



MEMORANDUM

To: The Honorable Mark L. Wolf
Sr. U.S. District Judge for the District of Massachusetts

From: Taylor Wertz
U.S. Probation Officer

Date: 2/14/2022

Re: Jittaphol, Aticha (21-CR-10270-MLW-1)

The purpose of this Memorandum is to provide supplemental information to the Court following the defendant's Memorandum filed on 2/11/22.

As the Court is aware, on 10/26/21 the defendant appeared before the Honorable Marianne Bowler, was placed on pretrial supervision, and was released on conditions of release, of which include the following condition:

1. The defendant must submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

On 1/11/22, the U.S. Probation Office filed a Petition for Action on Conditions of Pretrial Release due to the defendant not complying with probation's directive to participate in long-term treatment.

On 1/20/22, the defendant appeared before Your Honor for a Waiver of Indictment/Plea to Information and Preliminary Revocation Hearing, and it was ordered, amongst other conditions, that the defendant be monitored for the use of illicit substance via urine screening and that the Court be notified immediately if the defendant tests positive for illicit substances. Since this date, the defendant has been drug tested via unobserved urine screens by the U.S. Probation Office on a weekly basis.

On 2/7/22, the U.S. Probation Office filed a Petition for Action on Conditions of Pretrial Release due to the defendant testing positive for Methamphetamine.

On 2/11/22, the defendant filed a Memorandum stating that the defendant "give(s) the Court the option to compel observed urine testing". The purpose of this Memorandum is to inform the Court that the U.S. Probation Office is willing to perform observed urine screens, but notes that this method of urine testing may not always be appropriate or possible, specifically if a urine screen needs to be collected by a female U.S. Probation Officer during contacts where a male U.S. Probation Officer is not present or available.

Reviewed/Approved By:
/s/ Christopher Foster
Christopher Foster
Supervisory U.S. Probation Officer