

EFFINGHAM COUNTY PROBATION

PROBATION HANDBOOK

This handbook has been designed to assist you with meeting the requirements of probation. It provides general information concerning rules, requirements, policies and programs. It is not meant to replace open communication with your Probation Officer or your understanding of your court-ordered conditions. We encourage you to ask questions so you can completely understand what is being required of you and what you need to do to successfully complete the conditions of the Court's sentence. It is your responsibility to be actively involved in this process and to keep your Probation Officer informed of any problems or concerns which might develop during your term under supervision.



EFFINGHAM COUNTY PROBATION

**Physical Address: 901 North Pine Street
Springfield, GA 31329**

**Mailing Address: 902 North Pine Street
Springfield, GA 31329**

**PHONE: 912-754-4155
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**Office Hours:
Monday through Friday, 8:00am – 4:30pm**

**Reporting Hours:
Monday through Friday, 8:00 – 11:00 am OR 1:00 – 4:00 pm
By appointment**

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CONDITIONS OF PROBATION

During your court appearance, the Judge sentenced you to a period of time in jail. However, you are being allowed to serve this time on probation, provided that you follow certain terms of probation and any other conditions required by the Court or State or Federal law. The sentence/disposition order and conditions of probation are very important documents that you should familiarize yourself with, since they list all the things the Court expects of you during your time on probation. This handbook is designed to assist you with understanding the conditions. You should discuss any questions with your probation officer.

General conditions of probation are dictated by Georgia law and apply to all persons serving time under probation. Remember, your case may have other conditions imposed that are not listed below. The general conditions are as follows:

1. Do not violate the criminal laws of any governmental unit. This means you should not have any new arrests or traffic tickets while you are on probation. Arrest for any criminal act, **even if you are not convicted in a court of law**, can be a violation of probation. If you are arrested for new charges while on probation, you must inform your Probation Officer immediately. It is best for you to discuss the incident with your Officer, instead of him/her finding out about it through other means.
2. Avoid injurious and vicious habit. This especially includes alcoholic intoxication and narcotics and other dangerous drugs unless prescribed lawfully. While on probation, you should avoid consuming alcohol. Alcohol has found to causes additional problems for our probationers, even if consumed in a private residence. We stress a zero tolerance policy for that reason. No drug use will be tolerated. You should inform your Probation Officer if you are taking any prescription medications, and be prepared to bring the bottles to your appointment. **Never come to the probation office under the influence of alcohol or other drugs.** This will violate your probation.
3. Avoid persons and places of disreputable or harmful character. Many times, probationers find themselves in jail because of their choices in friends and gathering places. Therefore, you should not be around people who are using alcohol or drugs. You should not be around other people who are on probation or parole. Places such as nightclubs, bars, pool halls and any other location where alcohol is a main focus are to be avoided. Parties (even in private homes) where alcohol and drugs are present must also be avoided. Places where law enforcement is routinely called due to drugs, fights or other criminal activity are also "off limits".
4. Report to Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. You are given a new appointment each month, in writing. It is **your** responsibility to keep up with your appointments. It is also your responsibility to call our office if you are unable to attend your appointment for any reason. **DO NOT RELY ON YOUR FAMILY TO KEEP UP WITH YOUR APPOINTMENT OR MAKE CALLS FOR YOU!** You are the person on probation, not them. You will be held responsible for missed appointments. As long as you keep your appointments and adhere to the other general conditions of probation, there is little chance we will need to visit you at home or work.
5. Work faithfully at suitable employment insofar as may be possible. Your Probation Officer will review your employment information. Be prepared to provide proof of employment in some circumstances. Probationers should not work in bars or adult entertainment establishments unless first discussed with the Probation Supervisor. If you become unemployed, you will be required to actively seek work – you may be required to provide documentation of applications. If you are disabled and unable to work, you may be required to provide documentation from doctors or Social Security. If you are a student or "stay at home" parent, you will need to discuss your plans for paying your financial obligations to the Court with your Probation Officer.

