

- (I) THE STATE'S ATTORNEY;
- (II) THE PUBLIC DEFENDER;
- (III) THE COUNSEL OF RECORD FOR THE COMMITTED INDIVIDUAL;
- (IV) THE PERSON WHO REPORTED THE VIOLATION;
- (V) A HEARING OFFICER OF THE DEPARTMENT; AND
- (VI) THE DEPARTMENT.

(F) REVOCATION HEARING -- NOTICE.

WITHIN 10 DAYS AFTER THE COMMITTED INDIVIDUAL IS RETURNED TO THE DEPARTMENT IN ACCORDANCE WITH THE BODY ATTACHMENT, A HEARING OFFICER OF THE DEPARTMENT SHALL HOLD A HEARING UNLESS:

(1) THE HEARING IS POSTPONED OR WAIVED BY AGREEMENT OF THE PARTIES; OR

(2) THE HEARING OFFICER OF THE DEPARTMENT POSTPONES THE HEARING FOR GOOD CAUSE SHOWN.

(G) SAME -- PROCEDURE.

AT THE HEARING ON REVOCATION OR MODIFICATION:

(1) THE COMMITTED INDIVIDUAL IS ENTITLED TO BE REPRESENTED BY COUNSEL INCLUDING, IF INDIGENT, THE PUBLIC DEFENDER OR DESIGNEE OF THE PUBLIC DEFENDER;

(2) THE COMMITTED INDIVIDUAL, DEPARTMENT, AND STATE'S ATTORNEY ARE ENTITLED TO OFFER EVIDENCE, TO CROSS-EXAMINE ADVERSE WITNESSES, AND TO ANY OTHER RIGHTS THAT THE HEARING OFFICER CONSIDERS NECESSARY FOR A FAIR HEARING; AND

(3) THE HEARING OFFICER SHALL FIND:

(I) WHETHER, BY A PREPONDERANCE OF THE EVIDENCE, THE STATE HAS PROVED THAT THE COMMITTED INDIVIDUAL VIOLATED CONDITIONAL RELEASE; AND

(II) WHETHER, BY A PREPONDERANCE OF THE EVIDENCE, THE COMMITTED INDIVIDUAL NEVERTHELESS HAS PROVED ELIGIBILITY FOR CONDITIONAL RELEASE.

(H) HEARING OFFICER'S REPORT.

(1) THE HEARING OFFICER PROMPTLY SHALL:

(I) SEND A REPORT OF THE HEARING AND DETERMINATION TO THE COURT; AND