

IN THE SUPERIOR COURT OF OCONEE COUNTY

STATE OF GEORGIA

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SUPERIOR/MAGISTRATE/  
JUVENILE COURT

STATE OF GEORGIA )

WARRANT NO(s). 24 MAR 29 AM 1:39

CASE NO(s). MGWF2023 000609  
JAMES L. JOHNSON  
OCONEE COUNTY, GEORGIA

vs )

CHARGE(s): SEXUAL EXPLOITATION  
OF CHILDREN

GERALD FLEMING

Defendant

**DEFENDANT WAS ARRESTED NOVEMBER 7, 2023.**

**ORDER SETTING SPECIAL CONDITION(S) OF BAIL/BOND**

**THE STATE HAS NOT PRESENTED THE CASE TO A GRAND JURY.**

The Court hereby orders that the above-named defendant be supervised by the Clarke County Probation Intensive Supervision Program as a special condition of bail/bond in the above styled case. Further, the Court orders that defendant be subject to the following special conditions.

Bail/Bond: The Court hereby sets BAIL / BOND at \$25,000.00 with  Good Security  Own Recognizance to be approved by the Sheriff of \_\_\_\_\_ County and conditioned upon the Defendant's appearance to answer the above-named charges, as required by law.

Electronic Monitoring:  GPS  R/F - House Arrest  Alcohol Monitoring

Defendant may not be released from the Clarke County Jail until an appropriate Electronic Monitoring device has been installed by the Intensive Supervision Officer or other designated official.  
Defendant is subject to the Terms of Participation for Electronic Monitoring incorporated by reference.

Residence: Defendant shall reside at: A RESIDENCE APPROVED BY I.S.P.

Curfew: Defendant shall be required to be present at the above-stated address during the following hours:

ALL DAY EVERY DAY

Exceptions:  During the curfew period the defendant is allowed to leave the above-stated residence/address only for the purposes of: (these exceptions must be approved by the ISP staff)

- Work  School
- Court  Attorney Visits
- Medical  (Other)
- ISP check-in

Restrictions:  The defendant shall not violate any local, State, or Federal laws.

Defendant is hereby barred from the following address(es) or area(s):  
\_\_\_\_\_

Defendant may not have any direct or indirect contact with the following person(s):  
\_\_\_\_\_

Defendant may only have non-violent contact with the following person(s):  
\_\_\_\_\_

Defendant shall not consume alcohol or use any illegal substance.  
Defendant shall not have any alcoholic beverages or illegal substances in his/her possession, residence, vehicle or any of his/her property.  
Defendant shall stay away from any establishment that sells alcoholic beverages.

Defendant shall not carry, possess, or use any weapons, including but not limited to knives and guns.

Drug Testing:  Defendant is subject to random drug and alcohol testing in the form of breath, blood, urine or saliva test at their own expense.

Additional Conditions: SEE ATTACHED EXHIBIT "A" INCORPORATED  
HEREIN BY REFERENCE.

Waivers:  The Defendant hereby VOLUNTARILY agrees to waive his or her rights related to unreasonable searches and seizures. The defendant understands that based on that waiver, any law enforcement officer, probation officer, parole officer or Intensive Supervision Officer may search them, their home, car or other areas under their control without the need of a search warrant or probable cause before doing so. The Defendant must, at any time, without warning, probable cause articulable suspicion or a search warrant, provide a sample of blood, urine, breath and/or saliva and submit to searches of his/her residence, workplace, vehicle, containers, records, and all other locations and items, by any law enforcement officer, probation officer, parole officer or Intensive Supervision Officer.


The Defendant waives any evidentiary objection(s) to the admissibility at any probation revocation hearing, bond revocation hearing or other court proceeding of statistical, GPS, or other reports generated from electronic monitoring equipment as well as the results from any drug screens.

Payment:  The defendant shall pay a reasonable, nonrefundable fee for program enrollment, equipment use, and monitoring to the provider based on a sliding scale. The defendant will pay these fees in a timely manner as specified in the terms of participation. Failure to make timely payments shall constitute a violation of the terms of the electronic pretrial release and monitoring program and may result in the defendant's immediate return to custody.

Indigency:  The court finds that the Defendant is indigent and therefore eligible to have his/her monitoring fees paid by the County Intensive Supervision Program indigent fund for a period of 90 DAYS.

Violations: Any violations of this order will subject the defendant to revocation of the bond. Upon testimony provided either under oath or by sworn affidavit, if sufficient probable cause is presented that the defendant has violated the terms of this order or the conditions of the pretrial release program, the defendant shall be subject to arrest pending a hearing on the allegations.

If the defendant violates any of the terms or conditions of this court's order he/she will be subject to immediate arrest by any law enforcement officer, probation officer, parole officer or Intensive Supervision Officer.

SO ORDERED, this 29<sup>th</sup> day of March, 2024  
  
Judge, Superior Court of Adams-Clarke County

Copy of order received by: \_\_\_\_\_  
Defendant

EXHIBIT 'A'

THE STATE OF GEORGIA

IN THE SUPERIOR COURT

VS

OF Oconee COUNTY, GA.

