

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

vs.

CASE NO.: _____

_____,
Defendant.

COMMUNITY CONTROL DISCLOSURE

THE BELOW SIGNED attorney and Defendant hereby certifies to the Court that prior to the Defendant entering a plea to **Community Control**, the attorney and Defendant have:

____ Attorney **1.)** Discussed the restrictive nature of **Community Control** and how it
differs from regular probation and reviewed the written **Community**
____ Defendant **Control** conditions attached hereto as an Exhibit.

____ Attorney **2.)** Discussed fully with the client the alternatives to **Community Control**
(if applicable) and explained to the Defendant his/her possible exposure
____ Defendant if violated.

____ Attorney **3.)** The Defendant has had sufficient time to review the conditions of
Community Control. The attorney believes the Defendant understands
____ Defendant his/her obligations and requirements fully. The Defendant understands
his/her obligations and requirements fully and is entering into this plea with
Community Control as a sanction knowingly, voluntarily and freely.

Defense Attorney

Defendant

Printed Name

Printed Name

Florida Bar Number

Date

Date

cc:
Assistant State Attorney
Defense Counsel
Defendant
DOC, Probation & Parole

EXHIBIT TO COMMUNITY CONTROL DISCLOSURE

Disclosure of Terms and Conditions of Probation and Community Control

STANDARD CONDITIONS

- (1) You will report to the probation officer as directed.
- (2) You will pay the State of Florida the amount of \$_____ per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.
- (5) You will live without violating any law. A conviction in a court of law is not necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
- (12) You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in _____ County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at _____.

SPECIAL CONDITIONS

1. You must undergo a Drug and Alcohol evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court.
Additional instructions ordered: _____

2. You will make restitution to the following victim(s), as directed by the court, until the obligation is paid in full:
NAME: _____
TOTAL AMOUNT: \$ _____
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several:

- NAME: _____
TOTAL AMOUNT: \$ _____
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several:

3. You will be required to pay for drug testing unless exempt by the court.
4. You will enter the Department of Corrections Non-Secure Drug Treatment Program or other residential treatment program/Probation and Restitution Center for a period of successful completion as approved by your officer. You are to remain until you successfully complete said Program and Aftercare. You are to comply with all Rules and Regulations of the Program. You shall be confined in the county jail until placement in said program, and if you are confined in the jail, the Sheriff will transport you to said program.
5. You will abstain entirely from the use of alcohol and/or illegal drugs, and you will not associate with anyone who is illegally using drugs or consuming alcohol.
6. You will submit to urinalysis testing on a monthly basis to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
7. You will not visit any establishment where the primary business is the sale and dispensing of alcoholic beverages.
8. You will successfully complete ___ hours of community service at a rate of _____, at a work site approved by your officer.
Additional instructions ordered: _____
9. You will remain at your residence between 10 p.m. and 6 a.m. due to a curfew imposed, unless otherwise directed by the court.
10. You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$ _____ per month for the cost of the electronic monitoring service.
11. You will not associate with _____ during the period of supervision.
12. You will have no contact (direct or indirect) with the victim or the victim's family during the period of supervision.
13. You will have no contact (direct or indirect) with _____ during the period of supervision.
14. You will maintain full time employment or attend school/vocational school full time or a combination of school/work during the term of your supervision.
15. You will make a good faith effort toward completing basic or functional literacy skills or a high school equivalency diploma.
16. You will successfully complete the Probation & Restitution Program, abiding by all rules and regulations.
17. You will attend a support group with a focus on _____ at least monthly, unless otherwise directed by the court.
18. You must successfully complete Anger Management, and be responsible for the payment of any costs incurred while receiving said treatment, unless waived. If convicted of a Domestic Violence offense, as defined in s. 741.28, F.S., you must attend and successfully complete a batterer's intervention program, unless otherwise directed by the court.
Additional instructions ordered: _____

- 19. You will attend an HIV/AIDS Awareness Program consisting of a class of not less than two (2) hours or more than four (4) hours in length, the cost for which will be paid by you.
- 20. If you have been found to have committed a crime on or after October 1, 2008 for the purpose of benefitting, promoting, or furthering the interests of a criminal gang, you are prohibited from knowingly associating with other criminal gang members or associates, except as authorized by law enforcement officials, prosecutorial authorities, or the court, for the purpose of aiding in the investigation of criminal activity.
- 21. You will successfully complete a Post-adjudicatory treatment-based drug court program, as provided in s. 397.334(3), F.S.
- 22. Other: _____
- 23. Other: _____
- 24. Other: _____
- 25. Other: _____
- 26. Other: _____

AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (15) **YOU WILL REPORT TO YOUR OFFICER AS DIRECTED, AT LEAST ONE TIME A WEEK, UNLESS YOU HAVE WRITTEN CONSENT OTHERWISE.**
- (16) **YOU WILL REMAIN CONFINED TO YOUR APPROVED RESIDENCE EXCEPT FOR ONE HALF HOUR BEFORE AND AFTER YOUR APPROVED EMPLOYMENT, PUBLIC SERVICE WORK, OR ANY OTHER SPECIAL ACTIVITIES APPROVED BY YOUR OFFICER.**
- (17) **YOU WILL MAINTAIN AN HOURLY ACCOUNTING OF ALL YOUR ACTIVITIES IN A DAILY LOG, WHICH YOU WILL SUBMIT TO YOUR OFFICER ON REQUEST.**
- (18) You will successfully complete ___ hours of community service at a rate of _____, at a work site approved by your officer.
Additional instructions ordered: _____
- (19) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$_____ per month for the cost of the electronic monitoring service.

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(a)1.a.(I), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense; the following conditions are imposed in addition to all other conditions:

(a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.

(b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.