

DWI/CD CONDITIONS (12 month period)

People vs. _____ Date: _____ Court: _____
Address: _____ Judge: _____
Phone Number: _____ DA/ADA: _____
Date of Birth: _____ Defense Attorney: _____

The Defendant, who has been convicted of an alcohol or drug related offense pursuant to Section 1192 of the Vehicle and Traffic Law, is this day sentenced to a Conditional Discharge for a period of one year from the date below. While subject to this Conditional Discharge, the Defendant is directed to comply with the following conditions, and any other conditions that the Court may impose at a later date. This Conditional Discharge shall be supervised by Genesee Justice.

- _____ 1. Immediately contact Genesee Justice, at 14 West Main St., Batavia, NY; Phone: 344-2550, ext. 2450 and continue to report to Genesee Justice as directed. Truthfully answer all reasonable inquiries by the Genesee Justice Staff.
- _____ 2. Notify Genesee Justice immediately of any change in address, phone number, vehicle ownership or access for operation.
- _____ 3. Refrain from violation of local, state, and federal laws. Immediately report any arrests or questioning by any Law Enforcement Agency to Genesee Justice.
- _____ 4. Within three (3) weeks from the date below, obtain an alcohol and substance abuse evaluation at a NYS Office for Alcoholism and Substance Abuse Services licensed clinic including programs run by the Veterans Administration. The defendant must make evaluator aware of the facts and circumstances of this arrest. The defendant shall provide evaluator with copies of all tickets and supporting depositions.
- _____ 5. Fully comply with all alcohol and substance abuse treatment recommendations provided by an OASAS licensed clinic, including drug education/awareness programs.
- _____ 6. The Defendant hereby agrees to allow the Genesee County District Attorney's office, the _____ Court, and Genesee Justice to receive written reports and evaluations from his/her treatment providers.
- _____ 7. The Defendant hereby waives his/her constitutional rights insofar as to submit to random chemical tests for alcohol or illegal drugs at the request of Genesee Justice or law enforcement agencies designated by Genesee Justice.
- _____ 8. Do not use or possess alcohol, marijuana and/or controlled substances.
- _____ 9. Perform _____ hours of community service for a non-profit organization within six (6) months from date below.
- _____ 10. Attend one DWI Victim Impact Panel within nine (9) months from date below.
- _____ 11. Do not operate a motor vehicle unless you possess a valid New York State full or conditional driver's license, in which case you may only drive to the extent authorized by a conditional license.
- _____ 12. Complete a 125-word essay on "Why Is It Important Not to Drink and Drive" to be submitted to Genesee Justice within six (6) months from the date below.
- _____ 13. View the educational video, DUI-Dead in 5 Seconds, within six (6) months from the date below.
- _____ 14. Maintain steady employment or be enrolled in an accredited educational institution.
- _____ 15. Successfully complete the Drinking Driver Program (DDP), within nine (9) months of the date below.
- _____ 16. Pay off all court fines and surcharges in the amount of _____ by _____.
- _____ 17. Install an approved ignition interlock device in the below-described vehicle(s) as follows:
 - a.) Install the ignition interlock device within ten (10) business days of the date below.
 - b.) Provide proof of installation of the ignition interlock device(s) to the Court and Genesee Justice within three (3) business days of the installation.

- c.) The Defendant acknowledges that he/she owns or operates the vehicles listed below. If the vehicle is not owned by the Defendant, written and notarized permission for the ignition interlock installation must be completed by the vehicle's titled owner.
- d.) The ignition interlock device shall be installed for a minimum of six (6) months.
- e.) The Defendant shall notify Genesee Justice immediately if any changes occur in the below information.
- f.) The Defendant shall be responsible for the entire cost of the installation and maintenance of approved ignition interlock device(s), unless associated fees and costs are waived by the Court.
- g.) The Defendant shall deliver the vehicle(s) identified below and equipped with the ignition interlock device to the installer for the inspection and calibration checks as required by the installer or as directed by the Court or Genesee Justice in a manner consistent with DPCA Rules and Regulations (NYCRR Part 358).
- h.) The Defendant 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 Defendant with an operable motor vehicle.
- i.) The Defendant 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 the New York State Vehicle and Traffic Law.
- j.) The Defendant shall notify the Court and Genesee Justice 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 and Genesee Justice, indicating that the employer is aware that the driving privilege of the Defendant 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 Defendant or the Defendant has a controlling interest in that business entity, the business vehicle(s) are not exempt from having an ignition interlock device(s) installed.
- k.) The Defendant shall only operate a motor vehicle that he/she has authority to drive and that has a properly installed ignition interlock device.
- l.) The ignition interlock device shall be installed in the following vehicles:

Vehicle No. 1

Vehicle No. 2

Owner: _____

Owner: _____

Vehicle Make: _____

Vehicle Make: _____

Model: _____

Model: _____

Year: _____

Year: _____

Color: _____

Color: _____

V.I.N. _____

V.I.N. _____

Plate No. _____

Plate No. _____

Defendant

Date

Judge

Defense Counsel

(revised 08-13-10)

Assistant District Attorney

**DWI/CD CONDITIONS (12 month period)
(OUT OF COUNTY / STATE)**

People vs.

