

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Rebecca E. Mason-Cales,

Respondent

Case No. 21827

FINAL ORDER

The Chief Certification Officer for the State of Idaho filed an Administrative Complaint against the teaching certificate issued to Rebecca E. Mason-Cales, seeking for the Professional Standards Commission to impose discipline on Ms. Mason-Cales's certificate. *See* Idaho Code § 33-1209. Because Ms. Mason-Cales did not request a hearing within 30 days, and because Ms. Mason-Cales was determined to be in default by a hearing/presiding officer, the allegations in the Administrative Complaint are treated as admitted, Idaho Code § 33-1209(3), and are incorporated by reference as findings of fact.

Based on these findings, the Professional Standards Commission concludes that Ms. Mason-Cales willfully violated the following laws and principles of the Code of Ethics adopted by the State Board of Education. Idaho Code § 33-1208(1)(j).

The Commission specifically holds that Ms. Mason-Cales's conduct or course of conduct violated Idaho Code § 33-1208(2)(h). ("The professional standards commission shall permanently revoke any certificate issued or authorized under the provisions of section 33-1201, Idaho Code, and shall deny the application for issuance of a certificate of a person who pleads guilty to or is found guilty of, notwithstanding the form of the judgment or withheld judgment, any of the following felony offenses against a child: The sexual battery of a minor child sixteen (16) or seventeen (17) years of age, section 18-1508A, Idaho Code.").

The Commission specifically holds that Ms. Mason Cales's conduct or course of conduct violated Idaho Code § 33-1208(1)(f) ("Conviction, finding of guilt, withheld judgment or suspended sentence, in this or any other state of a crime involving moral turpitude").

The Commission specifically holds that Ms. Mason Cales's conduct or course of conduct violated Idaho Code § 33-1208(1)(l) ("Conviction, finding of guilt, withheld judgment, or suspended sentence, in this state or any other state of any felony, the commission of which renders the certificated person unfit to teach or otherwise perform the duties of the certificated person's position.").

Under Idaho Code § 33-1208, the Professional Standards Commission orders that the following discipline (as marked) be imposed on Ms. Mason-Cales's certificate:

As requested in the Administrative Complaint

The discipline requested by the Chief Certification Officer in her Request for Relief in the Administrative Complaint.

Other discipline

Ms. Mason-Cales's certificate is revoked.

Ms. Mason-Cales's certificate is permanently revoked under Idaho Code § 33-1208(2).

Ms. Mason-Cales's certificate is suspended for _____ years _____ months

Ms. Mason-Cales's certificate is suspended indefinitely pending completion of the following conditions:

1. _____

2. _____

3. _____

4. _____

Ms. Mason-Cales's certificate has the following conditions placed upon it.

1. _____

2. _____

3. _____

3. _____

4. _____

_____ A letter of reprimand will be placed in Ms. Mason-Cales's permanent certification file.

This Order is effective on the day it is signed. This Order and the Administrative Complaint, which will be attached to this Order, are public records, and may be made available on the State Department of Education or the Commission's website.

DATED this 04 day of April, 2019.


ELISA SAFFLE, MEMBER
Idaho Professional Standards Commission

RECONSIDERATION AND JUDICIAL REVIEW

This is a final order of the Professional Standards Commission. Any party may file a motion for reconsideration of this order within 14 days of the service date of this order. The agency will dispose of the petition for reconsideration within 21 days of its receipt; if not, the petition will be denied as a matter of law. See Idaho Code § 67-5246. Petitions for reconsideration may be filed by mail addressed to the Professional Standards Commission, State Department of Education, P.O. Box 83720, Boise, ID 83720-0027, or hand delivered to the Commission at 650 West State Street, Second Floor, Boise, ID 83720.

Any party aggrieved by this final order or orders previously issued in this case may seek judicial review of the orders in this case in district court. A party may do this by filing a petition for judicial review in the district court as provided in Idaho Code §§ 67-5270 and 67-5272. The petition must be filed within 28 days of the service date of this final order; or, if a motion for reconsideration is filed, within 28 days of the service of a decision on the motion for reconsideration or denial of the motion as a matter of law. Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the agency action. Idaho Code § 67-5274.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of April, 2019, I caused to be served a true and correct copy of the foregoing by the following method to:


Rebecca E. Mason-Cales



- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Email:

Robert A. Berry
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Facsimile:
- Email: robert.berry@ag.idaho.gov
leslie.gottsch@ag.idaho.gov


Annette Schwab
Program Specialist
Idaho State Department of Education

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Rebecca E. Mason-Cales,

Respondent

Case No. 21827

ADMINISTRATIVE COMPLAINT

Lisa Colón Durham, Chief Certification Officer for the State of Idaho, alleges the following against Marie Donnelly.

