

**TERMS AND CONDITIONS
OF PROBATION/MANDATORY SUPERVISION**

PROB # _____

CASE # _____

FORMAL PROBATION

MANDATORY SUPERVISION

NAME: _____ SENT DATE: _____ JUDGE: _____

ADDRESS: _____ PHONE: _____ CT: _____ DEPT: _____

Your signed *Waiver of Hearing and Agreement to Flash Incarceration pursuant to PC 1203.35(b)* is incorporated and filed.

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 _____.

You were sentenced to _____ year(s) _____ month(s) pursuant to PC 1170(h)(5)(B). The first _____ year(s) _____ month(s) were to be served in the Kern County Jail with the remainder of the sentence to be served on Mandatory Supervision. Your Mandatory Supervision will terminate on _____.

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. 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 violation of probation/Mandatory Supervision. 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/Mandatory Supervision and directives of the Probation Department.
3. You are to follow all directives of the probation officer within the time limit imposed.
4. You are not to associate with anyone on probation, Mandatory Supervision, Post Release Community Supervision, or parole, unless given prior approval by the probation officer.
5. If you are arrested or cited, you must report this information to your probation officer immediately.
6. 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.
7. You must keep the Probation Department advised always as to your employment. This includes the name of your employer, address, telephone number, how much you are earning and your work schedule. You must notify your probation officer of any change in your employment status.
8. You must keep the Probation Department advised as to any motor vehicles you own, control or drive including make, model, year, color and license number.
9. You must provide the Probation Department with a current address of the residence (or any place) where you sleep. You must immediately report a change of address to the Probation Department in person or by telephone within 24 hours, even if it is only for one night.
10. You are not to leave Kern County or the State of California without the permission of the Probation Department.
11. You are not to leave the State of California without signing extradition waiver forms.
12. You are not to obstruct a probation officer in any manner from seeking entrance into your residence. You must advise everyone with whom you reside of all search terms ordered as part of your probation/Mandatory Supervision. You must make all reasonable efforts to stop any animal under your control from harming, impeding, or otherwise obstructing a probation officer while performing duties associated with the supervision of your case.
13. You have been convicted of a felony. It is State Law, and a term of probation/Mandatory Supervision, in which you are prohibited from owning, purchasing, possessing or have under your custody or control, any firearms, ammunition and feeding devices, including but not limited to magazines. This also includes handguns, shotguns and rifles. Possession of any of those weapons will result in their seizure and your possible arrest. You must relinquish all firearms through a designee, within the time periods set forth in Penal Code Section 29180(d) or (e), by surrendering the firearms to the control of a local law enforcement agency, selling them to a licensed gun dealer or transferring the firearms for storage to a firearm dealer pursuant to Penal Code Section 29830.

Defendant's Initials _____

NAME: _____

PROBATION #: _____

- 14. You are not to be in possession of any illegal weapons or weapons of any description.
- 15. You shall not contact or associate with any person you know or reasonably should know to be a member or associate of a prison gang or street gang. You shall not wear or carry on your person any clothing or apparel with gang colors, signs, symbols or paraphernalia you know or reasonably should know to be associated with gang affiliation and/or activity. You shall not possess items such as photographs, written material, publications, jewelry, or any other items depicting or describing activity you know or reasonably should know are associated with gang activity.
- 16. You are to maintain no checking account nor have any checks in your possession except payroll or business checks legitimately payable to you.
- 17. You are not to possess another person's identifying information, including but not limited to driver's license, social security card/numbers, passport, credit card(s), credit card numbers, credit card account information, bank account information, checks, mail, or online account information.
- 18. You are not to operate a motor vehicle for a period of _____ commencing _____.
- 19. You are ordered to provide saliva samples for DNA testing, a right thumb print and a full palm print impression of each hand.
- 20. You are ordered to submit to a blood test for evidence of the antibodies to the probable causative agent of acquired immune deficiency syndrome (AIDS).
- 21. You are to have no contact with the victim or the victim's family.
- 22. You are not to commit any acts of violence against the victim. Do not harass, threaten, stalk or destroy the victim's personal property.
- 23. You shall not attempt to or actually prevent or dissuade a victim or witness from attending a hearing, testifying or making a report to any law enforcement agency or person.
- 24. You are to not have personal, telephonic, electronic, or written contact with the victim. You are not to knowingly come within _____ yards of the victim, the victim's residence, place of employment or school, except as permitted by Family Court for the sole purpose of peaceful contact relating to your minor child/children for the purpose of visitation.
- 25. The Protective/Restraining Order expires _____.
- 26. You are to stay _____ yards away from the business or property address as indicated by the Court.
- 27. You are ordered not to associate with minors under the age of eighteen, nor frequent places where minors congregate unless in the presence of a responsible adult approved by the Probation Department.
- 28. You are not to have pornographic materials of any description in your possession or under your control during your probationary period. You are not to be in or around any place or business where the primary purpose is the sales or showing of pornographic material.
- 29. You are not to use or possess any electronic device capable of accessing the internet or a data storage device, unless approved by the Probation Department.
- 30. You are to provide the probation officer with all computer, cell phone, electronic devices, email and internet passwords or user names known by you for such devices. You are not permitted to delete computer history or cache.
- 31. You are to abstain from the use and 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.
- 32. You are not to drink and drive with any measurable amount of alcohol in your blood.
- 33. You are to submit to a blood, breath, or urine test to determine the percentage of blood alcohol at the request of any probation officer or other peace officer who suspects you are driving with any measurable amount of alcohol in your blood.
- 34. You are to attend Alcoholics Anonymous/Narcotics Anonymous and present proof of your attendance as directed by the probation officer.
- 35. You are advised that you must complete an 18 month or a 30-month program to become eligible for a California driver's license.
- 36. You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder.

