

**WHITLEY COUNTY PROBATION DEPARTMENT
SPECIAL PROBATION CONDITIONS FOR SEX OFFENDERS**

The Whitley Circuit/Superior Court hereby imposes the following special probation conditions upon defendant

_____ in Cause No. _____.

The special conditions below apply to you as a result of your sex offense conviction. Violation of any of the special conditions can result in revocation of your probation and incarceration.

1. **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). ***Required as a condition of probation by IC 35-38-2-2.2 for sex offenses listed in IC 11-8-8-5.**

Non-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. ***Required as a condition of probation by IC 35-38-2-2.2 for sex offenses listed in IC 11-8-8-5.**

2. **“Offenders against children”** as defined in IC 35-42-4-11 (a) (1) and (2): You shall not reside within one thousand (1000) 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).

3. You shall not reside within one thousand (1000) feet of school property as defined in IC 35-41-1-24.7, unless written approval is obtained from the court. ***Required as a condition of probation by IC 35-38-2-2.2.**

4. 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. ****Required as a condition of probation by IC 35-38-2-2.5 (c).**

5. 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. ***Required as a condition of probation by IC 35-38-2-2.5 (e) and (f).**

6. 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.

7. 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.

8. 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, television programs, DVD’s, magazines, books, Internet web sites, materials downloaded from the Internet, sexual devices or aids, or any material which depicts partial or complete nudity or sexually explicit language or any other materials related to illegal or deviant interests or behaviors. 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 which sell sexual devices or aids. You shall not possess personal contact magazines (i.e., magazines or papers that primarily contain information about persons who are desiring to have personal relationships of any kind with others), nor shall you place or respond to any personal ads.

9. 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.

Probationer’s initials

10. You shall not travel alone after 10 p.m. (including but not limited to: driving, walking, bicycling, etc.) unless given written permission by your probation officer.
11. You shall notify any person with whom you are engaged in a dating, intimate or sexual relationship of your sex-related conviction(s). You shall not engage in a dating, intimate or sexual relationship with any person who has children under the age of 18 years.
12. 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.
13. 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.
14. You must never be alone with or have contact with any person under the age of 18. Contact includes face-to-face, telephonic, written, electronic, or any indirect contact via third parties.
15. You shall not be present at parks, schools, playgrounds, day care centers, public pools, zoos, or _____ (other specific locations where children are known to congregate in your community) unless given permission by the Court.
16. 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.
17. 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.
18. 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.
19. 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.
20. You shall not use any computer with access to any "on-line computer service" 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.
21. 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. Such examinations may include retrieval and copying of all memory from your computer(s) 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), at your expense, any hardware or software systems to monitor your computer use.
22. _____

Date

Probationer's Signature

Witness' Initials