6. Do not change your present place of abode, move outside the jurisdiction of the Court or leave the State for any period of time without prior permission of your Probation Officer. If you move to a new address or change your phone number, you must inform your Probation Officer **BEFORE** you actually move. If you plan to travel outside the State of Georgia, you must provide detailed information to your Probation Officer prior to the trip. He/she will provide needed paperwork that may save you from an arrest if you were to have contact with police outside of Georgia. Please let your probation officer know ahead of time before leaving to go out of town.
7. Support your legal dependents to the best of your ability. If you have child support obligations, make sure you keep your payments up to date. Make your child support payments in the amount and manner ordered by the Court. If you were ordered to pay child support through the Child Support Enforcement Office (Family Registry), you must follow that order – if you make payments directly to the custodial parent, there is no accounting of your payments and you could be held in contempt, which violates your probation.
8. Submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming as directed by the Probation Officer. Probationer shall, from time to time upon oral or written request by any Probation Officer, produce a breath, urine and/or blood specimen for analysis for the possible presence of a substance prohibited or controlled by any law of the State of Georgia or of the United States. Your Probation Officer may request that you take a drug or alcohol test at any time, regardless of what kind of charge you are on probation for. Drug testing will be further explained in a separate section of the handbook. If you request for your urine sample to be sent off to the lab by the Effingham County Probation Office and results come back positive you will be responsible for associated fees which will be added to your account. If results come back negative you will not be responsible for these fees. Your Probation Officer will discuss these fees with you.
9. Make restitution as ordered by the Court. In cases where a victim has suffered some type of financial or monetary loss, the Court may order payment of restitution to the defendant as a condition of probation. This is covered in more detail in a separate section of the handbook.

Our Probation Officers want to see you successfully complete your probation, and we are here to work with and help you. However, we are also obligated to notify the Court if you fall short of your agreement. If you violate your probation, you can be arrested and possibly sentenced (revoked) to serve the remainder of your probated sentence in jail. Honest communication with your Probation Officer is an important part of making sure that doesn't happen.

In the pages that follow, we will give you general information about many of the Court's common requirements. Some of them may not apply to you, but many of them will. There may be specific conditions for your case that are not addressed in the handbook, so please ask us if you have questions.

FINANCIAL OBLIGATIONS

The Court has ordered some financial obligations as part of your probation. These can be complicated because fines have additional State-mandated surcharges and fees that can add up quickly. These surcharges are generally percentages of the "base fine" announced by the Judge during Court, and they are set by State law, not the Court. Money collected for the majority of these surcharges goes to the State of Georgia, not Effingham County. Please talk with your Probation Officer if you have questions about your fine total. We will be glad to show you a detailed accounting of all fines, fees and restitution.

Probation fees are \$50.00 each month. Fees are imposed to cover the costs of supervising your probation. This fee is in addition to your fines and restitution (if applicable). A portion of this fee is mandated by State Law to be sent to the Georgia Crime Victims' Emergency Fund.

Restitution may be ordered by the Court in certain cases. This is money that you repay through the Probation Office for things like bad checks, victims' medical bills or repairs to damaged property.

Your Probation Officer will complete a payment plan for your case. He/she will add fines, fees and restitution together for your term of probation, and divide the total into monthly payments. All monthly payment amounts will include the probation fee – you will not need to make separate payments. We do not charge “interest” or “late charges”. You will be expected to make monthly payments toward your financial obligations. If you are unable to make your payment, you may perform community service work to work off your financial obligations at a rate of \$7.25 per hour. This means for every hour of community service work you complete \$7.25 will be taken off of your fine balance or fee balance. You are not to wait until the last minute to pay Court ordered monies. The Judge should be able to see steady, monthly progress toward completion of your conditions of probation.

Paying out Total Balance – You may pay your total fine balance in full, however you may not pay your supervision fees in advance.