GENERAL AVERMENTS

The following general averments are adopted in each count below.

1. The Professional Standards Commission (Commission) regulates teacher certification in Idaho.

2. The Chief Certification Officer is empowered to file an administrative complaint against the certificate of a teacher or other individual certified under the authority of the Idaho State Board of Education. Idaho Code § 33-1209.

3. Ms. Mason-Cales holds the following certificate and endorsements issued under the authority of the Idaho State Board of Education:

a. Standard Secondary certificate with endorsements in History (6-12) and World Language-German (6-12) effective July 16, 2015, through August 31, 2020.

4. Ms. Mason-Cales was a teacher at Mountain View High School during the 2017-2018 school year.

5. E.R. was a male student under the age of eighteen at Mountain View High School during the 2017-2018 school year.

6. On February 14, 2018, a criminal complaint was filed against Ms. Mason-Cales in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, alleging six counts of sexual battery of a minor child sixteen or seventeen years of age, felony, all in violation of Idaho Code § 18-1508A. A true and correct copy of the criminal complaint filed against Ms. Mason-Cales is attached as Exhibit A.

7. On October 10, 2018, a Judgment of Conviction, Suspended Sentence, Order of Probation and Commitment was entered in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada. A true and correct copy of this document is attached as Exhibit B.

8. Based upon Ms. Mason-Cales plea of guilty to Count I on August 14, 2018, on October 10, 2018, the District Court ordered, adjudged and decreed that Ms. Mason-Cales was guilty of the crime of Sexual Battery of a Minor Child Sixteen or Seventeen Years of Age, Felony, Idaho Code §18-1508A.

COUNT I

9. Ms. Mason-Cales's conduct or course of conduct violated Idaho Code § 33-1208(2)(h).("The professional standards commission shall permanently revoke any certificate issued or authorized under the provisions of section 33-1201, Idaho Code, and shall deny the application for issuance of a certificate of a person who pleads guilty to or is found guilty of, notwithstanding the form of the judgment or withheld judgment, any of the following felony offenses against a child: The sexual battery of a minor child sixteen (16) or seventeen (17) years of age, section 18-1508A, Idaho Code.").

COUNT II

10. Ms. Mason Cales’s conduct or course of conduct violated Idaho Code § 33-1208(1)(f) (“Conviction, finding of guilt, withheld judgment or suspended sentence, in this or any other state of a crime involving moral turpitude”).

COUNT III

11. Ms. Mason Cales’s conduct or course of conduct violated Idaho Code § 33-1208(1)(l) (“Conviction, finding of guilt, withheld judgment, or suspended sentence, in this state or any other state of any felony, the commission of which renders the certificated person unfit to teach or otherwise perform the duties of the certificated person’s position.”).

REQUEST FOR RELIEF

The Chief Certification Officer requests that the Commission grant the following relief, as permitted under Idaho Code §§ 33-1208 and 33-1209:

1. Permanently revoke Ms. Mason-Cales’s certificate.
2. That if Ms. Mason-Cales requests a hearing, a hearing be conducted before a hearing panel, where the Chief Certification Officer and Ms. Mason-Cales may present evidence concerning the allegations in this Administrative Complaint, to aid the hearing panel in determining whether Ms. Mason-Cales’s certificate should be disciplined and, if so, what discipline should be imposed.
3. Any other relief that would be just under the circumstances.

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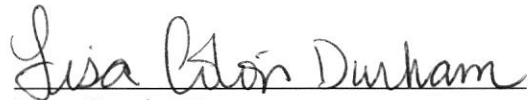
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DATED this 30 day of January, 2019.



LISA COLÓN DURHAM
Chief Certification Officer

*Attorney for the
Chief Certification Officer*

Robert A. Berry
Deputy Attorney General
PO Box 83720
Boise, ID 83720-0010
(208) 334-2400
robert.berry@ag.idaho.gov

NOTIFICATION OF PROCEDURAL RIGHTS

The Professional Standards Commission wishes to notify you of the following rights.

