

SUMMARY STATEMENT

State of Idaho v. Lance Tyrell Taylor – Docket No. 42774

In a case arising out of Ada County, the Idaho Supreme Court affirms the district court's judgment insofar as it awarded credit for time served for periods (i), (iii), and (iv). However, this Court reverses the district court's decision denying credit for time served for period (ii). The case is remanded to the district court for determination of the total number of days to be applied against Taylor's sentence.

Taylor appealed an order from the district court denying credit for time served as a condition of probation. Taylor's argument was twofold. First, Taylor argued that the 2015 amendments to Idaho Code sections 18-309 and 19-2603 (the "Credit Statutes") should be given retroactive effect such that he should receive credit for the time he served as a condition of probation. This Court denied Taylor's request holding that the amended Credit Statutes do not have retroactive effect.

Alternatively, Taylor argued that if the amended Credit Statutes do not have retroactive effect, he is still entitled to credit for the time he served during drug court ("period (ii)"). He argued that the terms and conditions of his probation did not authorize discretionary jail time; therefore, the district court's conclusion that he was not entitled to credit for period (ii) because it was a condition of probation was erroneous. This Court held that Taylor is entitled to credit for time served for period (ii) for two reasons: (1) While Taylor was in drug court, he was not at large; accordingly, pursuant to Idaho Code 18-309 as it was written at the time, Taylor should be given credit for the time he was not at large; and (2) Taylor's conditions of probation did not impose any incarceration as a condition of probation.