

**PROB #** \_\_\_\_\_  
**CASE #** \_\_\_\_\_

NAME \_\_\_\_\_ SENT DATE \_\_\_\_\_ JUDGE \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_ CT \_\_\_\_\_ DEPT \_\_\_\_\_

You were granted probation for a period of \_\_\_\_ year(s) on condition you serve \_\_\_\_ year(s) \_\_\_\_ month(s) \_\_\_\_ day(s) in the Kern County Jail. Your probation will terminate on \_\_\_\_\_.

**A. GENERAL TERMS**

- 1) You are to report by written form on a monthly basis. The form must be delivered to the Probation Department by the tenth of each month. It is your responsibility to get more forms when you run out. Each form must be filled out completely and accurately in your handwriting including your signature and PRINTED name. You are to deliver the report form as directed by the Probation Officer in person or by mail. Do not send Xerox copies or faxes. Not reporting as directed is a probation violation. You must report using the same name indicated above on this form.
- 2) You are to obey all laws, orders of the Court, terms of probation and directives of the Probation Officer within the time limits imposed.
- 3) You are not knowingly to associate with anyone on probation nor parole unless give prior specific approval by the Probation Officer. You must provide the Probation Department with the names of all probationers or parolees with whom you reside.
- 4) If you are arrested, cited or otherwise contacted by a peace officer, you are to notify the Probation Department within five (5) Court days of being cited/contacted or five (5) Court days from the date of your release from custody.
- 5) You are to remain gainfully employed, seek employment and/or complete schooling/vocational training as directed by your Probation Officer and present verification of your efforts. If you are disabled, you must provide the Probation Department with verification.
- 6) You must keep the Probation Department advised monthly as to your employment. This includes the name of you employer, address, telephone number, how much you are earnings and your work schedule. You must notify your Probation Officer, either in person or by telephone, of any change in your employment status within five (5) Court days.
- 7) You are to keep the Probation Department advised as to any motor vehicles you own, control or drive including make, model, year, color and license number.
- 8) You must notify your Probation Officer, either in person or by telephone, about a change in your reported residence prior to moving to a new residence. Your residence is defined as where you sleep.
- 9) Prior to staying overnight at a temporary residence, you must report the address and telephone number to your Probation Officer and report to the Probation Officer on a daily basis, either in person or by telephone, until you return to your reported residence.
- 10) You are not to leave the State of California or the County of Kern without permission from your Probation Officer or the Officer of the Day.
- 11) You are not to leave the State of California without signing extradition waivers.
- 12) You are not to become an undercover agent or confidential informant for any law enforcement agency without prior specific permission of the Court.

- 13) If you have been convicted of a felony, it is a violation of State and Federal law and a term of probation that you have any firearms, ammunition or specified weapons in your possession or under your control at any time. This includes, but is not limited to handguns, shotguns, and rifles, illegal knives, nunchakus, nightsticks/batons, mace, OC spray or any other prohibited weapons. Possession of any of those weapons will result in their seizure and your possible arrest. Possession of firearms is a permanent restriction unless you obtain a special waiver, pardon and/or Court order.

“Dismissal of an accusation or information... does not permit a person to own, possess or have in his custody or control any firearm capable of being concealed upon the person or prevent his conviction under Section 12021.”

