHIBIT 1 and EXHIBIT 2. I understand and accept these conditions of supervision. I agree to abide by and conform to them and understand that my failure to do so may result in the submission of a report of violation to the sentencing authority and revocation of my probation.

[Signatures]
Defendant Signature
Witnessing Probation Officer's Signature

Oct 28, 2007
Date
Witnessing Probation Officer's Name (printed)
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece or on the front if space permits.

A. Signature
   [signature]

B. Received by (Printed Name)
   [name]

C. Date of Delivery
   [date]

D. Is delivery address different from item 1?
   [yes/no]

   If yes, enter delivery address below:

   [address]

2. Article Number
   (Transfer from service label)
   [number]

3. Service Type
   [certified mail]

4. Restricted Delivery? (Extra Fee)
   [yes/no]