

533.050 Arrest of defendant on probation or conditional discharge -- Notice and hearing -- Exception under KRS 439.3108.

- (1) At any time before the discharge of the defendant or the termination of the sentence of probation or conditional discharge:
 - (a) The court may summon the defendant to appear before it or may issue a warrant for his arrest upon a finding of probable cause to believe that he has failed to comply with a condition of the sentence; or
 - (b) A probation officer, or peace officer acting at the direction of a probation officer, who sees the defendant violate the terms of his probation or conditional discharge may arrest the defendant without a warrant.
- (2) Except as provided in KRS 439.3108, the court may not revoke or modify the conditions of a sentence of probation or conditional discharge except after a hearing with defendant represented by counsel and following a written notice of the grounds for revocation or modification.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 2, sec. 85, effective June 8, 2011. -- Created 1974 Ky. Acts ch. 406, sec. 289, effective January 1, 1975.