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**Report to**  
**The Vermont Legislature**

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**Probation Conditions Pilot Project**

In accordance with Act 14 of 2021  
Section 2

**Submitted to:** Joint Legislative Justice Oversight Committee

**Submitted by:** Nicholas J. Deml, Commissioner, Department of Corrections

**Prepared by:** Dale Crook, Director of Field Services

**Report Date:** December 8, 2022



## **Executive Summary**

Act 14 of 2021, an act relating to pretrial risk assessments and pretrial assessment established a pilot program between the Department of Corrections (DOC), in consultation with the Court Administrator, the Department of State's Attorneys and Sheriffs, the Office of the Attorney General, and the Office of the Defender General, to establish a pilot project to provide the court with a report prior to the sentencing of any defendant to a term of probation for a felony.

The pilot program was proposed by the Justice Reinvestment Working Group as part of an effort to improve outcomes for people sentenced to probation. The current practice is for courts to set probation conditions prior to the administration of any risk or needs assessments and screenings. As a result, conditions were set without the benefit of the information discovered in the assessment phase. DOC utilizes these evidenced based assessments and screenings to develop supervision conditions for people on Community Supervision Furlough. The Parole Board also adopted the DOC model. The Council of State Governments, acting in their role as Justice Reinvestment technical assistance providers, presented information to the Legislature regarding the efficacy of providing a brief report to the court prior to sentencing. Before mandating implementation of a statewide practice, the Legislature allowed the key stakeholders to conduct a pilot project to understand the impacts of the work on their organizations. Stakeholders developed a process and a Preliminary Probation Report (PPR) to test during the pilot.

This report outlines the activities of the pilot project and makes the following recommendations:

1. Expand the project to become permanent in all jurisdictions. The stakeholders will have the responsibility for implementing the process in their region/district. A 6-month implementation period, once legislation is passed, will allow for proper planning time to expand the project statewide.
2. Make the Preliminary Probation Report the standard report for all non sex offense felony probation cases instead of the Pre-Sentence Investigation (PSI) when incarceration is not involved. If the case is not withdrawn, the Court should accept the recommendations from Department of Corrections unless a change is necessary to enhance public safety or offender rehabilitation.

## **PILOT IMPLEMENTATION**

The following individuals comprised the planning team for the Act 14 Pilot Project.

Dale Crook, Director of Field Services, DOC

Gary Marvel, Field Operations Manager, DOC

David Scherr, Office of the Attorney General

Hon. Brian Grearson, Chief Superior Judge

Hon. Thomas Zonay, Chief Superior Judge

Matthew Valerio, Defender General

Evan Meenan, Deputy State's Attorney, Vermont Department of State's Attorneys and Sheriffs

Monica Weeber, Director of Strategic Development, DOC

### **Site Selection and Local Team**

The planning team selected the Bennington District to conduct the pilot project. The local team members include:

Hon. Cortland Corsones, Judge, Bennington District Court

Wendy Dickie, Court Operations Manager, Bennington Court

Erica Marthage, State's Attorney, Bennington County

Alex Burke, Deputy State's Attorney, Bennington County

Frederick Bragdon, Supervising Attorney, Bennington County Public Defender's Office

