

<b>COLORADO JUVENILE PAROLE BOARD</b>	<b>POLICY NUMBER:</b> I-101 <b>PAGE:</b> 1 of 1 <b>REPLACES:</b> 103a <b>Dated:</b> 11/12/1997
<b>CHAPTER:</b> Policies	<b>EFFECTIVE DATE:</b> December 20, 2006
<b>SUBJECT:</b> Hearing Panel Referral To The Full Board	<b>RELATED MANDATES, STATUTES, STANDARDS, OR EXECUTIVE ORDERS:</b> Section 19-2-1002(3)(a)(I), C.R.S.
<p style="text-align: center;"><i>Dean J. Conder</i></p> <p><b>APPROVED BY:</b> _____ Dean J. Conder, Acting Chairperson</p>	

**BACKGROUND/PURPOSE**

Under Section 19-2-1002(3)(a)(I), C.R.S., if the members of a hearing panel disagree on a case, the case shall be referred to the board for review and a decision made by a majority vote of the board members present.

**POLICY**

Except for decisions concerning “Parole with Prejudice”, it is the policy of the Board that when the members of a hearing panel are unable to reach a unanimous decision, the case shall be referred to the Board for a disposition in the following manner.

**PROCEDURE**

1. Prior to the next board meeting (if possible), each member of the hearing panel will indicate to the administrator what written materials, testimony, and portions of the tape recording should be made available to the board in making a disposition.
2. If the presence of the youth or witnesses is necessary, the administrator will so inform them.
3. The administrator will make the identified materials available to all board members prior to, if possible, or at the next board meeting.
4. A quorum, as defined in section 12-2-206(4), C.R.S., of the board must be present to make a decision.
5. While the board is deliberating, if the Chair was a member of the hearing panel, the Vice-Chair shall act in the capacity of the Chair. If both the Chair and Vice-Chair were members of the hearing panel, the Chair shall designate another member to act in the capacity of the Chair.
6. The board shall reach one of the following dispositions by a majority vote:
  - a. Any of the dispositions available to a hearing panel;
  - b. Request the hearing panel that considered the case to re-conduct the hearing, or request a different hearing panel to re-conduct the hearing.
7. Decisions that the Board makes concerning the parole or either a Violent or Aggravated juvenile offender are not subject to review.