

201—45.4(908) Violations.

45.4(1) Offenses. The district department may at any time report violations of the conditions of parole to the board of parole.

Within ten calendar days of receipt of knowledge of the commission of certain violations, listed below, the supervising officer shall make written report to the board of parole of the violations. The report shall include a recommendation or revoke parole or continue the person on parole. When the subject of the report is the commission of a new offense, the supervising officer may withhold recommendation until disposition of the charges in district court.

- a. Violation of any federal or state law; simple misdemeanors need not be reported.
- b. Any violent or assaultive conduct.
- c. Possession, control, or use of any firearms, imitation firearm, explosives, or weapons as defined in federal or state statutes.
- d. Sale, possession, continual or problem use, transportation or distribution of any narcotic or other controlled substance, or repeated excessive use of alcohol by the parolee.
- e. A parolee whose whereabouts are unknown and has been unavailable for contact for 30 days, or reliable information has been received indicating that the parolee is taking flight or absconding.
- f. Any behavior indicating the parolee may be suffering from a mental disorder which impairs the parolee's ability to function in the community or which makes the parolee a danger to self or others when the mental disorder cannot be adequately treated while in the community.
- g. Any other conduct or pattern of conduct in violation of the conditions of parole deemed sufficiently serious by the parole officer. The parole officer or supervisor is authorized to dispose of any other parolee misconduct not required to be reported above.

45.4(2) Detention. A parole officer, with supervisory approval, may arrest a parolee when there is probable cause to believe the parolee has violated conditions of parole which may result in parole revocation. The arresting agent may request temporary detention of the parolee in a local detention facility. In such cases all actions of the agent shall be in accordance with Iowa Code sections 908.1 and 908.2. A parole officer may also proceed without arrest by filing a complaint with the Iowa board of parole pursuant to Iowa Code section 908.8. When a parolee is arrested the agent shall immediately notify the board of parole.

A complaint, which is a preliminary parole violation information, shall be filed with the magistrate at the time of the initial appearance.

45.4(3) Absconding from supervision. Upon receipt of information that a parolee has absconded from supervision, a preliminary parole violation information shall immediately be filed with a judge, an associate judge, or a magistrate and a warrant for arrest requested.