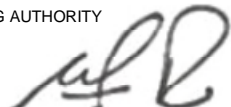
 Department of Corrections and Community Supervision DIRECTIVE	TITLE Investigations, Conferences, and Responses to Alleged Violative Behavior by Releasees		NO. 9050
			DATE 6/18/2025
SUPERSEDES DIR #9050 Dtd. 11/19/21	DISTRIBUTION A B	PAGES PAGE 1 OF 10	DATE LAST REVISED
REFERENCES (Include but are not limited to) See Section VI	APPROVING AUTHORITY 		

- I. **PURPOSE:** To instruct Parole Officers (PO) on procedures specific to investigations of alleged violation(s) of any conditions of release including conditions imposed by the Board of Parole, PO, Senior Parole Officer (SPO), or a Bureau Chief (BC). This directive will also provide procedures for conferencing investigation outcomes for the purpose of evaluating options that may include continued supervision, alternatives to violation proceedings, and issuance of a DOCCS warrant.
- II. **POLICY:** It is the policy of the Department of Corrections and Community Supervision (DOCCS) to ensure that an investigation is conducted into all allegations of a violation of release. The purpose of the investigation is to determine if a releasee has violated the conditions of parole, conditional release, presumptive release, or post-release supervision in an important respect and whether such violation can be addressed in the community without jeopardizing public safety, or if the revocation process must be initiated. DOCCS policy emphasizes the importance of conducting a thorough investigation and assessment of the noncompliant behavior and rule violations by a releasee. The decision to pursue the parole violation process requires consideration of the releasee's history under community supervision as well as the availability and suitability of alternatives to reincarceration and diversion opportunities. The Department's policy stresses the importance of the chain of command decision making process involving interventions, the use of graduated responses, warrant issuance, and revocation.
- III. **DEFINITIONS, TERMS, AND REFERENCES**
 - A. Abscond: Intentionally avoiding supervision by failing to maintain meaningful contact or communication with the releasee's assigned PO or Area Office and to notify the assigned PO and/or Area Office of a change of residence, and reasonable efforts by the PO to re-engage the releasee have proven unsuccessful.
 - B. Case Conference: A case conference is a meeting or communication between a PO and a supervisor to discuss a releasee's behavior, supervision adjustment, and/or level of compliance with conditions of release. Other types of case conferences can occur between POs and the Parole Violation Unit (PVU), Reentry Services, or service providers as outlined in Directive #9504, "Case Conference."

NOTE: POs shall utilize the Supervision Standards Conference (SSC) Case Management System (CMS) code for purposes of monitoring compliance with the requirements of Directive #9210, "Supervision Standards for Community Supervision."

- C. Certificate of Release to Community Supervision: A document that establishes the general conditions of release, reporting instructions, special limitations and/or restrictions, and special conditions of release imposed by the Board of Parole, a Community Supervision supervisor, and/or a PO.
- D. Cooperative Supervision (COOP) Case: A releasee from another state or territory transferred to New York State under the provisions of the Interstate Compact.
- E. Evidence: All means by which any alleged matter of fact could prove or disprove a parole violation.
- F. Investigation: A collection of information by a PO for the purpose of determining if any violation of releasee's conditions of release or supervision have been violated in an important respect. An investigation may include, but is not limited to, interviews with persons associated with the alleged behavior such as victim(s) and witnesses, documents, videos, and tangible items.
- G. Notice of Violation: A written notice of the time, place, purpose of the office report, and preliminary and final hearings to be held on the alleged violations ([Form #CS9011](#), "Notice of Violation"). [Executive Law, Section 259-i(3)(c)(iii)]
- H. Parole Violation: Behavior that is contrary to one or more of the conditions of release in an important respect. The behavior rises to a level that could endanger the community or the releasee and makes the releasee unamenable to supervision.
- I. Recognizance Hearing: A hearing held by a judge assigned to a town, city, or criminal court to evaluate whether a releasee presents a substantial risk of willfully failing to appear at a preliminary or final hearing.
- J. Releasee: An individual released from an institution under the jurisdiction of DOCCS into the community on temporary release, presumptive release, parole, conditional release, post release supervision, or medical parole.
- K. Revocation of Community Supervision: Persons paroled, conditionally released, presumptively released, or released to post-release supervision are under the legal custody of DOCCS until the expiration of the maximum period of the sentence or period of supervision [Executive Law Section 259-i(2)(b)].