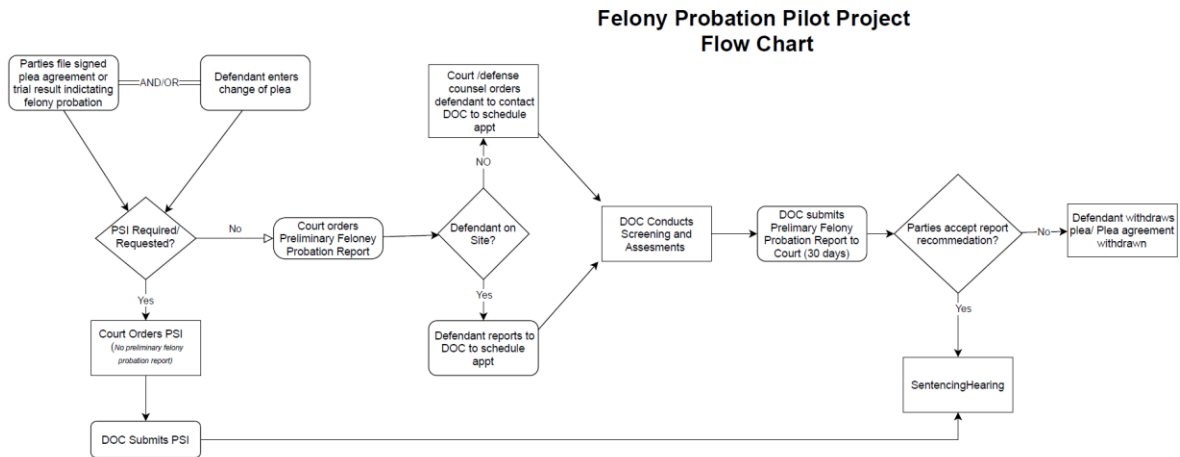
Gina Condo, Probation and Parole Officer, DOC Bennington District Office

Bill Drude, Supervisor, DOC Bennington District Office

### **Pilot Process**

The planning and local teams developed a process to test during the pilot period. The process starts when the parties file a plea agreement, or the defendant enters a change of plea. In cases where a full Pre-Sentence Investigation (PSI) is needed the Court will order a PSI instead of the Preliminary Probation Report (PPR). The PPR is ordered and entered in the Odyssey system triggering the Court to issue an order to the Department of Corrections. A Change of Plea or Sentencing Hearing is scheduled for 30 days later. The defendant is required to contact DOC to schedule the assessments and screenings (detailed on pages 5-7). The results from the assessments and screening inform the recommendations of the Preliminary Probation Report (Attachment A). The PPR is submitted to the Court within 30 days. If the parties agree to the recommended conditions, a sentencing hearing is held. If the parties contest any condition, the Court can hold a hearing to make the determination, the defendant can withdraw the plea,

either party can withdraw from the plea agreement, or the court will hold a hearing to determine the conditions.



## Discussion

The pilot team made small adjustments to the three aspects of the process to address unplanned events. Specifically:

1. **Incarcerated Individuals:** Completing the assessments and screenings for incarcerated individuals prior to sentencing could have resulted in delays in release. To address this, the Court completed sentencing in some cases and then scheduled a probation review hearing in 30 days to consider any different conditions as recommended in the PRR. In most cases, an incarcerated person is screened prior to sentencing. The pilot project was able to manage these cases and recommend that the screenings take place prior to sentence and release.
2. **Pre-Sentence Investigations:** The project did not include cases covered by 28 V.S.A §204 requiring presentence investigations for sex offenders. Any other case that required a PSI was not referred for a PPR to avoid redundancy and duplication of effort. PPR's are more efficient to complete and schedule as attorneys do not need to be present during the assessments. Assessments are completed in – person between the DOC staff and the defendant. Standard practice is that other individuals are not present to influence the respondent. With some slight modifications, the PPR could become the standard report for sentencing, reducing the number of PSI's ordered each year.
3. **Timing of Plea:** The pilot found that the timing of the plea had minor results on the overall outcome. There was some discussion among the Pilot Team as to whether a

Change of Plea (COP) should be entered prior to ordering the PPR. The benefits of the upfront COP are more certainty to the parties in resolving the case, including less anxiety on the defendant, and the ability to provide the defendant with a better understanding of the process and the requirement of contacting DOC. The drawbacks include potential delays necessitated by scheduling two separate hearings – a change of plea and a sentencing hearing.

The primary drawback of entering the COP after the report is confusion on the part of the defendant about the requirement to participate in the process. In some cases, there were delays contacting DOC to schedule the screenings and assessment and submitting the report.

