

## **CS/CS/HB 1005 — Corrections**

by Criminal and Civil Justice Policy Council; Public Safety and Domestic Security Policy Committee; and Rep. Holder (CS/CS/CS/SB 960 by Judiciary Committee; Children, Families, and Elder Affairs Committee; Criminal Justice Committee; and Senator Dockery)

The bill creates a new third-degree felony offense prohibiting lewd or lascivious exhibition by an inmate in the presence of a correctional employee. It also includes employees of private correctional facilities in the existing felony offense prohibiting an employee of the Department of Corrections from engaging in sexual misconduct with an inmate.

The bill creates statutory standard conditions of probation or community control that require offenders to live without violating any law and to submit to a digital photograph, prohibits offenders from possessing a firearm, and requires consent from the correctional probation officer before the offender can possess any other type of weapon. References to “criminal quarantine community control,” which has never been used, are removed from the statutes.

The bill codifies the department’s current practice of electronically transmitting the names of inmates and supervised offenders who are eligible for the restoration of civil rights to the Parole Commission. It also specifically authorizes the department to provide information concerning release of certain inmates to law enforcement officials by electronic means.

The bill revises the Correctional Mental Health Act regarding custody and treatment of mentally ill inmates, and specifically authorizes the department to transport mentally ill inmates to placement hearings while incarcerated and to a receiving facility upon release.

The bill changes statutory references to elderly correctional facilities to include all facilities in which elderly inmates are housed, rather than only specifying River Junction Correctional Institution.

The bill authorizes the use of inmate work squads on private property for certain public purposes. It also authorizes Public Safety Coordinating Councils to develop a comprehensive local reentry plan.

If approved by the Governor, these provisions take effect July 1, 2010.

*Vote: Senate 34-0; House 116-0*