



SURVEY OF SELECT STATE LAWS EXPLICITLY ADDRESSING THE CONFIDENTIALTY OR PRIVILEGE OF PAROLE INFORMATION

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For additional resources relating to the protection, enforcement, and advancement of crime victims' rights, please visit NCVLI's website at www.ncvli.org.

The detailed chart that follows lists statutes in which victims or the general population are entitled to certain probation, parole or inmate records. In some instances, the statutes cited are related to the jurisdiction's freedom of information laws. However, the freedom of information laws were not specifically searched in making this chart. This chart is a survey of select laws and is not intended as an exhaustive resource of all victims' rights provisions.

JURISDICTION	EXPLICIT STATUTORY AND/OR REGULATORY PROVISION(S)
<p>D.C.</p>	<p><i>D.C. Code Ann. § 2-534 (Exemptions from disclosure).</i></p> <p>(a) The following matters may be exempt from disclosure under the provisions of this subchapter:</p> <p>...</p> <p>(2) Information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy;</p> <p>(3) Investigatory records compiled for law-enforcement purposes, including the records of Council investigations and investigations conducted by the Office of Police Complaints, but only to the extent that the production of such records would:</p> <p>(A) Interfere with:</p> <p>(i) Enforcement proceedings;</p> <p>(ii) Council investigations; or</p> <p>(iii) Office of Police Complaints ongoing investigations;</p> <p>(B) Deprive a person of a right to a fair trial or an impartial adjudication;</p> <p>(C) Constitute an unwarranted invasion of personal privacy;</p> <p>(D) Disclose the identity of a confidential source and, in the case of a record compiled by a law-enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source;</p> <p>(E) Disclose investigative techniques and procedures not generally known outside the government; or</p> <p>(F) Endanger the life or physical safety of law-enforcement personnel[.]</p>
<p>Alabama</p>	<p><i>Ala. Code § 15-22-36 (Authority to grant pardons and paroles, remit fines and forfeitures, etc.; notice of board action).</i></p> <p>...</p> <p>(b) Each member of the Board of Pardons and Paroles favoring a pardon, parole, remission of a fine or forfeiture, or restoration of civil and political rights shall enter in the file his or her reasons in detail, which entry and the order shall be public records, but all other portions of the file shall be privileged.</p> <p>...</p> <p>(g) Electronic notices as required by this section, Section 14-14-5, Section 15-22-23, Section 15-22-36.2, Section 15-22-36.3, and Section 15-22-26.2 shall be produced through the automated notification system developed and maintained by the Alabama Law Enforcement Agency. All data and records required to produce the notices shall be provided to the Alabama Law Enforcement Agency to be incorporated into the automated notification system. Board records a</p> <p>nd information accessible to the public through the automated notification system shall be limited to those notification items specified in subdivision (3) of subsection (e) [<i>i.e.</i>, the name of the prisoner or defendant involved; the crime for which the prisoner or defendant was convicted; the date of the sentence; the court in which the conviction occurred; the sentence imposed; the actual time the prisoner has been held in confinement and the prisoner's minimum release date, as computed by the Department of Corrections; the action to be considered by the board; the date, time, and location of the board meeting at which the action is to be considered; and the right of the victim named in the indictment, a victim's representative, or if the victim is deceased as a result of the offense, the victim's immediate family, as defined by the board's operating rules, or, in the event there is no immediate family, a relative of a victim, if any, to present his or her views to the board in person or in writing], as well as the offender's age, sex, race, and unique identifiers. Records concerning the status of supervised offenders on probation and parole shall also be made available to the public, including information on when supervision began, the date the supervision term will end, and information on whether or how supervision was terminated. Otherwise, access to board records and information through the automated notification system shall be limited in use to the legitimate law enforcement purpose of entering and updating contact information on behalf of crime victims, assisting victims with registration, and ensuring victims receive notice. Information and records of the board accessible for law enforcement purposes through the automated notification system, in addition to that available to the public as specified above, shall be limited to the offender's date of birth, the supervising officer's name, the county of residence for those offenders currently supervised in Alabama, and the supervising officer's phone number. Misuse of the automated notification system or records or information contained in the automated notification system shall be subject to criminal prosecution under Article 5A of Chapter 8 of Title 13A, as well as Section 41-9-601, Section 41-9-602, and any other law of this state.</p> <p><i>Ala. Admin. Code r. 640-X-5-.01 (Confidentiality).</i></p>