You should keep your appointments with your Probation Officer even if you are unable to pay on that particular day. We can make arrangements for payments to be made at a different time. If you just don't show up for an appointment, we have no way of knowing your financial situation and can only assume that you have decided not to follow the Court's order. Once again – talk to your Probation Officer!

COMMUNITY SERVICE

If the Judge has ordered you to complete community service hours, you will be given all of the necessary documents at your first appointment with the Probation Office. We have several sites in Effingham, Chatham, Screven and Bulloch counties that accept our community service workers. You will need to take written referrals and timesheets from our office to these community service sites, which we will provide. In certain cases, you may be allowed to complete community service hours with organizations that are not already on our list. However, you will need to get the approval from your Probation Officer **BEFORE** you start any work with them. All community service sites must be non-profit (charity) agencies, or government agencies – **NO WORK WILL BE DONE FOR PRIVATE CITIZENS, CHURCHES OR COMPANIES.** If you do not get prior approval of a community service site, you will not get credit for the hours you have already completed. Your Probation Officer will be glad to work with you in finding a community service site that is appropriate due to work schedule, transportation needs or any medical disabilities.

The Judge may specify a time limit to complete all of your community service hours. If he does not, your Probation Officer will set the time limit for you. It is your responsibility to make sure that your time sheet is documented correctly. It is also your responsibility to make sure you turn in your time sheet to your probation officer. **DO NOT** wait until the last minute to do community service. It has been our experience that probationers who keep putting off community service end up in an unpleasant situation with their employers or even worse, the Judge.

Please understand that community service is a Court ordered condition of probation, just like fines and reporting. Your probation can be revoked for failure to complete community service **EVEN IF** you have kept your appointments, made your payments and have not been arrested for any new charges.

ALCOHOL/DRUG RISK REDUCTION PROGRAM (DUI SCHOOL)

The Court may require that you attend and complete DUI School. Your Probation Officer will provide information about school locations, class dates and costs associated with the program. You may attend the school at any location you choose, provided it is a State-licensed program. At this time, Georgia does not recognize completion of any "online" driver improvement classes. Your Probation Officer will discuss any deadlines to complete DUI School. Once you complete the program, please bring in your certificate of completion to your probation officer so he/she can make a copy for your file.

In some cases, the Judge may not order you to complete DUI School, but the State of Georgia will require you to complete the classes if you ever wish to have your driver's license reinstated. An example of this is a Possession of Marijuana charge. You may not have been charged with DUI, or even been in a car, but Georgia will suspend your license until you complete DUI School and go through the reinstatement process.

ALCOHOL/DRUG ASSESSMENT OR CLINICAL EVALUATION

If you have been ordered to undergo an alcohol/drug assessment or clinical evaluation, your Probation Officer will assist you with this process. The Officer will provide a provider list with phone numbers for counselors and/or clinics in your area. You will be responsible for scheduling an appointment for your assessment or evaluation within the time specified by the Probation Officer. Your Probation Officer will give you a referral sheet for the evaluator to complete and return to us. The Court may require you to follow whatever recommendation the evaluator makes. This may mean you will be attending individual counseling, group sessions or certain types of classes. Failing to attend counseling, sessions or classes as directed may result in termination from the program which is a violation of your probation.

Certain offenses, like 2nd and 3rd DUI, require completion of the evaluation and any recommended treatment before you will be eligible to get any kind of driving permit or license.

DOMESTIC VIOLENCE/ANGER MANAGEMENT PROGRAMS

The Court may order you to complete an assessment, and, if recommended, a treatment program through a Domestic Violence counseling agency or Anger Management program. Your Probation Officer will provide you with the referral forms. You will be expected to pay the fees associated with these programs. In some cases, an indigence affidavit may be completed to qualify for reduced fees. These programs are certified by the State, so they must conform to certain standards, including the length of the program. Domestic Violence treatment lasts 24 weeks and Anger Management lasts 15, so you will be expected to enroll very quickly once your probation starts.

