

## **STANDARD CONDITIONS OF PROBATION (appropriate for all probationers)**

- A. You shall not be convicted of another crime or engage in criminal behavior.
- B. You shall give your probation officer your home address, mailing address, telephone number, and email address. If any of those change, you must notify your probation officer within 24 hours.
- C. You shall notify your probation officer within 72 hours if you are arrested or given a citation.
- D. You must meet with your probation officer at reasonable times as directed by a judge or your probation officer. Upon request, you must allow your probation officer to visit you at reasonable times wherever you are staying.
- E. Your probation officer may restrict or prohibit travel to any state as required by the Interstate Compact For Adult Offender Supervision.
- F. You shall provide your probation officer with the location of your job and employment status. If you change or lose your job, you must notify your probation officer within 72 hours.

## **SPECIAL CONDITIONS OF PROBATION**

**The following Special Conditions shall be applied on a case-by-case basis and must be based on the risk and needs of the individual. Each imposed condition must be tied to a probationer's criminogenic risk and needs area(s), as indicated by a score of moderate or higher (unless otherwise noted) on a validated risk instrument or assessment, or the condition must be directly tied to offense history and public safety.**

In addition to these standard conditions, the Court orders these additional conditions:

1. You shall not purchase, possess or consume any alcohol unless the use is authorized by a licensed substance abuse counsellor, in writing, as part of substance abuse treatment, and the authorization is provided to your probation officer prior to use.

**SC1. Application: This condition applies to probationers from whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

2. You shall not drink alcoholic beverages to the extent they interfere with your employment or the welfare of your family, yourself or any other person.

**SC2. Application: This condition applies to probationers from whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

3. You shall not purchase, possess or consume any alcohol.

**S3. Application: This condition applies to probationers from whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or**

**evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

4. You shall not purchase, possess or use any regulated drug without a valid prescription. If you have a prescription, you must take your medications only in the dosage and manner prescribed.

**SC4. Application: This condition applies to probationers from whom use of illegal and/or regulated drugs is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with illegal and/or regulated drugs diagnosed by a licensed alcohol and drug counselor or licensed clinician; or evidence of a risk to public safety while under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

5. You shall keep your probation officer advised of all current prescriptions and sign and maintain current waivers or releases to your providers to allow verification of your prescriptions.

**SC5. Application: This condition applies to probationers who have SC4.**

6. You shall submit to breath-alcohol testing upon request of your probation officer.

**SC6. Application: This condition applies to probationers who have SC1, SC2 or SC3.**

7. You shall submit to random urinalysis testing for drugs and/or alcohol upon request of your probation officer or designee.

**SC7. Application: This condition applies to probationers who have SC1, SC2, SC3 or SC4.**

8. You shall not operate a motor vehicle with any alcohol in your system.

**SC8. Application: This condition applies to probationers who are legally permitted to drive, who have posed a risk to public safety while operating a vehicle under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

9. You shall not operate a motor vehicle within \_\_\_\_\_ hours of consuming alcohol.

**SC9. Application: This condition applies to probationers who are legally permitted to drive, for whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

10. You shall submit to a warrantless search of your person, belongings, residence or vehicle if your probation officer has a reasonable suspicion that you possess alcohol drugs or contraband in violation of these conditions.

**SC10. Application: This condition applies probationers who have SC3 or SC4.**

11. You shall comply with the requirements of electronic monitoring (e.g. GPS or SCRAM), as directed by your probation officer.

**SC11. Application: This condition applies to probationers who pose a risk to their victims, who have a history of absconding, or who have any of the above conditions related to substance use. This condition is most appropriate for listed probationers, domestic violence probationers, probationers**

**scoring moderate to high overall in criminogenic risk, or probationers with substance use related offenses and conditions.**

12. Your probation officer may prohibit you from residing or associating with individuals reasonably suspected of consuming or selling illicit regulated substances.

**SC12. Application: This condition applies to probationers who have a risk area identified through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with illegal and/or regulated drugs diagnosed by a licensed alcohol and drug counselor or licensed clinician; or evidence of a risk to public safety while under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

13. You must have a screening for the issues that are marked below. You must complete the screening by the date established by your probation officer. If the screening recommends that counseling or treatment is needed, including residential treatment, you must complete the counseling or treatment as directed by your probation officer. You must attend and comply with the counseling or treatment requirements and satisfy those requirements.

(a) Alcohol

(b) Substance Abuse

(c) Mental Health

(d) Anger Management

(e) Domestic Violence (Batterer's intervention or approved equivalent)

(f) Risk Reduction Programming

(g) \_\_\_\_\_

**SC13. Application: This condition applies to probationers who appropriate for referral, to risk-reducing treatment based on moderate or higher score in the analogous criminogenic risk areas, identified through a validated risk assessments or instrument, or in which there is evidence of a risk to public safety due to the nature of their offenses.**

14. You must sign any required waivers or releases and allow any treatment or counseling provider to tell your probation officer and the Court about your attendance and participation in the counseling or treatment, and about the results of any testing or urinalyses taken by you in connection with the counseling or treatment ordered by the Court.

**SC14. Application: Appropriate for all probationers with conditions mandating assessment, counseling or treatment.**

15. You must complete an approved safe driving program as directed by your probation officer and pay any associated costs.

