

DISP Probation Conditions
IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY

DUII Intensive Supervision Program (DISP)

STATE OF OREGON

CASE NO. _____

v.

DISP PROBATION CONDITONS

This is not a complete list of your conditions. Additional Statutory Conditions of Probation found in ORS 137.540 also apply to your probation. The Judge has authority to change your probation conditions at any time for good cause.

All probation conditions apply to you for the full term of your probation unless modified in writing by the Court.

At Sentencing:

- You understand that immediately upon sentencing, you will be booked into jail overnight.

Honesty and Reporting to Case Manager:

- You must honestly and completely answer all questions from the Judge, Case Managers or Probation Officers.
- You must truthfully and fully report any violation of your probation to your Case Manager before being contacted or questioned by DISP staff, and within 48 hours of the violation.
- If you use a prohibited substance, provide a dilute or tampered UA, you must report to court in person the next business day by 9AM.
- It is your obligation to remain in contact with the Court and meet with your Case Manager as directed.
- You are required to immediately reply to phone calls, emails or other messages from all DISP team members including case managers, PO, treatment and electronic monitoring.
- You must assure your Case Manager and PO has your current address, email address, and phone number at all times.
- You must maintain a working phone throughout probation and reply as directed to all phone messages from your case manager and PO. Failure to attend scheduled meetings with your probation officer is a violation.

No Driving or Possession of Motor Vehicles:

- To limit the temptation to drive, we restrict access to vehicles. You may not reside at a location where the number of vehicles exceeds one per Household Member who can legally drive. "Household Member" means anyone who regularly resides at your

residence. Vehicles owned or regularly used by a Household Member (whether alone or with others) parked or stored within .5 mile from your residence will count towards the total allowed vehicles.

- You may not drive any motorized vehicle on public roads or private property without written permission from the Court.
 - “Vehicle” is defined as anything capable of self-propulsion and includes cars, trucks, off-road vehicles, motorcycles, boats, personal watercraft, snowmobiles, airplanes, golf carts, forklifts, scooters, and all other motor-powered vehicles.
- You may not own any motor vehicle or have your name on the title to any vehicle unless you receive written permission from the Court.
- If you own any vehicles, you must sell them unless the Court grants written permission to retain the vehicle.
- You may not apply to DMV for a license or a hardship permit without written permission from the Court. You may not obtain a driver’s license in another state without written permission from the court.
- You must have a minimum of 90 days of violation free probation before you are allowed to drive.
- If you are allowed to obtain a license, you must have a valid driver’s license, proof of insurance and an Ignition Interlock Device, as required by DMV or the Court.
- Do not possess ignition keys or any instrument designed to start a motor vehicle.
- Do not store or keep a vehicle for anyone else.
- Only one car per licensed driver may be at your residence.
- No working as a mechanic without prior court permission.

Alcohol and Drugs:

- Do not consume or possess alcohol, marijuana, synthetic drugs, cannabinoids, hallucinogenic or any other intoxicants or illegal drugs.
- The Program cannot maintain a current, comprehensive list of intoxicants. DISP does not allow the use of any intoxicant, or mind-altering substances. Special care needs to be used when considering the use of any supplements to address pain, anxiety, mood, energy, sleep, weight loss, exercise, concentration etc. Participants are responsible for checking with their case manager and treatment provider before taking any substance. Examples of banned substances contain but are not limited to; Spice, Kratom, CBD, Kava, Valerian, and others.
- Do not be around other persons who are using or possessing alcohol, marijuana, or illegal drugs.
- Do not be in places where alcohol, marijuana or illegal drugs are used, kept, or sold.
- Marijuana use in any form is not allowed for any reason.
- Alcohol, marijuana or illegal drugs may not be kept or used in your home, your business, or your vehicle.
- Do not be where alcohol or marijuana is a primary business, such as taverns, brew pubs, bars/lounges, wine shops, liquor stores, marijuana clinics or stores, or similar establishments.
- Do not enter Casinos, “adult entertainment establishments”, or any other place where minors are excluded, including the bar or lounge area of a restaurant.
- If the restaurant serves alcohol, you may not have any alcoholic beverage on your table.
- Do not manufacture beer, wine, hard cider, kombucha, or another alcoholic beverage.
- You may not grow, store, or distribute marijuana or work for employers that grow, store, or distribute marijuana.
- Do not consume or use the following: near beer, non-alcoholic wine, mouthwash containing alcohol, cough syrup containing alcohol, cold medication containing alcohol, or any other

product that contains any alcohol.

- If you take any prescribed medication or receive new prescriptions while on probation, inform your Case Manager before filling your prescription (unless it is a medical emergency).
- Before you may fill a prescription for certain kinds of medications, you may be required to obtain a written acknowledgment from the prescribing physician, stating that the physician is aware that you are participating in a substance abuse prevention program.
- Provide either a copy of the prescription or the prescription bottle to your case manager each month.
- Do not take any other person's prescription medicines.
- Do not take medications that you do not currently have a prescription for, which includes medications that are expired or prescriptions that have been discontinued.
- Do not consume poppy seeds or food containing poppy seeds.
- To participate in DISP, you are required to sign releases for all medical information that is relevant to your probation.
- No working in a bar or restaurant where alcohol is served.

