

TITLE 19
CRIMINAL PROCEDURE

CHAPTER 34
COMPROMISING OFFENSES

19-3401. COMPROMISE OF OFFENSES AFTER SATISFACTION. When a defendant is held to answer on a charge of misdemeanor, for which the person injured by the act constituting the offense has a remedy by a civil action, the offense may be compromised as provided in the next section, except when it is committed:

1. By or upon an officer of justice, while in the execution of the duties of his office.
2. Riotously.
3. With an intent to commit a felony.
4. As an act of domestic violence as defined in section [39-6303](#)(1), Idaho Code.

[(19-3401) Cr. Prac. 1864, sec. 661, p. 295; R.S., R.C., & C.L., sec. 8205; C.S., sec. 9173; I.C.A., sec. 19-3301; am. 1998, ch. 209, sec. 1, p. 737.]

19-3402. LEAVE OF COURT AND PROSECUTOR REQUIRED. If the party injured appears before the court to which the depositions are required to be returned, at any time before trial, and acknowledges that he has received satisfaction for the injury, the court and the prosecutor may, in their discretion, on payment of the costs incurred, order all proceedings to be stayed upon the prosecution, and the defendant to be discharged therefrom; but in such case the reasons for the order must be set forth therein, and entered on the minutes. The order is a bar to another prosecution for the offense that was originally charged.

[(19-3402) Cr. Prac. 1864, secs. 662, 663, p. 295; R.S., R.C., & C.L., sec. 8206; C.S., sec. 9174; I.C.A., sec. 19-3302; am. 1998, ch. 209, sec. 2, p. 737.]

19-3403. MODE OF COMPROMISE EXCLUSIVE. No public offense can be compromised, nor can any proceeding or prosecution for the punishment thereof upon a compromise be stayed, except as provided in this chapter.

[(19-3403) Cr. Prac. 1864, sec. 664, p. 295; R.S., R.C., & C.L., sec. 8207; C.S., sec. 9175; I.C.A., sec. 19-3303.]