Address:

Phone Number:

Date of Birth:

Date:

Judge:

Court:

ADA:

Defense Attorney:

The following recommendations are deemed appropriate for this defendant:

- 1. Immediately contact Genesee Justice at 14 W. Main St., Batavia, NY; Phone (585) 344-2550, ext. 2450, and continue to report to Genesee Justice as directed. Truthfully answer all reasonable inquiries by the Genesee Justice staff.
- 2. Notify Genesee Justice immediately of any change in address, phone number, vehicle ownership or access of operation.
- 3. Refrain from violation of local, state, and federal laws. Report any and all violations to Genesee Justice. Be aware that a Multi-State Criminal History Report will be completed prior to the expiration of the twelve month period for verification.
- 4. Within three weeks, obtain an alcohol and substance abuse evaluation at a NYS Office for Alcoholism and Substance Abuse Services licensed clinic. The defendant must make evaluator aware of the facts and circumstances of this arrest. The defendant shall provide evaluator with copies of all tickets and supporting depositions. Out-of-State clients may obtain said evaluation at a State Certified Clinic in their home state.
- 5. Fully comply with all alcohol and substance abuse treatment recommendations.
- 6. Agrees to allow the Genesee County District Attorney's office, the _____ Court, and Genesee Justice to receive written reports and evaluations from his/her treatment providers.
- 7. Attend one DWI Victim Impact Panel within N.Y.S. or a similar panel/class within their home state.
- 8. Operate any motor vehicles only within the restrictions of a Dept. of Motor Vehicles issued Conditional license until the full license is restored.
- 9. The defendant will write a 150-word essay on "Your Personal Thoughts on Drinking and Driving" to be submitted to Genesee Justice.
- 10. Will maintain steady employment or be enrolled in an accredited educational institution.
- 11. Successfully complete the Drinking Driver Program (DDP) administered by the N.Y.S. Dept. of Motor Vehicles or its equivalent in your home state if an out-of-state client.
- 12. Pay off all court fines and surcharges in the amount of _____ by _____.
- 13. Install an approved ignition interlock device in the below-described vehicle(s) as follows:
 - a.) Install the ignition interlock device within ten (10) business days of the date below.
 - b.) Provide proof of installation of the ignition interlock device(s) to the Court and Genesee Justice authority within three (3) business days of the installation.
 - c.) The Defendant acknowledges that he/she owns or operates the vehicles listed below. If the vehicle is not owned by the Defendant, written and notarized permission for the ignition interlock installation must be completed by the vehicle's titled owner.
 - d.) The ignition interlock device shall be installed for a minimum of six (6) months.

- e.) The Defendant shall notify Genesee Justice and the agency monitoring the ignition interlock device immediately if any changes occur in the below information.
- f.) The Defendant shall be responsible for the entire cost of the installation and maintenance of approved ignition interlock device(s), unless associated fees and costs are waived by the Court.
- g.) The Defendant shall deliver the vehicle(s) identified below and equipped with the ignition interlock device to the installer for the inspection and calibration checks as required by the installer or as directed by the Court or Genesee Justice in a manner consistent with DPCA Rules and Regulations (NYCRR Part 358).
- h.) The Defendant 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 Defendant with an operable motor vehicle.
- i.) The Defendant 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 the New York State Vehicle and Traffic Law.
- j.) The Defendant shall notify the Court, Genesee Justice, and the agency monitoring the ignition interlock device 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 and Genesee Justice, indicating that the employer is aware that the driving privilege of the Defendant 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 Defendant or the Defendant has a controlling interest in that business entity, the business vehicle(s) are not exempt from having an ignition interlock device(s) installed.
- k.) The Defendant shall only operate a motor vehicle that he/she has authority to drive and that has a properly installed ignition interlock device.
- l.) The ignition interlock device shall be installed in the following vehicles:

Vehicle No. 1

Vehicle No. 2

Owner: _____

Owner: _____

Vehicle Make: _____

Vehicle Make: _____

Model: _____

Model: _____

Year: _____

Year: _____

Color: _____

Color: _____

V.I.N. _____

V.I.N. _____

Plate No. _____

Plate No. _____

Defendant

Date

Judge

Defense Counsel

Assistant District Attorney

DWI/CD CONDITIONS (12 month period)

(For Defendant's convicted of Driving While Ability Impaired – Section 1192(1) of the VTL)

People vs. _____ Date: _____ Court: _____
Address: _____ Judge: _____
Phone Number: _____ DA/ADA: _____
Date of Birth: _____ Defense Attorney: _____

The Defendant, who has been convicted of an alcohol or drug related offense pursuant to Section 1192 of the Vehicle and Traffic Law, is this day sentenced to a Conditional Discharge for a period of one year from the date below. While subject to this Conditional Discharge, the Defendant is directed to comply with the following conditions, and any other conditions that the Court may impose at a later date. This Conditional Discharge shall be supervised by Genesee Justice.

