

Supplement Index

ADDRESS COURT

Due process right, **3:7**

ALCOHOLIC BEVERAGES

Drugs and Alcoholic Beverages
(this index)

APPEALS

Generally, **29:20**

APPEARANCE

Due process right to present evidence, **3:5, 6:18**

APPOINTED COUNSEL

Fees of, **12:10**

APPOINTMENT

Parole board, **4:2**

ARREST WARRANT

Revocation proceedings, **23:10**

ASSOCIATION

Limits on, **9:5, 9:8, 9:9**

Particular persons, contact with,
9:8

Type of contact, **9:9**

ATTITUDE OF DEFENDANT

Toward crime and rehabilitation,
2:27

ATTORNEY FEES

Appointed counsel, **12:10**

ATTORNEYS

Right to counsel. **Right to Counsel** (this index)

AUTHORITY

Family support, **12:3**

Supervision, **17:2**

BANISHMENT

Movement, freedom of, **10:9, 10:10**

BANKRUPTCY

Restitution, **11:20**

BLOOD TESTS

Drugs and alcoholic beverages,
13:5, 13:11

BOOT CAMPS

Detention in, **27:21**

CAPITAL CRIMES

Generally, **4:13**

CASTRATION

Generally, **14:9**

CIVIL COMMITMENT

Eligibility for parole, **4:14.5**

CIVIL RIGHTS

Federal civil rights action, **29:30**

COLLATERAL ATTACKS

Generally, **29:24**

Habeas corpus, federal, **29:25**

COMMUNITY SERVICE

Volunteer Work (this index)

COMPETENCY

Test of, **21:59**

COMPUTER USAGE

Generally, **15:24.5**

CONDITIONS OF PROBATION AND PAROLE

Generally, **7:1, 14:1**

Castration, **14:15**

Corporate probation, **7:2**

CONDITIONS OF PROBATION AND PAROLE—Cont'd

- Corrections, Department of, delegation of authority to establish, **7:24**
- Delegation of authority to establish conditions, **7:24**
- Essay, writing an, **14:22**
- Incomprehensible conditions, **7:19**
- Invalidity of condition as revocation defense, **22:5**
- Limits, **7:11**
- Probation Department, delegation of authority to establish, **7:24**
- Selection of, **7:7**
- Speech, making, **14:22**
- Standard lists, **7:14**
- Statutes, **7:17**
- Vague conditions, **7:19**

CONDUCT

- Occurring after favorable decision, **15:4**

CONFLICT

- Oral pronouncement and written sentence, **5:14**

CONSENT

- Searches by probation or parole officers, **17:8**

CONSTITUTION

- Searches, remedies for unconstitutional search by probation or parole officer, **17:15**

CONVICTIONS

- Acts not resulting in, **2:33**
- Additional criminal offenses or prohibited acts as basis for revocation, **19:10**
- Revocation defense
 - invalidity of underlying conviction, **22:3**

CORPORATE PROBATION

- Generally, **7:2**

CORRECTIONS, DEPARTMENT OF

- Conditions, delegation of authority to establish, **7:24**

CORROBORATION

- Evidence, **20:9**

COSTS

- Fines and Costs** (this index)

COUNSEL

- Right to. **Right to Counsel** (this index)

DANGEROUS OFFENDERS

- Eligibility for parole, **4:15**

DEFENSES

- Revocation** (this index)

DELEGATION OF AUTHORITY

- Conditions, selection of, **7:24**

DETAINER

- Generally, **24:1**
- Interstate compact, **24:3**
- Revocation proceedings, **23:10**

DETERRENCE

- Generally, **1:7**

DISCRETIONARY REVOCATION

- Generally, **19:14**

DOUBLE JEOPARDY

- Obedience to law, **8:6**

DRUGS AND ALCOHOLIC BEVERAGES

- Generally, **13:3**
- Blood tests, **13:5, 13:11**
- Medical treatment requirement, **13:14**
- Treatment requirement, **13:14**
- Unreasonable condition, **13:11**
- Urine tests, **13:5, 13:11**

