

**BASIC TERMS AND CONDITIONS OF
COMMUNITY SUPERVISION FOR MIDLAND COUNTY**

EXHIBIT 1

CONDITIONS OF COMMUNITY SUPERVISION

ADJUDICATED

DEFERRED ADJUDICATION

You have been placed on community supervision as an alternative to incarceration.

It is the Order of the Court that you shall comply with the following terms and conditions of community supervision:

1. Commit no offense against the laws of this state or of any other state or of the United States;
2. Avoid injurious or vicious habits, including use of illegal drugs, and do not use, possess, or consume any alcoholic beverage;
3. Report to the supervision officer as directed by the Judge or supervision officer and obey all rules and regulations of the community supervision and corrections department;
4. Permit the supervision officer to visit the defendant at the defendant's home or elsewhere;
5. Work faithfully at suitable employment to the extent possible, and provide proof of employment to the supervision officer;
6. Remain within Midland County, Texas, unless the Court or supervision officer authorizes you to leave;
7. Pay the following amounts, that include but are not limited to:
 - A. The defendant's fine, if one is assessed;
 - B. All court costs, regardless of whether a fine is assessed;
 - C. A \$25.00 fee to the Midland County supervision office to reimburse the cost of an identification card;
 - D. Pay to the Midland County Community Supervision and Corrections Department a reimbursement fee of \$60.00 each month, (*Tex. Code Crim. Pro. §42A.652*) on or before the last day of each month beginning the month following the signing of this order or the defendant's release from confinement and continuing until the community supervision is terminated;
 - E. Pay restitution and/or reparation as stated on the Judgment;

- F. Reimbursement to Midland County, Texas, for the costs of legal services provided to the defendant, including any expenses and costs, except that the defendant may not be ordered to pay an amount that exceeds the amounts set forth in the *Tex. Code of Crim. Pro. §1.051 (c)(d)* and *Tex. Code of Crim. Pro. §42A.301(b) (10)*;
- G. Reimburse the compensation to victims of crime fund for any amounts paid from that fund to or on behalf of a victim, as defined by Article 56B.003, of the offense or if no reimbursement is required, make one payment to the compensation to victims of crime fund in an amount not to exceed \$50.00 if the offense is a misdemeanor or not to exceed \$100.00 if the offense is a felony;
- H. Reimburse a law enforcement agency for the analysis, storage, or disposal of raw materials, controlled substances, chemical precursors, drug paraphernalia, or other materials seized in connection with the offense;
- I. Reimburse all or part of the reasonable and necessary costs incurred by the victim for psychological counseling made necessary by the offense or for counseling and education relating to acquired immune deficiency syndrome or human immunodeficiency virus made necessary by the offense;
- J. Pay a fine in the amount not to exceed \$50.00 to a crime stoppers organization, as defined by Section 414.001, Government Code, and as certified by the Texas Crime Stoppers Council;
- K. Any other payments as directed in these conditions or as directed by the Midland Community Supervision Department;

8. Support the defendant's dependents;

9. Participate, for a period specified by the Judge, in any community-based program, including a community service project under Article 42A.304; Perform a total of _____ hours of community service for a community service organization or project as designated by the Community Supervision Officer at such times and places as directed by the Community Supervision Officer, but in no event shall the defendant perform less than _____ hours of community service a month until the community service is completed unless otherwise authorized by the Court in writing;

200 Hours Felony; 120 hours State Jail Felony 10 hours per month

10. Submit to testing for drugs and alcohol as the community supervision officer may direct, and pay for same;

11. Submit to electronic monitoring; Including obeying all of the rules associated with the electronic monitoring that has been ordered and payment for the electronic monitoring that has been ordered;

- GPS Ankle Monitor VChek24 Smartphone App
 SCRAM Breath Alcohol Testing Device

12. Submit a DNA sample to the Department of Public Safety under Subchapter G, Chapter 411, Government Code, for the purpose of creating a DNA record of the defendant;

13. In any manner required by the Judge, provide in the county in which the offense was committed public notice of the offense for which the defendant was placed on community supervision;