- _____ 1. Report, as directed, to Genesee Justice, at 14 West Main St., Batavia, NY; Phone: 344-2550, ext. 2450, and truthfully answer all reasonable inquiries by the Genesee Justice Staff.
- _____ 2. Immediately notify Genesee Justice of any change in address and/or phone number.
- _____ 3. Refrain from violation of local, state, and federal laws. Immediately report any arrests or questioning by any Law Enforcement Agency to Genesee Justice.
- _____ 4. Within three (3) weeks from the date below, obtain an alcohol and substance abuse evaluation at a NYS Office for Alcoholism and Substance Abuse Services licensed clinic including programs run by the Veterans Administration. The defendant must make evaluator aware of the facts and circumstances of this arrest. The defendant shall provide evaluator with copies of all tickets and supporting depositions.
- _____ 5. Fully comply with all alcohol and substance abuse treatment recommendations provided by an OASAS licensed clinic, including drug education/awareness programs.
- _____ 6. The Defendant hereby agrees to allow the Genesee County District Attorney's office, the _____ Court, and Genesee Justice to receive written reports and evaluations from his/her treatment providers.
- _____ 7. The Defendant hereby waives his/her constitutional rights insofar as to submit to random chemical tests for alcohol or illegal drugs at the request of Genesee Justice or law enforcement agencies designated by Genesee Justice.
- _____ 8. Do not use or possess alcohol, marijuana and/or controlled substances.
- _____ 9. Perform _____ hours of community service for a non-profit organization within six (6) months from date below.
- _____ 10. Attend one DWI Victim Impact Panel within nine (9) months from date below.
- _____ 11. Only operate a motor vehicle as permitted by the New York State Department of Motor Vehicles.
- _____ 12. View the educational video, DUI-Dead in 5 Seconds, within six (6) months from the date below.
- _____ 13. Maintain steady employment or be enrolled in an accredited educational institution.
- _____ 14. Successfully complete the Drinking Driver Program (DDP), within nine (9) months of the date below.
- _____ 15. Pay off all court fines and surcharges in the amount of _____ by _____.

Additional: _____

Defendant

Date

Judge

Defense Counsel

(revised 2-1-09)

Assistant District Attorney

DWI/CD CONDITIONS (12 month period)
(OUT OF COUNTY / STATE)

(For Defendants convicted of Driving While Ability Impaired – Section 1192(1) of the VTL)

People vs.

Date:

Court:

Address:

Judge:

Phone Number:

ADA:

Date of Birth:

Defense Attorney:

The following recommendations are deemed appropriate for this defendant:

- 1. Contact Genesee Justice, as directed, at 14 W. Main St., Batavia, NY; Phone (585) 344-2550, ext. 2450. Promptly notify Genesee Justice staff of a change in address or phone number.
- 2. Truthfully answer all reasonable inquiries by the Genesee Justice staff.
- 3. Refrain from violation of local, state, and federal laws. Report any and all violations to Genesee Justice. Be aware that a Multi-State Criminal History Report will be completed prior to the expiration of the twelve month period for verification.
- 4. Within three weeks, obtain an alcohol and substance abuse evaluation at a NYS Office for Alcoholism and Substance Abuse Services licensed clinic. The defendant must make evaluator aware of the facts and circumstances of this arrest. The defendant shall provide evaluator with copies of all tickets and supporting depositions. Out-of-State clients may obtain said evaluation at a State Certified Clinic in their home state.
- 5. Fully comply with all alcohol and substance abuse treatment recommendations.
- 6. Agrees to allow the Genesee County District Attorney's office, the _____ Court, and Genesee Justice to receive written reports and evaluations from his/her treatment providers.
- 7. Attend one DWI Victim Impact Panel within N.Y.S. or a similar panel/class within their home state.
- 8. Operate any motor vehicles only within the restrictions of a Dept. of Motor Vehicles issued Conditional license until the full license is restored.
- 9. The defendant will write a 150-word essay on "Your Personal Thoughts on Drinking and Driving" to be submitted to Genesee Justice.
- 10. Will maintain steady employment or be enrolled in an accredited educational institution.
- 11. Successfully complete the Drinking Driver Program (DDP) administered by the N.Y.S. Dept. of Motor Vehicles or its equivalent in your home state if an out-of-state client.
- 12. Pay off all court fines and surcharges in the amount of _____ by _____.

Additional: _____

Defendant

Date

Judge

Defense Counsel

Assistant District Attorney