Regardless of how an incarcerated individual has gained release from a State correctional facility to the community prior to the maximum expiration date of their sentence, the Board of Parole has been vested with "the power to revoke the presumptive release, parole, conditional release, or post-release supervision status of any person" [Executive Law Section 259-c(6); Executive Law Section 259-i(3); and Penal Law Section 70.40(3)].
- L. Technical Violation: Including absconding, any conduct that violates a condition of community supervision in an important respect other than the commission of a new felony or misdemeanor offense under the Penal Law.
- M. Non-Technical Violation: A violation incurred either via:
 - 1. The commission of behavior that would constitute a new felony or misdemeanor offense (an actual arrest for that behavior does not have to have occurred).

2. Conduct by a releasee who is serving a sentence for an offense defined in article 130 of the penal law or section 255.26 or 255.27 of such law (sex offenses), and such conduct violated a specific condition reasonably related to such offense and efforts to protect the public from the commission of a repeat of such offense.
- N. Void Warrant: To nullify a warrant before it is enforced.
- O. Vacate Warrant: To withdraw a warrant as invalid after it has been enforced BUT prior to a preliminary hearing and where no delinquency has been declared.

IV. PROCESS REQUIREMENT TERMS

- A. Violation Warrant (Warrant for Retaking and Detaining): Upon completing an investigation, once a PO has probable cause that a person who is under their supervision has absconded or committed new criminal activity, or has failed to appear to a Notice of Violation ([Form #CS9011](#)) where the violation charges would result in possible reincarceration, a Parole Violation Warrant may be issued so that the releasee can be taken into custody [Executive Law Section 259-i(3)(a)(i)]. Once issued by a Parole Board member or a designated Officer within DOCCS, a parole violation warrant can be executed by any PO, Peace Officer, Police Officer, or Officer authorized to serve criminal process [Executive Law Section 259-i(3)(a)(iii)].
- B. Notice of Violation Deemed Sustained: Notice to a releasee indicating that an intentional failure to appear as directed in response to a Notice of Violation or within forty-eight hours after such time, the technical violations are deemed sustained pursuant to Executive Law Section 259-i(3)(a)(i).
- C. Violation of Release Report (VORR): ([Form #CS4003](#), "Violation of Release Report") An accusatory instrument consisting of identifying information and a list of charges (see Directive #9051, "Community Supervision - Violations of Release Report, Bureau Analysis, Notice of Violation").
- D. Supplementary Violation of Release Report (SVORR): ([Form #CS4003S](#), "Supplementary Violation of Release Report") A listing of charges and/or additional information developed or made available subsequent to the preparation of the original violation report (see Directive #9051).
- E. VORR Package: A document package that includes the following:
1. Violation of Release Report ([Form #CS4003](#))
 2. Case Summary ([Form #CS4003CS](#))
 3. Criminal History
 4. Certificate of Release to Parole Supervision and Post-Release Supervision
 5. Supplementary Conditions of Release to Parole Supervision
 6. Evidentiary documents as applicable
 7. Notice of Violation ([Form #CS9011](#))

V. PROCEDURE

- A. Investigation of all Possible Technical and Non-Technical Violations of Release
1. POs shall investigate all allegations of a possible violation of release to determine if a releasee behaved in a manner contrary to the conditions of release in an important respect, and whether such behavior can be established at parole violation hearings.

