

DRUG COURT PARTICIPANT’S AGREEMENT TO HOME VISITS

I _____, agree to the following terms and conditions regarding home visits during the pendency of my participation in Polk County Drug Court:

INITIALS

- _____ 1. Participant shall not use or possess controlled substances except pursuant to a medical prescription.
- _____ 2. Participant shall submit to testing of breath or urine for controlled substance or alcohol use if there is a reasonable suspicion that the participant has illegally used controlled substances.
- _____ 3. Participant shall permit the supervising officer to visit the participant or the participant’s work site or residence, and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the participant.
- _____ 4. Participant shall consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer, if the supervising officer has reasonable grounds to believe that evidence of a violation will be found.
- _____ 5. **Participant shall not possess weapons, firearms or dangerous animals.**
 - _____ a. **While under supervision you are prohibited from owning, possessing or having under your control any firearm, knife or other weapon capable of inflicting serious physical injury (including dangerous animals). The Authority for this prohibition originates in Federal and State law as well as in the General and/or Special Conditions of Release as explained below:**
 - _____ b. **FEDERAL LAW:**

Title VII of the Federal Omnibus Crime Control and Safe Street Act of 1968 made it a felony to receive, possess, control or transport any firearm. The Act also applied to persons who were discharged from the Armed Forces under the dishonorable conditions, have been convicted of a felony under the law of the Government of the United States, those adjudged by a court of being mentally incompetent, and those who have renounced United States citizenship or are aliens in the United States unlawfully. The penalty for violation of this statute is imprisonment for not more than two (2) years and/or a fine of not more than \$1,000.00.

c. **STATE LAW:**

Oregon Revised Statute 166.270(1) states, “Any person who has been convicted of a felony under the law of this state or any other state, or who has been convicted of a felony under the law of the Government of the United States, who owns or has in the person’s possession or under the person’s custody of control any firearm, commits the crime of felon in possession of a firearm.”

**FELON IN POSSESSION OF A FIREARM IS A CLASS C FELONY
PAROLE AND PROBATION**

A General Condition of parole is that “the offender shall not own or possess or be in control of any weapon (including dangerous animals).” The Authority for this prohibition while on probation is either by Special Condition or by this Notice as a directive under General Condition #8 of your release which states, in effect, that you must abide by the direction of the Department of Corrections. You have 24 hours following your receipt of the Notice to remove all weapons from your possession, control or ownership. Any weapons found thereafter will be considered deliberate violations of parole/probation. While you are under supervision, any firearm or other dangerous weapon found in your possession or control will be grounds for immediate incarceration.

**DO NOT OWN, POSSESS OR CONTROL ANY WEAPONS
WHILE UNDER SUPERVISION**

If you are a repeat offender, relief will not normally be granted until you have been off supervision for several years and there is no indication of further criminal activity. When you have met the conditions outlined above you may write for an Application of Restoration of Firearms and/or Explosives Privileges: Bureau of Alcohol, Tobacco, and Firearms; PO Box 784, Ben Franklin Station; Washington, D.C. 20044.

Signature

Date

Witness

Date