At the age of majority, teenagers acquire the right to: vote in federal elections, most states, including Idaho, lowered the age to 18. The age of majority has really come to mean is the point when an individual is treated as an adult for most purposes. The majority of the law that applies to you at this turning point. Keep in mind that laws are constantly subject to change. If you have a specific legal problem, you may want to consult an attorney. This guide touches on some of the laws that may apply to you at this turning point. Keep in mind that laws might have resulted in no more than a stern lecture and a ride home in a police car. If you are a young man, you must register for the military. And if you commit a crime, you will not have the protection of the juvenile court and laws; you could wind up in jail for something that, at a younger age, might have resulted in no more than a stern lecture and a ride home in a police car.

**TURNING 18 IN IDAHO**

A Survival Guide for Teenagers

Congratulations. At age 18, you’ve reached an important milestone. You are now an adult in the eyes of the law. You can rent your own apartment, take charge of your finances, and even buy a car on your own—all without a parent’s consent or assistance. You can now enter into legal contracts and vote in elections. In short, you now have the right to make many important decisions about where you live, what you do, and how you shape your future.

But adulthood also brings new responsibilities and consequences. Your parents no longer have to support you. You can now be sued personally. You are responsible for paying your own income taxes. If you are a young man, you must register for the military. And if you commit a crime, you will not have the protection of the juvenile court and laws; you could wind up in jail for something that, at a younger age, might have resulted in no more than a stern lecture and a ride home in a police car.

This guide touches on some of the laws that may apply to you at this turning point. Keep in mind that laws are constantly subject to change. If you have a specific legal problem, you may want to consult an attorney.

**Reaching the Age of Majority / Getting Around / Moving Out / Having Fun / Alcohol and Drugs / Money**

The age of majority is a term used to describe the time in life after which a person is legally no longer considered a child. It is an arbitrary date when a child becomes an adult in the eyes of the law. Historically, the age of majority was set at 21 in most states. But after the 1972 ratification of the 21st Amendment to the U.S. Constitution giving 18-year-olds the right to vote in federal elections, most states, including Idaho, lowered the age of majority to 18. (I.C. §§ 30-201)

At the age of majority, teenagers acquire the right to:

- Enter into binding contracts.
- Buy or sell property, including real estate and stock.
- Marry without the written consent of a parent or a guardian and a judge.
- Sue or be sued in their own names.
- Compromise, settle, or arbitrate a claim.
- Inherit property outright.
- Vote in state and local elections.
- Consent to all types of medical treatment.
- Join the military without parental consent.

This does not mean that you now have all the rights and privileges available to adults. Some come at an earlier age, while others come later. For example, an Idaho resident may be issued a provisional driver’s license at age 15, but may not purchase alcoholic beverages until age 21. What the age of majority has really come to mean is the point when an individual is treated as an adult for most purposes.

**getting around**

You may already have a driver’s license. (You were eligible for a provisional driver’s license at age 15.) But now that you are 18, the law applies to you differently in some instances.

**How does the law treat me differently now that I’m 18?**

The greatest change may be that the law now holds you (not your parents) responsible for your actions. When you were younger, your parents could be held legally responsible for at least some damages and financial losses caused by your negligent driving. Now you assume liability for your own traffic violations or accidents. It is your responsibility to know (and follow) the rules of the road described in the Idaho Driver’s Manual. (I.C. § 49-2416)

**Do I need my own car insurance?**

Yes, you must have proof of insurance. (I.C. §§ 49-1229)

Your parents may be able to continue to carry on their car insurance that will have to get your own insurance. (I.C. § 49-1229)

Also, when you buy a car, you will receive a Certificate of Title (commonly known as the “pink slip”). It is a very important document that contains detailed information about the car and provides proof of ownership. When a car changes ownership, the buyer is required to have a signed certificate recorded by the Idaho Division of Motor Vehicles (DMV) to finalize the transfer. (I.C. §§ 49-302, 49-303)