An administrative action has been initiated against your certificate(s). Under Idaho Code § 33-1209, if you wish to contest the allegations set forth in the administrative complaint, you must request a hearing. This request must be (1) made not more than 30 days after the date of service (mailing) of the administrative complaint, (2) in writing, and (3) addressed to the state superintendent of public instruction. **If you do not request a hearing or do not comply with the requirements for requesting a hearing, the allegations in this administrative complaint will be treated as admitted under Idaho Code § 33-1209(3).**

In response to this administrative complaint, you may file an answer to this administrative complaint, but you must file the answer at least 30 days prior to the day of the hearing.

You have the right to be represented by legal counsel, at your own expense, during this administrative proceeding. In addition, you are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, and other things relevant to the proceedings.

This administrative proceeding is governed by provisions of the Idaho Code, including the Idaho Administrative Procedure Act, and by provisions of the Idaho Administrative Code, including the Idaho Rules of Administrative Procedure of the Attorney General that have been adopted by the Board of Education. You may access these laws and rules online or via the Idaho State Law Library.

To request a hearing, you must deliver your request to the following address or fax number:

Sherri Ybarra
Superintendent of Public Instruction
Re: Professional Standards Commission Hearing
650 West State Street, Room 200
P.O. Box 83720
Boise, ID 83720-0027
Telephone: (208) 332-6800
Facsimile: (208) 334-2228

The State Department of Education receives mailed or hand-delivered documents between the hours of 8:00 a.m. and 5:00 p.m. (mountain time) except Saturdays, Sundays, and holidays. The State Department of Education permits the filing of facsimile copies of documents that do not exceed ten pages, provided that the facsimile transmission is legible and is received before 5:00 p.m. on its due date. It shall be the responsibility of the filing party to verify with the staff of the State Department of Education that any facsimile transmission is successfully received and legible in its entirety.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of January, 2019, I caused to be served a true and correct copy of the foregoing by the following method to:


Rebecca E. Mason-Cales



- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile:
- Email:

*Attorney for the
Chief Certification Officer*
Robert A. Berry
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile: (208) 854-8073
- Email: robert.berry@ag.idaho.gov
leslie.gottsch@ag.idaho.gov


Annette Schwab
Program Specialist
Idaho State Department of Education

FEB 14 2018

CHRISTOPHER D. RICH, Clerk
By ALICIA MEZA
DEPUTY

DR#: 18-000994
Control #: 2018-0001424

JAN M. BENNETTS
Ada County Prosecuting Attorney

Jill Longhurst
Deputy Prosecuting Attorney
Idaho State Bar No. 4390
200 W. Front Street, Room 3191
Boise, ID 83702
Telephone: (208) 287-7700
Fax: (208) 287-7709
acpocourtdocs@adaweb.net

CR01-18-07621
CRCO
Criminal Complaint
548184



IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,)

Plaintiff,)

vs.)

REBECCA ELIZABETH MASON CALES,)

Defendant.)

Case No. CR01-18-7621

COMPLAINT

Defendant's DOB: 12/17/1991
Defendant's SSN: xxx-xx-1957

PERSONALLY APPEARED BEFORE me this 14th day of February 2018, Jill

Longhurst, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, who, being first duly sworn, complains and says that: REBECCA ELIZABETH MASON CALES, on or between September 2017, and February 2018, in the County of Ada, State of Idaho, did commit the crime(s) of: I. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, II. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, III. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, COUNT IV. SEXUAL BATTERY OF A MINOR CHILD

SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, V. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, VI. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A as follows:

COUNT I

That the defendant, REBECCA ELIZABETH MASON CALES, on or about September 2017, in the County of Ada, State of Idaho, did commit Sexual Battery by having Lewd and/or Lascivious contact with and/or upon the body of a minor, E.R., a child sixteen (16) or seventeen (17) years of age, to-wit: sixteen (16) years old, by oral-genital contact with the intent to arouse, appeal to, or gratify the lust, passion, or sexual desire of the defendant and/or said minor child, where the defendant was over the age of eighteen (18) years, to-wit: twenty-five (25) and at least five years older than E.R.