### **Results to Date**

From January through July, 40 people were screened with the following results:

- 7 people have not been sentenced
  - Of these, 1 report was rejected by the State’s Attorney
- 33 people received a probation sentence
  - 3 – standard probation
  - 7 – Probation – Domestic Violence
  - 10 – Probation-Risk Management
    - 2 people have been violated
      - 1 absconded
      - 1 charged with a new crime
  - 7 – Probation Deferred
    - 1 person has been violated for absconding
  - 4 - Probation - Telephone Reporting
  - 2 – ICOTS to another state

The two people who were non-compliant were assessed as high risk to reoffend. They had been incarcerated for a long time and had habitual offender charges. The results of their assessment indicated they likely would have been non-compliant on any community supervision legal status.

### **Screening and Assessments**

DOC completes three assessments as part of the PPR. This section provides an overview of the tools as well as the data collected during the pilot.

### Ohio Risk Assessment System

The DOC utilizes the Ohio Risk Assessment System (ORAS) to identify factors that drive a person toward criminal behaviors and their risk to recidivate. The ORAS is a dynamic risk/needs assessment system to be used with adult offenders. It offers criminal justice actors the ability to assess individuals at various decision points across the criminal justice system. Information from the ORAS informs case plans, supervision levels, and conditions of supervision.

The ORAS scores in 7 specific criminogenic domains. A score of moderate to high in any domain is an indication of an identified criminogenic need.

The average time to complete the ORAS was 55 minutes.

ORAS Result	Count
Low	10
Low/Moderate	1
Moderate	12
High	14
Very High	3
Total	40

### Modified Mini Screen

The Modified Mini Screen (MMS) is an instrument that screens for mood, anxiety, and psychotic spectrum disorders. A score of 6 or greater indicates presence of psychiatric disorder, so further assessment is needed. Answers to specific questions on the instrument also indicate whether the individual should be monitored or assessed for suicidality or assessed for trauma. When indicated the DOC automatically recommended a probation condition requiring further assessments for those issues.

Forty cases yielded the following results:

MMS Result	Count
No Action Need	3
Presence of Psychiatric Disorder	2
Presence of Psychiatric Disorder; Further Assessment for Trauma	19
Presence of Psychiatric Disorder; Further Assessment for Trauma; Monitor or assess for Suicidality	1
Further assess for Trauma	15
<b>Total</b>	<b>40</b>

The average time to complete the MMS is 30 minutes.

Simple Screening Instrument for Substance Abuse

The Simple Screening Instrument for Substance Abuse (SSI-SA) is a 16-item scale designed to encompass a broad spectrum of signs and symptoms for substance use disorders, and particularly to screen patients in mental health settings for co-occurring substance abuse disorders. Scores of 4 or greater indicate a moderate to high degree of risk for substance abuse and a possible need for further assessment.

- 23 of the 40 people (57%) screened as 4 or above indicating a substance abuse risk. DOC recommended a probation condition for further assessment in all these cases.

SSI-SA Result	Count
0	6
1	7
3	4
4	3
5	3
6	2
7	1
8	5
9	3
10	1
11	4
14	1
Total	40

The average time to complete the SSI -SA was 18 minutes.

**Total Screening Time:** 103 minutes per person

**Administrative Time:** 45 minutes per person (includes report preparation, travel to facilities, collateral contacts, scheduling)

**Total time:** 148 minutes (2.5 hours) per case

The cases were resolved via tele-court with no contested hearings. It is likely that more time would be required if the DOC staff are required to attend court hearings.

## Probation Sentences by County

To understand the impact of expanding the pilot statewide, the team requested data from the Crime Research Group on felony probation sentences for the 5 years prior to the pandemic.

