ENGROSSED HOUSE
BILL NO. 3332

By: Settle of the House

and

Hobson of the Senate

An Act relating to criminal procedure; creating a uniform probation form for supervised probation; providing contents; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 990.1 of Title 22, unless there is created a duplication in numbering, reads as follows:

When a court places an offender on supervised probation, the following form or a form that contains all of the provisions of said form shall be completed and a copy shall be given to the probationer:

IN AND FOR THE DISTRICT COURT OF _____ COUNTY

STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff

vs. CASE NO. _____

_____
Defendant

Address _____

_____

City State Zip Phone

Social Security Number: _____ Race: ____ Male ____ Female ____

Weight: _____ Height: _____ Date of Birth: _____

RULES AND CONDITIONS OF SUPERVISED PROBATION

1. I will report in person or as directed by the Probation Officer.

2. I will not leave the State of Oklahoma, nor change my address, without written permission of my officer. I will allow my officer to visit me at my home or elsewhere.

3. I will maintain gainful employment and provide written employment verification to my officer as requested. I will support myself and all my dependents without public assistance so long as I am physically able to do so. I will notify my officer when I change employment and allow my officer to visit me at my employment or elsewhere.

4. I will not possess, consume, or purchase alcoholic beverages or illegal drugs, nor visit places where alcohol or illegal drugs are unlawfully sold, dispensed, or used. I further understand that I am not to go into bars, liquor stores, taverns, clubs, parties, or places where alcohol is the main item for sale or consumption.

5. I will not communicate with persons having a criminal record except family members. I understand that it is my responsibility to know whether an associate has a criminal record. I will advise my officer of any family member who is a convicted felon.

6. I will promptly and truthfully answer all inquiries from Department of Corrections officials or other law enforcement personnel. I will carry out all lawful instructions they may give.

7. I will not carry a concealable weapon of any type, nor have in my possession or immediate control any firearm. I will not ride in any vehicle that has a firearm in it.

8. I understand that I am to remain under supervision by the Probation and Parole office until I serve my maximum term unless I

am placed on unsupervised status by the Court or Department of Corrections.

9. I will refrain from violation of any City, State or Federal laws including Tribal Jurisdiction. I will advise my officer within forty-eight (48) hours if I am questioned or arrested by any branch of the government or any of its representatives.

10. I understand that at any time or place I am subject to search by the Department of Corrections. In addition, my vehicle and property under my control are subject to search, should a representative deem it necessary.

11. I will pay a supervision fee of up to Forty Dollars ($40.00) per month to the Department of Corrections by cashier's check, money order, or electronic transfer. I understand that a service charge may be required by some methods of payment, and that the service charge will be in addition to the supervision fee. Any partial or full waiver of the supervision fee will be made at the discretion of the Probation Officer.

12. I hereby waive extradition to the State of Oklahoma from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return to the State of Oklahoma.

13. I understand that certain violations may result in the imposition of additional sanctions including, but not limited to:

a. Financial Planning,

b. Mental Health Counseling,

c. Attend AA,

d. Attend MRT,

e. GED Courses,

f. Reintegration Training,

g. Intensive Supervision,

h. Attend NA,

i. Curfew,

j. Intensive Parole Supervision,

k. Electronic Monitoring,

l. Community Service,

m. Victim Impact Panel,

n. Weekend Incarceration,

o. Nighttime Incarceration,

p. Day Reporting,

q. Temporary Placement in a community correctional facility or jail for up to thirty (30) days.

_____, Defendant CRF _____

SPECIAL CONDITIONS: (Check only those that apply. The probationer will initial each item checked to acknowledge full understanding of the special conditions imposed by the Court.)

____ A. Pay restitution through the ____ Department of Corrections, ____ District Attorney, per attached schedule in the sum of _____.

____ B. I will pay court costs of _____, victim compensation of _____, court-appointed attorney fees of _____, a fine of _____, OSBI lab fee of _____, and/or a contribution to DA Drug fund of _____ in full within two (2) years unless extended by the sentencing judge.

____ C. Pay a Presentence Investigation fee of _____, not to exceed Two Hundred Fifty Dollars ($250.00) nor be less than Five Dollars ($5.00), payable within two (2) years to the Department of Corrections.

____ D. Perform _____ Community Service hours to be completed within two (2) years or as the court directs.

____ E. Allowed to transfer to another state to be supervised there following completion of intake by Probation Office.

____ F. Attend Drug or Alcohol Counseling as directed by the Probation Officer or service provider to include AA/NA meetings each week and provide proof of attendance as directed.

____ G. Attend Psychiatric Counseling as directed by the Probation Officer or service provider and provide written proof of attendance as directed.

____ H. Sex Offender Counseling or equivalent as directed by the officer or service provider and provide written proof of attendance as directed.

____ I. Attend DUI school and provide written proof of completion to the officer.

____ J. Serve _____ days in the _____ County Jail.

____ K. Stay away from _____.

____ L. Said defendant is to participate in the Victim Impact Panel or other program as ordered by the Court, scheduled for: _____.

____ M. Complete job skills training or GED as directed by the Probation and Parole Officer.

____ N. Mediated Agreement as attached.

____ O. Pay Mental Health Fund fee of _____ within two (2) years to: _____.

____ P. Comply with curfew restrictions as ordered by my Probation Officer.

____ Q. Other: _____.

I fully understand the foregoing rules and conditions of probation and agree to abide by each and every rule. I understand that if I violate the terms of my probation, I may be sentenced to a term of incarceration.

_____	_____
Date	Probationer
_____	_____
Sentencing Judge	Attorney for Probationer

SECTION 2. This act shall become effective November 1, 1998.

Passed the House of Representatives the 24th day of February, 1998.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1998.

President of the Senate