	<p>Section 15-22-36(b), Code of Ala. 1975, imposes strict limits on this agency's ability to share information with the public from its parole consideration files. Similarly, § 15-22-53(b) imposes strict limits on this agency's ability to share with the public information gathered for the use of the courts. While the Board and its staff are committed to assisting the public and addressing their concerns, the requirements of these statutes are binding.</p>
<p>Alaska</p>	<p><i>Alaska Stat. Ann. § 33.16.120 (Rights of certain victims in connection with parole) (effective until Jan. 1, 2017).</i></p> <p>(a) If the victim of a crime against a person or arson in the first degree requests notice of a scheduled hearing to review or consider discretionary parole for a prisoner convicted of that crime, the board shall send notice of the hearing to the victim at least 30 days before the hearing. The notice must be accompanied by a copy of the prisoner's application for parole submitted under AS 33.16.130(a). However, the copy of the application sent to the victim may not include the prisoner's proposed residence and employment addresses.</p> <p>(b) A victim who requests notice under this section shall maintain a current, valid mailing address on file with the board. The board shall send the notice required by this section to the last known address of the victim. The victim's address may not be disclosed to the prisoner or the prisoner's attorney.</p> <p>(c) The victim has a right to attend meetings of the parole board in which the status of the prisoner convicted of the crime against that victim is officially considered and to comment, in writing or in person, on the proposed action of the board. Copies of any written comments shall be provided to the prisoner and the prisoner's attorney before action by the board.</p> <p>(d) The board shall consider the comments presented under (c) of this section in deciding whether to release the prisoner on parole.</p> <p>(e) If the victim requests, the board shall make every reasonable effort to notify the victim as soon as practicable in writing of its decision to grant or deny discretionary parole or to release the prisoner under AS 33.16.010(c). The notice under this subsection must include the expected date of the prisoner's release, the geographic area in which the prisoner is required to reside, and other pertinent information concerning the prisoner's conditions of parole that may affect the victim.</p> <p>(f) Upon request of the victim, if a prisoner is released under AS 33.16.010(c), the board shall make every reasonable effort to notify the victim before the prisoner's release date. Notification under this subsection must include the expected date of the prisoner's release, the geographic area in which the prisoner is required to reside, and other pertinent information concerning the prisoner's conditions of parole that may affect the victim.</p> <p>(g) A victim of a crime involving domestic violence shall be informed by the board at least 30 days in advance of a scheduled hearing to review or consider discretionary parole for a prisoner. The board shall inform the victim of any decision to grant or deny discretionary parole or to release the prisoner under AS 33.16.010(c). If the prisoner is to be released, the victim shall be notified of the expected date of the release, the geographic area in which the prisoner will reside, and any other information concerning conditions of parole that may affect the victim. The victim shall also be informed of any changes in the conditions of parole that may affect the victim. The board shall send the notice required to the last known address of the victim. A person may not bring a civil action for damages for a failure to comply with the provisions of this subsection.</p> <p><i>Alaska Stat. Ann. § 33.16.120 (Rights of certain victims in connection with parole) (effective Jan. 1, 2017).</i></p> <p>(a) If the victim of a crime against a person or arson in the first degree requests notice of a scheduled hearing to review or consider discretionary parole for a prisoner convicted of that crime, the board shall send notice of the hearing to the victim at least 30 days before the hearing. The notice must be accompanied by a copy of the prisoner's parole plan submitted to the board. However, the copy of the parole plan sent to the victim may not include the prisoner's confidential health information, information protected under AS 33.16.170, proposed residence, or employment addresses.</p> <p>(b) A victim who requests notice under this section shall maintain a current, valid mailing address on file with the board. The board shall send the notice required by this section to the last known address of the victim. The victim's address may not be disclosed to the prisoner or the prisoner's attorney.</p> <p>(c) The victim has a right to attend meetings of the parole board in which the status of the prisoner convicted of the crime against that victim is officially considered and to comment, in writing or in person, on the proposed action of the board. Copies of any written comments shall be provided to the prisoner and the prisoner's attorney before action by the board.</p> <p>(d) The board shall consider the comments presented under (c) of this section in deciding whether to release the prisoner on parole.</p> <p>(e) If the victim requests, the board shall make every reasonable effort to notify the victim as soon as practicable in writing of its decision to grant or deny discretionary parole or to release the prisoner under AS 33.16.010(c). The notice under this subsection must include the expected date of the prisoner's release, the geographic area in which the prisoner is required to reside, and other pertinent information concerning the prisoner's conditions of parole that</p>

