

INTERSTATE COMPACT  
RETURN OF SERVICE  
TECHNICAL AND NON-TECHNICAL VIOLATIONS

On \_\_\_\_\_ (date) at \_\_\_\_\_ (city, state), you were placed under arrest with a warrant issued by the \_\_\_\_\_ (appropriate party). On \_\_\_\_\_ (date), you received a copy of the Report of Violation with attachment that has been submitted to the \_\_\_\_\_ (sending state) Since you are alleged to have violated terms and conditions of your probation, you are entitled to a fair and impartial hearing to determine if you are innocent or guilty of the allegations contained in the Report of Violation. A determination of innocent or guilt will be made according to the rules and regulations of your sending state. These hearings will be convened at a location reasonably near where you are. If it is alleged that you have violated the terms of your probation with a CONVICTION for a new crime or have been determined to have ABSCONDED SUPERVISION, you are NOT entitled to a preliminary hearing and/or on-site violation hearing. Gagnon v. Scarpelli, 411 U.S. 778 (1973).

PROBABLE CAUSE/PRELIMINARY HEARING

You have the right to a Probable Cause/Preliminary Hearing to determine if there is probable cause to believe the alleged probation violation may have occurred. You are advised that only facts that pertain to the alleged violation may be considered. Any facts pertaining to mitigating circumstances may ONLY be considered at the probation violation hearing(s). No determination of guilt or innocence will be made during the preliminary hearing.

\_\_\_\_\_ (1) I request that I be granted a preliminary hearing. Department of Corrections personnel or designee's staff will conduct the hearing.

\_\_\_\_\_ (2) I wish to waive my right to a preliminary hearing. Waiver of probable cause hearing by a probationer under the Compact shall not be accepted unless said waiver includes a signed admission of violation of probation condition, knowingly signed by the probationer. If probationer does not agree to sign admission of violation, a preliminary hearing will be conducted.

A preliminary hearing is scheduled for \_\_\_\_\_ (date/time) at which time evidence will be heard by a hearing officer to determine if probable cause exists to believe you violated terms of your probation and should be held until you can be returned to your sending authority. The location of the hearing will be at \_\_\_\_\_.

Offender's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_