INDEX

DUE PROCESS

- Address court, **3:7**
- Appearance, right to, **3:5, 6:18**
- Evidence, right to present, **3:5**
- Liberty interests, **6:6**
- Presence, right of, **3:6**
- Reports, **3:15, 3:16**
- Right to, **21:50**
- Speak, right to, **3:5**

EARLY RELEASE

- Ex post facto laws, **4:28**

ELECTRONIC MONITORING

- Generally, **8:25**

ELIGIBILITY FOR PAROLE

- Dangerous offenders, **4:15**
- Good time credits, **4:20**
- Life imprisonment, **4:17**
- Sex offenders, **4:14**
- Violent offenders, **4:15**

ESSAY

- Writing essay as condition of probation and parole, **14:22**

EVIDENCE

- Generally, **20:1, 20:3**
- Corroboration, **20:9**
- Hearsay, use of, **20:11**
- Illegally obtained, **3:20**
- Polygraph, use of, **20:10**
- Relevance, **20:4**
- Reliability, **20:4**
- Right to present, **3:5, 6:18**
- Witnesses, confrontation and cross-examination of adverse, **20:6**

EXPLOSIVES

- Limits on possession or use of, **8:13**

EX POST FACTO LAWS

- Generally, **4:22**
- Disadvantages to defendant, **4:24**
- Early release, **4:28**

EX POST FACTO LAWS—Cont'd

- Good time credits, **4:28**

FAMILY SUPPORT

- Fines and costs, **12:3**

FEDERAL LAWS

- Generally, **16:9**
- Civil rights action, **29:30**
- Conflict between oral pronouncement and written sentence, **5:14**
- Habeas corpus, **29:25**
- Parole law, generally, **5:2**
- Supervised release, imposition of, **5:12**

FEES

- Fines and Costs** (this index)

FINAL HEARING

- Generally, **26:1**
- Remedies, **26:7**
- Standard of proof, **26:13**
- Timing, **26:4, 26:7**

FINES AND COSTS

- Generally, **12:6, 12:8**
- Ability to pay, **12:11**
- Appointed counsel, fees of, **12:10**
- Attorney fees, **12:10**
- Family support, **12:3**

FIRST AMENDMENT

- Speech, limits on, **9:3**

GOOD TIME CREDITS

- Eligibility for parole, **4:20**
- Ex post facto laws, **4:28**

GOVERNMENT

- Restitution to unit of, **11:10**

HABEAS CORPUS

- Collateral attacks, **29:25**

HEARING

- Final. **Final Hearing** (this index)

HEARING—Cont'd

Preliminary. **Preliminary Hearing** (this index)

HEARSAY

Use of hearsay evidence, **20:11**

IMMUNITY

Parole board, immunity from suit of, **4:2**

**INCOMPREHENSIBLE
CONDITIONS**

Generally, **7:19**

INSANITY

Revocation defense, **22:21**

INTERNET USAGE

Generally, **15:24.5**

**INTERSTATE AGREEMENT ON
DETAINEES ACT**

Revocation proceedings, time limitations, **24:6.50**

INTERSTATE COMPACT

Supervision issues, **24:3**

JURY TRIAL

Right to, **21:49**

LIFE IMPRISONMENT

Eligibility for parole, **4:17**

MANDATORY REVOCATION

Generally, **19:14**

MEDICAL TREATMENT

Drugs and alcoholic beverages, **13:14**

MODIFICATION

Generally, **16:3, 29:5**

Appeals, **29:20**

Civil rights action, federal, **29:30**

Collateral attacks, **29:24**

Habeas corpus, federal, **29:25**

MOVEMENT, FREEDOM OF

Geographical area, banishment from, **10:10**

Proscribed areas, avoiding, **10:2, 10:5**

Specific location, banishment from, **10:9**

NOTIFICATION

Revocation proceedings, **23:28**

Victim notification laws, **18:10**

OBEDIENCE TO LAW

Generally, **8:1**

Double jeopardy, **8:6**

Searches, submission to, **8:9**

Standard of proof, **8:4**

ORAL PRONOUNCEMENT

Conflict between oral pronouncement and written sentence, **5:14**

PAROLE BOARD

Generally, **4:1**

Composition, appointment, and immunity from suit, **4:2**

Quorum and voting, **4:4**

PAROLE OFFICERS

Probation or Parole Officers (this index)