2. PO/SPO will gather evidence as appropriate, including but not limited to:
 - a. Interview witnesses, family members, the arresting Officer, complainants, and other persons.
 - b. Gather physical evidence including, but not limited to, records, documents, exhibits and/or objects.
 - c. Review any GPS data, conduct surveillance, and interview the releasee.
 - d. Conduct a search of the releasee's residence.
3. The PO/SPO will ensure that all activity is documented in CMS.
4. After an alleged violation has been thoroughly investigated by the PO, the PO/SPO will conduct a case conference with a supervisor to determine if there has been a violation of release in an important respect and decide what action will be taken.
 - a. The case conference will take into consideration the nature of the behavior, any alternatives that have been explored, and the potential of danger to the community, staff, or releasee as well as the evidence available. The releasee's status as a specialized case (Strict Intensive Supervision Treatment [SIST], sex offender, mental health, domestic violence, Supervision Against Violent Engagement [SAVE]) as well as any CMS alerts such as noteworthy, absconder history, persistent violator.
 - b. The case conference will take into consideration positive and productive aspects of the releasee's supervision where they are demonstrating success. Topics to be evaluated include, but are not limited to, the releasee remaining crime free, sobriety, employment, success in programming or program completion, family supports, community supports, stable residence, and general compliance with conditions of supervision.
 - c. The case conference will address the thoroughness of the investigation and any additional action or evidence to be obtained for the purpose of identifying any further investigative actions needed for the successful presentation of the case by the Parole Revocation Specialist.
5. Detailed information describing the case conference and action plan will be documented in CMS.
 - a. If at the time of the case conference it is determined that further information or evidence is required, the supervisor will provide guidance as to what further action should be taken.
 - b. If at the time of the case conference it is decided that a violation of release will not be pursued, the PO will continue to supervise the releasee in the community and enhance the level of supervision where appropriate. After conferencing with the SPO, supervision enhancement may include but is not limited to electronic monitoring, increase of supervision level, and implementation of additional special conditions. The PO may refer the releasee to Reentry Services and any applicable programs as appropriate to address the specific criminogenic risks and needs. Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) level adjustments must be consistent with the procedures outlined in Directive #9030, "COMPAS Case Supervision Review."

- c. If at the time of the case conference between the PO, SPO, and/or the BC it is decided that a violation of release will be pursued, the PO will prepare a VORR ([Form #CS4003](#)), a VORR Package, and a Notice of Violation ([Form #CS9011](#)).
- d. The supervisor (SPO/BC) will, in the case of new criminal behavior resulting in an arrest, ensure that the necessary investigation, conference, follow up, and the VORR ([Form #CS4003](#)), with the VORR Package are completed within 30 calendar days from the date of the arrest notification.

B. Action Taken by Bureau Chief Following Investigation

- 1. Upon completion of the investigation, and after a case conference considering all possible alternatives to incarceration, the BC will take one of the following actions:
 - a. Decide not to proceed with the violation process.
 - b. For technical violations - Direct the SPO and PO to proceed with the violation process by completing a VORR ([Form #CS4003](#)), a VORR Package, and completing a Notice of Violation ([Form #CS9011](#)) to serve upon the releasee.
 - c. For non-technical violations, absconders, and releasees serving a term of supervision for an offense defined in Article 130 of the Penal Law or Section 255.26 or 255.27 of such law - Direct the SPO and PO to proceed with completing a VORR ([Form #CS4003](#)), a VORR Package, a Notice of Violation ([Form #CS9011](#)), and when applicable, warrant issuance.
 - d. Specific to criminal behavior, if no warrant is issued, the BC may decide that the VORR and VORR Package should be submitted to the Board of Parole recommending that no warrant be issued or that no warrant be issued pending court action.
- 2. After a case conference has been held with the BC and a determination has been made to proceed with the technical violation process where there is no reincarceration, the PO will prepare and serve to the releasee, a VORR Package and a Notice of Violation ([Form #CS9011](#)) to include dates for preliminary and final violation of release hearings.

NOTE: Those behaviors for which a releasee can be violated and not be subject to any reincarceration (unless the exception applies) are the following:

- a. Curfew.
- b. Alcohol use, unless the releasee is subject to community supervision due to a conviction for driving under the influence of alcohol.
- c. Drug use, unless the releasee is subject to community supervision due to a conviction for driving under the influence of drugs.
- d. Failure to notify PO of a change in employment/program status.
- e. Failure to pay fees or surcharges.
- f. Obtaining a driver's license or driving a car with a valid driver's license, unless either action is prohibited by the person's conviction.
- g. Failing to obey special conditions, unless the failure cannot be addressed in the community and all reasonable community-based means to address the failure have been exhausted.