**A SURVIVAL GUIDE FOR TEENAGERS**

**Laws that Young Drivers Should Know:**

Reckless driving: Idaho law prohibits driving a vehicle in a manner likely to create an unreasonable risk of personal injury or death. (I.C. §§ 49-303, 49-1205)

Hit and run: In Idaho, you must stop after any accident in which someone is injured or another person’s property is damaged. You also must exchange names, addresses, driver’s license, vehicle license and other relevant information. If someone is injured or dies in collision of more than $1,000 of property damage is involved, the accident must be reported to the nearest local police. (I.C. §§ 49-1201, 49-1205)

Driving without a license: In Idaho, it is a misdemeanor to drive without a valid driver’s license. Also, the law requires drivers to have their licenses with them while driving. Driving with a suspended or revoked license is a misdemeanor that could result in up to six months in jail and/or a fine of $1,000 for a first conviction. (I.C. § 49-8001)

Cell phones and driving: There is no law against talking on the phone while driving. But mixing the two could cause a traffic accident. Also, you may be more likely to drive erratically and wind up with a traffic citation for impeding the flow of traffic, failing to stay in your lane, or other types of distracted driving.

Seat belts/child restraints: It is illegal to operate a motor vehicle with a child under 4 years old in the vehicle unless the child is secured in a federally approved child seating device. (I.C. §§ 49-671, 49-672) Violators can be fined up to $100. Children must be secured in federally approved safety seats until they are 7 years old. (I.C. §§ 49-673, 49-674) Youngsters of 4 years of age or older must be secured in a federally approved safety seat. Drivers of commercial vehicles cannot drive with a BAC of 0.04 percent or more. (I.C. §§ 49-8002, 49-1205)

Speed contests: Speed contests are against the law to the nearest local police. (I.C. §§ 49-1301 – 49-1305)

If a police officer stops you for driving under the influence of alcohol or any drug, you are required to take a breath, blood, or urine test is not performed. (I.C. §§ 49-1301, 49-1302) If you refuse to take the test, the officer will seize your license. You could be fined $250 and have your driver’s license suspended for one year. (I.C. §§ 49-8002 – 49-8003)

If you are under 21, you cannot drive with a blood-alcohol concentration (BAC) of 0.02 percent or higher. Drivers who are 21 and older cannot have a BAC of 0.08 percent or more. (I.C. §§ 49-8002, 49-1205)

Unlicensed motor vehicle: It is against the law to drive engines running or in the key in the ignition. (I.C. § 49-602)

Road rage: A driver may cut you off and nearly cause an accident, but avoid taking matters into your own hands. Road rage results in reckless driving, which can lead to imprisonment for up to six months and/or $1,000 fine. (I.C. § 49-1400)

**DMV**

- IDAHO DIVISION OF MOTOR VEHICLES
- FEDERAL BUREAU OF INVESTIGATION

**I.C.**

- Idaho Code

**IDAHO CONST.**

- Idaho Constitution

**IDAPA**

- IDAHO ADMINISTRATIVE PROCEDURE ACT

**NHTSA**

- NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

**USC**

- UNITED STATES CODE

**K**

- **DMV**
- **FBI**
- **I.C.**
- **IDAHO CONST.**
- **IDAPA**
- **NHTSA**
- **USC**

**Note:** The symbols § and §§ refer to “section” and “sections” in the laws cited throughout the guide. “I.C.” refers to section(s) following the section cited.
What if I don’t pay my rent on time?
If you have not paid your rent when it is due, your landlord can give you a notice to pay up or leave within three days. (I.C. § 6-905) An eviction notice must be taken very seriously. The clock is ticking and time is of essence. For your rights in the eviction process, go to www. idaholegalaid.org/Data/Document_library/ Documents/1487407294-01-tenantrights. web.pdf.

Is the landlord required to keep my apartment in good shape?
The landlord’s general duty, unless your lease otherwise states, is to keep the electrical, plumbing, heating, ventilating, cooling, or sanitary facilities supplied by the landlord in “reasonable order.” However, if something is damaged and the damage was your fault, you could be responsible for the repair. (I.C. § 6-320)

You cannot be legally evicted for simply reporting building code violations to your local building inspector. When conditions are so bad that the premises are “uninhabitable,” you should consult an attorney about possible claims against the landlord’s attorney fees, if the lease provides for it.

