

ORDER AND CONDITIONS OF PROBATION – ADULT

TO: ROBERT J. BURNS, PROBATION ADMINISTRATOR  
OFFICE OF PROBATION - COMMUNITY CORRECTIONS

NAME: PROBATION CASE No.  
DATE OF BIRTH

ADDRESS:

Having been convicted of \_\_\_\_\_ is this day sentenced to probation for a period of \_\_\_\_\_ years under your supervision. While on probation he/she shall observe the following conditions of probation and any others which the Court may impose at a later date, and he/she shall also follow the instructions of the Probation Officer as to the way in which these conditions are to be carried out.

CONDITIONS OF PROBATION

1. Report to a Probation Officer as directed by the Court or the Probation Officer and permit the Probation Officer to visit him/her at his/her place of abode or elsewhere.
2. Remain within Monroe County unless granted prior permission to leave by the Court or the Probation Officer.
3. Truthfully answer all reasonable inquiries by the Probation Officer and notify the Probation Officer PRIOR TO any change in address or employment.
4. Avoid injurious or vicious habits. Shall not violate any Federal, State, or Local law. Notify the Probation Officer if arrested or questioned by any law enforcement officials.
5. Work faithfully at a suitable employment or faithfully pursue a course of study or vocational training that will equip him/her for suitable employment.

The period of probation shall expire on \_\_\_\_\_ unless terminated by the Court prior to the aforementioned date.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010. \_\_\_\_\_  
Hon. \_\_\_\_\_  
Court

I have read and understand the above conditions of probation, and I agree to abide by them. I acknowledge that I have received a copy of the Order and Conditions of Probation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010. \_\_\_\_\_  
Probationer's name  
Witness: \_\_\_\_\_

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## ORDER AND CONDITIONS OF PROBATION – ADULT

### OTHER CONDITIONS, CONTINUED:

1. \_\_\_\_\_ days in the Monroe County Correctional Facility Saturday/Sunday Work Program.
2. \_\_\_\_\_ days in the Monroe County Correctional Facility.
3. \_\_\_\_\_ weekends in the Monroe County Correctional Facility.
4. In lieu of incarceration, the probationer shall be assigned to the Home Confinement Program for a period of \_\_\_\_\_ months (not to exceed 6 months) and follow all rules and procedures of said program.
5. In lieu of incarceration, probationer shall enter into and successfully complete the Day Reporting Center Program and will follow all rules and procedures of said program.
6. In lieu of incarceration, \_\_\_\_\_ weekends in the Day Reporting Center Weekend (DWI) Program.
7. In lieu of incarceration, the probationer shall be assigned to the Misdemeanor Intensive Supervision Program and will be required to report weekly for a minimum of nine (9) months.
8. In lieu of incarceration, probationer shall be assigned to the Intensive Supervision Program and required to report twice weekly for a minimum six (6) month period.
9. Probationer shall be assigned to the Domestic Violence Electronic Monitoring Program for a period of \_\_\_\_\_ (not to exceed 6 months) and follow all rules and procedures of the program. Start date to be determined by the Office of Probation – Community Corrections.
10. Probationer shall comply with all Orders of Protection.
11. Probationer shall be evaluated by the Office of Probation – Community Corrections’ ART (Aggression Replacement Training) Program or any other Probation-approved program and, if appropriate, is to cooperate fully with this program.
12. Probationer is ordered to pay restitution in the amount of \$ \_\_\_\_\_, plus a 5% surcharge of \$ \_\_\_\_\_, totalling \$ \_\_\_\_\_. Total ordered amount is to be paid at a rate of \$ \_\_\_\_\_ per week, month, or year, with the balance due by date due.
13. Probationer is ordered to pay a fine of \$ \_\_\_\_\_ to be paid through the Office of Probation – Community Corrections by the date of \_\_\_\_\_.
14. Probationer shall cooperate with the Department of Social Services in recoupment of funds.

15. Probationer shall complete a drug/alcohol evaluation within sixty (60) days of sentencing, or as otherwise directed by the Probation Officer and follow all treatment recommendations. Evaluations and treatment must be provided by an Office of Alcohol and Substance Abuse (OASAS) certified agency.
16. Probationer shall abstain from alcoholic beverages and other mood-altering drugs unless prescribed by a physician and taken in the prescribed dosage.
17. Probationer shall enter into, cooperate with and complete any drug/alcohol program or programs deemed appropriate.
18. Probationer shall submit to any recognized tests that are available to determine the use of alcohol/drugs.
19. Probationer shall not apply for or possess any driver's license without prior written permission of the Court. Probationer shall not operate a motor vehicle without a valid New York State driver's license or without the permission of the Court.
20. Probationer shall attend a DWI Victim Impact Panel as directed by the Probation Officer.
21. Probationer shall comply with all Ignition Interlock special conditions of probation listed separately in the Orders and Conditions of Probation
22. Probationer shall be prohibited from possessing a firearm, dangerous weapon or noxious substance.
23. Probationer shall not possess handcuffs or handcuff keys.
24. Probationer shall not possess or wear law enforcement or security officer clothing, identification, equipment or radio scanners that are capable of monitoring law enforcement channels.
25. Probationer shall complete a mental health evaluation and follow all treatment recommendations.
26. Probationer shall participate in a mental health treatment program as directed until satisfactory termination of said program. Satisfactory participation includes regular attendance, progress toward reasonable treatment goals, and treatment contract compliance.
27. Probationer shall take all medications as prescribed by their physician.
28. Probationer shall attend and satisfactorily complete an Office of Probation – Community Corrections approved domestic violence program.