Alcohol and/or Drug Treatment:

- You must attend alcohol and/or drug treatment at the direction of your Case Manager or the Judge. Active treatment, with your designated treatment provider, must begin no later than seven (7) days after sentencing.
- You are not allowed to miss, cancel or reschedule treatment sessions without prior permission from the court and treatment
- You must schedule and attend the required ADES evaluation within 180 days of sentencing.
- The cost of treatment is your responsibility whether it is through insurance or self-pay.
- After treatment reports to the court that you are ready, you must attend at least two community support meetings (12 Step anonymous groups, SMART Recovery, Celebrate Recovery, etc.) every week and document that attendance.
- Monitoring of probation compliance may be done by any of the following:
 - Random Urinalysis, Hair Testing and other drug and alcohol testing methods.
 - Electronic Monitoring that may include in home or on person alcohol / drug testing.
 - Home visits by Probation Officer or other Law Enforcement personnel.
- You must not falsify, dilute or alter drug and alcohol tests.
- All urinalysis testing must be observed.

Electronic Monitoring:

- Do not tamper with or disconnect the monitoring equipment.
- The Court may extend your electronic monitoring period based on your performance.
- You must make a payment plan with the Electronic Monitoring Provider and make payments according to that schedule unless a grant funds this.
- You must follow all directions of the Electronic Monitoring Provider personnel regarding Electronic Monitoring. You are required to reply to phone calls and emails from the Provider.

Full-time Employment and Education:

- Full-time employment is required unless the Court for good cause changes this requirement.
- You must document your work each month with paycheck stubs or other appropriate verification.
- You must receive written permission from Court to work any job that requires handling or serving alcohol, marijuana, or other controlled substances.

- Do not quit your job without prior permission from the Court or your Case Manager.
- Retired or disabled individuals may be required to perform a volunteer activity.
- Individuals who receive Court permission to attend school must verify attendance, provide registration documentation and maintain an academic course load leading to a degree.
- You will be required to participate in a weekly social activity.

Gambling, Casinos:

- Do not gamble, play cards for money, play video poker, engage in sports-betting or enter any place where gambling is a primary source of business, such as Casinos or Video Poker lounges.
- You may not play any games associated with the Lottery
- While on probation, you may not vacation in a gambling center such as Reno, Las Vegas or Atlantic City.

Education:

- If you do not have a high school diploma or GED, you may be required to obtain a GED.

Police Contact:

- You must report all police contact, arrests, or new criminal charges to Case Manager or Probation Officer within 48 hours.
- You must report police contact prior to questioning by your Case Manager.

Travel:

- You must have written Court permission to leave the State of Oregon.
- You must have written Court permission to be away from your home for more than 48 hours, even if you remain in Oregon.

Questions or Difficulties:

- If you have questions or difficulties regarding probation, you must notify your Case Manager or Probation Officer immediately and attempt to resolve the situation.
- You may request a Court hearing only after attempting to resolve any questions or difficulties with the Case Manager or Probation Officer.

Contested Probation Violation Hearings

In order to participate in the DISP court program, I understand that I am required to submit to random urinalysis to test for the presence of controlled substances, alcohol, marijuana and other prohibited substances. I also understand that urinalysis testing will also detect if I submit a diluted urine sample. Please initial next to each statement to say you understand.

_____ I know that if a random urinalysis indicates the presence of any prohibited substance or a diluted sample, I have a right to request the sample be tested by an independent laboratory contracted with the DISP court program for confirmation.

_____ I understand that the laboratory is not/may not be in the state of Oregon. If the laboratory results confirm the presence of any prohibited substance or a diluted sample, I will be given notice of the results. If I wish to dispute the findings, I have the right to request a probation violation hearing.

_____ I further understand that the toxicology report conducted by an independent laboratory contracted with the DISP court program for confirmation will be admissible evidence for the probation violation hearing.

_____ As consideration for my participation in the DISP court program, I waive any statutory or constitutional right to have the state call a witness for the probation violation hearing from the laboratory or treatment provider. I do have the right to have my attorney subpoena the toxicologist or other relevant witnesses for the probation violation hearing.

_____ Acknowledging all this, I knowingly waive my right to require the state to have the laboratory witness to appear in person for any contested probation violation hearing.

_____ I agree that if a laboratory witness testifies at the probation violation hearing that the testimony will be by telephone or by any other two-way electronic communication device, including but not limited to satellite, cellular or other interactive communication device. In special circumstances,

_____ I acknowledge that my attorney retains the right to request that the witness appear in person if necessary to assure due process. It is up to the DISP court judge to make the determination if the witness is needed to personally appear for the hearing. The judge may take into account several factors, including but not limited to: 1) The ability to evaluate the credibility and demeanor of the witness in person is critical to the outcome of the proceeding; 2) The issue or issues the witness will testify about are so determinative of the outcome that face-to face cross-examination is necessary; 3) The exhibits or documents the witness will testify about are too voluminous to make telephone testimony practical; and 4) The failure of the witness to appear personally will result in substantial prejudice to a party to the proceeding.

Participant Signature: _____

Participant Name: _____