3. After a case conference has been held with the BC and a determination has been made to proceed with a non-technical violation for criminal behavior, a technical violation on a person serving a sentence for an Article 130 offense or a person who has absconded supervision, the PO will be directed to prepare a VORR ([Form #CS4003](#)), a VORR Package, and a Notice of Violation ([Form #CS9011](#)). (A new arrest by law enforcement is not required to commence the non-technical violation process for behavior that would be considered a crime.)

NOTE: For any releasee who is also a SIST respondent, a SIST violation or report to the court must be completed and forwarded to SOMU.

C. Violation of Release Service and Warrant Issuance

1. In violators, the SPO and PO will create a Case Number in lieu of a warrant number.
2. A preliminary hearing must be scheduled on the date provided by PVU.
 - a. A hearing for a releasee who is not incarcerated must be held within ten days of the Notice of Violation issuance. A final hearing must be held on the date provided by PVU within 45 days of the Notice of Violation ([Form #CS9011](#)).
 - b. A hearing for a releasee who is incarcerated must be held within five days of warrant execution. A final hearing must be held within 30 days of warrant execution.
3. The PO will serve the releasee, during the office report or field visit, with a Notice of Violation ([Form #CS9011](#)), VORR ([Form #CS4003](#)), and a VORR Package, to include the charges, case summary, criminal history, Certificate of Release to Parole Supervision and Post-Release Supervision, supplementary conditions of release, and any evidentiary or supporting documents.
4. The Notice of Violation ([Form #CS9011](#)) will provide the releasee with a specified date and time to report to the Area Office to review the violation charges and hearing dates.
5. At the scheduled office report, a PO and SPO will review with the releasee all violation charges related to the alleged behavior, the date and time of both the preliminary and final hearings, potential evidence or supporting documents to be used in the hearings, and identification of potential witnesses. The meeting with the releasee and any statements by them will be recorded in CMS.
6. The VORR Package and signed Notice of Violation ([Form #CS9011](#)) form will be forwarded to PVU.
7. Should the releasee fail to report to the Area Office on the designated date and time, the PO will attempt to contact the releasee within 24 hours to ascertain the reason for the failure to report. If no contact can be made by phone, a visit to the approved residence will be conducted within 48 hours of the failure to report. If contact is made within the 48 hours, the releasee will again be directed to report to the Area Office on the next business day to discuss subsection VI-C-3 through 6. If no contact is made with the releasee, the technical violation is sustained. The releasee will be provided [Form #9050A](#), "Notice of Decision – Violation Deemed Sustained," with copies forwarded to the Board of Parole, the Office of Sentencing and Review, and the releasee's file. The BC will enter the sustained violations in CMS.

8. The PO will conference the case with the SPO/BC to discuss all efforts made to re-engage the releasee and possible warrant issuance.
9. The PO will advise PVU should the releasee fail to report and document all information and actions in CMS.
 - a. Once a warrant is issued and the warrant is executed, a recognizance hearing will be held. A description of the hearing and outcome is to be documented in CMS.
 - b. If the releasee is not remanded by the judge at the recognizance hearing, the Area Office will continue to supervise the releasee (pending the hearing outcomes) by utilizing enhanced supervision techniques as deemed appropriate. Enhanced supervision techniques may include but are not limited to: Alternatives to Incarceration (ATIs) such as program referrals, electronic monitoring (EM/GPS), increased office reporting, and supervision level adjustment. The releasee also may be referred to reentry programs and community-based supportive services to address criminogenic needs.