Can a landlord legally rent to me because of my race or disability?
No. It is against the law to discriminate in renting, leasing, or selling housing on the basis of race, color, religion, sex, disability, national origin, or familial status. (I.C. § 67-5909)

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Steroids and Your Health

WARNING: Use of steroids to increase strength or growth can cause serious health problems. Steroids can keep teenagers from growing to their full height; they can also cause heart disease, stroke, and damaged liver function. Men and women using steroids may develop fertility problems, personality changes, and acne. Men can also experience premature balding and development of breasts. These health hazards can lead to the civil and criminal penalties for unauthorized sale, use, or exchange of anabolic steroids.

What are some good questions to ask before opening an account?

• Is there a minimum balance requirement on the account?
• Can I earn interest on this account?
• Is there a charge for the monthly service or for check processing?
• Is there a fee to use the automated teller machine (ATM) or to get a banking agent’s assistance by phone?
• Are the canceled checks returned or kept at the bank?

What happens if my checks bounce?

If you write a check for more than the amount you have in your checking account, the bank may handle it a couple of ways:

• The bank may return the check to the person who attempted to cash it. That person may notify you and charge up to three times the amount of the check in penalties (I.C. § 41-2101A Note: Writing a check when you don’t have enough money in your account to pay it may be a crime. (I.C. § 27-1106))
• Or the bank may pay the check (and require you to make a deposit to cover the difference) and charge you a fee. Damages for insufficient checks cannot exceed $50 plus the value of the check (I.C. § 1-2010A Note: Banks do not have to return checks that were dated more than six months before being presented to the bank.

How long does it take for a check to clear?

The process could be virtually instantaneous. Some merchants now use electronic check conversion. This allows the sales clerk to pass your check through a machine and immediately transfer the funds from your bank account electronically. Usually the physical check is returned to you.

What is the difference between an ATM card and a debit card?

An ATM (automated teller machine) card can be used for basic banking—depositing and withdrawing funds from your bank account. You simply insert your card into an ATM and enter a personal identification number. Transactions will sometimes surcharge or fees depending on your bank and the ATM that you are using. If there is a charge, you must be warned and given an opportunity to quit the transaction before transacting.

A debit card is used to electronically transfer funds from your bank account. You could use it, for example, to buy groceries at a supermarket. Be careful, however, when carrying or using a debit card. The user generally does not need a personal ID number to access your account. Alterations of your debit card may develop if you lose your debit card or someone uses it without authorization, federal laws limit liability to $50 if you notify the debit card company within 60 days. (15 USC § 1643(a)(1))

What is a credit report?

A credit report is a summary of your debts and a history of how promptly you have paid your bills. The information comes from the companies where you have credit accounts and from public court records collected and stored by companies, often called credit bureaus, which make the information available to creditors whenever you apply for a loan or credit card or make a purchase on time payment.

Under federal law, you have the right to know what is in your file. You have the right to one free credit report every 12 months from each of three major credit reporting agencies. (Go to www.annualcreditreport.com.) You have the right to know your credit score but will have to pay for it. Check your reports for inaccurate data that could hurt your ability to get a loan or a job. You have the right to dispute inaccurate, incomplete, or unofficial information. (See www.ftc.gov/credit.) Also, incorrect information could be a red flag that someone is using your identity to get credit without your knowledge.

How long does it take to fix bad credit?

It depends on the seriousness of your past problems. The files could go back seven to ten years. You may obtain your file to review what has been collected from your credit history.

What is Collateral?

Collateral is an item of value that is accepted by the lender as protection against injury you may suffer on a loan. If you agree to repay the loan and agree to installment payments, the car itself becomes the collateral. The lender could repossess the car if you fail to make your payments.

Can a lender have different rules for making loans to women, men, or minorities?