PAYMENTS

Fines and Costs (this index)

Restitution (this index)

PERSON, CRIMES AGAINST

Restitution, **11:7**

PETITION

Revocation, **18:13**

POLYGRAPH

Use of polygraph evidence, **20:10**

PRELIMINARY HEARING

Generally, **25:1**

Authority to conduct preliminary hearing, **25:17**

INDEX

PRELIMINARY HEARING

—Cont'd

Timing, **25:14**

Waivers, **25:11**

PRESENCE

Due process rights, **3:6**

PROBATION OR PAROLE

OFFICERS

Conditions, delegation of authority to establish probation department, **7:24**

Searches by
generally, **17:7, 17:34**
consent, **17:8**

constitution, remedies for unconstitutional search, **17:15**

interrogation, search must not constitute, **17:25**

reasonableness of search, **17:13**

PROPERTY CRIME

Restitution, **11:6**

PROSCRIBED AREAS

Avoiding, **10:2, 10:5**

PROTECTION OF SOCIETY

Revocation, **19:16**

QUORUM

Parole board, **4:4**

REASONABLENESS

Search by probation or parole officer, **17:13**

REGISTRATION

Generally, **8:17**

REHABILITATION

Generally, **1:5**

RELEASE

Supervised, federal laws, **5:12**

REPORTS

Contents, **3:15, 3:16**

RESTITUTION

Ability to pay, **11:19**

Authorities, **11:3**

Bankruptcy, **11:20**

Government unit, **11:10**

Person, crimes against, **11:7**

Persons other than the immediate victim, **11:9**

Property crimes, **11:6**

Third persons, restitution to, **11:9**

Willful failure to pay court-ordered restitution, fine, or court costs, revocation due to, **19:17**

RESTORATIVE JUSTICE

Generally, **2:44.50**

RETRIBUTION

Generally, **1:6**

REVOCAION

Generally, **18:1, 19:1**

Additional criminal offenses or prohibited acts, commission of

generally, **19:7**

conviction, need for, **19:10**

discretionary revocation, **19:14**

mandatory revocation, **19:14**

types of crimes, **19:9**

Conduct not justifying revocation, **19:25**

Conviction for additional criminal offenses or prohibited acts, commission of, **19:10**

Criminal offenses. Additional criminal offenses or prohibited acts, commission of, above

Defenses

categories of, **22:2**

condition, invalidity of, **22:5**

condition, invalidity of probation or parole, **22:5**

REVOCATION—Cont'd

- Defenses—Cont'd
 - conviction, invalidity of underlying, **22:3**
 - insanity, **22:21**
 - sentence, harsher, **22:9**
 - written copy of probation conditions, failure to provide, **22:26**
- Discretionary revocation, **19:14**
- Due process, **21:1.50**
- Mandatory revocation, **19:14**
- Need to protect society, **19:16**
- Petitions, **18:13**
- Proceedings. **Revocation Proceedings** (this index)
- Prohibited acts. Additional criminal offenses or prohibited acts, commission of, above
- Protection of society, **19:16**
- Violation of condition, **19:2**
- Warrants, **18:13**
- Willful failure to pay court-ordered restitution, fine, or court costs, **19:17**

REVOCATION PROCEEDINGS

- Generally, **23:1 et seq.**
- Arrest warrant, **23:10**
- Detainer, **23:10**
- Due process, **21:1.50**
- Interstate Agreement on Detainers Act, time limitations, **24:6.50**
- Notice, effect of, **23:28**
- Summons, **23:10**
- Timely initiation of proceedings, **23:5**
- Tolling of probation period, **23:28**

RIGHT TO COUNSEL

- Generally, **21:2**
- Waiver of counsel, **21:15, 21:16**

RULES OF CRIMINAL PROCEDURE

- Generally, **21:1**

RULES OF CRIMINAL PROCEDURE—Cont'd

- Competency, test of, **21:59**
- Counsel, right to
 - generally, **21:2**
 - waiver of counsel, **21:15, 21:16**
- Due process, right to, **21:50**
- Incompetency, test of, **21:59**
- Jury trial, right to, **21:49**
- Scheduling as means of minimizing self-incrimination problems, **21:48**
- Self-incrimination problems, scheduling as means of minimizing, **21:48**
- Speedy trial, right to, **21:50**
- Subpoenas, right to issue, **21:27**
- Witnesses** (this index)