DRUG AND ALCOHOL TESTING

Any probationer may be tested for alcohol and/or drugs at any time no matter what you are on probation for. We have testing equipment in our office, so these tests will be done at no charge. Since these tests are performed randomly, you may be called in at any time by your Probation Officer to provide a sample for testing – not just on appointment days. You should bring any prescriptions you have taken in the past 30 days to every appointment or called-in drug screen.

If you contest the results of your drug screen, your sample will be sent off to have a confirmation test performed. Costs for these confirmation tests range from \$25.00 to \$50.00 per drug and will be your responsibility. Refusing drug/alcohol tests, failing to provide a sample after being given a reasonable amount of time or failing to report for a test after being called in will be considered a violation of probation.

Taking medications (especially narcotics) that are prescribed for others is a felony – and a violation of probation. Also, we have a research report that shows exposure to secondhand marijuana smoke did not result in enough THC being ingested by innocent bystanders to show positive for marijuana on urine testing. Therefore, “being around” others smoking marijuana will not be accepted as a response to a positive drug screen (and is a violation of general condition #3), so you will be held responsible to pay the consequences. We will provide copies of this report upon request.

WARRANTS AND TOLLING AFFIDAVITS

Should you violate the terms and conditions of your probated sentence, i.e.: a new arrest, a positive drug screen, or failing to report as scheduled, your probation officer may request a warrant from the sentencing judge for your arrest for violation of probation. Should you fail to report as scheduled or directed, the probation staff will make attempts to contact you through 1st class mail, phone numbers and e-mail. Failure to respond to these attempts to contact you will result in the probation officer requesting a warrant for your arrest for violation of probation from the sentencing Judge. Your Officer may also request that the warrant be tolled (stop/hold placed on the running of your probated sentence until such time as you are arrested or are available to the Court). This means that if you have a 12-month sentence and with six months left on your sentence, a warrant and tolling order are issued, the remaining six months of your sentence does not just go away. You will still have to deal with the violation and the remainder of your sentence once you have been arrested or report. Your probation officer can give you further details on this.

ONCE AGAIN, THERE MAY BE CONDITIONS OF YOUR PROBATION THAT ARE NOT INCLUDED HERE. YOUR PROBATION OFFICER WILL DISCUSS THEM WITH YOU – PLEASE ASK IF YOU HAVE QUESTIONS.

FREQUENTLY ASKED QUESTIONS

What should I bring to my appointment?

- Proof of any community service hours you have completed.
- Certificates for any schools or treatment you have completed.
- Addresses and phone numbers if your residence and/or job has changed
- Monthly payments
- Any prescriptions you have taken in the past 30 days
- Any other documents requested by your Probation Officer at prior visits

What are the rules for reporting?

You should report on your assigned day during our appointment hours. We expect you to keep your appointment. If you find that you will be unable to keep your appointment, you must speak directly with your Probation Officer. You are not to have family members handle probation matters for you. **DO NOT JUST SHOW UP WITHOUT AN APPOINTMENT.** We schedule appointments for days that we are not required to be in court. If, for some reason, you report for your assigned appointment and your Probation Officer is not in, he/she will have left instructions for the other staff.

What if I miss my appointment?

Missing appointments is a violation of probation. This can have serious consequences, so you should call your Probation Officer as soon as possible after a missed appointment. You must speak with your Probation Officer directly. If possible, you will be given a new appointment. **DO NOT JUST SHOW UP WITHOUT SPEAKING TO YOUR PROBATION OFFICER FIRST.** If we are in Court, you will be required to return at another time. If we have other people waiting who are scheduled, you will be required to wait until they are all seen or return at another time.

What if I live outside of Effingham County?

Probationers living in counties adjacent to Effingham (Chatham, Bulloch, Screven, Bryan) will be required to report in person, unless otherwise ordered by the Judge. Those living outside the area may be placed on a mail-in status. Mail-in requirements will be discussed between the Probation Officer and the probationer.

Can I terminate probation early?

