

SAMPLE FELONY PROBATION CONDITIONS
BARROW SUPERIOR COURT

[Included in standard sentencing judgment form, but with this size type. Can cut and paste this format into each judgment.]

GENERAL CONDITIONS OF PROBATION

I KNOW THAT I MAY BE SENT TO JAIL IF I DON'T OBEY ALL THESE RULES

I AM PUTTING MY INITIALS TO SHOW THAT I UNDERSTAND

1. I will contact my probation officer the next work day after I get out of jail.
[_____]
My initials

2. I will ask my probation officer before moving to a new place, leaving my approved region of residence, or getting a new job. [_____]
My initials

3. I will try to find a job and keep a job, if I can. I must tell my probation officer if I lose a job. If I do not have a job, and if asked to do so by my probation officer, I will give my probation officer proof about what I am doing instead, such as looking for a job, education, training, subsistence activities, or volunteer work. [_____]
My initials

4. I will visit my probation office before the tenth of each month. If my probation officer says it is okay, I can call in, email or fax a report instead.
[_____]
My initials

5. I will not carry any firearms or any hidden weapons like a switchblade or gravity knife. [_____]
My initials

6. I will let my probation officer know about any friends or family members that are on felony supervision or have a felony conviction. I won't be around other people who I know are on felony probation or people who have a felony conviction, unless my probation officer has given permission. Brief, incidental contact is okay. [_____]
My initials

7. No matter where I am, I will stay sober. I cannot drink alcohol or "homebrew." [_____]
My initials

8. I will stay out of trouble and follow the laws. [_____]
My initials

9. I will tell my probation officer if I buy or sell a car, truck, snow machine, or ATV. [_____]
My initials

10. I will follow any special rules given by my probation officer or the judge to make sure I follow my general and special conditions of probation. [_____]
My initials

11. I will follow all the special court orders in my sentencing judgment and complete them by the deadlines in the judgment. [_____]
My initials

SPECIAL CONDITIONS OF PROBATION FOR [NAME OF DEFENDANT]

I KNOW THAT I MAY BE SENT TO JAIL IF I DON'T OBEY ALL THESE RULES

I AM PUTTING MY INITIALS TO SHOW THAT I UNDERSTAND

1. Be sober. I will not possess, drink or make alcoholic beverages, including homebrew. I will only live in a residence where there is no alcohol, including homebrew, present.

[_____]
My initials

2. Be drug-free. I will not use or possess any illegal drugs, including marijuana. I will only live in a residence where there are no illegal drugs present (including marijuana).

[_____]
My initials

3. Take breath/urine/blood tests. I will take promptly a breath test, including a "PBT," urine test, or blood test when my probation officer says I must, so people can see if I am drug free and sober. I will promptly give enough of a sample so that a test can be done.

[_____]
My initials

4. Live in approved residence. I know that my probation officer can ask me where I live and decide if that is OK, in order to enforce the general and special conditions of probation in my case. I may have to live in a community with an adult probation office.

[_____]
My initials

5. Stay out of bars and liquor stores. I will not knowingly enter or remain at a place where alcohol is the main thing being sold. This rule includes bars, liquor stores, and bootlegger's houses.

[_____]
My initials

6. Allow search. On reasonable suspicion, my Probation Officer can search me without a warrant or the Probation Officer can tell a Police Officer to do the search without a warrant. The search can include my body, my personal property, my living space, my vehicle, or any vehicle that I control. This search is for alcohol, including homebrew; illegal drugs, including

marijuana; items used for taking drugs (“drug paraphernalia”), and any stolen property.

[_____]
My initials

- 7. **Do recommended alcohol/substance abuse treatment.** By no later than **thirty (30) days after my probation begins**, I will contact an alcohol/substance abuse treatment approved by the Department of Corrections and arrange to have an evaluation for alcohol/substance abuse treatment. I will take the first available assessment. If treatment is recommended, I will enter, actively participate and successfully complete the treatment, which may include residential treatment of up to **thirty (30) days**.

[_____]
My initials

- 8. **Do domestic violence treatment.** As arranged by my probation officer, I will get an assessment for Domestic Violence or Batterer’s Treatment from a program approved by the Department of Corrections. I will follow any treatment recommended in the evaluation. I will not stop treatment without the approval of my probation officer.

[_____]
My initials

- 9. **Sign releases.** I will sign the permission slips (“releases”) so that the Department of Corrections can monitor my participation and attendance at any of the evaluations and treatment programs and receive copies of evaluations, progress reports and discharge summaries.

[_____]
My initials

- 10. **Give DNA sample.** I will submit to the taking of a swab sample from inside my cheek and the taking of fingerprints for the DNA Identification System when my probation officer asks me to.

[_____]
My initials

- 11. **Have no contact with victims.** I will have no contact with [name of victim(s) unless both of the following things have happened: first, any or all of the victims have requested permission in writing to the probation officer to have contact with me, AND my probation officer has given permission for me to have contact with that victim or victims.

[_____]
My initials

FASD AS A MITIGATING FACTOR STATUTE IN ALASKA

Alaska Statute 12.55.155(d)(20):

(d) The following factors shall be considered by the sentencing court if proven in accordance with this section, and may allow imposition of a sentence below the presumptive range set out in AS 12.55.125:

(20) except in the case of an offense defined under AS 11.41 [assaults] or 11.46.400 [arson in first degree], the defendant [1] committed the offense while suffering from a condition diagnosed as a fetal alcohol spectrum disorder, [2] the fetal alcohol spectrum disorder substantially impaired the defendant's judgment, behavior, capacity to recognize reality, **or** ability to cope with the ordinary demands of life, **and** [3] the fetal alcohol spectrum disorder, though insufficient to constitute a complete defense, significantly affected the defendant's conduct; in this paragraph, "fetal alcohol spectrum disorder" means a condition of impaired brain function in the range of permanent birth defects caused by maternal consumption of alcohol during pregnancy.¹
Sec. 1, ch. 54, SLA 2012, effective September 19, 2012.

¹ Editing supplied.