County	2015	2016	2017	2018	2019	Average
Addison	37	37	33	36	37	36
Bennington	96	87	75	85	57	80
Caledonia	38	56	61	35	52	48.4
Chittenden	105	73	68	84	83	82.6
Essex	15	17	18	6	8	12.8
Franklin	55	62	53	48	41	51.8
Grand Isle	11	2	2	14	7	7.2
Lamoille	23	15	10	10	9	13.4
Orange	29	13	8	15	4	13.8
Orleans	22	32	40	45	28	33.4
Rutland	68	70	61	61	83	68.6
Washington	32	48	40	29	97	49.2
Windham	64	60	64	75	71	66.8
Windsor	46	64	48	62	43	52.6
<b>Total</b>	<b>641</b>	<b>636</b>	<b>581</b>	<b>605</b>	<b>620</b>	616.6

Bennington County averages 80 new cases per year, indicating the 40 cases screened in the pilot study are consistent with their typical caseload.

Given the experience in Bennington and the average numbers across the state, DOC predicts it can absorb the work into the existing resources of the district offices. There are backlog cases that are not accounted for in these data. Additionally, there could be regional differences based on caseloads and local operations that could increase the impact on the resources.

### Impact

The pilot project was intended to design the Preliminary Probation Report process and assess the impact related to the timing and resources needed to complete the report. The project in Bennington had little operational impact to the involved entities and did not delay the resolution of cases.

### Limitations

The pilot did not study if the project had any impact to the individuals engaged in the criminal justice system. To understand outcomes for people, more time is needed to follow individuals through the criminal justice system. If the Legislature is interested in this type of information, it



should allocate funds to engage a third-party evaluator to conduct a thorough evaluation of the process.

**Recommendations:**

1. Expand the project to become permanent in all jurisdictions, and the stakeholders should take responsibility for implementing the process in their region/district. A 6-month implementation period, once legislation is passed, will allow for proper planning time to expand the project statewide.
2. Make the Preliminary Probation Report the standard report for all non sex offense felony probation cases instead of the Pre-Sentence Investigation when incarceration is not involved. If the case is not withdrawn, the Court should accept the recommendations from Department of Corrections unless a change is necessary to enhance public safety or offender rehabilitation.

**Attachment A: Preliminary Felony Probation Report**

**Preliminary Felony Probation Report**

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**To:** Superior Judge [Click or tap here to enter text.]

**State's Attorney:** Click or tap here to enter text.

**Defense Attorney:** [Click or tap here to enter text.]

**Defendant:** Click or tap here to enter text.

**DOB:** Click or tap to enter a date.

**Docket No. (s):** Click or tap here to enter text.

**Offense(s):** Click or tap here to enter text.

**Submitted by:** Click or tap here to enter text.

**Date Ordered:** Click or tap to enter a date.

**Date Due:** Click or tap to enter a date.

**Sentencing Date:** Click or tap to enter a date.

**N/A** Click or tap here to enter text.

**Choose One:** Choose an item.

**Current Information**

1. Results of Assessments – Provide risk level of all relevant risk assessment tools.

**a. Ohio Risk Assessment System – Community Supervision Tool (ORAS-CST)**

Risk level: [Click or tap here to enter text.]

Identified Criminogenic Risk/Needs Areas (Moderate or High)

- I. Criminal History: [Click or tap here to enter text.]
- II. Education, Employment, and Financial Situation: [Click or tap here to enter text.]
- III. Family and Social Support: [Click or tap here to enter text.]
- IV. Neighborhood Problems: [Click or tap here to enter text.]
- V. Substance Abuse: [Click or tap here to enter text.]
- VI. Peer Associations: [Click or tap here to enter text.]
- VII. Criminal Attitudes and Behavioral Patterns: [Click or tap here to enter text.]

**b. Domestic Violence Screening Instrument – Revised (DVSIR)**

Applicable or N/A (based on charges) [Click or tap here to enter text.]

Risk level: [Click or tap here to enter text.]

**c. Simple Screening Instrument for Alcohol and Other Drugs (SSI-AOD)**

Recommend for Additional Evaluation: Yes/No [Click or tap here to enter text.]

**d. Modified Mini Screen (MMS)**

Recommend for Additional Evaluation: Yes/No [Click or tap here to enter text.]

3. Community Program Recommendations:

[Click or tap here to enter text.]

