

## **31-26-12. Procedures when an inmate is released from incarceration; adult parole board; corrections department; procedures when a delinquent child is released from custody; juvenile parole board; children, youth and families department; district attorneys.**

A. The adult parole board and the children, youth and families department shall provide a copy of their respective regular release dockets to each district attorney in the state at least ten working days before the docket is considered. The district attorney shall notify any person known to reside in the district who was a victim of the criminal offense for which the inmate was incarcerated or the delinquent child was committed.

B. The adult parole board or the children, youth and families department shall provide a copy of a supplemental, addendum or special docket to each district attorney at least five working days before the release docket is considered.

C. Following consideration of a release docket by the adult parole board or the children, youth and families department, the board and department shall promptly notify each district attorney of recommendations for release of an inmate from incarceration or a delinquent child from custody. The district attorney shall notify any person known to reside in the district attorney's district who was a victim of the criminal offense for which the inmate was incarcerated or the delinquent child was committed.

D. In the case of an inmate scheduled to be released from incarceration without parole or prior to parole for any reason, or a delinquent child scheduled to be released from custody, the corrections department or the children, youth and families department shall notify each district attorney at least fifteen working days before the inmate's or delinquent child's release. The district attorney shall notify any person known to reside in the district who was a victim of the criminal offense for which the inmate was incarcerated or the delinquent child was committed.

**History:** [Laws 1994, ch. 144, § 12](#); [1999, ch. 103, § 2](#); [2009, ch. 239, § 5](#).

### **ANNOTATIONS**

**The 2009 amendment**, effective July 1, 2009, in Subsections A, after "adult parole board and the", deleted "juvenile parole board" and added "children, youth and families department"; in Subsections B, after "adult parole board or the", deleted "juvenile parole board" and added "children, youth and families department"; and in Subsections C, after "adult parole board or the", deleted "juvenile parole board, each board" and added "children, youth and families department, the board and department"; after "recommendations", deleted "adopted by the board"; and after "reside in the district", added "attorney's district".

**Applicability.** — [Laws 2009, ch. 239, § 71](#), provided that the provisions of this act apply to all children who, on July 1, 2009, are on release or are otherwise eligible to be placed on release as if the Juvenile Public Safety Advisory Board Act had been in effect at the time they were placed on release or became eligible to be released.

**The 1999 amendment**, effective July 1, 1999, inserted "adult" in the catchline and in Subsections A and B; added "procedures when a delinquent child is released from custody; juvenile parole board; children, youth and families department" to the catchline; inserted references to the juvenile parole board and "release" throughout the section; in Subsection A added the second sentence; in Subsection C added "or a delinquent child from custody" at the end of the first sentence and added "or the delinquent child was committed" at the end of the second sentence; in Subsection D in the first sentence, inserted the language beginning "or prior" and ending "from custody", inserted "or the children, youth and families department", and inserted "or delinquent child's", and at the end of the second sentence added "or the delinquent child was committed"; and made minor stylistic changes.