

INDIANA RECOMMENDED SPECIAL PROBATION CONDITIONS
FOR ADULT SEX OFFENDERS

The _____ Circuit/Superior Court hereby imposes the following special probation conditions upon defendant _____ in Cause No. _____. The special conditions checked below apply to you as a result of your sex offense conviction and should be initialed by you after you have read these conditions or after these conditions have been read to you. Violation of any of the special conditions checked below can result in revocation of your probation and incarceration.

CHECK ALL CONDITIONS THAT APPLY:

Offender Ordered
Initials By Court

_____ 1. ***Applies only to sexually violent predators:*** A sex offender who is a sexually violent predator (as defined in IC 35-38-1-7.5) shall register with local law enforcement authorities within seventy-two (72) hours of being released to probation in accordance with IC 11-8-8-7(h) and shall comply with all other registration requirements. ***Required as a condition of probation by IC 35-38-2-2.2 for sex offenses listed in IC 11-8-8-5.**

_____ 2. ***Applies only to sex offenders who are NOT sexually violent predators:*** You shall register with local law enforcement authorities as a sex offender within seven (7) days of being released to/placed on probation in accordance with IC 11-8-8-7 and shall comply with all other registration requirements. ***Required as a condition of probation by IC 35-38-2-2.2 for sex offenses listed in IC 11-8-8-5.**

_____ 3. ***Applies only to “offenders against children” as defined in IC 35-42-4-11(a) (1) & (2), including sexually violent predators.*** You shall not reside within one thousand (1,000) feet of school property, a youth program center or a public park and you shall not establish a residence within one (1) mile of the victim of your sex offense in accordance with IC 35-42-4-11(c).

_____ 4. You shall not reside within one thousand (1,000) feet of school property as defined in IC 35-41-1-24.7, unless written approval is obtained from the court. *Written approval may not be given to an offender who is a sexually violent predator or an offender against children.* ***Required as a condition of probation by IC 35-38-2-2.2.**

_____ 5. You shall not reside within one (1) mile of the residence of the victim of your sex offense (as defined by IC 35-38-2-2.5(b)) unless granted a waiver from the court. *The court may not grant a waiver for a sexually violent predator or an offender against children.* ***Required as a condition of probation by IC 35-38-2-2.5(c).**

_____ 6. You shall not establish a new residence within one (1) mile of the residence of the victim of your sex offense (as defined in IC 35-38-2-2.5(b)) unless granted a waiver from the court. *The court may not grant a waiver for a sexually violent predator or an offender against children.* ***Required as a condition of probation by IC 35-38-2-2.5(e) and (f).**

_____ 7. You shall attend, actively participate in and successfully complete a court-approved sex offender treatment program as directed by the court. Prompt payment of any fees is your responsibility and you must maintain steady progress towards all treatment goals as determined by your treatment provider. Unsuccessful termination from treatment or non-compliance with other required behavioral management requirements will be considered a violation of your probation. You will not be permitted to change treatment providers unless the court gives you prior written approval.

_____ 8. You shall not miss any appointments for treatment, psychotherapy, counseling, or self-help groups (any 12 Step Group, Community Support Group, etc.) without the prior approval of your probation officer and the treatment provider involved, or a doctor's excuse. You shall comply with the attendance policy for attending appointments as outlined by the court. You shall continue to take any medication prescribed by your physician.

_____ 9. You shall not possess obscene matter as defined by IC 35-49-2-1 or child pornography as defined in 18 U.S.C. § 2256(8), including but not limited to: videos, magazines, books, DVD's, and material downloaded from the Internet. You shall not visit strip clubs, adult bookstores, motels specifically operated for sexual encounters, peep shows, bars where partially nude or exotic dancers perform, or businesses that sell sexual devices or aids.

_____ 10. You shall not consume alcohol or use any controlled substance.

_____ 11. You shall submit to a substance abuse evaluation and follow all recommendations of your treatment provider at your own expense.

_____ 12. You shall be required to inform all persons living at your place of residence about all of your sex-related convictions. You shall notify your probation officer of any changes in home situations or marital status. You shall have only one residence and one mailing address at a time.

_____ 13. You shall not travel alone after 10 p.m. (including but not limited to: driving, walking, bicycling, etc.) unless given permission by your probation officer.

_____ 14. You shall not engage in a sexual relationship with any person who has children under the age of 16 years unless given permission by the court and your treatment provider.

_____ 15. Your probation officer must first approve any employment and may contact your employer at any time. You will not work in certain occupations that involve being in the private residences of others, such as, but not limited to, door-to-door sales, soliciting, home service visits or delivery.

_____ 16. You shall have no contact with your victim or victim ' s family unless approved in advance by your probation officer and treatment provider for the benefit of the victim. Contact includes face-to-face, telephonic, written, electronic, or any indirect contact via third parties.

_____ 17. You shall have no contact with any person under the age of 16 unless you receive court approval or successfully complete a court-approved sex offender treatment program, pursuant to IC 35-38-2-2.4. Contact includes face-to-face, telephonic, written, electronic, or any indirect contact via third parties.

_____ 18. You shall not be present at schools, playgrounds, or day care centers unless given permission by the court.

_____ 19. You shall not participate in any activity which involves children under 18 years of age, such as, but not limited to, youth groups, Boy Scouts, Girl Scouts, Cub Scouts, Brownies, 4-H, YMCA, YWCA, or youth sports teams, unless given permission by the Court.

_____ 20. You shall sign a waiver of confidentiality, releases of information, or any other document required that permits your probation officer and other behavioral management or treatment providers to examine any and all records relating to you to collaboratively share and discuss your behavioral management conditions, treatment progress, and probation needs as a team. This permission may extend to: (1) sharing your relapse prevention plan and treatment progress with your significant others and/or your victim and victim ' s therapist as directed by your probation officer or treatment provider(s); and (2) sharing of your modus operandi behaviors with law enforcement personnel.

_____ 21. You shall participate in and complete periodic polygraph testing at your own expense at the direction of your probation officer or any other behavioral management professionals who are providing treatment or otherwise assisting your probation officer in monitoring your compliance with your probation conditions.

_____ 22. You shall be under intensive supervision and report to your probation officer as directed. You shall complete a travel log and/or journal of daily activities as directed by your probation officer.

_____ 23. You shall not access the internet or any other on-line service through use of a computer, cell phone, iPod, Xbox, Blackberry, personal digital assistant (PDA), pagers, Palm Pilots, televisions, or any other electronic device at any location (including your place of employment) without prior approval of your probation officer. This includes any Internet service provider, bulletin board system, e-mail system or any other public or private computer network. You shall not possess or use any data encryption technique or program.

_____ 24. You shall allow your probation officer and/or probation computer service representative, based on reasonable suspicion, to conduct periodic unannounced examinations of your home computer(s) equipment or other electronic equipment with access to the internet. Such examinations may include retrieval and copying of all memory from your computer(s) and other electronic equipment, and any internal or external peripherals to ensure compliance with your special probation conditions, and/or removal of such equipment for the purpose of conducting a more thorough inspection. Your probation officer may have installed on your computer(s) or other electronic equipment, at your expense, any hardware or software systems to monitor your computer use.

_____ 25. _____
_____.

_____ 26. _____
_____.

ORDERED BY THE COURT THIS _____ DAY OF _____, 200__.

Judge

Defendant/Probationer

Probation Officer

Adopted 09/2000, Revised 12/2006 and 9/2007