

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 53.1-136 of the Code of Virginia, relating to parole board; parole*
3 *review and denial.*

4 [H 2103]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 53.1-136 of the Code of Virginia is amended and reenacted as follows:**8 **§ 53.1-136. Powers and duties of Board; notice of release of certain inmates.**

9 In addition to the other powers and duties imposed upon the Board by this article, the Board shall:

10 1. Adopt, subject to approval by the Governor, general rules governing the granting of parole and
11 eligibility requirements, which shall be published and posted for public review;12 2. (a) Release on parole for such time and upon such terms and conditions as the Board shall
13 prescribe, persons convicted of felonies and confined under the laws of the Commonwealth in any
14 correctional facility in Virginia when those persons become eligible and are found suitable for parole,
15 according to those rules adopted pursuant to subdivision 1;16 (b) Establish the conditions of postrelease supervision authorized pursuant to §§ 18.2-10 and
17 19.2-295.2 A;18 (c) Notify by certified mail at least 21 business days prior to release on discretionary parole of any
19 inmate convicted of a felony and sentenced to a term of 10 or more years, the attorney for the
20 Commonwealth in the jurisdiction where the inmate was sentenced. In the case of parole granted for
21 medical reasons, where death is imminent, the Commonwealth's Attorney may be notified by telephone
22 or other electronic means prior to release. Nothing in this subsection shall be construed to alter the
23 obligations of the Board under § 53.1-155 for investigation prior to release;24 (d) In any case where a person who is released on parole or postrelease supervision has been
25 committed to the Department of Behavioral Health and Developmental Services under the provisions of
26 Chapter 9 (§ 37.2-900 et seq.) of Title 37.2, the conditions of his parole or postrelease supervision shall
27 include the requirement that the person comply with all conditions given him by the Department of
28 Behavioral Health and Developmental Services, and that he follow all of the terms of his treatment plan;29 3. Revoke parole and any period of postrelease and order the reincarceration of any parolee or felon
30 serving a period of postrelease supervision or impose a condition of participation in any component of
31 the Statewide Community-Based Corrections System for State-Responsible Offenders (§ 53.1-67.2 et
32 seq.) on any eligible parolee, when, in the judgment of the Board, he has violated the conditions of his
33 parole, postrelease supervision or is otherwise unfit to be on parole or on postrelease supervision;34 4. Issue final discharges to persons released by the Board on parole when the Board is of the opinion
35 that the discharge of the parolee will not be incompatible with the welfare of such person or of society;36 5. Make investigations and reports with respect to any commutation of sentence, pardon, reprieve or
37 remission of fine or penalty when requested by the Governor; ~~and~~38 6. Publish monthly a statement regarding the action taken by the Board on the parole of prisoners.
39 The statement shall list the name of each prisoner considered for parole and indicate whether parole was
40 granted or denied, as well as the basis for denial of parole as described in subdivision 2 (a); *and*41 7. *Ensure that each person eligible for parole receives a timely and thorough review of his suitability*
42 *for release on parole, including a review of any relevant post-sentencing information. If parole is*
43 *denied, the basis for the denial of parole shall be in writing and shall give specific reasons for such*
44 *denial to such inmate.*

ENROLLED

HB2103ER