D. Board of Parole Review

1. In cases where it has been decided that a warrant will not be issued at the time of conferencing, except for an arrest of less than misdemeanor charges, including cases where the record has been sealed or charges dismissed, the PO will prepare and submit to the BC and the Board of Parole a VORR ([Form #CS4003](#)), and VORR Package requesting:
 - a. "No Delinquency No Warrant Issued" - If the Board approves the non-issuance of a warrant where there has been a new arrest, the PO and the supervisors will follow up on the charges and continue to supervise the releasee.
 - b. "No Delinquency Pending Court Action" - If the Department does not have sufficient evidence or the witness is not available to proceed with a revocation at the time of the investigation, and if the Board approves the non-issuance of a warrant, this will allow Community Supervision to preserve the charges for later action.
2. If the new charges result in a conviction, a warrant may or may not be issued depending on the seriousness of the behavior. In either case, a SVORR ([Form #CS4003S](#), "Supplementary Violation of Release Report"), is to be prepared and submitted for review and consideration within 30 days of the conviction.
3. If the charges are dismissed and/or the record is sealed, the PO will prepare and submit a SVORR ([Form #CS4003S](#)) reporting on this development within 30 days of the dismissal.
4. In cases where it has been decided that a warrant will be issued, the PO will prepare, and the supervisor will complete, the notice of arrest/warrant issuance procedure and staff will enter the warrant information into the Department's Violators Entry System (VES).

NOTE: Staff cannot enter detention warrants issued for Cooperative Supervision (COOP) cases into VES but will instead maintain a control log for such cases. Detention warrants on COOP cases must be replaced by the sending state's warrant within 90 days or be vacated.

Preliminary hearings must be conducted for all COOP cases and the releasee may not make waiver of the right to such a hearing unless accompanied by an admission(s), in writing, to one or more significant violation(s) of the terms and conditions of supervision.

- a. In absconder cases, the supervisors will prepare and submit to the Area Supervisor/Bureau Chief [Form #CS4003.2](#), "Area/Bureau Analysis," to accompany the VORR package to request a Declaration of Delinquency. The supervisor MUST ensure that the alleged violator is posted as wanted in the Division of Criminal Justice Services (DCJS), National Crime Information Center (NCIC) Systems, and the New York City Wanted System.
- b. In out of state custody cases, the PO will contact the other jurisdiction regarding the behavior and investigation results and will follow-up by sending a letter with accompanying documents (see Attachment A).

E. Recognizance Hearing

1. Once a DOCCS warrant has been approved for issuance and is lodged on a releasee, the SPO/PO must submit the VORR and any supporting documents to the designated court via the Electronic Document Delivery System (EDDS) at the following weblink: www.nycourts.gov or the method of submission required by the specific court.
2. Upon execution of the warrant, the releasee should be served with the VORR package that day when feasible. The releasee must be served with the documents within 24 hours of warrant execution.
3. In all instances where a warrant has been issued and executed, the releasee must be brought from local detention by facility staff to the designated criminal, city, or county court where the alleged behavior occurred within 24 hours of the execution of the warrant or the next available court date for a recognizance hearing.
4. A recognizance hearing is conducted as established by the procedure identified in Directive #9049, "Community Supervision Recognizance Hearing Process."
5. Upon completion of the recognizance hearing, the PO or Court Liaison Officer will make a detailed entry into CMS regarding service of the releasee, statements made by the releasee or their attorney, noteworthy statements or mandates made by the judge, hearing dates, and other pertinent information.

F. Lifting of Warrants Prior to a Final Revocation Determination

1. The supervisor who issued a warrant or another supervisor may void a warrant provided the violation warrant has not been enforced and no delinquency action has been declared. The supervisor will provide the reasons the warrant was voided in a memorandum to the Bureau Chief with copies to the case folder/record and the Community Supervision Central Office Files Unit and will prepare and complete the notice of arrest/warrant issuance procedure.
2. After enforcement of a warrant, but prior to the preliminary hearing or waiver of such hearing, a Board Member may vacate a warrant upon request of a supervisor accompanied by a SVORR ([Form #CS4003S](#)), VORR ([Form #CS4003](#)), and the Area/Bureau Analysis ([Form #CS4003.2](#)).

NOTE: The voiding or vacating of a warrant does not preclude the use of the same charges/allegations through issuance of a new warrant.

3. The PO will conference with the SPO a supervision plan that may include but is not limited to ATIs, increased supervision, a COMPAS review, program referrals, reentry services, and GPS. The supervision plan and discussed alternatives will be documented by the PO/SPO in CMS.

VI. REFERENCES

- Constitution
- 9 NYCRR, Sections 8004.9 and 8005.17
- Executive Law
- Penal Law
- Criminal Procedure Law
- Chapter 904 Laws of 1977
- General Construction Law
- New York County Law
- Interstate Compact
- Mental Hygiene Law
- NYS Board of Appeals in People ex rel. Calloway v. Skinner
- ACA Expected Practices 4-APPFS-2B-02, 4-APPFS-2B-03, 4-APPFS-2B-04, 4-APPFS-2B-05, 4-APPFS-2B-07, 4-APPFS-2B-08, 4-APPFS-2B-10, 4-APPFS-2B-11
- Directives #9049, #9051, #9210, #9213, #9504

**DRAFT LETTER TO BE UTILIZED BY AREA OFFICES WHERE A NEW YORK STATE
RELEASEE IS ARRESTED AND IN CUSTODY OUTSIDE OF NEW YORK STATE**

Date

Address

Dear:

On _____, this agency was advised that the above-noted releasee is currently incarcerated at _____ pursuant to _____.

Attached please find our New York State Parole Warrant # _____. We request that it be filed as a detainer against this releasee. Also attached please find this releasee's executed Waiver of Extradition (as denoted as Condition No. 10 of the Certificate of Release to Parole Supervision), and a photograph and fingerprint card for identification purposes.

Furthermore, kindly ascertain whether the releasee will waive extradition. Should the releasee so waive, please inform the undersigned at the earliest possible date so that we may arrange for their return to New York. Please also inform us immediately should the releasee refuse to waive extradition, so that we may then commence extradition proceedings.

Sincerely,

Bureau Chief

Attachments:

Parole Warrant
Certificate of Release to Community Supervision
Photograph and Fingerprint Card

cc: Area Office (Bureau)
Central Office File (Community Supervision)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

Notice of Decision - Violation Deemed Sustained

Name: _____ Area Office: _____
DIN: _____ Case No.: _____
NYSID: _____

Certification Regarding Notice of Violation and Appearance

The above named releasee is accused of one or more technical violations by the attached notice of violation, including violation charges, and would not be subject to incarceration should such violations be sustained at a final revocation hearing:

Notice of Violation including charges served on: _____, ___, 20__

Method of Service: ☐ In-person
☐ Delivery to approved residence/last known address
☐ Other: _____

Required Appearance Time and Date: _____:_____ AM/PM on _____, ___, 20__

Did releasee appear at such time and date: ☐ Yes ☐ No

Did releasee appear within 48 hours of such time and date: ☐ Yes ☐ No

I hereby certify that, upon personal knowledge and review of Department records, the above information is correct.

Print Name: _____ Title: _____
Signature: _____ Date: _____

Violations deemed sustained upon failure to appear

[Releasee name], who is accused of one or more technical violations by the attached, duly issued and served notice of violation including charges, and who would not be subject to incarceration if such violations had been sustained at a final revocation hearing, has intentionally failed to appear as directed in response to a notice of violation and has intentionally failed to appear voluntarily within forty-eight hours after such time. Now, therefore, pursuant to Executive Law § 259-i(3)(a)(i), such violations are deemed sustained.

Notice: You have the right to move the Board of Parole to vacate the sustained violations and have your revocation case reopened if you can show by a preponderance of the evidence that either:

1. You were not properly served with the notice of violation.
2. Your failure to appear was otherwise excusable.

Instructions on how to make a motion to reopen your case may be found on the next page.

Process for vacating sustained violations

You can have the sustained violations vacated and your case reopened if you can show by a preponderance of the evidence that either:

1. You were not properly served with the notice of violation.
2. Your failure to appear was otherwise excusable.

If you believe you are entitled to have the sustained violations vacated and your case reopened, you must make a motion according to the process described in 9 NYCRR, Section 8004.6. **All motions will be by paper submission only.**

Any submission must include:

1. A copy of this Notice of Decision.
2. A written statement explaining why you think you are entitled to have your case reopened, including the reasons you believe you were not properly served and/or your excuse for failing to appear within 48 hours.
3. Any evidence you believe supports your claims. Evidence may include affidavits made under penalty of perjury, letters and other documents which tend to support your claims.

