

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA

IN RE: MANDATORY AND)
STANDARD CONDITIONS OF) MISC. NO. 2:17-CM-3105-WKW
PROBATION AND SUPERVISED)
RELEASE)

ORDER

In an effort to establish uniformity in the terms and conditions of supervision of defendants placed on probation or supervised release and to provide clarity to defendants under the supervision of the United States Probation Office during a term of probation or supervised release, the Court adopts the mandatory and standard conditions of supervision recently recommended by the Judicial Conference. Accordingly, it is ORDERED that, notwithstanding any order previously on file with this Court, the mandatory and standard conditions of probation or supervised release for all defendants sentenced on or after the date of this Order are as follows.

MANDATORY CONDITIONS

1. The defendant must not commit another federal, state or local crime.
2. The defendant must not unlawfully possess a controlled substance. The defendant must refrain from any unlawful use of a controlled substance. The defendant must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
3. The defendant must cooperate in the collection of DNA as directed by the probation officer.
4. If applicable, the defendant must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. §§ 16901, *et seq.*) as directed

by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where the defendant resides, works, is a student, or was convicted of a qualifying offense.

5. If the defendant is convicted for the first time of a qualifying domestic violence crime, the defendant must participate in an approved program for domestic violence.

STANDARD CONDITIONS

1. The defendant must report to the probation office in the federal judicial district where he or she is authorized to reside within 72 hours of the time the defendant is sentenced (probation) or within 72 hours of release from imprisonment (supervised release), unless the probation officer instructs the defendant to report to a different probation office or within a different time frame.

2. After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when the defendant must report to the probation officer, and the defendant must report to the probation officer as instructed.

3. The defendant must not knowingly leave the federal judicial district where he or she is authorized to reside without first getting permission from the court or the probation officer.

4. The defendant must answer truthfully the questions asked by his or her probation officer.

5. The defendant must live at a place approved by the probation officer. If the defendant plans to change where he or she lives or anything about his or her living arrangements (such as the people with whom he or she lives), the defendant must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, the defendant must notify the probation officer within 72 hours of becoming aware of a change or expected change.

6. The defendant must allow the probation officer to visit at any time at home or elsewhere, and the defendant must permit the probation officer to take any items prohibited by the conditions of the defendant's supervision that he or she observes in plain view.

7. The defendant must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses the defendant from doing so. If the defendant does not have full-time employment, he or she must try to find full-time employment, unless the probation officer excuses the defendant from doing so. If the defendant plans to change where he or she works or anything about his or her work (such as the defendant's position or job responsibilities), the defendant must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, the defendant must notify the probation officer within 72 hours of becoming aware of a change or expected change.

8. The defendant must not communicate or interact with someone he or she knows is engaged in criminal activity. If the defendant knows someone has been convicted of a felony, the defendant must not knowingly communicate or interact with that person without first getting the permission of the probation officer.

9. If the defendant is arrested or questioned by a law enforcement officer, the defendant must notify the probation officer within 72 hours.

10. The defendant must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (*i.e.*, anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

11. The defendant must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.

12. If the probation officer determines that the defendant poses a risk to another person (including an organization), the probation officer may require the defendant to notify the person about the risk, and the defendant must comply with that instruction. The probation officer may contact the person and confirm that the defendant has notified the person about the risk.

13. The defendant must follow the instructions of the probation officer related to the conditions of supervision.

DONE this 16th day of February, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE

/s/ Myron H. Thompson
SENIOR UNITED STATES DISTRICT JUDGE

/s/ W. Harold Albritton
SENIOR UNITED STATES DISTRICT JUDGE