

STATE OF SOUTH DAKOTA) IN CIRCUIT COURT
)
COUNTY OF _____) _____ JUDICIAL CIRCUIT

TO: _____) **CONDITIONS**
 Probationer) **OF**
) **ADULT PROBATION**
 _____)
 Address) DOCKET NO: _____

In accordance with the order of the Court dated the ____ day of _____, 20____, incorporated herewith, you have been placed on probation for a period of ____ by the Honorable _____, Circuit Court Judge, in and for ____ County, South Dakota. Therefore, it is the order of the Court that you shall obey the following conditions of probation:

STANDARD CONDITIONS OF ADULT PROBATION
(imposed on all cases)

1. You shall obey all federal, state, and tribal laws and municipal ordinances. You shall personally contact your Court Services Officer within 24 hours, if you are questioned, arrested, or cited by law enforcement authorities. You shall not drive a motor vehicle unless lawfully licensed and insured.
2. It is necessary for you to maintain employment or be engaged in a specific program approved by your Court Services Officer. In the event you lose your job or are terminated from a program, you shall notify your Court Services Officer within 48 hours. You shall support your dependents to the best of your ability.
3. You shall obtain advanced permission from your Court Services Officer prior to changing your phone number, employment, educational or residence status.
4. You shall remain within the boundaries of this state unless you have secured written permission three days in advance from your Court Services Officer.
5. You shall not own, possess, purchase, receive, sell, or transport any firearms, ammunition or explosive device or any dangerous weapons as defined by federal, state, or municipal laws or ordinances.
6. You shall not miss any appointments with your Court Services Officer, and comply with their instructions and be prompt and truthful with any questions that may be asked of you.
7. You shall advise your current and any future employers, including temporary positions, of your probation and the nature of your crime to allow for communication between employer and court services officer for setting up wage assignments or inquiry about other job related issues.
8. You shall allow Court Services to take and control a picture of yourself for identification and record keeping purposes.
9. You shall not have affiliation with any gangs, their members, or associates, and that you not wear or present gang clothing or signs.

10. If you have been convicted or received a suspended imposition of sentence for the commission of a sex crime as defined in 22-24B-1, you shall register as a sex offender within 3 business days after conviction or coming into this area pursuant to SDCL 22-24B-2. If you have been arrested for a felony, a crime of violence under SDCL 22-1-2(9) or a sex offense under SDCL 22-22, you shall provide a DNA sample upon booking or as determined by the supervising agency. If it is determined that your DNA is already on the State DNA Database, no additional sample is required.

ADDITIONAL CONDITIONS (please check all that apply)

11. You shall not consume alcoholic beverages nor enter establishments where alcohol is the primary item for sale.
12. You shall not possess, consume, or be present where any controlled substances are used (including drug paraphernalia) without a current prescription from a physician from whom you are receiving medical treatment. Verification of any prescribed medication must be provided to your Court Services Officer upon request.
13. You shall not participate in games of chance or enter establishments where gambling is present.
14. You shall successfully complete any evaluation, counseling, treatment, or aftercare as directed by the Court or your Court Services Officer and consent to any treatment plan deemed necessary by your court services officer to assist you in being successful while on probation.
15. You shall submit to testing of blood, breath, or urine as directed by the Court or your Court Services Officer and be responsible for all costs of testing.
16. You shall submit your person, residence, vehicle, or property to warrantless search and seizure as directed by the Court or your Court Services Officer.
17. Pay the following to the _____ Clerk of Courts, _____
(address)

- \$ _____ Restitution individually liable jointly and severally
- \$ _____ Court costs
- \$ _____ Fine
- \$ _____ Blood/drug/DNA/transcript costs
- \$ _____ Court appointed attorney fees
- \$ _____ Other _____

Payments of \$ _____ per month starting _____ and continuing during probation until paid in full.

18. If you request to transfer your probation to another state, you must pay a \$50 Transfer Application fee. If your case is approved for transfer through the interstate compact process, you shall comply with all other conditions of the receiving state.
19. Pursuant to SDCL 23A-27-47, the Court Services Department may release information to any mental health program or counselor, chemical dependency program or counselor, or to any agency to whom you have been referred as necessary to ensure compliance with probation and court ordered conditions.

20. You shall perform community service at the discretion of the Drug Court Judge. Pursuant to SDCL 23A-28-11, you are not an agent or employee of the recipient of these services. Any recipient of community service restitution, described in subdivision 23A-28-2 (1), does not have to provide you with unemployment compensation insurance or worker's compensation insurance. Work sites and employees are immune from any cause of action for civil damages brought by the defendant or any third party if the cause of action arises from any act, except when the cause of action is the result of gross negligence or willful and wanton misconduct of the recipient or the work site.

21. Other Conditions:

- **ATTEND AND SUCCESSFULLY COMPLETE DRUG COURT AND ABIDE BY ALL DISCHARGE RECOMMENDATIONS**

I have received, understand, and agree to the foregoing conditions of probation and that the conditions may be amended during my probation. I understand that my Court Services Officer has the responsibility and authority to enforce the conditions of probation and notify the Court of any violations of these conditions. I also understand that if I violate my probation conditions, the Court can revoke my probation and enter a new disposition.

Dated this _____ day of _____, 20 _____

DEFENDANT / PARTICIPANT

COURT SERVICES OFFICER