

Sec. 54-124a(j)(1)-4. Remand

(a) The Commissioner of Correction, any officer designated by the Commissioner of Correction, the Board of Pardons and Paroles and the Chairperson of the Board may remand to actual custody any offender charged with violation of parole.

(b) Offenders remanded to actual custody for parole violation have no right to bail and may be detained pending revocation proceedings.

(c) The Remand to Actual Custody Order shall be valid for thirty business days, after which it shall be void, provided that:

(1) Any Remand to Actual Custody Order not executed may be renewed and reissued;

(2) any Remand to Actual Custody Order may be renewed by a Hearing Examiner pending completion of a preliminary hearing rescheduled past thirty days from return to actual custody for good cause; and

(3) any Remand to Actual Custody Order for an offender held on behalf of another jurisdiction may be renewed by the Deputy Compact Administrator under the Interstate Compact for Adult Offender Supervision for good cause.

(d) Not later than three business days after the remand to actual custody of the offender, the authority issuing the Remand to Actual Custody Order, shall serve or cause to be served on the offender a Notice of Parole Violation which notice shall state, with particularity, the acts alleged to be in violation of the conditions of parole and the evidence relied upon. Upon service of the notice, the remanding authority shall:

(1) Advise the offender regarding the availability and scope of a preliminary hearing;

(2) advise the offender of the right to counsel at personal expense and limited right to counsel appointed by the State to represent him, in accordance with section 54-124a(j)(1)-12 of the Regulations of Connecticut State Agencies; and

(3) if a technical violation, inquire regarding the offender's intentions concerning a plea and wishes relating to the preliminary hearing, counsel and witnesses.

(e) Not later than seven business days after the remand to actual custody of the offender, the Commissioner of Correction or the Commissioner's designee shall send to the Board:

(1) An Application for a Warrant of Reimprisonment, including all documentary evidence upon which the Commissioner relies;

(2) a copy of the executed Remand to Actual Custody Order;

(3) a copy of the Notice of Parole Violation showing service on the offender and the offender's intentions and wishes regarding plea, appearance, representation, appointment of counsel, and witnesses.

(Adopted effective April 5, 2007)