Defendant's Initials _____

NAME: _____

PROBATION #: _____

- 37. You are to absolutely refrain from the illegal use and possession of any narcotics, restricted dangerous drugs, hallucinogenic drugs and/or marijuana. You are not to associate or be with any such person who illegally uses, possesses or have 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.
- 38. You are to submit to a drug use detection test as directed by any peace officer or probation officer. You are to submit to such a test in a manner and at a time and location as directed by the officer.
- 39. You are to permit your person, residence, motor vehicle or possessions to be inspected or searched, by the probation officer or any law enforcement officer, at any time without prior notice to inspect or search and with or without reasonable cause for the following:
 - Narcotics, dangerous/illegal drugs and controlled substances
 - Stolen property
 - Deadly weapons
 - Weapons of any description
 - Alcohol
 - Electronic devices capable of internet access and/or a data storage device
 - Information related to contact with minors
 - Information related to contact with or stalking the victim(s)
 - Pornography
 - Checks/financial documents
 - Fraudulent documents
 - Identity theft materials
 - Incendiary devices/arson paraphernalia
 - Gang paraphernalia
 - Other:
- 40. You are to register pursuant to PC 290; PC 457.1; HS 11590; PC 186.30. You are to provide verification as directed by the probation officer.
- 41. You are to enroll in and successfully complete the following programs(s): Outpatient Substance Abuse Counseling; Residential Drug and Alcohol Treatment; Domestic Violence Counseling/Batterers Treatment; Child Abusers Treatment; Parenting Classes; Anger Management; Psychiatric Counseling; Sex Offender Management Treatment; GPS; Remote Breath; Scram Ankle Monitor; Day Reporting Center; Adult Programs Center; Other:
- 42. You are to enroll in and satisfactorily complete the Kern County STAR Court Mental Health Treatment Program, which may include both inpatient and/or outpatient treatment. You must obey all rules and instructions of the therapist.
- 43. You are to take all psychiatric medications as prescribed by the treating physician.
- 44. You are ordered to complete _____ community service hours through the Volunteer Bureau Court Referral Program by _____. You must present proof of your enrollment and/or completion of community service hours as directed by the probation officer.
- 45. You shall not voluntarily enter any jail, prison, state mental hospital, or place where any inmate pending criminal/civil proceedings or under criminal/civil commitment is lawfully kept in custody, detained, housed, incarcerated or working under guard, nor shall you initiate or maintain any communication of any kind with such inmates.
- 46. It is further recommended that if you leave the United States of America, you be ordered not to re-enter the United States of America without proper authorization from the United States Immigration and Customs Enforcement. If deported, you must report monthly by mail to the Kern County Probation Department, P.O. Box 3309, Bakersfield, California, 93385-3309.
- 47. Other:

Defendant's Initials _____

NAME: _____

PROBATION #: _____

48. You are to pay the following through the Probation Department:
- \$300.00 – restitution fine - PC 1202.4(b)
 - \$300.00 – PC 1202.44 (*suspended pending probation revocation proceedings*)
 - \$300.00 – PC 1202.45 (*suspended pending mandatory supervision revocation proceedings*)
 - \$40.00 – PC 1465.8
 - \$30.00 – GC 70373
 - \$500.00 – PC 1203.097
 - \$50.00 fee plus \$155.00 penalty assessment - HS 11372.5
 - \$100.00 fee plus \$310.00 penalty assessment - HS 11372.7
 - \$_____ restitution – PC 1202.4(f)
 - \$_____ restitution to the California Victim Compensation Board – PC 1202.4(f)(2)
 - \$_____ restitution collection fee (*10% or \$236.52*)
 - Restitution to the victim(s) in an amount to be determined - PC 1202.4(f).
 - Restitution in an amount to be determined to the California Victim Compensation Board - PC 1202.4(f)(2)
 - \$10.00 – PC 1202.5
 - \$50.00 A/R fee – PC 1203.1b(h)
 - \$_____ fine plus \$_____ penalty assessment - PC 290.3
 - \$_____ DUI fine plus \$_____ penalty assessment
 - \$_____ pre-sentence investigation report fee
 - \$_____ supervision fee (*\$40 per month x _____ months*)
 - Other: \$_____

49. You are to pay a total of \$_____. Your monthly payments are \$_____ starting _____; thereafter, payments are due on the tenth day of each month. Your balance is to be paid in full prior to your probation end date. Make checks or money orders payable to the Kern County Probation Department. Payments may be mailed to P.O. Box 3309, Bakersfield, CA, 93385-3309 or delivered in person to the Collection Division at 2100 College Avenue, Bakersfield, CA, 93305. Online payments may be made through a third-party website at www.govpaynow.com using the Pay Location Code (PLC # 7949).

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

Every defendant who has fulfilled the conditions of his/her probation may be entitled to have a plea of not guilty entered and the accusation or information dismissed (Penal Code 1203.4).

I acknowledge receipt of the above rules and Court orders and promise to abide by them. I understand failure to follow any of these directives may result in my arrest or a bench warrant being issued.

Defendant's Signature: _____ Date: _____

Instructed by: _____
(Deputy Probation Officer) (Interpreter)

Reinstructed by: _____
(Deputy Probation Officer) (Interpreter) (Defendant) (Date)

TR Merickel
Chief Probation Officer

Defendant's Initials _____