The Judge may have specified during your sentencing that you are eligible for early termination upon meeting certain conditions. If this is an option for you, your Probation Officer will discuss it with you. In certain cases, you may be eligible for non-reporting status if certain conditions are met. Your Probation Officer will inform you if this is possible.

What happens if I can't get everything done in time?

It is your responsibility to complete every obligation that has been set by the sentencing Court. If you find you are having problems, please discuss it with your Probation Officer. We will do everything that we can to assist you. If you still cannot meet the Court's requirements, we are obligated to report this to the Judge. The Judge will usually schedule a Probation Hearing, which is a formal court appearance.

What happens if I am arrested on a probation violation?

If you are arrested in Effingham County, you could be held in the Effingham County Jail until a Probation Revocation Hearing. Upon being detained in the Effingham County Jail the probation staff has 72 working hours to visit you in jail, serve a notice of your court date and discuss the case with you. There is no need to have family members or jail employees call our office with messages from you. Your probation officer will discuss the case with you at the appropriate time. If you have not reported to the probation office for months or even years before you were arrested, do not expect the probation officer to drop everything to tend to your case. If you are arrested outside of Effingham County, and have no new charges, you will be transported to the Effingham County jail to await the Probation Revocation Hearing. If you have new charges, you will have to wait until you have either bonded or been sentenced on the new charges to be transported to Effingham County. We will not attempt to handle your case while you are being held in an out-of-town jail.

How and when do I make my payments?

You should plan on making your payment each month when you report to your Probation Officer. All payments should be in the form of a Money Order or Cashier's Check. We do not accept Personal Checks, Business Checks or Wire Transfers. You may also make payments **ONLINE ONLY** with your credit or debit card. Go to the following internet link and follow instructions to make online payments: <https://client.pointandpay.net/web/EffinghamCoProbation/>. You will need your case number, which can be found on your sentence sheet which was given to you at Court, or by calling your Probation Officer.

OFFICE RULES AND PROCEDURES

- No smoking is allowed in our building. Do not bring cigarette or cigar butts into our office.
- You must sign in with the Administrative Assistant at the front window. If you need to leave the waiting room for any reason, make sure you let our staff know.
- Sometimes our office is not an ideal environment for children. If at all possible, children should not be brought to your appointments. If it is necessary to bring children to your appointment, you are responsible for making sure they remain seated and are not disruptive to the business environment.
- NEVER BRING ANY KIND OF WEAPONS TO THE PROBATION OFFICE. All persons who enter our office and all items brought in are subject to search, and if applicable, confiscation and prosecution.
- Payments made at the payment window are to be in the form of money orders or cashier's checks – NO EXCEPTIONS.

PHONE SYSTEM RULES

When calling our office, you will reach an automated system. Listen carefully, and the system will allow you to choose extensions for probation officers or accounting. If you reach their voice mail, the person you need to speak to is either unavailable or on another line. Probationers may NOT leave messages to change appointments. You must continue to call until you speak directly with your probation officer. DO NOT continue to press extensions if your probation officer is not available. You will only be reminded of who your probation officer is, and the phone system rules, and then forwarded back to your officer's extension. YOU ARE **NEVER** TO ATTEMPT TO REACH YOUR PROBATION OFFICER AT HOME OR OTHERWISE OUTSIDE OF THE OFFICE. FAMILY MEMBERS ARE NOT TO CALL TO RESCHEDULE YOUR APPOINTMENTS. You are the person on probation and you will be held responsible for completion of the conditions of probation.

We understand that probation is not what most people consider a pleasant experience. We strive to serve the Courts and the citizens of Effingham County in an efficient and professional manner. You will find your time on probation to be much less stressful if you follow the Court's orders and conditions of probation. While we recognize that certain circumstances that arise during probation may cause distress in some families, our office staff will not tolerate general rudeness, vulgarity, aggressive or threatening behavior.

Please let us know if you have any questions, concerns or require further clarification of any of the material contained in this handbook.