	<p>may affect the victim.</p> <p>(f) Upon request of the victim, if a prisoner is released under AS 33.16.010(c), 33.16.089, or 33.16.090, the board shall make every reasonable effort to notify the victim before the prisoner's release date. Notification under this subsection must include the expected date of the prisoner's release, the geographic area in which the prisoner is required to reside, and other pertinent information concerning the prisoner's conditions of parole that may affect the victim.</p> <p>(g) A victim of a crime involving domestic violence or of a sexual assault under AS 11.41.410—11.41.427 shall be informed by the board at least 30 days in advance of a scheduled hearing to review or consider parole for a prisoner. The board shall inform the victim of any decision to grant or deny parole or to release the prisoner under AS 33.16.010(c). If the prisoner is to be released, the victim shall be notified of the expected date of the release, the geographic area in which the prisoner will reside, and any other information concerning conditions of parole that may affect the victim. The victim shall also be informed of any changes in the conditions of parole that may affect the victim. The board shall send the notice required to the last known address of the victim. A person may not bring a civil action for damages for a failure to comply with the provisions of this subsection.</p> <p>(h) A victim who has a right to notice under (a) of this section may request a hearing before a prisoner is released on administrative parole under AS 33.16.089. The notice to the victim must include the procedure and time frame for requesting a hearing.</p> <p><i>Alaska Stat. Ann. § 33.16.170 (Confidentiality of Records and Information).</i></p> <p>(a) Except as provided in (b) of this section, the preparole reports listed in AS 33.16.110, and other information obtained and used by the board under this chapter, are confidential and may not be disclosed to anyone other than the board, the sentencing judge, the prosecuting and defense attorneys, the prisoner, the prisoner's attorney, the attorney for the board, the staff of the board, or others granted access to this information under this chapter.</p> <p>(b) Notwithstanding (a) of this section and AS 33.16.130(b), in a preparole proceeding under AS 33.16.130 the board may not disclose to the prisoner or the prisoner's attorney</p> <ol style="list-style-type: none"> (1) diagnostic opinions that, if made known to the eligible prisoner, could lead to serious disruption of the prisoner's institutional program; (2) portions of a document that reveal sources of information obtained upon a promise of confidentiality; or (3) other information that, if disclosed, may result in physical harm to any other person. <p>(c) When the board withholds information from a prisoner or the prisoner's attorney under (b) of this section, the board shall provide the prisoner with an excised copy of the material or summary of the material withheld containing as much specificity as the circumstances allow.</p> <p><i>Alaska Admin. Code tit. 22, § 20.125 (Disclosure of report).</i></p> <p>(a) The parole progress report is confidential and may not be disclosed to anyone not authorized by law.</p> <p>(b) Except as provided in (c) of this section, the department shall provide a copy of the parole progress report and attachments to the parole applicant a minimum of two weeks before the scheduled parole hearing.</p> <p>(c) The department shall advise the board if it believes information available for the parole progress report or attachments to the report should not be disclosed to the prisoner under AS 33.16.170(b) and the reasons for recommending non-disclosure. If the board concurs with the department, the department or board shall have prepared an excised copy or summary of the material. The excised copy or the summary must be provided to the prisoner at least one week before the parole hearing, unless exigencies make the disclosure impossible in this time frame. In such a case, the disclosure will be made as close to the one week limit as possible.</p> <p>(d) Information received by department staff after the parole progress report is provided to the board and the prisoner, will be given to the board and the prisoner as soon as feasible.</p> <p>(e) Upon written request, the department will provide a copy of the parole progress report to the prosecuting attorney, the prisoner's attorney, the sentencing judge, and the attorney for the board. The prisoner's attorney's copy is subject to the requirements of (c) of this section.(f) The department may provide a copy of the parole progress report to the receiving state under AS 33.36.110 (Interstate Compact for Adult Offender Supervision) if the prisoner requests supervision in another state.</p>
<p>Arizona</p>	<p><i>Ariz. Rev. Stat. Ann. § 31-221 (Master record file; information from other agencies; confidentiality of file; access; definition).</i></p> <p>A. The state department of corrections shall maintain a master record file on each person who is committed to the department that contains the following:</p>

