

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA**

**Standing Order 2017-02<sup>1</sup>**

**Conditions of Post-Conviction Supervision and Instructions Regarding Criminal Financial Obligations**

Effective November 1, 2017, defendants under post-conviction supervision shall be subject to the following conditions of supervision, as consistent with current sentencing requirements.

**Mandatory Conditions of Supervised Release**

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. Should the court determine that you pose a low risk of substance abuse, the court may consider may consider suspending this condition at the sentencing hearing.
4. For convictions requiring mandatory restitution, you must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution.
5. You must cooperate in the collection of DNA as directed by the probation officer. The only exception for this condition is for misdemeanor offenses not involving crimes of violence.
6. For convictions requiring compliance with the Sex Offender Registration Notification Act (42 U.S.C. § 16901, *et seq.*), you must comply with those requirements 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.
7. For defendants convicted of a domestic violence crime as defined at 18 U.S.C. § 3561(b), you shall participate in an approved program for domestic violence.

**Mandatory Conditions of Probation**

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.
4. You must cooperate in the collection of DNA as directed by the probation officer. The only exception for this condition is for misdemeanor offenses not involving crimes of violence.
5. For convictions requiring compliance with the Sex Offender Registration Notification Act (42 U.S.C. § 16901, *et seq.*), you must comply with those requirements 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.
6. For defendants convicted of a domestic violence crime as defined at 18 U.S.C. § 3561(b), you shall participate in an approved program for domestic violence.
7. For cases involving restitution, you must make said restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664.
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.

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<sup>1</sup> Standing Order 2017-02 is a revision of 2017-01 to incorporate condition 4 of the Mandatory Conditions of Supervised Release. The Justice for All Reauthorization Act of 2016 amended 18 U.S.C. § 3583(d) to add, as a mandatory condition of supervised release, a requirement that the defendant “make restitution in accordance with 3663 and 3663A, or any other statute authorizing a sentence of restitution.”

9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

### **Standard Conditions of Post-Conviction Supervision**

As part of your post-conviction supervision, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment or within 72 hours of being sentenced to probation, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected **change**.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the

- person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

### **Special Conditions of Post-Conviction Supervision**

All mandatory and standard conditions of post-conviction supervision shall be listed in the presentence report. Further, any recommended special conditions shall be listed in the presentence report so as to comply with the requirement that defendants have an opportunity to review and comment regarding additional conditions of supervision based on their individual circumstances. Should any objections be raised regarding special conditions, the court will address them at the sentencing hearing.

### **Instructions Regarding Payment of Financial Penalties**

1. All financial penalties (assessments, restitution, and/or fines) shall be paid immediately to the U.S. District Court Clerk's Office. Present and future assets are subject to enforcement and may be included in the Treasury Offset Program allowing qualified federal benefits to be applied to the balance of criminal monetary penalties.
2. In cases involving probation, the defendant shall make payments in accordance with the payment schedule determined by the Court at the sentencing hearing. Payments shall begin no later than 30 days from the date of sentencing.
3. In cases involving joint and several restitution, the Court gives notice that the case involves other defendants who may be held jointly and severally liable for the restitution imposed. The Court notes that the victims' restitution is limited to the amount of determined loss in the case.
4. In cases where a sentence of imprisonment is imposed, payment of financial penalties will commence 60 days after the defendant's release from imprisonment. The Court will set the payment plan based on an assessment of the defendant's ability to pay at that time. Financial penalties shall be due during the period of imprisonment at the rate of not less than \$25 per quarter and pursuant to the Bureau of Prisons' Financial Responsibility Program.
5. Unless otherwise addressed by the Court at the time of sentencing, interest and penalties for amounts exceeding \$2,500 shall be waived.

So ordered by the Court this 25th day of October, 2017.

s/ Clay D. Land  
CLAY D. LAND  
CHIEF U.S. DISTRICT JUDGE