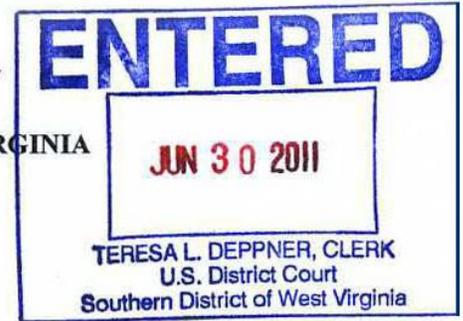


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON



ORDER

In Re: Amendment of Local Rule of Criminal Procedure 32.4, Standard and Optional Conditions of Probation and Supervised Release in all Sex Offense Cases, specifically, L R Cr P 32.4(a)(2).

Local Rule of Criminal Procedure 32.4(a)(2) currently reads:

- (2) The defendant shall submit to a psycho-sexual evaluation by a qualified mental health professional experienced in evaluating and managing sexual offenders as approved by the probation officer. The defendant shall complete the treatment recommendations and abide by all of the rules, requirements and conditions of the program until discharged. The defendant shall take all medications as prescribed unless the defendant is authorized by the qualified mental health professional to cease use of the prescribed medication.

The redlined version of the Local Rule of Criminal Procedure 32.4(a)(2) reads:

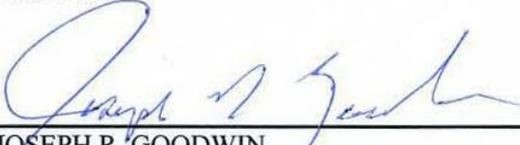
- (2) The defendant shall submit to a ~~psycho-sexual~~ **an** evaluation by a qualified mental health professional, **approved by the probation officer, who is experienced in evaluating and managing the treatment of sexual offenders. as approved by the probation officer.** The defendant shall **take all medications reasonably related to treatment of his or her condition,** complete ~~the~~ **all** treatment recommendations and abide by all ~~of the~~ **imposed by the professional.** The defendant ~~shall take all medications as prescribed unless the defendant is authorized by the qualified mental health professional to cease use of the prescribed medication~~ **must do so until discharged from treatment by the professional. Prior to being required to submit to any proposed course of treatment, the defendant or the United States may seek review by the presiding district judge of any facet of the prescribed course of treatment. The United States and the defendant shall also have the right to seek review by the presiding district judge of any continuation or discontinuation of such treatment.**

It appearing the Chief Probation Officer, the United States Attorney and the Federal Public Defender have reviewed and commented upon the proposed amendment, the Court hereby ORDERS that Local Rule 32.4(a)(2) be amended and shall read as follows:

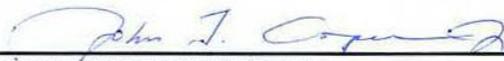
The defendant shall submit to an evaluation by a qualified mental health professional, approved by the probation officer, who is experienced in treatment of sexual offenders. The defendant shall take all medications reasonably related to treatment of his or her condition, complete all treatment recommendations and abide by all rules, requirements and conditions imposed by the professional. The defendant must do so until discharged from treatment by the professional. Prior to being required to submit to any proposed course of treatment, the defendant or the United States may seek review by the presiding district judge of any facet of the prescribed course of treatment. The United States and the defendant shall also have the right to seek review by the presiding district judge of any continuation or discontinuation of such treatment.

The Clerk is directed to send a copy of this Order to the Judicial Council of the United States Court of Appeals for the Fourth Circuit. In addition, the Clerk shall post this order to the Court's website and reflect the change in the Local Rules appearing on the Court's website.

ENTER:



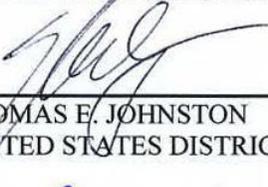
JOSEPH R. GOODWIN
CHIEF UNITED STATES DISTRICT JUDGE



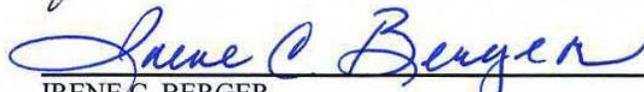
JOHN T. COPENHAVER, JR.
UNITED STATES DISTRICT JUDGE



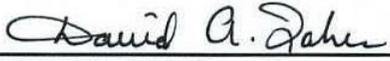
ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE



DAVID A. FABER
SENIOR UNITED STATES DISTRICT JUDGE