You can make the motion by:

1. Filing your submission with the Board of Parole Appeals Unit at the Board of Parole, New York State Department of Corrections and Community Supervision, 1220 Washington Avenue, Albany, New York 12226. **AND**
2. Providing notice of your motion and a complete copy of your submission to the Department, including the Area Supervisor / Bureau Chief of the supervision office currently responsible for your supervision.

Following receipt of your submission, the Appeals Unit will notify you and the Department by letter if further submissions are due.

Distribution:

Original:	Area Office/Folder
Copy:	Releasee
	Central Files
	Board of Parole

VIOLATION OF RELEASE REPORT
CHARGE SHEET

Warrant Issued: ☐

Name: Last Name, First Name

NYSID: New York State ID

DIN: Department ID Number

DOCCS Releasing
Facility: DOCCS Releasing Facility

Date of Birth: M/D/YYYY

COMPAS Level: Level #

M.E. Date: M/D/YYYY

P.R.S.M.E. Date: M/D/YYYY

No Warrant Issued: ☐

Date Released: M/D/YYYY

Date of Warrant: M/D/YYYY

Warrant #: Warrant Number

Date Warrant Enforced: M/D/YYYY

Location Warrant Enforced: County
Facility

Sexually Motivated Felony: Yes/No

Hate Crime: Yes/No

Crime of Terrorism: Yes/No

Delinquency Date: M/D/YYYY

Instant Offense	Sentence
Click or tap here to enter text.	Click or tap here to enter text.

Time on Parole: ## Years ## Months ## Days

Since their release, the above-named individual has violated the Conditions of Release in the following manner:

POSSIBLE WITNESSES

Click here to enter text.

DOCUMENTS PROVIDED AT TIME OF SERVICE

Click here to enter text.

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

VIOLATION OF RELEASE REPORT

CASE SUMMARY

Name: Last Name, First Name

Warrant #: Warrant Number

NYSID: New York State ID

DIN: Department ID Number

<i>CRIME OF CONVICTION & CURRENT SENTENCE</i>	Click or tap here to enter text.
<i>DESCRIPTION OF INSTANT OFFENSE</i>	Click or tap here to enter text.
<i>CRIMINAL HISTORY</i>	Click or tap here to enter text.
<i>PRIOR TERMS OF PROBATION/PAROLE</i>	Click or tap here to enter text.
<i>PRIOR VIOLATIONS ON CURRENT TERM</i>	Click or tap here to enter text.
<i>GENERAL ADJUSTMENT TO PAROLE SUPERVISION</i>	Click or tap here to enter text.
<i>CURRENT VIOLATIVE BEHAVIOR</i>	Click or tap here to enter text.
<i>CIRCUMSTANCES OF CUSTODY</i>	Click or tap here to enter text.
<i>RELEASEE STATEMENT</i>	Click or tap here to enter text.
<i>PRESENT STATUS</i>	Click or tap here to enter text.
<i>OTHER INFORMATION</i>	Click or tap here to enter text.

CERTIFICATE OF RELIEF FROM DISABILITIES YES ☐ **DATE ISSUED** (M/D/YYYY) NO ☐

CERTIFICATE OF GOOD CONDUCT YES ☐ **DATE ISSUED** (M/D/YYYY) NO ☐

Type Name/Title

Name/Title

Signature

Date

Type Name/Title

Name/Title

Signature

Date

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

SUPPLEMENTARY VIOLATION OF RELEASE REPORT # #

Name: Last Name, First Name

Warrant #: Warrant Number

NYSID: New York State ID

DIN: Department ID Number

INTRODUCTION	Click or tap here to enter text.
ADDITIONAL INFORMATION	Click or tap here to enter text.
ADDITIONAL CHARGES	Choose an item.
PRESENT STATUS	Click or tap here to enter text.