**SC15. Application: Appropriate for all probationers with driving related offenses.**

16. You shall not operate a motor vehicle on a public highway without a valid license.

**SC16. Application: Appropriate for all probationers with driving related offenses.**

17. You shall not operate a motor vehicle on a public highway.

**SC17. Application: Appropriate for probationers with repeat or severe driving related offenses, for whom alcohol or illegal and/or regulated substance use is an identified as a high risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with illegal and/or regulated drugs diagnosed by a licensed alcohol and drug counselor or licensed clinician; or evidence of a risk to public safety while under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

18. You shall actively work towards reinstatement of your operator's license.

**SC18. Application: Appropriate for all probationers with driving related offenses who have lost their operator's license due to driving related offenses.**

19. You shall attend and complete the next available session of the Impaired Driver Rehabilitation Program or a similar program.

**SC19. Application: Appropriate for all probationers with driving related offenses who have lost their operator's license due to driving related offenses involving substance use.**

20. You shall not have contact with \_\_\_\_\_, which includes all forms of written, oral, electronic, social media, or other direct contact and all forms of indirect contact through third parties, except \_\_\_\_\_.

**SC20. Application: This condition applies to individuals whose current convictions involve interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI – Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred. Where appropriate, the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed.**

21. Your probation officer may limit or prohibit contact with \_\_\_\_\_ during the term of probation based upon the person's request.

**SC21. Application: This condition applies to individuals whose current convictions involve interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI – Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred, in which the victim/affected person has indicated that he/she wants contact with the probationer. Where appropriate, the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed.**

22. You shall not abuse or harass \_\_\_\_\_. Such conduct includes actions directed at a specific person, or a member of the person's family that would cause a reasonable person to fear unlawful sexual conduct, unlawful restraint, bodily injury or death, including but not limited to verbal threats, written, telephonic or other electronically communicated threats, vandalism, or physical contact without consent. It also includes multiple attempts to communicate with the person after the person has informed the probationer that such contact is not welcome.

**SC22. Application: This condition applies to individuals whose current convictions involve interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI –**

**Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred. Where appropriate, the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed. This condition is appropriate regardless of whether the victim/affected person has indicated that he/she wants contact with the probationer.**

23. You shall not engage in violent or threatening behavior. Violent behavior includes physical contact with another without consent, unlawful restraint of another, or physical contact by mutual affray. Threatening behavior is conduct that would cause a reasonable person to fear unlawful sexual conduct, unlawful restraint, bodily injury, or death, including verbal threats, written, telephonic, or other electronically communicated threats, vandalism, or physical contact without consent.

**SC23. Application: This condition applies to individuals whose current convictions involve any violence, including interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI – Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred. Where appropriate, the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed.**

24. You must abide by a curfew as directed by your probation officer.

**SC24. Application: This condition applies to probationers who pose a significant risk to the public, or who have identified victims and an absconding/escape history. This condition is most appropriate for moderate to high-risk listed probationers, moderate to high-risk domestic violence probationers, moderate to high-risk sex probationers with contact offenses, and high-risk probationers with violent crimes. When necessary due to non-compliance, this condition can be applied as an alternative to incarceration and used as a supervision tool, pursuant to the community supervision sanction grid. Curfews should be reasonably applied to allow for employment, education and social activities. Curfews requiring probationers to be at their residence outside of 7PM to 5AM must be staffed with the District Manager (DM), or designee, and must be approved by the DM.**

25. Your probation officer may impose reasonable restrictions on the location of your residence.

**C25. Application: This condition applies to probationers for whom substantial risk to victims or public safety can be reasonably anticipated, based on risk to the public and/or victim(s), should the probationer enter or inhabit the designated residence. Points of consideration should be: victims of sexually-harmful behavior or interpersonal partner violence, victim residence or work proximity, sex probationer registry status, and collaboration with Department for Children and Families. Denial of a residence must be staffed with the District Manager (DM), or designee, and must be approved by the DM.**

26. Your probation officer may restrict those with whom you associate.

**SC26. Application: This condition applies to probationer contact with co-defendants that could be detrimental to their supervision and probationers with an adjudicated crime involving vulnerable individuals. Application of this condition is not appropriate for cases in which the sole concern is contact contributing to increased risk of substance use. Supervisor approval is required for this condition to be applied to any associates who were not identified co-defendants.**

27. You shall not buy, have or use any firearms, muzzleloaders or other deadly weapons, regardless of whether they are operational or loaded. Other deadly weapons include any other weapon, device, instrument, material or substance, whether animate or inanimate, that, in the manner it is used or is intended to be used, is known to be capable of producing death or serious bodily injury.

**SC27. Application: Appropriate for all probationers with a documented history of criminal violence or for whom violence has been identified as a criminogenic risk area through a validation risk assessment or instrument.**

28. You must complete \_\_\_\_\_ hours of community service at the direction and to the satisfaction of your probation officer.

**SC28. Application: This condition would apply to probationers who are required to comply via a risk-related graduated sanction. Community service could be applied to a probationer with a sporadic employment history who would benefit from a structured work search format in conjunction with support from Vocational Rehabilitation and/or the Department of Labor.**

29. If restitution is ordered, you must cooperate fully with the Restitution Unit.

**SC29. Application: Appropriate for all probationers with a Restitution Order**

30. You shall maintain employment, actively pursue employment, or actively pursue a course of study or vocational training that will equip you for suitable employment.

**SC30. Application: This condition would apply to probationers who are required to comply via a risk-related graduated sanction. A structured work search would be applied to a probationer with a sporadic employment history who would benefit from a structured work search format in conjunction with support from Vocational Rehabilitation and/or the Department of Labor.**

30. You shall attend and participate in Restorative Justice programming and complete the program within \_\_\_\_\_ month(s).

**SC30. Application: Appropriate for all probationers at the court's discretion.**