GERALD FLEMING

DOCKET NO. MGWF2023000609

SPECIAL CONDITIONS OF PROBATION ~~BAIL BOND~~

The above Defendant, as an additional condition of probation, ~~is assigned to Sex Offender Supervision and~~ is to abide by the special conditions set forth in this document. Non-compliance with any ordered conditions will be considered sufficient cause to warrant disciplinary action or revocation of ~~probation~~. Acknowledgement and acceptance of the applicable conditions will be indicated by the initials of the Defendant.

- 1. **Contact with Minors/Incidental contact With Minors.** You shall have no contact, whether directly in person or indirectly through any means of communication or through employment, volunteer activity or otherwise with any child under the age of eighteen (18), including your own children, nor with any person unable to give consent because of mental or emotional limitations. Neither shall you attempt contact with the aforementioned except under circumstances approved in advance and in writing by the Court. If you have incidental contact with children, you will be civil and courteous to the child and immediately remove yourself from the situation. You will discuss the contact at your next meeting with your Community Supervision Officer (CSO). *JLF*
- 2. **Residence with a Minor.** You shall not reside with any child under the age of eighteen (18), including your own children, unless approved in advance and in writing by the Court. *JLF*
- 3. **Residence change.** Any change of residence must receive prior approval by the Community Supervision Officer (CSO). *JLF*
- 4. **Victim contact.** You shall have no contact with the victim, including correspondence, telephone contact, any form of electronic communication, or communication through a third party except under circumstances approved in advance and in writing by the Court. You shall not enter onto the premises, travel past, or loiter near where the victim resides.
- 5. **Employment.** Your employment must be approved by your supervising Community Supervision Officer. *JLF*
- 6. **Images of Minors.** Except as authorized by the court or the Community Supervision Officer, you shall not create, possess, access or control any type of photograph, video, rendering, or digital imagery of any minor. *JLF*
- 7. **Relationships.** You shall not date or marry anyone who has children under the age of eighteen (18), unless approved in advance and in writing by the Community *JLF*

Supervision Officer in consultation with the treatment provider or the sentencing court. You are required to notify any such person of your criminal history.

240  8. **Sexually oriented material.** You shall not possess or subscribe to any sexually oriented or sexually stimulating material to include mail, computer or television, nor patronize any place where such material or entertainment is available.

245  9. **900 Numbers and Post Office Boxes.** You shall not utilize "900" telephone numbers neither shall you rent a post office box without prior written permission from your Community Supervision Officer. (FBP)

245  10. **Curfews.** You shall abide by any curfew imposed by the Community Supervision Officer. (FBP)

11. **Evaluation and treatment.** You shall attend and actively participate in sex offender evaluation and treatment at a program approved by the Community Supervision Officer. You will abide by the rules of the treatment program and successfully complete the program to the satisfaction of the Community Supervision Officer and the treatment provider. You shall not change treatment programs without prior approval of the Community Supervision Officer. You will be financially responsible for all evaluations and treatment unless other arrangements have been made by your Community Supervision Officer or treatment provider.

12. **Polygraph/plethysmograph.** You shall submit, at your own expense, to any program of psychological or physiological assessment at the direction of the Community Supervision Officer or treatment provider. This includes the polygraph and/or the plethysmograph to assist in treatment, planning and case monitoring.

13. **Release of information.** You shall sign Releases of Information to allow the Community Supervision Officer or designee to communicate with other professionals involved in your treatment program and to allow all professionals involved to communicate with each other. This will include a release of information to the therapist of the victim.

245  14. **Search.** You shall submit to a search of your person, property, residence or vehicle at any time of the day or night, with or without consent or a search warrant whenever requested to do so by a Community Supervision Officer or any other peace officer. You specifically consent to the use of any contraband seized as evidence in a probation violation proceeding.  
BOND

245  15. **Alcohol.** You shall not purchase, possess, or consume alcoholic beverages.

245  16. **Drugs.** You shall not take into your body any controlled substance or mind altering drug except pursuant to a legal doctor's prescription.

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- 17. **Drug Screens.** You will submit to, and if necessary pay for, breath, urine blood or saliva tests for analysis for the possible presence of a prohibited drug or alcohol.
- 18. **Driving log.** You will keep a driving log and make it available to your supervising Community Supervision Officer as requested.
- 19. **Driving.** You will never drive alone, especially through parks, playgrounds, school zones, or other areas where children are commonly known to be.
- 20. **Hitchhiking.** You shall not hitchhike or pick up hitchhikers.
- 21. **Other special conditions.** For Purposes of this

Order "Community Supervision Officer" means  
 - The same thing as Intensive Probation Program OFFICER.

Ordered at Waltham, Ga, Georgia, this 24<sup>th</sup> day of March, 2024.

[Signature]  
 Judge, Superior Court

\*\*\*\*\*  
 This is to certify that a true and correct copy of these additional conditions of supervision has been delivered in person to the defendant and he/she has been duly instructed regarding same.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Community Supervision Officer

\_\_\_\_\_  
 Offender