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NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

ADDITIONAL POSSIBLE WITNESSES

Click here to enter text.

DOCUMENTS PROVIDED

Click here to enter text.

Type Name/Title

Name/Title

Signature

Date

Type Name/Title

Name/Title

Signature

Date

NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (DOCCS)
NOTICE OF VIOLATION

TO: _____ INST.# _____

WARRANT# _____ CASE# _____ NYSID# _____

You are charged with violating the conditions of your release in the manner specified on the attached violation of Release Report.

You are being directed to report to the _____ Area Office on _____ at _____ at _____
Date Time Location
to meet with your Parole Officer. Failure to report may result in the issuance of a warrant and/or the violation being sustained.

A preliminary hearing on these charges is scheduled for _____ at _____ at _____
☐ Check here if you are eligible and wish to request a virtual hearing. Date Time Location

Should you waive a preliminary hearing, or if found by a preponderance of the evidence at this hearing that you have violated any condition of your release
in an important respect, a final hearing on these charges is schedule for _____ at _____ at _____
☐ Check here if you are eligible and wish to request a virtual hearing. Date Time Location

If your return to the State of New York cannot be affected for either hearing as scheduled above due to circumstances beyond the Department's control, you will be afforded a preliminary hearing and final revocation hearing at such time as you become available for return.

You have the right to a preliminary and final revocation hearing. A preliminary hearing is held to determine whether, by a preponderance of the evidence, you violated one or more of the conditions of your release in an important respect. At this hearing you have the right to be represented by counsel, to appear and speak on your own behalf, introduce letters and documents, present witnesses who can give relevant information, and confront and cross-examine adverse witnesses. Proof of your conviction of a crime committed after your release shall constitute prima facie evidence of a violation of a condition of release. Your waiver of the right to this preliminary hearing is equivalent to a finding of a preponderance of the evidence at such a hearing.

At the final revocation hearing, the presiding officer will determine whether there is clear and convincing evidence to support each of the charged violations. At this hearing, you have the right to be represented by counsel; to appear and speak on your own behalf; to introduce letters and documents; present witnesses who can give relevant information; and confront and cross-examine adverse witnesses. At this hearing, you also have the right to present mitigating evidence relevant to your restoration to community supervision.

In the event you are convicted of a felony offense committed while under community supervision and you receive a new sentence, any scheduled final revocation hearing may be cancelled. In such instances, the Board of Parole may issue a final declaration of delinquency based upon that conviction and sentence. In the event the Board of Parole issues a final declaration of delinquency, you will be served with a copy of that determination together with a copy of the commitment.

A request to adjourn either the preliminary or final revocation hearing must be made in writing, to the local area office. In the case of a preliminary hearing, a minimum three (3) day notice is required, and in the case of a final hearing, a minimum seven (7) day notice is required. Requests for adjournments made at the hearing will only be granted for good cause shown.

Violation of Release Report received:

Signature Date

All persons charged with a violation are required to be present at all proceedings authorized by the Board of Parole regarding the violation of community supervision. Any voluntary failure on your part to be present at any of these proceedings may result in a finding that your failure to appear was a voluntary, knowing, and intelligent waiver of your right to appear. Should such a finding be made, a hearing in absentia can be held and a final determination be made regarding the charges pending against you, including, if necessary, time assessments due to the violations of community supervision.

☐ I **DO** wish to have a preliminary hearing ☐ I do **NOT** wish to have a preliminary hearing

Date Signature of Releasee

Date Signature of Witness

If you cannot afford an attorney and wish to have counsel at your preliminary hearing, sign and detach this form. It is your responsibility to mail the form to the address shown on the form. If you request counsel at your preliminary hearing, you must mail this form **IMMEDIATELY**.

TO: _____ RE: _____
Name

WARRANT # or Case #

I am an alleged community supervision violator being held at: _____

I am scheduled for a preliminary hearing to be held on _____ at _____ at _____
Date Time Place

I have waived my preliminary hearing. A final hearing has been scheduled for _____
Date
at _____ at _____
Time Place

I cannot afford an attorney and request that I be assigned counsel. Releasee _____
Signature