COUNT II

That the defendant, REBECCA ELIZABETH MASON CALES, on or between September 2017, and November 2017, in the County of Ada, State of Idaho, did commit Sexual Battery by having Lewd and/or Lascivious contact with and/or upon the body of a minor, E.R., a child sixteen (16) or seventeen (17) years of age, to-wit: sixteen (16) years old, by genital-genital and/or oral-genital contact with the intent to arouse, appeal to, or gratify the lust, passion, or sexual desire of the defendant and/or said minor child, where the defendant was over the age of eighteen (18) years, to-wit: twenty-five (25) to twenty-six (26) and at least five years older than E.R.

COUNT III

That the defendant, REBECCA ELIZABETH MASON CALES, on or between September 2017, and November 2017, in the County of Ada, State of Idaho, did commit Sexual Battery by having Lewd and/or Lascivious contact with and/or upon the body of a minor, E.R., a child sixteen (16) or seventeen (17) years of age, to-wit: sixteen (16) to seventeen (17) years old, by genital-genital and/or oral-genital contact with the intent to arouse, appeal to, or gratify the lust, passion, or sexual desire of the defendant and/or said minor child, where the defendant was over the age of eighteen (18) years, to-wit: twenty-five (25) to twenty-six (26) and at least five years older than E.R.

COUNT IV

That the defendant, REBECCA ELIZABETH MASON CALES, on or between September 2017, and February 2018, in the County of Ada, State of Idaho, did commit Sexual Battery by having Lewd and/or Lascivious contact with and/or upon the body of a minor, E.R., a child sixteen (16) or seventeen (17) years of age, to-wit: sixteen (16) to seventeen (17) years old, by genital-genital and/or oral-genital contact with the intent to arouse, appeal to, or gratify the lust, passion, or sexual desire of the defendant and/or said minor child, where the defendant was over the age of eighteen (18) years, to-wit: twenty-five (25) to twenty-six (26) and at least five years older than E.R.

COUNT V

That the defendant, REBECCA ELIZABETH MASON CALES, on or between September 2017, and February 2018, in the County of Ada, State of Idaho, did commit Sexual Battery by having Lewd and/or Lascivious contact with and/or upon the body of a minor, E.R., a child sixteen (16) or seventeen (17) years of age, to-wit: sixteen (16) to seventeen (17) years old, by genital-genital and/or oral-genital contact with the intent to arouse, appeal to, or gratify the lust, passion, or sexual desire of the defendant and/or said minor child, where the defendant was over the age of eighteen (18) years, to-wit: twenty-five (25) to twenty-six (26) and at least five years older than E.R.

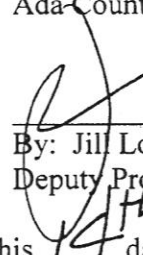
COUNT VI

That the defendant, REBECCA ELIZABETH MASON CALES, on or between September 2017, and February 2018, in the County of Ada, State of Idaho, did commit Sexual Battery by having Lewd and/or Lascivious contact with and/or upon the body of a minor, E.R., a child sixteen (16) or seventeen (17) years of age, to-wit: sixteen (16) to seventeen (17) years old, by oral-genital contact with the intent to arouse, appeal to, or gratify the lust, passion, or sexual desire of the defendant and/or said minor child, where the defendant was over the age of eighteen (18) years, to-wit: twenty-five (25) to twenty-six (26) and at least five years older than E.R.

02-14-18
PCX6
[Signature]

All of which is contrary to the form, force and effect of the statute in such case and against the peace and dignity of the State of Idaho.

JAN M. BENNETTS
Ada County Prosecuting Attorney



By: Jill Longhurst
Deputy Prosecuting Attorney

SUBSCRIBED AND Sworn to before me this 14th day of February 2018.



Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO,

Plaintiff,

vs.

REBECCA ELIZABETH MASON CALES,
DOB: 12/17/1991
SSN: XXX-XX-1957

Defendant.

Case No. CR01-18-7621

JUDGMENT OF CONVICTION,
SUSPENDED SENTENCE,
ORDER OF PROBATION
AND COMMITMENT

On October 9, 2018, John Dinger, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and the defendant, REBECCA ELIZABETH MASON CALES, with her attorney, Michael Bartlett, appeared before this Court for sentencing. The defendant was duly informed of the Information filed against her for the crimes of I. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, II. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, III. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, IV. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, V. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A and VI. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, committed on or between September 2017 and February 2018, and her plea of guilty to Count I thereto on August 14, 2018.

