

SENATE FILE NO. SF0010

Work Release Act-repeal.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to criminal procedure; repealing archaic  
2 provisions relating to work release for prisoners;  
3 conforming provisions; and providing for an effective date.  
4

5 *Be It Enacted by the Legislature of the State of Wyoming:*  
6

7 **Section 1.** W.S. 1-40-204(c)(iv), 6-2-303(a)(vii),  
8 7-13-804(a)(vii), 7-22-112(a)(viii), 18-6-303(c)(i)(C),  
9 25-3-104(b)(iv) and 25-4-102 are amended to read:  
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11 **1-40-204. Rights of victims and witnesses to be**  
12 **informed during the criminal justice process.**  
13

14 (c) Victims, key witnesses, offices of prosecutors,  
15 victim witness coordinators and advocates who have  
16 participated in the criminal prosecution shall be offered

1 the opportunity to be informed in writing by the department  
2 of corrections about:

3

4 (iv) Any ~~work release of the offender and the~~  
5 ~~assigned work release site~~ placement of the offender in a  
6 community correctional program;

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8 **6-2-303. Sexual assault in the second degree.**

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10 (a) Any actor who inflicts sexual intrusion on a  
11 victim commits sexual assault in the second degree if,  
12 under circumstances not constituting sexual assault in the  
13 first degree:

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15 (vii) The actor is an employee, independent  
16 contractor or volunteer of a state, county, city or town,  
17 or privately operated adult or juvenile correctional  
18 system, including but not limited to jails, penal  
19 institutions, detention centers, juvenile residential or  
20 rehabilitative facilities, adult community correctional  
21 facilities, or secure treatment facilities ~~or work release~~  
22 ~~facilities,~~ and the victim is known or should be known by  
23 the actor to be a resident of such facility or under  
24 supervision of the correctional system; or

1

2           **7-13-804. Contents of application for pardon; notice**  
3 **to district attorney.**

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5           (a) A person convicted of a felony may apply to the  
6 governor for a pardon. The application shall contain:

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8                   (vii) Any pertinent information the governor may  
9 request such as parole and ~~work—release—~~community  
10 correctional program records.

11

12           **7-22-112. Nondelegation of authority.**

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14           (a) No contract for private correctional services  
15 under this article shall authorize, allow or imply a  
16 delegation to a private contractor of authority or  
17 responsibility to:

18

19                   (viii) Determine inmate eligibility for  
20 furlough, compassionate leave, or participation in  
21 community corrections; ~~or work release;~~

22

23           **18-6-303. Care of prisoners; audit of expenses.**

24

1 (c) The county commissioners shall pay for reasonable  
2 and necessary medical care for:

3

4 (i) Injuries incurred by a prisoner:

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6 (C) ~~While on work release or~~ When  
7 performing duties assigned by the sheriff or a member of  
8 his staff.

9

10 **25-3-104. Transfer of residents to state hospital;**  
11 **rules and regulations governing residents.**

12

13 (b) The department shall make all rules and  
14 regulations necessary and proper for:

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16 (iv) Work release for residents who are not  
17 subject to ~~W.S. 7-16-301 through 7-16-311,~~ home visitation  
18 or temporary residence outside the school enclosure.

19

20 **25-4-102. Nature of program and discipline; rules and**  
21 **regulations for work release, home visitation or temporary**  
22 **residence.**

23

