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**RULES AND REGULATIONS GOVERNING  
THE CONDITIONS OF  
PROBATION AND PAROLE**

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**Missouri Board of Probation and Parole  
P. O. Box 267  
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## P R E F A C E

**TO:**

**THE INMATE OF THE MISSOURI DEPARTMENT OF CORRECTIONS RELEASED ON PAROLE; AND TO ANY PERSON PLACED ON PROBATION: HIS FAMILY, RELATIVES AND FRIENDS.**

This booklet has been revised and amended as a result of changes in the Conditions of Probation and Parole. The previous booklets of a similar nature, printed with a green cover and issued in April, 1967 and September, 1968, are obsolete.

This booklet is provided to help you understand the several Conditions of your parole issued by the Missouri Board of Probation and Parole or the Conditions of your probation as imposed by the sentencing court. The specific Conditions of your probation as imposed by the sentencing court may be amended, deleted, or additional Conditions added at the discretion of the court. We have endeavored to clearly define the Conditions of your parole or probation, and the reasons that these Conditions are imposed.

**BY WHAT AUTHORITY DOES THE BOARD OR THE COURT DETERMINE CONDITIONS OF PAROLE AND PROBATION?**

The Board has the authority to determine conditions of parole under Section 549.261 (4) RSMo 1969: "The board may adopt such other rules not inconsistent with law as it may deem proper or necessary, with respect to

the eligibility of prisoners for parole, the conduct of parole hearings or **conditions to be imposed upon parolees**. Whenever an order for parole is issued it shall recite the conditions thereof."

Both the Board and the court have the authority to determine conditions of probation.

Section 549.071 (1) RSMo 1969, reads: "... the court before whom the conviction was had, if satisfied that the defendant, if permitted to go at large, would not again violate the law, may in its discretion, by order of record, suspend the imposition of sentence or may pronounce sentence and suspend the execution thereof and may also place the defendant on probation **upon such conditions as the court sees fit to impose.**"

Section 549.251 RSMo 1969, reads: "1. **The board may adopt general rules and regulations concerning the conditions of probation** applicable to cases in the courts for which it provides probation service. Nothing herein, however, shall limit the authority of the court to impose or modify any general or specific conditions of probation.

"2. The probation officer may recommend and, by order duly entered, **the court may impose and may at any time modify any conditions of probation.** The court shall cause a copy of any such order to be delivered to the probation officer and the pro-

bationer."

Section 549.193 RSMo 1969, which pertains to probation granted by a magistrate judge, reads: "... every magistrate shall have those powers granted to a circuit court ... to parole any person, or to place any person on probation ... **on such conditions as the magistrate may consider reasonable and just ...**"

The following are the Conditions of Parole or Probation:

1. I shall obey all laws and ordinances of the United States, State, County or Municipality. All arrests for any reason must be reported without delay to my probation and parole officer.

All of us are expected to obey the laws. If you are arrested at any time for any reason, you must report this arrest to your probation and parole officer without delay. Without delay does not mean your next reporting day or a week from the time you have been arrested. It means just what it says, "without delay."

Of special importance is a new federal law known as the Federal Gun Control Act, which makes it an offense for any person convicted of a felony offense, whether placed on probation or subsequently released on parole, to own or possess any firearms or explosives. You will need to discuss with your probation and parole officer some method of disposing of any firearms or explosives that you may have in order to avoid the possibilities of arrest and conviction under this gun control law.

2. I shall obtain advance permission from my probation and parole officer before leav-

ing the state or the area in which I am living. The probation and parole officer is authorized to determine this area.

Your probation and parole officer must always know where you are. The main concern is in regard to your area of travel. If you travel outside the State of Missouri, there are certain regulations and requirements that you must follow. A travel permit will have to be issued to you by the probation and parole officer whenever you have reason or desire to travel outside of this state. Since there is a certain amount of paper work involved in preparing these travel permits, you should discuss this with your probation and parole officer far enough in advance to allow time for the proper papers to be prepared. Travel permits for travel outside the State of Missouri may be issued on short notice, only in cases of emergency, such as serious illness or death in the family.

If you have to travel outside the area or community in which you live, the probation and parole officer is authorized to determine this general area. There may be times when you will be living in one community and working in another. When this does occur the probation and parole officer usually limits your area of travel to these two communities. There may be other exceptions from time to time which should be discussed with your

probation and parole officer, who will then determine the area in which you will be allowed to travel, either on the basis of a written travel permit for each such occasion, or without getting his permission each time.

**3. I shall notify my probation and parole officer of any change of place of residency or loss of employment within 48 hours of the time this change is made by me.**

Since your probation and parole officer is at all times responsible for knowing your place of residence, it is essential for you to notify him within 48 hours of any change you must make in regard to where you are living. He may need to contact you for some reason; or he may be planning to stop at your home for a visit. Your failure to have informed him of a change in where you are living is a violation of your parole or probation.

In regard to the loss of employment, while it is never desirable to be without a job, it is possible to be laid off or fired from a job. A report to your probation and parole officer that your job has been terminated is to be made to him within 48 hours, so that he may help you in finding other employment.

The purpose of this rule is to keep you

and your probation and parole officer in close touch with each other.

**4. I shall obtain advance permission from my probation and parole officer before I quit my job.**

Changing or quitting a job is always a major decision in anyone's life. It is a decision that you need to discuss with your probation and parole officer before finally deciding what to do. Your probation and parole officer can point out the advantages and disadvantages of making this job change. There are many times when a decision of this kind is made on the spur of the moment and without too much thought. The purpose of this rule, therefore, is to help you avoid making a decision which you may very well regret later on by not being able to find another job quickly.

Any individual who must support himself, has a family to support, or debts to pay is expected to meet these obligations. This is no different for the person under supervision than it is for any citizen. By quitting your job, particularly if you have no other job specifically offered to you, you may very well not be able to support those for whom you are responsible and to meet your finan-

cial obligations. This, in turn, can and often does lead to further unlawful activities.

**5. I will not associate with any person who has been convicted of a felony or misdemeanor (other than minor traffic violations). I accept my responsibility to know with whom I am associating and that the only exception the Board (Court) will recognize is such association as may be incidental to my place of residency or employment.**

If you have taken the time to review your past life and think about how you got involved in difficulty with the law, many times you will have to admit that there has been association with other persons who also have been in trouble. This is a Condition of your parole or probation in order to help you avoid this mistake in the future. By signing the Order of Parole (Probation) you have accepted the responsibility to know with whom you associate. A considerable degree of caution is required in selecting your friends and associates.

There will be times when your work and place of residence will bring you in contact with persons who have been convicted of felonies and misdemeanors. The mere fact that you live in the same rooming house or

apartment house, or work at the same place of employment does not mean that you can associate outside of that residency or place of employment, and, indeed, such association is in violation of your parole or probation.

I am sure you are aware that once you have left the confines of the institution (or jail) it will be to your advantage to break off any friendships that you may have had while you were there. The first step in this regard is not to correspond or visit with any of these associates. The purpose of this is to help you start a new life, cutting off old ties that you may have had while in prison or in jail.

**6. I shall not have in my possession or use narcotics or any form of harmful drugs, except as prescribed for me by a licensed medical practitioner.**

The use or possession of any narcotic or harmful drug is totally illegal, both under state and federal laws. Therefore the use or possession of such drugs is not only a violation of the law, but is obviously a violation of your parole or probation as well. The only exception from this Condition are those drugs or narcotics as prescribed for you to use by a licensed medical practitioner.

**7. I shall obtain advance permission from my probation and parole officer before buying, trading or operating any motor vehicle.**

For many people automobiles are a necessity of life. They are a very expensive part of living. To help you avoid getting too deeply in debt during your parole or probation period your probation and parole officer will counsel with you in regard to buying or trading or operating any motor vehicle. A valid driver's license is required by law in order to avoid violation of the law. Since there is always the possibility of an accident and personal injury or property loss, it is highly advisable for you to obtain at least the minimum liability insurance to keep you from being sued for a large amount of money and suffering quite a financial loss. Liability insurance is a must for any sensible and thinking driver.

**8. I shall report regularly, as directed, to my probation and parole officer, and I agree to follow and abide by any directives given me by my probation and parole officer.**

Your probation and parole officer may have you report to him in a number of differ-

ent ways: such as your personal appearance at his office or some other designated place from time to time; to send in a monthly supervision report at a designated time; his request to see documents such as your check stubs, receipts for restitution or court costs, receipts for installment payments, income tax forms, etc. which will help your probation and parole officer in planning with you towards a successful parole or probation.

**If you try to contact your probation and parole officer by phone and he is not in at the time you call, you must identify yourself to someone in the office and tell them why you are calling or why you want to see your probation and parole officer. In this way the person at the office can inform your probation and parole officer of your call or your wish to see him, and the probation and parole officer can then get in touch with you as soon as he is able to do so.**

If you desire to marry, it is advisable for you to consult with your probation and parole officer and obtain his advice and suggestions. Your probation and parole officer may very well wish to interview your prospective marriage partner in order to make sure there are no legal barriers to the marriage, or misunderstandings between the two of you that might cause difficulties in your marriage at a later date. Obviously, you are not to live in a common law relationship,

since such is not legal in the State of Missouri. Another of the directives could be regarding installment buying of any kind of merchandise. Buying a particular article on installment is very easy to do, but installment payments are not always easy to make. To help you avoid getting into financial difficulty you should discuss installment purchasing with your probation and parole officer.

### 9. Special Conditions:

Both the Board of Probation and Parole and the court that has placed you on probation have the authority to determine Special Conditions of your parole or probation supervision period as stated in the Preface of this booklet. Depending upon the circumstances and the situation of the individual person, Special Conditions may include such things as, but not limited to, the following examples: the consumption of alcoholic beverages; your parole which involves a consecutive sentence; release under parole or probation to a half-way house; release under parole or probation to an educational or vocational training program; release under parole or probation for medical or emotional treatment; the imposition by the court of court costs, fines, restitution; or the order to require that you

not visit a specific location or area. These are but examples of the Special Conditions that may be imposed. They are as important as any of the preceding 8 Conditions of Parole or Probation, and failure to abide by any Special Conditions as stated on your Order of Parole or Order of Probation will be considered a violation of your parole or your probation.

It may appear rather difficult to abide by the Conditions of Parole or Probation. They are, however, the set of rules which you and your probation and parole officer will use in working together to help you successfully complete your period of parole or probation.

If you will form a close relationship with your probation and parole officer, one in which you can talk freely with him and there can be a mutual feeling of trust, you should be able to follow these rules without much difficulty. It is indeed foolish of you, your family, or your employer not to discuss the problems that you will usually encounter, whether these be personal problems of your own, or involving your family or employment, or your acceptance by the local community.

Minor problems that are not discussed with your probation and parole officer al-

most always become serious problems. Then by the time it becomes necessary to discuss these problems with your probation and parole officer, it may be too late to do anything about them. It is the person who does not confide in his probation and parole officer and does not discuss the problems that he is facing with the probation and parole officer, who usually ends up violating the Conditions of his Parole or Probation and being returned to the court or the prison.

Remember, your probation and parole officer desires that you successfully complete your parole or probation: It is his job to try to help you do so.

(Published in compliance with Section 549.217  
(1) RSMo 1969.)

**END**