No. It is unlawful for a creditor to discriminate against any applicant on the basis of race, sex, or marital status. Lenders can only make distinctions based on credit ratings.

At age 18, you no longer need a special permit to get a job. At the same time, however, child labor laws no longer protect you from exploitation. Still, as an employee, you do have certain rights as well as responsibilities. In most cases, for example, your employer must pay you at least the federal minimum wage. Also, for example, your employer must give you regular breaks, overtime pay, workers’ compensation insurance, and unemployment insurance.

Will I be offered a written contract with a job?

Probably not, most employment contracts are oral.
You may not realize the consequences. You may see it as love, but having sex with anyone under age 18, even if it is with your consenting 17-year-old girlfriend, is against the law. It would be illegal if both of you were married. Otherwise, at age 18, you could be charged with statutory rape. Depending on the circumstances, you could be in serious trouble. Maybe you were the victim of a date rape, or you think your sister was touched inappropriately. As a young adult, you could face a variety of difficult situations involving sex and the law.

What is sexual assault and battery? It is any type of sexual activity to which you did not consent, and it is illegal. Battery is the unlawful touching or intentional contact against that person’s will. (I.C. § 18-903) Assaulting or aiding in the assault of another with the intent to commit rape is a felony. (I.C. § 18-890) Battery or aiding in the battery of another is also a felony. (I.C. § 18-911) Jail or prison sentences for this type of crime can range from 5 years to life, depending on the seriousness of the crime. (I.C. §§ 18-918, 18-910, 18-912)

Data suggests that 80 percent of all rape victims are under 30 years old. One scenario is date rape, also called acquaintance rape, in which an encounter turns into a non-consensual sex. Keep in mind that friendship, dating, or even marital status does not convey an invitation to sexual intercourse. Date or no date, it is rape if one of you says “no.” (I.C. § 18-6101)

What are “date rape” drugs? Date rape drugs are drugs that may be slipped into an unsuspecting victim’s drink to render him or her physically helpless and pave the way for a sexual assault or battery. It may be used with or without your consent or belief that it is not necessary to take precautions. Date rape drugs are often colorless and tasteless, and they may leave the victim unable to recall what took place. (See adjacent prevention tips.) Three such drugs, also called “club drugs,” include:

- GHB (gamma hydroxybutyric acid)
- Ketamine (ketamine hydrochloride)
- Rohypnol (Flunitrazepam)

What could happen if I’m charged with statutory rape? That depends, in part, on the age difference between you and the minor. If you have sexual intercourse with a person younger than 18 years of age, you are guilty of statutory rape if the minor is less than one year younger and the minor is punishable by at least one year in a state prison. (I.C. § 18-6101). If you are more than five years older than a minor who is 16 or 17 years old, you could be found guilty of a felony, and you could be sentenced to prison for up to 25 years or life in prison depending on the type of contact. (I.C. § 18-601a).

If you have sexual intercourse with a person who is 14 years old, your conviction can result in prison time ranging from 10 years to life in prison. The judge asks general questions and excuses people for the reasons that you give. If you cannot get time off work to report for jury service, whether or not the call is time, the court will count towards the ten days of required jury service. (I.C. § 2-216)

What is the Idaho Safe Haven Act? The Idaho Safe Haven Act is a law aimed at helping children who are abandoned by their parents. (I.C. § 18-911) If you are convicted of a sex crime, you may have to register as a sex offender for life. (I.C. § 18-8304)

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A judge can also order that your wages, or a portion of them, be deducted from your work paycheck and used for child support payments. (I.C. §§ 33-1202, 33-1204)

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Hardship, conscientious objector, and ministerial exemptions are still available at semester’s end or, if it is your senior year, until the end of the year. No. There are no student or job-related deferments. As a college student, you would be called last. A lottery would determine draft priorities based on the registrants’ rank in the draft. If the draft were reinstated, who would be called first?

At age 18, you now have more freedom in matters of the heart. When you turn 18, you no longer need your parents’ consent to get married. 

What should I know about child Custody?