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Probation & Parole Officer:

Day / Month/ Year

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Reviewing Supervisor:

Day / Month/ Year

## **STANDARD CONDITIONS OF PROBATION (appropriate for all probationers)**

- A. You shall not be convicted of another crime or engage in criminal behavior.
- B. You shall give your probation officer your home address, mailing address, telephone number, and email address. If any of those change, you must notify your probation officer within 24 hours.
- C. You shall notify your probation officer within 72 hours if you are arrested or given a citation.
- D. You must meet with your probation officer at reasonable times as directed by a judge or your probation officer. Upon request, you must allow your probation officer to visit you at reasonable times wherever you are staying.
- E. Your probation officer may restrict or prohibit travel to any state as required by federal law under the *Interstate Compact For Adult Offender Supervision*.
- F. You shall provide your probation officer with the location of your job and employment status. If you change or lose your job, you must notify your probation officer within 72 hours.

## **SPECIAL CONDITIONS OF PROBATION**

**The following Special Conditions shall be applied on a case-by-case basis and must be based on the risk and needs of the individual. Each imposed condition must be tied to a probationer's criminogenic risk and needs area(s), as indicated by a score of moderate or higher (unless otherwise noted) on a validated risk instrument or assessment, or the condition must be directly tied to offense history and public safety.**

- 1. You shall not purchase, possess or consume any alcohol unless the use is authorized by a licensed substance abuse counsellor, in writing, as part of substance abuse treatment, and the authorization is provided to your probation officer prior to use.

**SC1. Application: This condition applies to probationers from whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

2. You shall not drink alcoholic beverages to the extent they interfere with your employment or the welfare of your family, yourself or any other person.

**SC2. Application: This condition applies to probationers from whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

3. You shall not purchase, possess or consume any alcohol.

**S3. Application: This condition applies to probationers from whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

4. You shall not purchase, possess or use any regulated drug without a valid prescription. If you have a prescription, you must take your medications only in the dosage and manner prescribed.

**SC4. Application: This condition applies to probationers from whom use of illegal and/or regulated drugs is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with illegal and/or regulated drugs diagnosed by a licensed alcohol and drug counselor or licensed clinician; or evidence of a risk to public safety while under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

5. You shall keep your probation officer advised of all current prescriptions and sign and maintain current waivers or releases to your providers to allow verification of your prescriptions.

**SC5. Application: This condition applies to probationers who have SC4.**

6. You shall submit to breath-alcohol testing upon request of your probation officer.

**S6. Application: This condition applies to probationers who have SC1, SC2 or SC3.**

7. You shall submit to random urinalysis testing for drugs and/or alcohol upon request of your probation officer or designee.

**SC7. Application: This condition applies to probationers who have SC1, SC2, SC3 or SC4.**

8. You shall not operate a motor vehicle with any alcohol in your system.

**SC8. Application: This condition applies to probationers who are legally permitted to drive, who have posed a risk to public safety while operating a vehicle under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

9. You shall not operate a motor vehicle within \_\_\_\_\_ hours of consuming alcohol.

**SC9. Application: This condition applies to probationers who are legally permitted to drive, for whom alcohol use is an identified risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with alcohol diagnosed by a licensed alcohol and drug counselor or a licensed clinician; or evidence of a risk to public safety while under the influence of alcohol from present, past, or criminally adjudicated behavior.**

10. You shall submit to a warrantless search of your person, belongings, residence or vehicle if your probation officer has a reasonable suspicion that you possess alcohol drugs or contraband in violation of these conditions.

**SC10. Application: This condition applies probationers who have SC3 or SC4.**

11. You shall comply with the requirements of electronic monitoring (e.g. GPS or SCRAM), as directed by your probation officer.

**SC11. Application: This condition applies to probationers who pose a risk to their victims, who have a history of absconding, or who have any of the above conditions related to substance use. This condition is most appropriate for listed probationers, domestic violence probationers, probationers scoring moderate to high overall in criminogenic risk, or probationers with substance use related offenses and conditions.**

12. Your probation officer may prohibit you from residing or associating with individuals reasonably suspected of consuming or selling illicit regulated substances.