SANCTIONS

- Generally, **27:1**
- Boot camps, detention in, **27:21**
- Change conditions of release, **27:13**
- Criteria, **27:4**
- Detention in boot camps, **27:21**
- Options, **27:3**

SCHEDULING

- Self incrimination, scheduling as means of minimizing, **21:48**

SEARCHES

- Consent for searches by probation or parole officers, **17:8**
- Constitutionality, remedies for unconstitutional search by probation or parole officer, **17:15**
- Interrogation, search must not constitute, **17:25**
- Probation or parole officer, searches by
 - generally, **17:7, 17:34**
 - consent, **17:8**

INDEX

SEARCHES—Cont'd

- Probation or parole officer, searches by—Cont'd
 - constitutionality, remedies for unconstitutional search, **17:15**
 - reasonableness of search, **17:13**
- Probation or parole officers, searches by
 - interrogation, search must not constitute, **17:25**
- Reasonableness of search by probation or parole officer, **17:13**
- Submission to, **8:9**

SELF-INCRIMINATION

- Scheduling as means of minimizing, **21:48**

SENTENCES

- Revocation defense, harsher sentence after new revocation, **22:9**

SEX OFFENDERS

- Eligibility for parole, **4:14**

SHOCK PROBATION

- Generally, **2:3**

SOURCES AND LIMITS OF PROBATION

- Generally, **2:1**
- Acts not resulting in convictions, **2:33**
- Attitude of defendant toward crime and rehabilitation, **2:27**
- Nature of victim, **2:8**
- Shock probation, **2:3**
- Statutory interpretation, **2:17**

SPEECH

- Due process right to speak, **3:5**
- First Amendment challenges, **9:3**
- Limits on, **9:1, 9:3**
- Making speech as condition of probation and parole, **14:22**

SPEEDY TRIAL

- Right to under rules of criminal procedure, **21:50**

STANDARD OF PROOF

- Final hearing, **26:13**
- Obedience to law, **8:4**

SUBPOENAS

- Right to issue, **21:27**

SUMMONS

- Revocation proceedings, **23:10**

SUPERVISED RELEASE

- Federal laws, **5:12**
- Interstate compact, **24:3**

SUPERVISION

- Authority, **17:2**
- Duties and roles, **17:4**

THIRD PERSONS

- Restitution to, **11:9**

TIME SERVED

- Statutory law, **28:3**

TIMING

- Final hearing, **26:4**
- Interstate Agreement on Detainers Act, time limitations, **24:6.50**
- Preliminary hearing, **25:14**

URINE TESTS

- Drugs and alcoholic beverages, **13:5, 13:11**

VAGUE CONDITIONS

- Generally, **7:19**

VICTIM

- Nature of, **2:8**
- Notification laws, **18:10**

VIOLENT OFFENDERS

- Eligibility for parole, **4:15**

VOLUNTEER WORK

- Generally, **10:22**
- Purposes, **10:23**

VOLUNTEER WORK—Cont'd

Statutory authority, **10:24**

VOTING

Parole board, **4:4**

WAIVERS

Preliminary hearing, **25:11**

WARRANT

Arrest warrant, revocation proceedings, **23:10**

Revocation, **18:13**

WEAPONS

Limits on possession or use of, **8:13**

WILLFULNESS

Willful failure to pay court-ordered restitution, fine, or court costs, revocation due to, **19:17**

WITNESSES

Adverse witnesses, confrontation and cross-examination of, **20:6**

Confrontation and cross-examination, **20:6, 21:35, 21:41**

Right to confront and cross examine generally, **21:31**
cross-examination, **21:35, 21:41**
denial of confrontation, reasons for, **21:35**

WRITTEN COPY

Conflict between oral pronouncement and written sentence, **5:14**

Failure to provide written copy of probation conditions, **22:26**