



**FY2010 RECOMMENDATION/FY10-PIS01 PAROLE AND PAROLE RELEASE  
DECISION MAKING RECOMMENDATIONS**

**Status:** Implementation Complete

**Actions/Updates**

**2012 ACTION/IMPLEMENTATION**

This recommendation was implemented with the passage of House Bill 2010-1374.

**Description**

**Modify C.R.S. 17-2-207(3) to eliminate mandatory arrest provisions for individuals on parole.**

**Current statute**

CRS 17-2-207 (NOTE: A strikethrough of words indicates suggested deletions from existing statute.)

~~(3) Offenders on parole shall remain under legal custody and shall be subject at any time to be returned to a correctional facility. If any paroled offender leaves the state without lawful permission, he shall be held as a parole violator and arrested as such. If any parolee not paroled to reside in a county in which a correctional facility is located is found within the boundaries of such county without lawful permission, or if any parolee who is paroled to reside in such county or is in such county without lawful permission is found within the boundaries of state property without lawful permission, he shall be arrested as a parole violator.~~

**Agencies Responsible**

**Discussion**

*The three elements in the above mentioned statute should be eliminated. These violations are better managed using parole officer discretion which, if appropriate, may involve intermediate sanctions rather than arrest and revocation. In addition, the expansion of correctional and "state property" in most counties makes prohibitive the travel restrictions mandated by this statute.*

*There are some county jails that will not accept technical violators unless the violator is a clear danger to the local community. DOC has made provisions for instances in these circumstances. Some county sheriff's have space and DOC will send a technical violator to those county jails.*