Both the man and woman that are involved in a divorce proceeding and you cannot agree who should have custody, the court will determine custody issues. When parents are equally capable of caring and providing for their children, the law provides that joint legal and physical custody is in the best interest of the children. Joint legal custody requires both parents’ cooperation in making decisions for the minor children. Sole custody is usually not favored and is granted only when circumstances are such that it is in the best interest of the children. Courts will put the best interests of the children above the desires of either parent.

Can same-sex couples get married?

No. Idaho’s Constitution and marriage statutes provide that only a man and woman can be married. Civil unions and domestic partner- ships are illegal in Idaho (Idaho Const. art. III, § 8; I.C. § 32-201)

What if I can’t afford to support my children after my divorce?

If you have already acknowledged on the birth certificate that you are the child’s father, Idaho recognizes it as a legal finding of paternity. (I.C. § 7-1103) If you are not the father at the time of birth and are married to the mother, you may give an affidavit that states you are not the father with the Department of Health and Welfare. Such an affidavit must also be signed by the mother to have any effect. (I.C. § 7-1106) You may deny that you are the child’s father, but the state can instigate action against you on its own without prior notice to you.

What can happen if I don’t provide support because I don’t think the child is mine?

If you have not been married, a paternity action may be started by the mother to have any effect. (I.C. § 7-1106) You may deny that you are the child’s father, but the state can instigate action against you on its own without prior notice to you.

What happens if I am arrested?

A crime is doing something illegal - such as destroying someone else’s property, or breaking drug - that is punishable by a fine or imprisonment. (I.C. § 18-109)

What if I did something illegal without realizing it was a crime?

The parent is unable to discharge parental responsibilities and such inability will continue for a prolonged indefinite period and will be harmful to the health, morals, or well-being of the child.

The parent has been incarcerated and is likely to remain incarcerated for a substantial period of time during the child’s minority.

Termiation is in the best interest of you and the child. (I.C. § 16-2005)

Dealing with domestic violence

IDaho law defines domestic violence as the physical injury, sexual abuse, or forced imprisonment or threat thereof directed to a spouse or former spouse, a domestic partner or former domestic partner, a cohabitant or former cohabitant, a person related by blood or marriage, a person with whom the abuser has had a dating relationship, or a person with whom the abuser has had a child. (I.C. § 39-3202, 39-3203)

Domestic abuse (not always “violence”) as can include threats of violence and/or imprisonment — a behavior driven by a need to control. It can range from threats (phone calls are not domestic abuse unless threat of physical harm) and stalking (such as following someone to work and threatening the victim), forced imprisonment, to unwanted sexual touching and hitting (including sniper warnings, size of a protection order but may be relevant to a court’s issuance of a protection order.) Research suggests that women ages 16 to 24 in Idaho are victimized by intimate partners at a higher rate than any other group.

What is a crime?

If you are in immediate danger, call 911. When the police arrive, explain what happened. The officer who arrives will give you a written complaint. (I.C. § 39-6316) When an abuser is charged with a crime of violence, the judge in the criminal case will typically issue a no contact order (the “protection order”). The application for a protection order can be found at www.idaholegalaid.org/Data/DocumentsLibrary/ Documents/1674657547/What%20ois%20a%20civil%20protection%20order.pdf.

Can I get a marriage license?

Both the man and woman who desire to get married must go to a county recorder of any county in Idaho to apply for a marriage license. (I.C. § 32-401, 32-403) There will be a legal fee that must be paid before a marriage license can be issued. (I.C. § 32-409) Upon applying for a marriage license, the county recorder will be required to provide to each couple an educational AIDS pamphlet that both parties must certify to the recorder that they have both given through rights of inheritance of a deceased ancestor, or given to a person as a gift during marriage or that is acquired with proceeds of separate property. (I.C. § 32-401) The party that obtains separate property during marriage must give the other party a signed agreement stating that they will be responsible. (I.C. § 32-403) The party that obtains separate property during marriage must also give the other party a signed agreement stating that they will be responsible.

