

 <p style="text-align: center;"><b>KENTUCKY PAROLE BOARD Policies and Procedures</b></p>	Policy Number <p style="text-align: center;">KYPB 13-00</p>	Total Pages <p style="text-align: center;">2</p>
	Date Filed <p style="text-align: center;"><b>MAY 29 2024</b></p>	Effective Date
References/Authority CPP 27-18-01 501 KAR 1:030, 1:040 1:080; KRS 439.330, 439.341, 439.430	Subject <p style="text-align: center;"><b>REVOCATION OF SUPERVISION : ISSUANCE OF WARRANTS</b></p>	

**POLICY and PROCEDURE:**

- A. The Parole Board shall fairly administer all aspects of the parole revocation process as outlined by the following:
  - (1) Kentucky Revised Statutes;
  - (2) Kentucky Administrative Regulations; and
  - (3) United States Supreme Court in *Morrissey v. Brewer* (408 U.S. 471, 1972).
  
- B. A parole violation warrant shall only be issued upon a majority vote of the Parole Board members in attendance at a meeting of a quorum of the Parole Board, except that:
  - (1) If a case is referred to the Board by the Administrative Law Judge pursuant to 501 KAR 1:040(6)(5) with a finding of probable cause of a violation of a condition of parole, the Parole Board Chairperson or designee shall issue a parole violation warrant to bring the offender for a Final Revocation Hearing.
  - (2) If it appears that an offender has absconded from parole supervision or if it otherwise appears that an offender is a fugitive from justice, or if a parole violation warrant is necessary to effect the return of the offender to the state of Kentucky, the Parole Board Chairperson or designee may issue a warrant if:
    - (a) The Parole Board receives documentation from the supervising officer setting forth facts sufficient to conclude there are reasonable grounds to believe that some violation has occurred; and
    - (b) The Commissioner or designee submits to the Parole Board a written request or recommendation that a warrant be issued.

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- C. If the offender is being supervised outside the state of Kentucky, the Parole Board Chair shall determine whether to issue a parole violation warrant based upon:
- (1) A written report from the supervising state setting forth facts sufficient to conclude that there are reasonable grounds to believe that a violation of a condition of parole has occurred; and
  - (2) The Commissioner of the Department of Corrections or designee submits to the Parole Board a written request or recommendation that a warrant be issued.
- D. Notwithstanding any other provision of this Policy, if an offender is being supervised in another state or jurisdiction pursuant to the Interstate Compact for Adult Offender Supervision, as enacted under KRS 439.561, the Parole Board may issue any warrant required to carry out any duty or obligation imposed pursuant to the Interstate Compact for Adult Offender Supervision, to issue or lodge a warrant as a detainer, or to facilitate the return of the offender to Kentucky if requested by the state or jurisdiction where the offender is being supervised.
- E. The Parole Board may decline any request for a warrant made pursuant to any provision of this Policy, except for subsection B(1) of this Policy.
- F. Warrants for the arrest and detention of offenders shall be issued only upon evidence which the Parole Board, in its discretion, deems adequate to indicate a serious violation or repeated pattern of violation of parole conditions, or a compelling need for detention pending the Parole Board's revocation decision.
- G. If parole violation charges are based on the alleged commission of a new crime, a warrant may be issued consistent with 501 KAR 1:040(7)(2).
- H. After the issuance of a warrant has been approved as provided under this Policy, any Board member may sign the warrant.
- I. Any warrant issued, under any section of this Policy, may be rescinded by majority vote of the Parole Board at any time.