## B. SPECIFIC TERMS

- 1) You are not to knowingly associate with any person who actively participates in any criminal street gang with knowledge that its members engage in, or have engaged in, a pattern of criminal gang activity.
- 2) You are to submit to a search of your person, residence, motor vehicle or possessions for:
- Narcotics, dangerous drugs and illegal substances
  - Stolen Property
  - Deadly Weapons
  - Other \_\_\_\_\_
- This search may be performed by the Probation Officer or any other peace officer at any time during your probationary term and without prior notice to inspect or search, or with or without reasonable cause.
- 3) You are to enroll in and successfully complete the counseling program at:
- \_\_\_\_\_
- You are to return the counseling verification form by \_\_\_\_\_ and complete all necessary release of information forms so the Probation Department can verify the outcome of counseling. You are to immediately report to your Probation Officer, or the Officer of the Day, upon discharge, release, or completion of the program. You must present verification of graduation if the program was successfully completed.
- 4) You are to register pursuant to  PC 457.1;  HS 11590 and provide verification by \_\_\_\_\_. You must have on your person at all times a current copy of your registration and produce it upon request of any Probation Officer or other peace officer.
- 5) You are to have no contact with the victim, \_\_\_\_\_, the victim's family or witnesses.
- 6) You are not to commit any acts of violence against the victim nor are you to harass, threaten, stalk or destroy the victim's personal or real property.
- 7) You are to successfully complete \_\_\_\_\_ hours of community service through the Volunteer Center by \_\_\_\_\_ at a rate of \_\_\_\_\_ hours per month beginning \_\_\_\_\_ and present proof of completion to your Probation Officer.
- 8) You are not to maintain a checking account or have any checks in your possession except payroll or business checks legitimately payable to you.
- 9) You are to absolutely refrain from the use and possession of, nor have under your control, any narcotic, restricted dangerous drug, marijuana or hallucinogenic drug. You are not to associate with any person who uses, possesses or has under his/her control any such substance. You are not to be around or about any place where any such substance is sold, supplied stored or is present. You are not to take any prescribed medication unless it is prescribed by a doctor for you and you are to immediately notify your Probation Officer of that prescription.
- 10) You are to submit to a drug use detection test as directed by any Probation Officer or other peace officer. You are to submit to such a test in a manner and at a time and location as directed by that officer.
- 11) You are to attend Alcoholics/Narcotics Anonymous meetings a minimum of \_\_\_\_\_ times per week until \_\_\_\_\_ and present proof of your attendance to the Probation Department as directed.
- 12) You are to abstain from the use or possession of intoxicating beverages. You are not to be in or about a place of business where the primary item sold is intoxicating liquor for consumption on the premises.
- 13) You are to submit to a blood, breath or urine test to determine the percentage of blood alcohol in your system as directed by any Probation Officer or other peace officer. You are to submit to such a test in a manner and at a time and location as directed by that officer.

- 14) You are not to operate a motor vehicle for a period of \_\_\_\_\_ commencing \_\_\_\_\_.
- 15) You are not to drive with any measurable amount of alcohol in your blood during your probationary period.
- 16) Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. SEX OFFENSE TERMS**

- 1) You are not to associate with minors under the age of eighteen years (18), or frequent places where minors congregate unless in the presence of a responsible adult previously approved by the Probation Department.
- 2) You are required to register as a sex offender pursuant to Penal Code Section 290 and provide proof of registration to your Probation Officer within six (6) working days of your release from custody.
- 3) You are to maintain compliance with PC 290 registration requirements at all times and provide proof to your Probation Officer of any change or update made to your PC 290 registration within five (5) working days.
- 4) You must have on your person at all times a current copy of your registration and produce it upon request of any Probation Officer or other peace officer.
- 5) If not accomplished while you are incarcerated, you are ordered to provide two (2) specimens of blood and saliva for DNA testing, a right thumb print and a full palm print impression of each hand as directed by \_\_\_\_\_.
- 6) If not accomplished while you were incarcerated, you are to submit a blood test for evidence of the antibodies to the probable causative agent of acquired immune deficiency syndrome (AIDS) as directed by \_\_\_\_\_.
- 7) Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. PROPOSITION 36 TERMS (PC 1210.1)**

You have been ordered to undergo treatment pursuant to PC 1210.1(a) (Prop 36).  
You must:

