
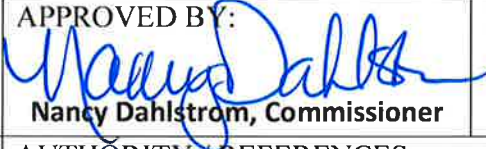


STATE OF ALASKA DEPARTMENT OF CORRECTIONS  POLICIES & PROCEDURES	SECTION: Pretrial Enforcement		PAGE: Page 1 of 2
	CHAPTER: 1350	NUMBER: 1350.05	P&P TYPE: Public
	TITLE: Violations of Conditions of Release		
	APPROVED BY:  Nancy Dahlstrom, Commissioner		DATE: 07/26/21
ATTACHMENTS / FORMS: N/A	AUTHORITY / REFERENCES: AS 11.56.757 AS 12.30.011 AS 12.30.016 AS 12.30.027 AS 18.65.530 AS 33.07.030		

POLICY:

- I. It is the policy of the Department of Corrections (DOC) that Pretrial Officers (POs) and designees shall investigate and respond to reports or alerts indicating a pretrial defendant has violated their conditions of release.
- II. It is the policy of DOC that when responding to violations of conditions of release, POs shall prioritize threats to public safety and respond with arrest where appropriate.

APPLICATION:

This policy and procedure will apply to all DP3 employees and designated contractors.

DEFINITIONS:

Probable Cause

A pretrial officer has sufficient reason based on known facts to believe a crime has been committed.

PROCEDURES:

- I. Investigating Violations of Conditions of Release
 - A. POs shall monitor defendants who are assigned to their caseload for compliance or non-compliance with their release conditions.
 - B. When a PO or designee receives information that a defendant has potentially violated their court ordered conditions of release, the PO or designee shall investigate the matter and shall determine whether probable cause exists that the defendant has violated their conditions of release.
- II. Violation Responses

SUPERCEDES POLICY DATED:	N / A
THIS POLICY NEXT DUE FOR REVIEW ON:	07/26/2026

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- A. If probable cause exists that a defendant violated their conditions of release, the PO or designee shall consider the severity of the defendant's conduct and whether to arrest the defendant, request a warrant or request the issuance of a summons.
- B. If a defendant is on conditions of release for crimes listed in AS 12.30.016 (e) or (f) or AS 12.30.027, the defendant is subject to mandatory arrest per AS 18.65.530.
 - a. A PO may contact the prosecuting attorney in the jurisdiction where the violation arose to seek authorization for a non-arrest. The PO shall document in the offender management system whether a non-arrest was granted or declined and whether further requirements were established such as filing a summons.
- C. A criminal complaint for violating conditions of release (VCOR) shall be filed with the court, establishing probable cause for the violation. A copy of the completed VCOR shall be uploaded into the offender management system.
- D. The PO shall document any actions taken, including their justifications for an arrest / non-arrest, in the DOC offender management system.

SUPERCEDES POLICY DATED:	N / A
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