14. Serve _____ days in the Midland County Jail as a condition of community supervision without credit for pretrial confinement or pre-revocation of community supervision confinement AND without credit for good conduct, beginning on _____ at _____ p.m.;

15. Demonstrate to the Court whether the defendant has an educational skill level equal to or greater than the average skill level of students who have completed the sixth grade in public schools of the State of Texas, and if the defendant has not attained that skill level, the defendant shall attain the said level of educational skill within 24 months of the date of this order at the defendant's own expense;

16. Participate in and complete all classes, assignments, evaluations, and programs at the direction of the Community Supervision Officer. This includes TAIP, and conditions that may be applicable based on the offense for which you have plead guilty to and are listed in *Texas Code of Criminal Procedure Chapter 42A Subchapters, G, H, H-1, I, J and K*. These statutory provisions are incorporated by reference as if fully set forth herein. The Defendant is required to pay the costs associated with this provision;

17. Consent to search your person, residence, business, and any vehicle or container under your control by any peace or supervision officer without prior notice or search warrants to determine

your compliance with the conditions of supervision and laws of this State. Any contraband found to be in your possession will be subject to seizure;

18. If supervision is transferred to another jurisdiction, continue to report to Midland County in the manner prescribed by the supervision officer, comply with the rules and regulations of the receiving jurisdiction and the rules of the Interstate Commission for Adult Offender Supervision;

19. Participate in and successfully complete the program(s) and/or condition(s) indicated below, pay all fees required, and continue to participate and/or comply until released by the court or the supervision officer:

- Observe a curfew according to the schedule set by the court or supervision officer and submit to electronic monitoring/home confinement for a period of _____ days beginning upon completion of equipment installation, but in any case no later than thirty (30) days from the date of this judgment.
 - No contact with any victim(s) in any manner.
 - Attend AA/NA/12 Step/Support group _____ times per week.
 - Complete a mental health evaluation within sixty (60) days of referral by the supervision officer and participate in and complete any and all recommended treatment.
 - Participate in and complete a Batterers Intervention and Prevention Program (BIPP/Project A.D.A.M.) and pay for the same. The defendant is required to contact an approved provider within ten (10) days of referral by the supervision officer and enroll in the first available course session.
 - Participate in and complete anger management counseling and pay for the same. The defendant is required to contact an approved provider within ten (10) days of referral by the supervision officer and enroll in the first available course session.
 - Participate in and complete a drug offender education program and pay for the same. The defendant is required to contact an approved provider within ten (10) days of referral by the supervision officer and enroll in the first available course session.
 - Obtain a General Equivalency Diploma (GED).
20. Additional DWI Conditions: Participate in and successfully complete the program(s)

and/or condition(s) indicated below, pay all fees required, and continue to participate and/or comply until released by the court or the supervision officer:

Suspension of driver's license for a period of _____ days beginning on the date of this judgment.

Attend and successfully complete before the 181st day after the date of this judgment, an approved DWI offender education program, or if applicable an approved DWI educational program for repeat offenders, and provide proof of successful completion to the supervision officer.

Do not operate any vehicle (including a motorcycle, electric bicycle, airplane, or helicopter) without a camera equipped ignition interlock device installed. Do not tamper with, attempt to bypass, or allow any other person to activate the device. Provide the supervision officer with proof of automobile insurance. The camera equipped ignition interlock device shall remain installed on the vehicle(s) for a period of not less than fifty percent (50%) of the original period of supervision.

Attend a Victim Impact Panel and provide proof of attendance to the supervision officer.

Do not refuse a breath, blood, urine, hair, or field sobriety test as requested by a peace officer or supervision officer.

Submit to an evaluation as required by the *Texas Code of Criminal Procedure* §42A.402, as directed by the Community Supervision Officer.

Confinement as a condition of Community Supervision as set forth in paragraph 14. *Texas Code of Criminal Procedure* §42A.401.

You are advised that under the laws of this State, the Court has determined and imposed the above terms and conditions of your community supervision and may at any time during the period of community supervision alter or modify them. The Court also has the authority, at any time during the period of community supervision; to revoke your community supervision for any violation of the conditions of your community supervision set out above.