What happens if I have caught shoplifting DVDs at age 17.

A crime is doing something illegal - such as destroying someone else’s property, or breaking drug - that is punishable by a fine or imprisonment. (I.C. § 18-109)

Are there different levels of crimes?

Yes. Offenses are divided into three general categories:

• Felonies are the most serious and can result in a fine and/or commitment to state prison. In addition, certain felony convictions can prevent you from voting for a first offense. But if you did the same thing at age 18, you would probably be arrested and you might, depending on your record, be sent to jail for up to a year. If you had a history of drug abuse, you could be given a sentence of up to five years.

• Misdemeanors are less serious crimes punishable by a fine and/or jail term up to a year. Misdemeanors are usually charged within six months of the incident, generally for a first offense. If you were given a second or third offense within six months of the initial conviction, the court may revoke your probation and order you to do community service. However, you may be given a fine and/or a sentence of community service.

• Infractions are not crimes, but are civil offenses. They do not involve jail time, but do cause you to appear in court and pay fines or penalties. Please note that a fine is not a criminal penalty, but is a financial penalty.

What if I did something illegal without realizing it was a crime?

A crime is doing something illegal - such as destroying someone else’s property, or breaking drug - that is punishable by a fine or imprisonment. (I.C. § 18-109)

Crimes and consequences

If you wish to report domestic abuse, call 911 or your local police department. If you are in immediate danger, call 911 for help. If you are not in immediate danger, call your local shelter or domestic violence hotline for help.

Idaho is a community property state. Property that either spouse acquires after marriage is that spouse’s separate property unless the parties by written agreement convey the property to one of them (e.g. deed that indicates one of the parties as single or unmarried).

It is a separate property. (I.C. § 32-301) Property that is acquired before marriage is separate property unless the parties by written agreement convey the property to one of them (e.g. deed that indicates one of the parties as single or unmarried).

Parties is necessary for the contract to be valid. Consent alone does not make a contract effective. (I.C. § 32-901)

At age 18, you now have more freedom in matters of the heart. When you turn 18, you no longer need your parents’ consent to get married. What does the law define marriage?

What happens if I have caught shoplifting DVDs at age 17. You might be lectured and driven home in a police car for a first offense. But if you did the same thing at age 18, you would probably be arrested and you might, depending on your record, be sent to jail for up to a year. If you had a history of drug abuse, you could be given a sentence of up to five years.

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If my record is sealed, is it really out of reach?

Even when a record has been sealed by the court, a partial record remains. Once a record has been sealed, the police, probation departments, and other courts legally release information about it unless reopened by court order. (I.C. § 20-705A)

What are some consequences of having a criminal record?

• A driver’s license may be denied on the basis of a criminal record, and many jobs require a car. (I.C. § 49-391)

• A criminal record might prevent a person from being accepted by the college or university of her or his choice.

• A person who has been convicted of a crime may be prevented from entering the armed forces or, if accepted, may not be given a commission or a security clearance. (10 USC § 504)

• A person who has been convicted of a felony knows the right to vote. (Idaho Const. art. VI, § 3)

• Many businesses require employees to be bonded. An insurance company usually refuses to bond anyone who has been convicted of a felony.

Some employment may be closed to those convicted of a crime or those who committed an offense which would be a crime if committed by an adult.

If you are not a citizen and you are convicted of violating any law or regulation of a state, the United States, or a foreign country, you could be deported and prohibited from returning to the country. (8 USC §§ 1182, 1252)

If you are convicted of a felony, you also lose your right to possess a firearm. While some of your civil rights will be given back to you once you have completed any prison term and are off probation or parole, your right to possess firearms will be lost permanently if you are convicted of certain serious felonies. (I.C. § 18-330)

Are there state and federal criminal laws?

Yes. In Idaho, most crimes that are found in the Idaho Penal Code, but criminal acts are also defined in other parts of the law. For example, some city and county ordinances - such as curfew laws, laws against participating in riots, and laws requiring smoke detectors or fire escapes - are considered criminal laws as well.