	<ol style="list-style-type: none"> 1. All information from the committing court. 2. The reports of the reception-diagnostic centers. 3. Evaluation and assignment reports and recommendations. 4. Reports of disciplinary infractions and their disposition. 5. Progress reports prepared for the board of executive clemency and the department. 6. Parole or community supervision progress reports. 7. The date and circumstances of final discharge. 8. Any other pertinent data concerning the person's background, conduct, associations and life history as may be required by the department with a view to the person's reformation and to the protection of society. <p>B. All public agencies shall make available to the department, on request, any factual data in their possession regarding individuals committed to the department.</p> <p>C. All records of prisoner care and custody are subject to title 39, chapter 1, article 2 [relating to inspection of public records],¹ except that the department shall not disclose records or portions of records:</p> <ol style="list-style-type: none"> 1. Revealing the identity of a confidential informant. 2. Endangering the life or physical safety of a person. 3. Jeopardizing an ongoing criminal investigation.... <p>G. For the purposes of this section, "automated summary record file" means a computer printout or generated image that includes the prisoner's:</p> <ol style="list-style-type: none"> 1. Sentencing and release date calculations. 2. Institutional movements. 3. Disciplinary and rule violations. 4. Detainers and warrants. 5. Institutional work or job history. 6. Classification actions. 7. Board of executive clemency hearing actions.
<p>Arkansas</p>	<p><i>Ark. Code Ann. § 12-27-145 (Records to be posted on a public website).</i></p> <p>(a) To the extent permitted by federal law, the Department of Correction shall post on the Department of Correction's website the following information concerning an inmate:</p> <p>(1) The offense and sentence for any conviction for which the inmate is incarcerated, including:</p> <p>(A) Whether the inmate is subject to a suspended sentence, if known; and</p> <p>(B) The terms of the suspended sentence, if applicable;</p> <p>(2)(A)(i) Beginning July 1, 2015, the disciplinary record for each inmate.</p> <p>(ii) As used in this subsection, "disciplinary record" means a list of each major disciplinary violation after July 1, 2015, for which the inmate has been found guilty.</p> <p>(B) Additionally, the list and the date of major disciplinary violations for which the inmate was found guilty shall be displayed during the period the inmate is being considered for transfer to parole;</p> <p>(3)(A) Risk assessment scores completed after April 1, 2015.</p> <p>(B) Risk assessment scores under this subdivision (a)(3) shall include the name of the state agency that completed the risk assessment, the date the risk assessment was conducted, and the level of assessment.</p> <p>(C) Information by the Department of Correction regarding how risk assessments are scored shall also be posted;</p> <p>(4) Custody status and level;</p> <p>(5) Any known aliases;</p> <p>(6) A current photograph of the inmate;</p>

	<p>(7) A complete felony conviction summary to the extent that information is available to the Department of Correction;</p> <p>(8) To the extent the information is available to the Department of Correction, if an order of protection, no contact order, or other order from an in-state or out-of-state court that prohibits contact or communication with another person is in place;</p> <p>(9) Any programs completed by the inmate while in custody; and</p> <p>(10) An inmate's parole eligibility date or date he or she is to be released from incarceration as well as a general explanation of how an inmate's parole eligibility date is calculated, including good time credits.</p> <p>(b)(1) To the extent permitted by federal law, the Department of Community Correction shall post on the Department of Community Correction's website the following information concerning a probationer, parolee, or other person under the supervision of the Department of Community Correction who has absconded or has had a warrant issued for his or her arrest for evading supervision:</p> <p>(A) Any offense and sentence for which the probationer, parolee, or other person under the supervision of the Department of Community Correction is being supervised, including:</p> <p>(i) Whether the probationer, parolee, or other person under the supervision of the Department of Community Correction is subject to a suspended sentence, if known; and</p> <p>(ii) The terms of the suspended sentence, if applicable;</p> <p>(B) A complete felony conviction summary to the extent that information is available to the Department of Community Correction;</p> <p>(C)(i) Risk assessment scores completed after April 1, 2015.</p> <p>(ii) Risk assessment scores under this subdivision (b)(1)(C) shall include the name of the state agency that completed the risk assessment, the date the risk assessment was conducted, and the level of assessment.</p> <p>(iii) Information by the Department of Community Correction regarding how risk assessments are scored shall also be posted;</p> <p>(D) Any known aliases;</p> <p>(E) Most recent photograph of the probationer, parolee, or other person under the supervision of the Department of Community Correction;</p> <p>(F) To the extent the information is available to the Department of Community Correction, if an order of protection, no contact order, or other order from an in-state or out-of-state court that prohibits contact or communication with another person is in place;</p> <p>(G) All major disciplinary violations while the inmate was incarcerated and the date of the major disciplinary violation disposition;</p> <p>(H) Any programs completed by the probationer, parolee, or other person under the supervision of the Department of Community Correction while on supervision and the date of completion; and</p> <p>(I) A list of previous revocation offenses while on probation or parole and date of revocation.</p> <p>(2) The Department of Community Correction shall develop a plan to establish a method for a victim of a crime committed by a probationer, parolee, or other person under the supervision of the Department of Community Correction to directly and easily access the information listed under this subsection.</p> <p>(c)(1) When possible, court-generated records listed under this section shall be electronic copies of the actual court documents.</p> <p>(2) All victim information included in the court-generated records under this subsection shall be redacted.</p>
<p>California</p>	<p><i>Cal. Penal Code § 3042 (Parole-review hearings for inmates serving life sentences; notice requirements; procedures).</i></p> <p>(a)(1) At least 30 days before the Board of Parole Hearings meets to review or consider the parole suitability of any inmate sentenced to a life sentence, the board shall send written notice thereof to each of the following persons: the judge of the superior court before whom the inmate was tried and convicted, the attorney who represented the defendant at trial, the district attorney of the county in which the offense was committed, the law enforcement agency that investigated the case, and if the inmate was convicted of the murder of a peace officer, the law enforcement agency that employed the peace officer at the time of the murder.</p> <p>....</p> <p>(b) The Board of Parole Hearings shall record all of those hearings and transcribe recordings of those hearings within 30 days of any hearing. Those transcripts, including the transcripts of all prior hearings, shall be filed and maintained in the office of the Board of Parole Hearings and shall be made available to the public no later than 30 days from the date of the hearing. An inmate shall not be released on parole until 60 days from the date of the hearing have elapsed.</p>