**SC12. Application: This condition applies to probationers who have a risk area identified through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with illegal and/or regulated drugs diagnosed by a licensed alcohol and drug counselor or licensed clinician; or evidence of a risk to public safety while under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

13. You must have a screening for the issues that are marked below. You must complete the screening by the date established by your probation officer. If the screening recommends that counseling or treatment is needed, including residential treatment, you must complete the counseling or treatment as directed by your probation officer. You must attend and comply with the counseling or treatment requirements and satisfy those requirements.

- (a) Alcohol
- (b) Substance Abuse
- (c) Mental Health
- (d) Anger Management
- (e) Domestic Violence (Batterer's intervention or approved equivalent)
- (f) Risk Reduction Programming
- (g) \_\_\_\_\_

**SC13. Application: This condition applies to probationers who appropriate for referral, to risk-reducing treatment based on moderate or higher score in the analogous criminogenic risk areas, identified through a validated risk assessments or instrument, or in which there is evidence of a risk to public safety due to the nature of their offenses.**

14. You must sign any required waivers or releases and allow any treatment or counseling provider to tell your probation officer and the Court about your attendance and participation in the counseling or treatment, and about the results of any testing or urinalyses taken by you in connection with the counseling or treatment ordered by the Court.

**SC14. Application: Appropriate for all probationers with conditions mandating assessment, counseling or treatment.**

15. You must complete an approved safe driving program as directed by your probation officer and pay any associated costs.

**SC15. Application: Appropriate for all probationers with driving related offenses.**

16. You shall not operate a motor vehicle on a public highway without a valid license.

**SC16. Application: Appropriate for all probationers with driving related offenses.**

17. You shall not operate a motor vehicle on a public highway.

**SC17. Application: Appropriate for probationers with repeat or severe driving related offenses, for whom alcohol or illegal and/or regulated substance use is an identified as a high risk area through a validated substance use assessment or instrument; a pervasive or chronic problem or dependency with illegal and/or regulated drugs diagnosed by a licensed alcohol and drug counselor or licensed clinician; or evidence of a risk to public safety while under the influence of regulated and/or illegal drugs from present, past, or criminally adjudicated behavior.**

18. You shall actively work towards reinstatement of your operator's license.

**SC18. Application: Appropriate for all probationers with driving related offenses who have lost their operator's license due to driving related offenses.**

19. You shall attend and complete the next available session of the Impaired Driver Rehabilitation Program or a similar program.

**SC19. Application: Appropriate for all probationers with driving related offenses who have lost their operator's license due to driving related offenses involving substance use.**

20. You shall not have contact with \_\_\_\_\_, which includes all forms of written, oral, electronic, social media, or other direct contact and all forms of indirect contact through third parties, except \_\_\_\_\_.

**SC20. Application: This condition applies to individuals whose current convictions involve interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI – Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred. Where appropriate, the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed.**



21. Your probation officer may limit or prohibit contact with \_\_\_\_\_ during the term of probation based upon the person's request.

**SC21. Application: This condition applies to individuals whose current convictions involve interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI – Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred, in which the victim/affected person has indicated that he/she wants contact with the probationer. Where appropriate, the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed.**

22. You shall not abuse or harass \_\_\_\_\_. Such conduct includes actions directed at a specific person, or a member of the person's family that would cause a reasonable person to fear unlawful sexual conduct, unlawful restraint, bodily injury or death, including but not limited to verbal threats, written, telephonic or other electronically communicated threats, vandalism, or physical contact without consent. It also includes multiple attempts to communicate with the person after the person has informed the probationer that such contact is not welcome.

**SC22. Application: This condition applies to individuals whose current convictions involve interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI – Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred. Where appropriate, the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed. This condition is appropriate regardless of whether the victim/affected person has indicated that he/she wants contact with the probationer.**

23. You shall not engage in violent or threatening behavior. Violent behavior includes physical contact with another without consent, unlawful restraint of another, or physical contact by mutual affray. Threatening behavior is conduct that would cause a reasonable person to fear unlawful sexual conduct, unlawful restraint, bodily injury, or death, including verbal threats, written, telephonic, or other electronically communicated threats, vandalism, or physical contact without consent.