In addition, the federal government has its own system of courts, law enforcement agencies, and federal and state law. Federal courts also have their own sentencing provisions and correctional agencies. Many federal criminal laws relate to acts involving U.S. government agencies, such as the U.S. Postal Service and the U.S. Treasury, and to crimes involving interstate commerce. Also, most federal crimes are felonies punishable by more than a year in prison.

What are some common federal crimes?

• Transporting a stolen vehicle across state lines. (18 USC § 2333)

• Making a false statement to the government with the intent to defraud. (18 USC § 1001)

• Mailing matter that is obscene or incites crime. (18 USC § 1465)

• Transporting or importing narcotics. (21 USC § 801)

• Forgery of government checks. (18 USC § 503)

• Possession of stolen mail and items - such as credit cards - which have been stolen from the mail. (18 USC § 1708)

• Robbery or burglary of a bank or savings and loan institution. (18 USC § 2112)

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An Idaho juvenile court record may be sealed when you turn 18 years after your case was dismissed (whichever comes last). You must ask the juvenile court to seal your record. The court will hold a hearing where you must show you have not been convicted of a felony or of a misdemeanor where violence against another person was even attempted even since the end of the court’s jurisdiction or your release from the juvenile correctional center. Also the court will look to ensure each proceeding is pending against you. The court will further look to see if you have been held accountable, if you are developing life skills necessary to become a contributing member of the community, and the details of your record will not compromise public safety.

If the court grants the sealing of records, it will order all records in the petitioner’s case in the custody of the court and all such records, including law enforcement reports and records, in the custody of any other governmental or official sealed, and will order all references to the trial and conviction removed from all public records available to the public. (I.C. § 20-525A)

What can I do if I think a police officer is mistreating me?

If you are being placed under arrest, cooperate with the officer - even if you think he or she is out of line. You can, if you choose, protest and seek legal remedies against the officer later.

For example, you could hire an attorney, seek help from a legal aid organization, take your case to a special law enforcement agency, private agency, or organization set up to handle such complaints. Or, if a false arrest may have been violated, you might contact the U.S. Attorney’s Office or FBI.

Police may not handle every situation properly. But keep in mind that police officer’s behavior may be in response to provocation, a complaint from another citizen, mistakes made under pressure, or doubt as to what the law is. Good police community relations are a two-way street with both sides either contributing to the problem or to its solution.

Could I be tried as an adult even before I turn 18?

It would depend on the nature of your crime. If you are at least 14 and you are charged with any of certain serious felonies, including murder or attempted murder, forcible rape, robbery, assault or battery with the intent to commit any of these crimes, or delivering on drugs on school grounds or within 1,000 feet of school grounds, you will be tried as an adult. If you are convicted as an adult, you could face penalties as an adult.

If you are charged as an adult, you are charged with any one of certain serious felonies, including delivering drugs on school grounds or within 1,000 feet of school grounds, you would be guilty of a misdemeanor. (I.C. § 18-3302I)

If you draw or show any deadly weapon in a rude, angry, or threatening manner, such as a rifle, shotgun, or handgun, in the presence of 20 or more people, or if you knowingly use any deadly weapon, in any fight or quarrel, you would be guilty of a misdemeanor. (I.C. § 18-3303)

If you intentionally point or aim any firearm at or toward any other person while being under the influence of a misused substance, regardless of whether it is loaded. (I.C. § 18-3304)

• Any person who shall discharge, without injury to any person, any firearm, while intentionally, without malice, aimed at or toward any person, is guilty of a misdemeanor, and can face a fine of $1,000 and/or up to six months in jail. (I.C. § 18-3305)

• It is unlawful for any person to intentionally and unlawfully discharge a firearm at an inhabited dwelling house, occupied building or motor vehicle, inhabited mobile home, inhabited travel trailer, or inhabited camper. Any person violating these provisions would be guilty of a felony. (I.C. § 18-3306)

• Loaded weapons cannot be shipped. (I.C. § 18-3310)

