



# Eastern District of North Carolina Special Conditions of Supervision

## Testing/Treatment

1. The defendant shall enroll in and complete the Alcohol/Drug Education Training School and pay the costs thereof. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
2. The defendant shall not have a blood alcohol content in excess of \*\*.
3. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
4. The defendant shall participate in an approved program for domestic violence.
5. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
6. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
7. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
8. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
9. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed \*\* consecutive days. The defendant shall comply with the program procedures and shall pay all costs associated with remote alcohol monitoring services.
10. The defendant shall submit to a urinalysis test within fifteen days of release from imprisonment/placement on probation and at least two periodic urinalysis tests thereafter, as directed by the probation officer pursuant to 18 U.S.C. § 3608.
11. The drug testing condition required by 18 U.S.C. § 3608 is suspended based upon the court's determination that the defendant poses a low risk of future substance abuse.

## **Financial**

12. The defendant shall support his dependent(s) and comply with the child support order issued in \*\* County, \*\*, Docket Number and make payments in accordance with the terms of the order.
13. The defendant shall perform \* hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
14. The defendant shall submit to financial or consumer credit counseling as directed by the probation office.
15. If the defendant has any unpaid amount of restitutions, fines, or special assessments, the defendant shall notify probation office of any material change in economic circumstances that might affect the defendant's ability to pay.
16. The defendant shall file all delinquent tax returns with the IRS and file all future returns as required by law and provide the probation office with proof of same.
17. The defendant shall file personal income tax returns for all future years as provided by law.
18. The defendant must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution.
19. The defendant shall not incur new credit charges or open additional lines of credit without approval of the probation office.
20. The defendant shall provide the probation office with access to any requested financial information.
21. The defendant shall support his dependent(s).

## **Location Monitoring**

22. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed consecutive \*\* days. The defendant shall be restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring technology (GPS, Radio Frequency (RF), or location monitoring technology as directed by supervising officer) and abide by all program requirements, instructions and procedures provided by the supervising probation officer. The defendant shall pay for location monitoring services as directed by the probation officer.
23. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed \* consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring technology (GPS, Radio Frequency (RF), or location monitoring technology as directed by supervising officer) and abide by all program requirements, instructions and procedures provided by the supervising probation officer. The defendant shall pay for location monitoring services as directed by the probation officer.

24. The defendant shall abide by all conditions and terms of the home incarceration program for a period not to exceed \* consecutive days. The defendant shall be restricted to his residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the probation officer. The defendant shall submit to the following Location Monitoring technology (GPS, Radio Frequency (RF), or location monitoring technology as directed by supervising officer) and abide by all program requirements, instructions and procedures provided by the supervising probation officer. The defendant shall pay for location monitoring services as directed by the probation officer.

### **Driving/Traffic**

25. The defendant shall not apply for a North Carolina driving privilege until the expiration of \*\*.
26. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.
27. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina during the probationary term and defendant shall not apply for or obtain a limited driving privilege during the probationary term.
28. The defendant shall surrender his driver's license to the Clerk of this Court for mailing to the appropriate state issuing authority and not operate a motor vehicle during the probationary term.
29. The defendant shall surrender his North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.

### **Others**

30. Upon completion of the term of imprisonment, the defendant is to be surrendered to a duly authorized immigration official for deportation in accordance with established procedures provided by the Immigration and Naturalization Act, 8 U.S.C. § 1101. As a further condition of supervised release, if ordered deported, the defendant shall remain outside the United States.
31. The defendant shall reside in an emergency housing facility designated by the probation officer for a period of \*\* days, or until the probation officer approves an alternative residence. The emergency housing may be provided through a halfway house, if available, or through lodging arranged by the probation office if necessary.
32. The defendant shall be confined in the custody of the Bureau of Prisons from \* each evening to \* each morning for a period of \* nights, commencing \*\* and shall abide by all rules and regulations of the designated facility.
33. The defendant shall not go on or enter the \_\_\_\_\_ during the probationary term.
34. The defendant shall not go on or enter the Fort Bragg Military Reservation, Camp Lejeune Military Reservation, or New River Military Reservation during the probationary term.

35. The defendant shall not go on or enter any Armed Forces Exchange facility during the probationary term and shall surrender his military identification card for this restriction to be noted thereon.
36. The defendant shall participate in a vocational training program as may be directed by the probation office.
37. The defendant shall submit to a search, at any time, with or without a warrant, and by any law enforcement or probation officer, of the defendant's person and any property, house, residence, vehicle, and effects upon reasonable suspicion concerning a violation of a condition of supervised release or unlawful conduct by the defendant, or by any probation officer in the lawful discharge of the officer's supervision functions.
38. The defendant shall submit to a search, at any time, with or without a warrant, and by any law enforcement or probation officer, of the defendant's person and any property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects upon reasonable suspicion concerning a violation of a condition of supervised release or unlawful conduct by the defendant, or by any probation officer in the lawful discharge of the officer's supervision functions.

