

DPCA-10A (8/96)

**Albany County Probation Department
ORDER AND CONDITIONS OF ADULT PROBATION**

Albany County

Part II

Albany

Ind/Docket No.: 31-2649 Year: 2009

Defendant Yaakov Weiss having been convicted of:

PL 260.10 01 A M O ACT IN MANNER INJURE CHILD LESS THAN 17

is this day ORDERED sentenced to probation for a period of 3 years to expire on 3/7/13 unless terminated by the Court prior to the aforementioned date. While on probation, said defendant is ORDERED to comply with the following conditions and any others which the Court may impose at a later date and to follow the instructions of the probation officer as to the way in which these conditions are to be carried out:

GENERAL CONDITIONS:

1. Answer truthfully all reasonable inquiries by the Probation Officer and notify the Probation Officer prior to any change in address or employment.
2. Remain within the jurisdiction of the Court unless granted permission to leave by Court or the Probation Officer.
3. Report to a Probation Officer as directed by the Court or the Probation Officer and permit the Probation Officer to visit him at his place of abode or elsewhere.
4. Maintain a residence as approved by the Probation Department.
5. Refrain from committing any additional crime, offense, violation or other illegal activity.
6. Advise the supervising Probation Officer of any re-arrest within 24 hours.
7. Allow the Probation Department to exchange information with agencies who conduct criminal investigations.
8. Provide a sample for DNA testing as mandated by executive Law 995-c for Designated offenders, or pursuant to the Subject Index as authorized by Executive Law Article 49B, excluding Youthful Offender.

SPECIAL CONDITIONS:

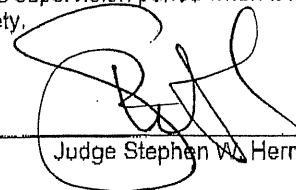
1. Serve 60 days in the Albany County Penitentiary to commence on 3/8/2010
2. Maintain verifiable full-time employment, and, or attend school on a regular basis. Should it be deemed appropriate, the defendant shall attend the Albany County Probation Department Offender Workforce Development Program and or Probation/Trinity Institute Development Program, until successful completion of said programs.
3. No hunting license or pistol permit.
4. Sign appropriate HIPAA/Mental Hygiene compliant authorization when requested by Probation Department.
5. Submit to a search of his person, premises, residence, vehicle and area under his immediate control without prior notification as deemed appropriate by the Probation Department.
6. As recommended, Probationer shall attend, fully cooperate with, and participate in, and successfully complete sex offender treatment at an ATSA (Association for the Treatment of Sexual Abusers) participating provider. Probationer will be fully responsible to bear the financial responsibility for treatment. Successful completion will be determined by the treatment provider and/or the Probation Department; both subject to Court review. Probationer will sign a HIPAA/Mental Health compliant authorization release allowing the Probation Department and the Court access to treatment records.
7. Submit and cooperate with polygraph examinations as determined necessary by the Probation Department and/or treatment provider. Polygraph examinations will be conducted by a provider deemed appropriate by the Probation Department and/or ATSA certified sex offender treatment provider. Client will be fully responsible to bear financial responsibility for polygraph examinations.
8. Have no contact with your victims until approved by the Court, your therapist, Probation Officer, victim's therapist, victim's guardian (if the victim is a child) and Child Protective Services caseworker.
9. Not to have children's toys or children's books in your possession unless approved by the Probation Department, except those of his own children.
10. Inform all persons with whom you have a significant relationship with, whom you have a close affiliation, or with whom you reside, of your offending history. Your therapist and/or Probation Officer will determine who shall be informed.
11. Not to use/possess/view pornography, erotica, or any other sexually stimulating material or items and not to enter adult book stores, sex shops, topless and/or nude bars, massage parlors, or any other establishment that your Probation Officer deems inappropriate.
12. Probationer will notify Probation Officer or Designee of any/all computers being used/accessed, including ownership and location. Probation will determine the number of computers client is allowed and/or access to within the household. Furthermore, abide by the following special conditions:
13. Submit to a mental health evaluation as deemed appropriate by the Probation Department, and, if recommended, participate in treatment until successful completion of such program. The defendant will sign a HIPAA/Mental Hygiene compliant authorization allowing the Probation Department and the Court access to treatment records. The defendant shall be