- 1) ( ) Report in person to the Probation Department/Mental Health Team within one (1) judicial day and monthly thereafter to the Probation Department as to your current address, employment, income and expenses.
- 2) ( ) Absolutely refrain from the use and possession of, nor have under your control any narcotic, restricted dangerous drug, marijuana or hallucinogenic drug and not associate with any person known to be engaged in the illegal use, possession or control of any such substances.
- 3) ( ) Not be in, around or about any place where any such substance is illegally sold, supplied, stored or is present.
- 4) ( ) Submit a drug detection test as directed by the Probation Officer, Substance Abuse Treatment Provider, Drug Test Automated System or any peace officer.
- 5) ( ) Not possess alcohol or consume intoxicating beverages or be in or about a place of business where the primary item sold is intoxicating liquor for consumption on the premises.
- 6) ( ) Submit to a blood, breath or urine test to determine the percentage of blood alcohol in your system at the request of any Probation Officer or other peace officer.
- 7) ( ) Permit your person, residence, motor vehicle and/or possessions to be searched by the Probation Officer or any law enforcement officer at any time during your probationary period and without prior notice of intent to search, with or without a search warrant, warrant of arrest or reasonable cause.

- 8) ( ) Successfully complete an appropriate drug treatment program, job training program, adult literacy classes and any other appropriate Proposition 36 programs as approved by the Probation Officer and continue such program(s) until successfully completed.
- 9) ( ) If placed in an inpatient drug/alcohol treatment program, obey program rules and waive any custody credits while in the inpatient program.
- 10) ( ) Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. RESTITUTION, FINES/FEES**

- 1) You are to pay the following through the Probation Department:
  - ( ) a. \$200.00 restitution fine per PC 1202.4(b)
  - ( ) b. \$200.00 – fee per PC 1203.097
  - ( ) c. \$50.00 – fine per HS 11372.5
  - ( ) d. \$100.00 fee plus \$170.00 penalty assessment per HS 11372.7
  - ( ) e. \$ \_\_\_\_\_ restitution per 1202.4(f)
  - ( ) f. \$ \_\_\_\_\_ restitution collection fee 10% or \$236.52
  - ( ) g. \$ \_\_\_\_\_ pre-sentence investigation report fee
  - ( ) h. \$ \_\_\_\_\_ per month supervision fee, totaling \$ \_\_\_\_\_ for \_\_\_\_\_ months
  - ( ) i. \$ \_\_\_\_\_ fine plus \$ \_\_\_\_\_ penalty assessment
  - ( ) j. \$ \_\_\_\_\_ collection fee
  - ( ) k. \$ \_\_\_\_\_ other \_\_\_\_\_
- 2) You are to pay a total of \$ \_\_\_\_\_ in monthly payments of \$ \_\_\_\_\_ starting \_\_\_\_\_ and on the \_\_\_\_\_ of each month. Any outstanding balance of Court ordered fines, fees and victim restitution is to be paid in full ninety (90) days prior to your projected termination date. Standard fines and fees will be collected through the Kern County Probation Department. Failure to pay such assessments may result in collection through civil process. Payments may be mailed to: P.O. Box 3309, Bakersfield, CA 93385-3309, or delivered in person to the Collection Division of the Probation Department, 2100 College Avenue, Bakersfield, CA 93305. Make checks or money orders payable to the Kern County Probation Department.
- 3) Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

According to Section 1203.2 of the Penal Code, if at any time during your probationary period a probation officer has probable cause to believe that you have violated any term of your probation, you may be arrested and brought before the Court. The Court may revoke probation if it has reason to believe from the report of the Probation Officer, or otherwise, that you have violated any of the conditions of probation, or have subsequently committed other offenses, regardless of whether you have been prosecuted for such offenses.

Some defendants, as specified by code, who have successfully fulfilled the condition of their probation, for the entire period of their probation, shall be entitled to have a plea of not guilty entered and the accusation or information dismissed (Penal Code 1203.4). You may also petition for a certificate of rehabilitation and pardon and should contact your attorney for a full explanation of your rights under this section.

I acknowledge receipt of the above rules and Court orders and promise to abide by them.

\_\_\_\_\_ Date \_\_\_\_\_  
 (Probationer)

By \_\_\_\_\_ Interpreter \_\_\_\_\_  
 (Deputy Probation Officer)

David Kuge  
 County Probation Officer

Reinstructed by \_\_\_\_\_ Probationer \_\_\_\_\_ Date \_\_\_\_\_