### **Sex Offender Conditions**

39. The defendant shall have no direct or indirect contact, at any time and for any reason, with the victim(s), the victim's family, or affected parties in this matter unless provided with specific, written authorization in advance by the U.S. Probation Officer.
40. The defendant shall submit to a psycho-sexual evaluation by a qualified mental health professional who is experienced in evaluating sexual offenders and who is approved by the U.S. Probation Officer.
41. The defendant shall participate in a sex offender treatment program as directed by the U.S. Probation Officer, and the defendant shall comply with and abide by all the rules, requirements, and conditions of the treatment program until discharged. The defendant shall take medication as prescribed by the treatment provider.
42. At the direction of the U.S. Probation Officer, the defendant shall submit to physiological testing, which may include, but is not limited to, polygraph examinations or other tests to monitor the defendant's compliance with probation or supervised release and treatment conditions.
43. The defendant's residence and employment shall be approved by the U.S. Probation Officer. Any proposed change in residence or employment must be provided to the U.S. Probation Officer at least 10 days prior to the change and pre-approved before the change may take place.
44. The defendant shall not possess any materials depicting and/or describing 'child pornography' and/or 'simulated child pornography' as defined in 18 U.S.C. § 2256, nor shall the defendant enter any location where such materials can be accessed obtained or viewed.
45. The defendant shall not possess any legal or illegal pornographic material, including any materials depicting and/or describing "child pornography" and/or "simulated" child pornography as defined in 18 U.S.C. § 2256, nor shall the defendant enter any location where such materials can be accessed,

obtained, or viewed, including pictures, photographs, books, writings, drawings, videos, or video games.

46. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense.
47. The defendant shall not associate or have verbal, written, telephonic, or electronic communications with any person under the age of eighteen (18), except: (1) in the presence of the parent or legal guardian of said minor; (2) on the condition that the defendant notifies the parent or legal guardian of the defendant's conviction or prior history; and (3) with specific, written approval from the U.S. Probation Officer. This provision does not encompass persons under the age of eighteen with whom the defendant must deal in order to obtain ordinary and usual commercial services (e.g., waiters, cashiers, ticket vendors, etc.).
48. The defendant shall not loiter within 1,000 feet of any area where minors frequently congregate (e.g., parks, school property, playgrounds, arcades, amusement parks, day-care centers, swimming pools, community recreation fields, zoos, youth centers, video arcades, carnivals, and circuses) without prior written permission from the U.S. Probation Officer.
49. The defendant shall not purchase, possess, or control any cameras, camcorders, or movie cameras without prior approval of the U.S. Probation Office.
50. The defendant shall not use, purchase, possess, procure, or otherwise obtain any computer or electronic device that can be linked to any computer networks, bulletin boards, internet, internet service providers, or exchange formats involving computers unless approved by the U.S. Probation Officer.
51. To ensure compliance with supervision, the defendant shall submit to unannounced searches of any computer or computer equipment (including mobile phones, tablets, and data storage devices) which may include the use of computer monitoring technology, computer search or analysis software, and copying of all data from the device and external peripherals. Such examination may require the removal of devices from the defendant's possession for the purpose of conducting a thorough inspection.
52. At the direction of the U.S. Probation Officer, the defendant shall consent to the installation of systems or software that will allow the probation officer or designee to monitor computer use on any computer that the defendant owns or is authorized to use. The defendant shall pay the costs of this monitoring.
53. The defendant shall not use, possess, or control any computer-based counter forensic tools. The defendant shall not use or have installed any programs specifically and solely designed to encrypt data, files, folders, or volumes of any media. The defendant shall, upon request, immediately provide the U.S. Probation Officer with any and all passwords required to access data compressed or encrypted for storage by any software.
54. The defendant shall not own, use, or have access to the services of any commercial mail receiving agency, post office box, or storage unit without prior approval from the U.S. Probation Officer. The defendant shall provide the U.S. Probation Officer with a list of all P.O. Boxes and/or storage units to which the defendant has access.

55. The defendant shall not be employed in any position or participate as a volunteer in any activity that involves direct or indirect contact with children under the age of eighteen (18) without written permission from the U.S. Probation Officer. Under no circumstances may the defendant be engaged in a position that involves being in a position of trust or authority over any person under the age of eighteen.
56. The defendant shall not enter adult bookstores, sex shops, clubs, or bars with exotic or topless dancers, or massage parlors.
57. The defendant shall not possess children's clothing, toys, games, etc., without permission of the U.S. Probation Officer.
58. The defendant shall not possess sadomasochistic bindings, restraints, handcuffs, etc.
59. The defendant shall not hitchhike or pick up hitchhikers.
60. The defendant shall not have any social networking accounts without the approval of the U.S. Probation Officer.