**SC23. Application: This condition applies to individuals whose current convictions involve any violence, including interpersonal partner violence and/or sexually harmful behavior, adjudicated victims, and/or affected parties outside of interpersonal partner violence and/or sexually harmful behavior (e.g., DUI – Fatality, Reckless Endangerment) where substantial and lingering mental harm poses duress to affected persons, or where abuse or harassment has occurred. Where appropriate,**

the victim contact restriction should be accompanied by a family court order, victim input, or recognition that imminent risk would be posed to the victim if contact were allowed.

24. You must abide by a curfew as directed by your probation officer.

**SC24. Application:** This condition applies to probationers who pose a significant risk to the public, or who have identified victims and an absconding/escape history. This condition is most appropriate for moderate to high-risk listed probationers, moderate to high-risk domestic violence probationers, moderate to high-risk sex probationers with contact offenses, and high-risk probationers with violent crimes. When necessary due to non-compliance, this condition can be applied as an alternative to incarceration and used as a supervision tool, pursuant to the community supervision sanction grid. Curfews should be reasonably applied to allow for employment, education and social activities. Curfews requiring probationers to be at their residence outside of 7PM to 5AM must be staffed with the District Manager (DM), or designee, and must be approved by the DM.

25. Your probation officer may impose reasonable restrictions on the location of your residence.

**C25. Application:** This condition applies to probationers for whom substantial risk to victims or public safety can be reasonably anticipated, based on risk to the public and/or victim(s), should the probationer enter or inhabit the designated residence. Points of consideration should be: victims of sexually-harmful behavior or interpersonal partner violence, victim residence or work proximity, sex probationer registry status, and collaboration with Department for Children and Families. Denial of a residence must be staffed with the District Manager (DM), or designee, and must be approved by the DM.

26. Your probation officer may restrict those with whom you associate.

**SC26. Application:** This condition applies to probationer contact with co-defendants that could be detrimental to their supervision and probationers with an adjudicated crime involving vulnerable individuals. Application of this condition is not appropriate for cases in which the sole concern is contact contributing to increased risk of substance use. Supervisor approval is required for this condition to be applied to any associates who were not identified co-defendants.

27. You shall not buy, have or use any firearms, muzzleloaders or other deadly weapons, regardless of whether they are operational or loaded. Other deadly weapons include any other weapon, device, instrument, material or substance, whether animate or inanimate, that, in the manner it is used or is intended to be used, is known to be capable of producing death or serious bodily injury.

**SC27. Application: Appropriate for all probationers with a documented history of criminal violence or for whom violence has been identified as a criminogenic risk area through a validation risk assessment or instrument.**

28. You must complete \_\_\_\_\_ hours of community service at the direction and to the satisfaction of your probation officer.

**SC28. Application: This condition would apply to probationers who are required to comply via a risk-related graduated sanction. Community service could be applied to a probationer with a sporadic employment history who would benefit from a structured work search format in conjunction with support from Vocational Rehabilitation and/or the Department of Labor.**

29. If restitution is ordered, you must cooperate fully with the Restitution Unit.

**SC29. Application: Appropriate for all probationers with a Restitution Order**

30. You shall maintain employment, actively pursue employment, or actively pursue a course of study or vocational training that will equip you for suitable employment.

**SC30. Application: This condition would apply to probationers who are required to comply via a risk-related graduated sanction. A structured work search would be applied to a probationer with a sporadic employment history who would benefit from a structured work search format in conjunction with support from Vocational Rehabilitation and/or the Department of Labor.**

31. You shall attend and participate in Restorative Justice programming and complete the program within \_\_\_\_\_ month(s).

**SC31. Application: Appropriate for all probationers at the court's discretion.**