

NEBRASKA ADMINISTRATIVE CODE

TITLE 270 - NEBRASKA BOARD OF PAROLE

Chapter 8 - Conditions of Parole

001 When a committed offender is released on parole, the Board shall require as a condition of parole that the parolee refrain from engaging in criminal conduct and may require the offender to submit to periodic testing for drug and alcohol use.

002 Mandatory conditions set forth in the Certificate of Parole are as follows:

002.01 GENERAL CONDITIONS

002.01A LAWS: You shall obey all city, county, state, and federal laws, ordinances, and orders; and conduct yourself as a good citizen. All contacts with Law Enforcement shall be reported to your parole officer at the earliest opportunity.

002.01B RELEASE: Upon release from the institution, you are to go directly to the program approved by the Parole Board, and shall report to your assigned parole officer, or other persons designated by the Parole Administration, within twenty-four (24) hours of being granted a parole.

002.01C TRAVEL: You shall receive verbal permission from your , assigned parole officer, or his/her immediate supervisor, before leaving your approved county of residence. You shall not leave the State of Nebraska without first obtaining written permission from the Board of Parole. (IT IS A FELONY FOR A PAROLEE TO LEAVE THE STATE WITHOUT PERMISSION, AND IS PUNISHABLE BY UP TO FIVE (5) YEARS IMPRISONMENT.) Written permission to travel to a designated state does not grant permission to travel to any other state.

002.01D RESIDENCE: You shall not change your approved place of residence without first obtaining permission from your assigned parole officer.

002.02 SPECIFIC CONDITIONS

002.02A EMPLOYMENT/EDUCATION PROGRAM: You shall maintain an approved employment/education program, and shall not change this program without first obtaining permission from your assigned parole officer.

002.02B REPORTING: You shall submit a written report to your assigned parole officer during the first five working days of each month and report in person at such times and places as directed by Parole Administration staff.

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002.02C DIRECTIVES: You shall obey all written or verbal directives of your parole officer and any other personnel of the Parole Administration.

002.02D ABSCONDING: You shall keep your parole officer advised of your whereabouts at all times, and failure to do so will be considered a violation of parole supervision. (IF YOU ABSCOND PAROLE SUPERVISION, YOU WILL PAY ALL EXPENSES INCURRED IN YOUR RETURN.)

002.02E ASSOCIATES: You shall not associate with persons known to be engaged in criminal activities, nor with persons known to have been convicted of a crime, without written permission from your parole officer.

002.02F FINANCIAL OBLIGATIONS: You shall provide for the financial needs of your dependents including any court ordered child support payments, restitution and/or fines. You shall confer with your parole officer before entering into any major credit transactions.

002.02G SEARCH AND SEIZURE: You shall permit your parole officer and/or personnel of Parole Administration to conduct routine searches of your person, residence, vehicle, or any property under your control, at such times as they deem necessary.

002.02H WEAPONS: You shall not possess, own, carry, or have under your control any type of weapon.

002.02I NARCOTICS: You shall not use, purchase, sell, nor possess any narcotic or dangerous drug unless first proscribed by a licensed physician. You shall submit to narcotic or drug testing as required by any parole staff or law enforcement officer.

002.02J INTOXICANTS: You shall not consume any alcoholic beverages nor be in any bars, taverns, or business establishments where the sale of alcoholic beverages is the primary business. You shall submit to a medically recognized test for blood alcohol content at the request of any parole staff or law enforcement officer.

002.03 SPECIAL CONDITIONS: Any or all of the following special conditions may be approved by the Board and included in the Certificate of Parole:

002.03A Submit to medical and/or psychological treatment.

002.03B Attend marriage counseling.

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002.03C Not to own or drive a motor vehicle.

002.03D Not to apply for credit cards nor to have checking accounts.

002.03E Not to visit a specific location or area.

002.03F Not to act as an undercover or special agent for law enforcement agencies without special written permission of the board.

002.03G Satisfy any other conditions specially related to the cause of his/her offense not unduly restrictive of his/her liberty or conscience.

003 Also contained in the Certificate of Parole is a statement that the parolee understands and agrees to the conditions of release on parole and understands the possible consequences for violations of these conditions. That statement is as follows:

"I, _____, an inmate of the Department of Correctional Services, hereby declare that I have carefully read, or heard read, and do clearly understand the contents and conditions of this parole agreement. I accept the conditions and agree to comply with them. I understand that if it is alleged that I have violated a condition or conditions of my parole agreement, I am entitled to a preliminary hearing to determine if probable cause exists. I understand that if probable cause is found, the Board of Parole may order my return to the institution for a hearing, after which parole may be revoked. Revocation of parole could result in my recommitment for the remainder of my maximum prison term and forfeiture of good time which applies to the law under which I was sentenced. Further, I hereby freely waive extradition proceedings and will willingly return to the appropriate correctional facility without the Governor's requisition when such return is ordered by the Board of Parole."

STATUTORY AUTHORITY

83-1,116
83-1,124