29. Probationer shall observe a curfew of 9 p.m. to 5 a.m. unless otherwise directed by the Office of Probation – Community Corrections.

30. \_\_\_\_\_ hours of Community Service.

31. Pursuant to EITHER section 995-c(3) of the New York State Executive Law or Section 65.10(5) of the Penal Law and Title 9 NYCRR Part 6192, the probationer shall provide a sample for DNA testing to determine identification characteristics and to be included in a state DNA identification index, and follow the instructions of the Probation Officer in this regard.

32. The probationer shall submit to a search of his/her person, property, vehicle, place of residence or any other property under his/her control and permit confiscation of any evidence or contraband discovered.

33. Probationer shall comply with all Sex Offender special conditions of probation listed separately in the Orders and Conditions of Probation.

34. Other :

The period of probation shall expire on \_\_\_\_\_ unless terminated by the Court prior to the aforementioned date.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Hon.  
Court

I have read and understand the above conditions of probation, and I agree to abide by them. I acknowledge that I have received a copy of the Order and Conditions of Probation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Probationer's name

Witness: \_\_\_\_\_  
Probation Officer

**ORDER AND CONDITIONS OF PROBATION – IGNITION INTERLOCK**

**OTHER CONDITIONS, CONTINUED:**

1. An ignition interlock device shall be installed in the below-described vehicle(s) within 10 business days of the probation sentence or release from incarceration. The vehicle(s) listed are owned or operated by the probationer. If the vehicle is not owned by the probationer, written and notarized permission for the ignition interlock installation must be completed by the vehicle’s titled owner.
2. The device(s) shall be installed for a minimum of \_\_\_\_\_ months.
3. Where applicable, pursuant to NYS Vehicle and Traffic Law §1193(1-a)(c), the device(s) shall be installed during the period of license revocation and its termination, and for each additional period as the court may determine.

**Vehicle #1**

**Vehicle #2**

Owner:

Owner:

Vehicle Make:

Vehicle Make:

Model:

Model:

Year:

Year:

Color:

Color:

V.I.N.:

V.I.N.:

Plate Number:

Plate Number:

Insurance Company:

Insurance Company:

**Vehicle #3**

**Vehicle #4**

Owner:

Owner:

Vehicle Make:

Vehicle Make:

Model:

Model:

Year:

Year:

Color:

Color:

V.I.N.:

V.I.N.:

Plate Number:

Plate Number:

Insurance Company:

Insurance Company:

4. The probationer shall provide proof of installation of each device to the court and the probation department within 3 (three) business days of installation.
5. The probationer shall notify the probation officer immediately if any changes occur in the above vehicle(s)- related information.
6. The probationer shall be responsible for the entire cost of the installation and maintenance of approved ignition interlock device(s), unless associated fees and charges are waived by the court.
7. The probationer shall deliver the vehicle(s) identified above and equipped with the ignition interlock device to the installer for the inspection and calibration checks as required by the installer or directed by the court or the probation officer in a manner consistent with DPCA Rules and Regulations Part 9NTCRR Part 358.
8. probationer shall not request, solicit or allow any other person(s) to blow into the ignition interlock device, or start the motor vehicle with the device, for the purpose of providing the probationer with an operable motor vehicle.
9. The probationer shall not tamper with or attempt to circumvent an otherwise operable ignition interlock device. Such tampering is a Class A Misdemeanor under Section 1198 of New York State Vehicle and Traffic Law.
10. The probationer shall notify the court and the probation officer of his/her intention to operate his/her employer's vehicle within the scope of his/her employment for business purposes only and shall provide written permission from the employer, to be carried on his/her person and shown to the court or the probation officer, indicating that the employer is aware that the driving privilege of the probationer has been restricted, and permits operation of the business vehicle within the scope of his/her employment without the ignition interlock device. If the business entity is all or partly owned by the probationer or the probationer has a controlling interest in that business entity, the business vehicles are not exempt from having Ignition Interlock Device(s) installed..

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Hon.

Court

I have read and understand the above conditions of probation, and I agree to abide by them. I acknowledge that I have received a copy of the Order and Conditions of Probation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Probationer's name

Witness: \_\_\_\_\_

\_\_\_\_\_ Probation Officer