The defendant, and defendant's counsel, were then asked if they had any legal cause or reason to offer why judgment and sentence should not be pronounced against the defendant, and if the defendant, or defendant's counsel, wished to offer any evidence or to make a statement on behalf of the defendant, or to present any information to the Court in mitigation of punishment; and the Court, having accepted such statements, and having found no legal cause or reason why judgment and sentence should not be pronounced against the defendant at this time, does render its judgment of conviction as follows, to-wit:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant is guilty of the crime of I. SEXUAL BATTERY OF A MINOR CHILD SIXTEEN OR SEVENTEEN YEARS OF AGE, FELONY, I.C. §18-1508A, and that she be sentenced pursuant to the Uniform Sentence Law of the State of Idaho, I.C. § 19-2513, to the custody of the State of Idaho Board of Correction for an aggregate term of seven (7) years: with the first two (2) years of the term to be FIXED, and the remaining five (5) years of the term to be INDETERMINATE, such sentence to commence immediately.

Execution of judgment is suspended and the defendant, REBECCA ELIZABETH MASON CALES, is placed on probation for a period of **seven (7) years**, to commence on October 9, 2018, under the following conditions, to wit:

A. That probation is granted to and accepted by the probationer, subject to all its terms and conditions and with the understanding that the Court may at any time, in case of the violation of the terms of the probation, cause the probationer to be returned to the Court for the imposition of sentence as prescribed by law or any other punishment as the Court may see fit to hand down.

B. That the probationer shall be under the legal custody and control of the Director of Probation and Parole of the State of Idaho and the District Court, with supervised probation and subject to the rules of probation as prescribed by the Board of Correction and the District Court.

C. That during the period of probation the defendant shall not violate any law or ordinance of the United States or any city, state or county therein, wherein a fine or bond forfeiture of more than \$200.00 or a jail term could have been imposed as a penalty.

D. Special conditions, to wit:

1. Defendant shall enter into and comply with an agreement of supervision with the Board of Correction. Defendant was provided a copy of that agreement at sentencing. Failure to comply with the conditions of that agreement is a violation of defendant's probation. Defendant shall comply with that agreement effective from the date of sentencing.

2. Defendant shall pay the sums set out in this judgment for fines, fees, restitution, costs, etc., as soon as practicable, to the Ada County Clerk's Office in reasonable monthly installments as arranged through her probation officer.

3. Defendant shall not maintain employment at any establishment that would bring her into contact with children 12-18 years of age.

4. Defendant shall be allowed to use the Internet at the discretion of her probation officer, for the purpose of completing her Master's degree.

5. Defendant shall be placed on the sex offender supervision caseload.

6. Defendant shall enroll in, participate in, and successfully complete a sex offender treatment program as recommended in the evaluation by Dr. Johnston, as approved by her probation officer.

7. Defendant shall serve (120) days in the Ada County Jail, with (0) days suspended and credit for (2) days already served, leaving a balance of (118) days to serve, to be served forthwith. Defendant shall have only a work release option to serve jail time, subject to eligibility determined by the Sheriff.

8. Defendant shall serve an additional (60) days in the Ada County Jail at the discretion of her probation officer, without prior approval of the Court. The probation officer has the discretion and authority to immediately deliver defendant to the Sheriff for incarceration in the county jail for the purpose of having defendant serve this discretionary time and the Sheriff shall

commit the defendant to serve this time on request of the probation officer without further order from the Court. The probation officer shall immediately file with the Court a written statement of the reasons defendant has been placed in custody, for review by the Court. The probation officer shall have all options available. *Unless otherwise specified in this judgment, discretionary jail time may be served as SILD (Sheriff's Inmate Labor Detail) at the discretion of the probation officer and the Ada County Sheriff's Office.*

9. Defendant shall submit a DNA sample and right thumbprint impression to authorities pursuant to I.C. § 19-5506 within ten (10) days of this judgment.

10. Defendant shall not become intimately involved with any person under the age of 18 years.

11. A no contact order has been issued in this case. A no contact order means NO CONTACT. No contact includes, but is not limited to, no contact directly, indirectly, no contact through third persons, no contact by mail, email, by phone, and no contact over the Internet or social media. A violation of the no contact order by the defendant, if proven or admitted, will violate a fundamental condition of probation. The Order shall remain in effect for three (3) years until the victim turns 21 (October 2021).