• Possession of a bomb or destructive device with unlawful intent or “designed to propel shrapnel” is a felony and can be punished by up to five years in prison and a fine of up to $5,000. (I.C. § 18-3303)

Concealed Weapons Permit

The Sheriff of each county may issue concealed weapon permits to qualified people. Permits are generally not available to persons under the age of 21. Even with a concealed weapon permit, weapons cannot be carried in a courthouse, juvenile detention facility or jail, public or private school (I.C. § 18-3302C). It is illegal to carry a concealed weapon to a law enforcement training course to get such a license. (I.C. § 18-3302B)

Federal Gun Laws

There are federal laws that prohibit ownership of shotguns with a barrel shorter than 18 inches, a rifle with barrel shorter than 16 inches, silencers, machine guns, and destructive devices without proper registration. (18 USC § 921)

How do I need to hunt a license?

Yes. In Idaho, you must have a license to hunt any bird or animal. In addition, you will need a “certificate of competence” from a hunter-safety training course to get such a license. (I.C. § 36-401, 36-411)

What is a hate crime?

While the Idaho Code does not use the term “hate crime,” it defines “malicious harassment” as a crime that occurs when a person, maliciously and with specific intent to intimidate or harass another person, on account of one’s race, color, religion, ancestry, or national origin, (I.C. § 18-7902) Whether it’s called a white or black hate or other laws abhor such behavior.
I’ve seen some great deals and chances to win money on the Internet. Should I be skeptical?

Absolutely. Internet crime is increasingly common. Victims report fraudulent Internet credit/debit card transactions, purchase-based merchandise that was never delivered. For more information on common types of Internet fraud and how to protect yourself, go to www.the-ib.org. Victims can file complaints with the Internet Crime Complaint Center (a joint FBI and National White Collar Crime Center effort), using a new Internet-based reporting form. (See www.ic3.gov/ncic3/inputnew.htm.)

Can I buy legalboss and the E-mails that I visit while I’m at work?

Probably. You should not expect privacy when you use your workplace computer to send e-mail and surf the Internet. However, check with your employer regarding the privacy policy for workplace computers. Protect your identity online as if you were at home.

What else should I do if I think someone is using my identity to get credit?

Take steps to prevent identity theft. Contact all three credit bureaus to report the local police or the police in the community where the identity theft took place. Keep a copy of the report. You may need it to validate your claim. If you can’t get a copy, you should at least get the report number.

For guidance, visit the Web sites of the Thieves’ Resource Center (www.thefraud.org) and the Federal Trade Commission (www.ftc.gov). Register a complaint with the Federal Trade Commission (FTC), fill out the F.B.I.’s ID theft form. If, however, you find inaccurate information on your report, contact all major credit bureaus:

- Experian: 1-888-397-3742 / www.experian.com (credit and fraud reports)
- Equifax: 1-800-688-1111 / www.equifax.com (credit reports) – 1-805-526-6285 (fraud reports, security freezes)
- TransUnion: 1-800-888-4213 / www.transunion.com (credit reports) – 1-800-680-7289 (fraud reports, security freezes)

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This project was made possible by a donation from KNG Charities, an employee owned enterprise excelling in quality, product and service.

The University of Idaho College of Law is proud to partner with the Idaho Law Foundation to educate young adults about their rights and responsibilities under the law. “Turning 18 In Idaho” provides you with valuable information to help navigate the exciting and sometimes daunting transition from childhood to adulthood. We hope that you will read this guide and share it with young adults, parents, teachers, and others as a helpful resource on issues important to today’s teenagers.

This publication was created by law students, with guidance from members of the Idaho State Bar, as part of a pro bono service program at the College of Law. The pro bono program, in which all students participate, is one of the distinctive elements of a legal education at the University of Idaho.

The publication is co-sponsored with the Idaho Law Foundation, the philanthropic arm of the Idaho State Bar.

If you would like to support other important projects undertaken by the College of Law pro bono program, or funded by the Idaho Law Foundation, you can send tax-deductible contributions to the addresses shown below.

With best regards, and in the spirit of public service,

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