

ENROLLED ACT NO. 4, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

AN ACT relating to criminal procedure; clarifying and modifying available administrative sanctions and eligibility for sanctions for probationers and parolees; specifying applicability; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 7-13-1104(a)(intro) and by creating a new subsection (b), 7-13-1105(d) and by creating a new subsection (e), 7-18-108(f) and by creating a new subsection (g) and 7-18-115(g) and by creating a new subsection (h) are amended to read:

7-13-1104. Program participation as a condition of parole.

(a) Except as provided in subsection (b) of this section, the state board of parole may, as a condition of parole, require a parolee who is assessed through a validated risk-need assessment as a high risk for reoffending or violating a condition of parole to participate in a program established under this article, provided:

(b) Placement of a parolee in a program established under W.S. 7-13-1102 as a sanction under W.S. 7-13-1801 through 7-13-1803 or following a modification or revocation of parole shall not require the parolee to be assessed through a validated risk-need assessment as a high risk for reoffending or violating a condition of parole.

7-13-1105. Placement of probationer in program by sentencing court.

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(d) Except as provided in subsection (e) of this section, a defendant shall not be placed in a program established under W.S. 7-13-1102 unless the defendant receives a validated risk-need assessment and scores as a high risk for reoffending or for violating conditions of probation except that a defendant may be placed in a program established under W.S. 7-13-1102 for good cause shown upon the record.

(e) Placement of a probationer in a program established under W.S. 7-13-1102 as a sanction under W.S. 7-13-1801 through 7-13-1803 or following a revocation of probation shall not require the probationer to be assessed through a validated risk-need assessment as a high risk for reoffending or violating a condition of probation.

7-18-108. Placement of offender in program by court; placement by department as administrative sanction.

(f) Subject to subsection (b) of this section, the department may, ~~as an administrative sanction pursuant to W.S. 7-13-1801 through 7-13-1803, require~~ impose the administrative sanctions provided in W.S. 7-13-1802(b) on any probationer participating in an intensive supervision program who violates the rules and restrictions of the program ~~to participate in a residential adult community correctional program for a period not to exceed sixty (60) days~~ as an alternative to probation revocation.

(g) Notwithstanding paragraph (b)(iv) of this section, placement of a probationer in an adult community correctional program as a sanction under subsection (f) of this section and W.S. 7-13-1801 through 7-13-1803 or following a revocation of probation shall not require the

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probationer to be assessed through a validated risk-need assessment as a high risk for reoffending or violating a condition of probation.

7-18-115. Assignment of parolee to program by state board of parole; placement by department as administrative sanction.

(g) Subject to subsection (b) of this section, the department may, ~~as an administrative sanction pursuant to W.S. 7-13-1801 through 7-13-1803, require~~ impose the administrative sanctions provided in W.S. 7-13-1802(b) on any parolee participating in an intensive supervision program who violates the rules and restrictions of the program ~~to participate in an adult residential community correctional program for a period not to exceed sixty (60) days~~ as an alternative to parole revocation.

(h) Notwithstanding paragraph (b)(v) of this section, placement of a parolee in an adult community correctional program authorized under this article as a sanction under subsection (g) of this section, W.S. 7-13-1801 through 7-13-1803 or following a modification or revocation of parole shall not require the parolee to be assessed through a validated risk-need assessment as a high risk for reoffending or violating a condition of probation.

Section 2. The provisions of this act shall apply to all probation and parole conditions resulting from a sentence imposed on or after the effective date of this act.

ORIGINAL SENATE
FILE NO. SF0014

ENGROSSED

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk