

Zip Code Notifications

Provides the DOC the authority to provide a crime victim information on the city and zip code of a person's residency after release from prison. The authority currently exists for Qualified Domestic Violence Related Offense (QDVRO) cases. This update would allow any crime victim, no matter the crime or relationship to the individual, to know the vicinity of where the person is living for safety planning purposes.

The language clarifies the DOC's ability to obtain relevant data as part of the state's duty to oversee the health and safety of local correctional facilities. The legislative intent for this oversight was made clear through the passage of the Hardel Sherrell Act in 2021, updating the state's inspection and licensing authority. In order to effectively enforce the statute, this clarifying change is needed.

Clarification of State Oversight of Local Facilities

Health Care Peer Review Committee Membership Changes

Updates statute to reflect the use of community physicians in the DOC's Health Care Peer Review Committee. The Eighth Amendment requires that the DOC provide a community-level of health care to incarcerated individuals. Including community providers in the peer review process is central in meeting this standard of care.

Current statute provides that the DOC Medical Director is the designee to make medical decisions for incarcerated individuals who lack decisions-making capacity and where no other family or other designated agents are available. This update provides clarity in rare occasions when the Medical Director is also not available by allowing a designated licensed physician to make decisions.

DOC Medical Director Designation

Correctional Use of Force

Brings the correctional use of force statute in-line with changes recently made to the peace officer use of force statute due to a court ruling that a portion of the language is unconstitutional.

The language addresses privacy concerns of victims who provide input to the newly created Supervision Release Board for consideration. The change provides the option for board meetings to be closed when victims provide information.

Protection of Victim Data in Parole Process

Challenge Incarceration Program Statute Update

Removes outdated language governing the Challenge Incarceration Program (CIP) that requires the DOC to limit participation in the program based on a list of medical conditions. Current statute does not comport with best practice or current policy requiring an individualized assessment to ensure safe participation in CIP. Current statute is also contrary to the constitutional rights of the incarcerated individual.

Updates a DOC reporting requirement on probation and supervision data to provide the information 8 months earlier than recently amended statute provides. Counties report local data in April of each year and the DOC compiles it shortly after. This change moves the legislative reporting date up from January 15 to May 1 to provide more timely notice to elected officials and cleans up unnecessary, outdated language.

Supervision Reporting Date Change

Local Advisory Board Requirements Clarification for Community Supervision

Clarifies that every county or tribe that seeks state funding for supervision and probation must consult a local advisory board prior to submitting required planning documents to the DOC. Currently, this is a requirement of Community Correction Act (CCA) counties only.

Clarifies communication related to the Prosecutor Initiated Resentencing bill (HF 266/SF 586) passed as part of SF 2909 in 2023. The proposal allows for more streamlined information sharing between the DOC and prosecutors seeking to review private or confidential data for purposes of the petition for sentence adjustment.

Sentence Adjustment Data Sharing

E-Filing Drafting Fix

Corrects a drafting error in the dispositions of detainer statute revised in 2023. The language changes “and” to “or” to align with the intention of modernizing statute and allowing e-filing of dispositions of detainer paperwork, not to adding the method to the previous antiquated paper process.