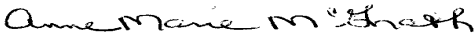
 <p><b>Corrections and Community Supervision</b></p> <p><b>DIRECTIVE</b></p>	TITLE <b>Parole Violator Detainees and Returned Parole Violators</b>		NO. 4033  DATE 03/03/2022
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REFERENCES (Include but are not limited to)	APPROVING AUTHORITY 		

**I. SCOPE:** To set forth procedures for:

- A. The processing of Parole Violator Detainees in detention status while awaiting a revocation hearing.
- B. The initial processing of Returned Parole Violators.  
Violators will be scheduled for admission upon approval of the Office of Classification and Movement.

NOTE: Lakeview Drug Treatment Program releasees are not included in this directive.

**II. DEFINITIONS**

- A. Parole Violator Detainee (PVD): An individual considered by the Board of Parole to have violated the conditions of parole or conditional release who is being detained in a State correctional facility pending a final revocation hearing.
- B. Returned Parole Violator (RPV): An individual who has had a final revocation hearing, at which time the revocation was sustained by the Board of Parole.
- C. Parole Detainee Warrant: A warrant issued by Community Supervision (commonly referred to as a "Retake Warrant") for "retaking and detaining a paroled or conditionally released person."
- D. Returned Parole Violator Package: Documentation containing:
  1. A "Parole Jail Time Certificate."
  2. A "Violation of Release" Report.
- E. Parole Management Information System (PARMIS): A computer system implemented by Community Supervision which provides final hearing and final revocation of parole information.

**III. PROCESSING VIOLATORS**

- A. Upon notification by the Office of Classification and Movement, the receiving facility Inmate Records Coordinator shall review the Population Management System (FPMS) computer screens to verify the name, DIN, NYSID#, releasing facility, and type of release for each violator scheduled for intake.
- B. Upon admission of the violator, the Inmate Records Coordinator shall:
  1. Obtain a current "Division of Criminal Justice Services Criminal History Report" (Rap Sheet).
  2. Upon receipt, distribute two copies of available information and the rap sheet to the Guidance Unit and retain one copy in the legal file. Additionally, follow any locally established routing policy.

- C. Upon admission of the violator, the ID Officer will take photographs pursuant to Directive #4038, "Incarcerated Individual Identification Photographs (Mugshots)."

#### IV. PAROLE VIOLATOR DETAINEES

- A. To be admitted as a detainee, a "Retake Warrant" must accompany the individual. If no "Violation of Release" Report is received with the warrant, the Parole Violations Unit should be contacted immediately and asked to provide one.
- B. Detain the PVD under appropriate conditions pending receipt of inactive Department of Corrections and Community Supervision (DOCCS) records while awaiting the final revocation hearing. An individual returned based upon the provisions of the Interstate Parole Compact, accompanied by the proper documentation, will be treated as a PVD.
- C. During the period of detention, the PVD will be subject to a formal parole revocation hearing scheduled by DOCCS.
- D. If the revocation is sustained and the PVD is ordered returned to a correctional facility, the individual's status will be changed to an RPV. Follow appropriate procedures set forth in Section V.
- E. A PVD may be released from custody pursuant to a Court Order or upon completion of the revocation process resulting in no revocation and written cancellation of the PVD warrant.

#### V. RETURNED PAROLE VIOLATORS: An individual may be admitted as an RPV to any facility designated by the Department on the basis of availability of a "Returned Parole Violator Package" or to any reception center designated by the Department on the basis of completed final hearing information contained on PARMIS.

- A. Upon receipt of an "RPV Package" for an individual whose revocation has been sustained:
  - 1. The facility Inmate Records Coordinator shall ensure that the RPV's fingerprints have been captured in the Livescan system and a fingerprint card is submitted to the Division of Criminal Justice Services if directed to do so by the Office of Classification and Movement.
  - 2. The facility Inmate Records Coordinator shall re-compute the RPV's legal dates.
  - 3. The appropriate Guidance/Classification staff shall evaluate the individual for reclassification. This evaluation shall include review of medical and mental health assessments, an orientation, a review for the existence of any new Orders of Protection, and the completion of an "Automated Returned Parole Violator Guideline."
- B. In the absence of an "RPV Package," the Inmate Records Coordinator shall immediately request the facility Guidance Unit to provide the "Parole Jail Time Certificate" and "Violation of Release Report."