

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 53.1-160 of the Code of Virginia, relating to the Department of*  
3 *Corrections; notice upon prisoner release by electronic means.*

4 [H 1772]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 53.1-160 of the Code of Virginia is amended and reenacted as follows:**8 **§ 53.1-160. Notice to be given upon prisoner release, escape, etc.**

9 A. Prior to the release or discharge of any prisoner, the Department shall have notice of the release  
10 or discharge delivered by ~~first class~~ *first-class* mail or by *electronic means* to the court ~~which that~~  
11 committed the person to the Department of Corrections and to the sheriff, chief of police, and attorney  
12 for the Commonwealth (i) of the jurisdiction in which the offense occurred, (ii) of the jurisdiction in  
13 which the person resided prior to conviction, and (iii), if different from *clauses* (i) and (ii), of the  
14 jurisdiction in which the person intends to reside subsequent to being released or discharged. Such  
15 notice shall include, but not be limited to, identification of the specific offense or offenses for which the  
16 prisoner had been sentenced, the term or terms of imprisonment imposed, and the date the prisoner was  
17 committed to the Department of Corrections.

18 The Department shall ~~(i)~~ (a) have notice of the release or discharge of any prisoner, or of his transfer  
19 to a jail facility, a different prison facility, or any other correctional or detention facility, delivered by  
20 first-class mail ~~fifteen~~ 15 days prior to any such occurrence, or by telephone if notice by first-class mail  
21 cannot be delivered ~~fifteen~~ 15 days prior to the occurrence; ~~(ii)~~ (b) give notice as soon as practicable by  
22 telephone upon the escape of a prisoner; and ~~(iii)~~ (c) give notice by first-class mail upon the change of a  
23 prisoner's name, to any victim, as defined in § 19.2-11.01, of the offense for which the prisoner was  
24 incarcerated or to any person designated in writing by the victim. Notice shall be given using the  
25 address and telephone number provided by the victim. For the purposes of this section, "prisoner" means  
26 a person sentenced to serve more than ~~thirty~~ 30 days of incarceration or detention.

27 B. Fifteen days prior to the release of any prisoner to an authorized work release program or release  
28 to attend a business, educational or other related community program, the Department shall give notice  
29 to (i) the attorney for the Commonwealth, (ii) the chief law-enforcement officer of the jurisdiction in  
30 which the work on release will be performed or attendance at an authorized program will be permitted,  
31 and (iii) any victim, as defined in § 19.2-11.01, of the offense for which the prisoner was incarcerated or  
32 any person designated in writing by the victim at the address or phone number provided by the victim.

33 Every notice to the attorney for the Commonwealth or to the chief law-enforcement officer shall  
34 include the name, address, and criminal history of the participating prisoner, and other information upon  
35 request. The transmission of information shall be confidential and not subject to the Virginia Freedom of  
36 Information Act (§ 2.2-3700 et seq.).

37 C. Notification under this section may be provided to a victim as defined in § 19.2-11.01 through the  
38 Virginia Statewide VINE (Victim Information and Notification Everyday) System or other similar  
39 electronic or automated system.

40 No civil liability shall attach for the failure to give notice as provided in this section.

ENROLLED

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