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- responsible to bear the cost of such treatment, as required by the treatment agency.
14. Probationer will provide all personal/business phone and internet service provider records to the supervising Probation Officer upon request.
 15. Probationer must obtain prior approval from the supervising Probation Officer to use the internet to access social networking websites. Billing/transaction records will be submitted to the Probation Officer upon request.
 16. Probationer is prohibited from using any form of encryption, cryptography, stenography, compression and/or other method that might limit access/delete/rewrite, or change the appearance of data and/or images.
 17. Probationer agrees to unannounced examination by the supervising Probation Officer or designees of any and all computer(s) and/or other electronic device(s) to which he/she has access. This includes access to all data and/or images stored on hard disk drives, floppy diskettes, CD ROMs, optical discs, magnetic tapes and/or any other storage media whether installed within a device or removable. The examination may take place where the computer is located or it may be removed and done in a timely manner by the Probation Department. In the event illegal or prohibited material is located, the Probationer further agrees to a forensic examination.
 18. Probationer agrees to remove any hardware device including modem, network card, and/or other device that may be used to provide access to another computer or computers, furthermore agrees to supply any user names, passwords to allow access to computer hardware, software and internet connections.
 19. Consult with your Probation Officer and your therapist about your daily schedule and any additional activities. You will follow directions of your Probation Officer and your therapist to avoid those activities which your Probation Officer and therapist have determined might trigger your impulse to commit an additional offense.
 20. Not to drive alone with any passenger unless the person's name, address and phone number is reported to the Probation Officer, and the Probation Officer approves.
 21. Not to initiate, establish or maintain contact with any minor child under the age of 17, other than immediate family members, without a parent or legal guardian of such child actually present throughout such contact. Prior to such contact, the parent or legal guardian of such child must be made aware of the Probationer's offense history. Probationer may not be in a Mikvah pool or changing area at any time when a minor child is present.
 22. Not to enter places where children other than immediate family congregate, including but not limited to parks, playgrounds, schools, etc., without Probation or Court approval.
 23. Your employment must be approved by your therapist and/or Probation Officer. If so instructed by the supervising Probation Officer, employer must be told of nature of offense and probation status, and must sign a Release of Information for employer. Not to secure employment where persons under 17 are employed and present without permission of your Probation Officer or the Court.
 24. Not to own, have in possession, residence or motor vehicle any weapon as defined in Section 265.00 of the Penal Law. Further, shall not possess or own any instrument construed to be a weapon by the supervising Probation Officer, or a means of restraint or harm.
 25. Other than at current residence, Probationer must have prior permission of the Probation Officer to reside in an apartment complex, apartment building or mobile home park, and must inform the landlord/management of your offending history as deemed appropriate by your Probation Officer.
 26. Not to be away from approved residence overnight without the prior permission of the Probation Department.
 27. A copy of the Pre-Sentence Report prepared for this term of Probation may be released to any treatment agency to which you are referred.
 28. Report any changes in vehicle ownership, registration, or accessible vehicles to the Probation Department.
 29. Submit to and cooperate with GPS technology and monitoring at anytime during the supervision period when it is determined by probation, treatment providers, and the Court that it is necessary for public safety.
 30. Refrain from employment which involves contact with minors.

Dated: 3/8/2010



Judge Stephen W. Herrick

ACKNOWLEDGMENT

I have read and received a copy of the above Order and Conditions of Probation and agree to comply with them. I understand the conditions and that the Court may, at any time prior to the expiration or termination of the period of probation, modify or enlarge the conditions or, if I violate a condition or commit an additional offense other than a traffic infraction, revoke the sentence.

Dated: 3/2/10 Probationer: _____
 Witnessed by: _____ Address: 7 Longmead Pt. Albany NY 12211