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MEMORANDUM

Date: January 26, 2014
To: Department of Corrections
From: Brandon Shaffer, Colorado Board of Parole, Chairperson
Subj.: Policy Concerning Probable Cause Hearing Procedure

Consistent with section 17-2-103 (2) (a), C.R.S. (2013), Parole Board Rules and Regulations 8 CCR 1511-1, and Department of Corrections ("DOC") Administrative Regulation 1300-002 ("AR 1300-02"), the following procedures apply to Probable Cause Hearings ("PC Hearing(s)").

DOC personnel shall follow the procedures set forth in AR 1300-02. All forms applicable to such hearings are appended to AR 1300-02 and incorporated herein by reference.

Complaint. The Community Parole Officer ("CPO") supervising the subject parolee shall complete an Interstate Parole Complaint (AR Form 1300-02A) listing the alleged violations the interstate parolee committed while on parole in Colorado.

PC Hearing Deadlines. After generating the complaint, the CPO shall call the Parole Board staff at (719) 583-5800 to obtain a number for the case and set a time and date for the PC Hearing.

1. The weekly deadline for scheduling PC hearings is Wednesday by noon, the week before the hearing.
2. The CPO will immediately call the jail to schedule a room for the assigned date and time of the PC Hearing.
3. PC Hearings must be completed within fourteen days from the date of discovery.
4. The CPO will provide documentation for the hearing to the Parole Board at least a week prior to the hearing.

Parole Board Member Availability. If the weekly deadline to set the PC Hearing is missed, or if arrangements are not made with the jail for a hearing room on the time and date set by the Board, the Board cannot guarantee Parole Board Member availability to accommodate the PC Hearing. **Failure to conduct the hearing within fourteen days from**

the date of discovery may result in the dismissal of the complaint.

Waiver/Proceeding. The CPO shall give the offender the choice to waive or proceed with the PC Hearing using AR Form 1300-02B. If the offender waives the hearing, no hearing is necessary and the CPO will forward a copy of 1300-02B signed by the offender to the Parole Board office.

Following the PC Hearing. When the Parole Board Member conducts a PC Hearing, he or she will use the same AR Form 1300-02B to list the evidence, conditions violated, and hearing results. The Board member will transmit this form by facsimile, email, or hand delivery to the Parole Board office. The Parole Board office will then distribute a copy to the CPO and the Supervisor of Interstate Unit, along with a recording of the applicable hearing.

Tracking. The Parole Board staff will track PC Hearings chronologically by fiscal year.