12. Defendant is subject to the requirements of the Sexual Offender Registration Notification and Community Right to Know Act, I.C. §§ 18-8301, et seq. Defendant shall comply with the act and register as a sex offender in any county in which she shall reside.

13. Defendant is advised that time spent on probation is not credited against any underlying incarceration (jail time or prison) imposed. Defendant is at risk for imposition of the entire underlying sentence, with credit for any time served which was not imposed as a condition of probation, no matter how long defendant has been on probation, if she violates the terms of probation and the violation should be proved or admitted.

E. That the probationer, if placed on probation to a destination outside the state of Idaho, or leaves the confines of the state of Idaho with or without permission of the director of probation and parole, does hereby waive extradition to the state of Idaho and also agrees that the probationer will not contest any effort by any state to return the probationer to the state of Idaho.

Count II-VI of the Information are hereby dismissed pursuant to the plea agreement.

Pursuant to I.C. § 31-3201A(b) the defendant shall pay court costs in the amount of \$17.50; County Administrative Surcharge Fee in the amount of \$10.00 pursuant to I.C. § 31-4502;

P.O.S.T. Academy fees in the amount of \$15.00 pursuant to I.C. § 31-3201B; ISTARs technology fee in the amount of \$10.00 pursuant to I.C. § 31-3201(5); \$375.00 reimbursement to the Victims Compensation Fund pursuant to I.C. § 72-1025; Peace Officer Temporary Disability Fund in the amount of \$3.00 pursuant to I.C. § 72-1105; Emergency Surcharge Fee in the amount of \$100.00 pursuant to I.C. § 31-3201H; and Victim Notification Fee (VINE) in the amount of \$15.00 pursuant to I.C. § 31-3204.

The parties were not prepared to stipulate to restitution. The State is directed to notice restitution for hearing if the parties cannot stipulate to an amount within 60 days.

Pursuant to I.C. § 18-309, the defendant shall be given credit for time already served upon the charge specified herein of two (2) days. The credit consists of two (2) days served from arrest to bond-out (2/13/18 to 2/14/18).

Defendant is to pay supervision of probation and parole costs in an amount not to exceed the maximum allowable by I.C. § 20-225.

This probation shall expire at midnight on October 8, 2025, unless otherwise ordered by the Court.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this Judgment and Commitment to the Sheriff, which shall serve as the commitment of the defendant.

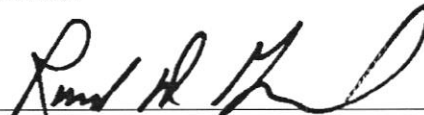
NOTICE OF RIGHT TO APPEAL

You, REBECCA ELIZABETH MASON CALES, are hereby notified that you have the right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days from the entry of this judgment.

You are further notified that you have the right to be represented by an attorney in any appeal, and that if you cannot afford to retain an attorney, one may be appointed at public expense. Further, if you are a needy person, the costs of the appeal may be paid for by the State of Idaho. If you have questions about your appeal rights, you should consult your present attorney.

IT IS SO ORDERED.

Signed: 10/10/2018 10:47 AM

A handwritten signature in black ink, appearing to read 'Richard D. Greenwood', written over a horizontal line.

RICHARD D. GREENWOOD
District Judge

This is to certify that I have read or had read to me and fully understand and accept all the conditions, regulations and restrictions under which I am being granted probation. I will abide by and conform to them strictly, and fully understand that my failure to do so may result in the revocation of my probation and commitment to the Board of Correction to serve the sentence originally imposed.

Probationer's Signature

Date of acceptance

WITNESSED:

Probation and Parole Officer
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that on the 10 day of October, 2018, I mailed (emailed) a true and correct copy of the within instrument to:

ADA COUNTY PROSECUTOR'S OFFICE
VIA EMAIL

MICHAEL BARTLETT
VIA EMAIL bartlett@nbmlaw.com

ADA COUNTY JAIL
VIA EMAIL

PROBATION AND PAROLE
VIA EMAIL

CENTRAL RECORDS
DEPARTMENT OF CORRECTION
ATTN: CCD PROBATION SENTENCING TEAM
VIA EMAIL

CHRISTOPHER D. RICH
Clerk of the District Court

Signed: 10/10/2018 02:30 PM
By: 
Deputy Court Clerk