(c) At any hearing, the presiding hearing officer shall state his or her findings and supporting reasons on the record.

(d) Any statements, recommendations, or other materials considered shall be incorporated into the transcript of the hearing, unless the material is confidential in order to preserve institutional security and the security of others who might be endangered by disclosure.

(e)(1) The written notice to the judge of the superior court before whom the inmate was tried and convicted shall be sent by United States mail.

(2) The judge receiving this written notice may forward to the board any unprivileged information from the trial or sentencing proceeding regarding the inmate, witnesses, or victims, or other relevant persons, or any other information, that is pertinent to the question of whether the board should grant parole or under what conditions parole should be granted. The judge may also, in his or her discretion, include information given to him or her by victims, witnesses, or other persons that bear on the question of the inmate's suitability for parole.

(3) The board shall review and consider all information received from the judge or any other person and shall consider adjusting the conditions of parole to reflect the comments or concerns raised by this information, as appropriate.

(f) This section does not limit the type or content of information the judge or any other person may forward to the board for consideration under any other law.

(g) Any person who receives notice under subdivision (a) who is authorized to forward information for consideration in a parole suitability hearing for a person sentenced to a life sentence under this section, may forward that information either by facsimile or electronic mail. The Department of Corrections and Rehabilitation shall establish procedures for receiving the information by facsimile or electronic mail pursuant to this subdivision.

Cal. Code Regs. tit. 15, § 2087 (Disclosure of Information).

(a) General. Information about a person and contained in files maintained by the board shall be disclosed only as provided in this section. Only personal or confidential information collected or originated by the board may be disclosed. Any information contained in board files which was collected or originated by another agency or department shall not be disclosed, but the person requesting the information shall be referred to the originating agency. This section shall not apply to life prisoner parole consideration files. (See Penal Code Section 3042.)

(b) Nonpersonal Information.

(1) Disclosures. Nonpersonal information may be disclosed to anyone who has a legitimate reason for needing the information. Prior to disclosure of the information, the identity of the person requesting and the reason for needing the information shall be established. In disclosing nonpersonal information the board shall ensure that the information is needed for a legitimate reason and that the person requesting it will use the information only as it pertains to that need.

(c) Personal Information.

(1) Disclosures.

(A) Personal information may be disclosed to persons other than the subject of the information as follows:

1. Consent.
 - a. To anyone if the subject of the information has given written voluntary consent within 30 days of the requested disclosure or within the time limits specified in the consent;
 - b. To the subject's guardian or conservator upon adequate verification that the person is the guardian or conservator;
 - c. To a member of a committee of the legislature or to a legislator if the subject has consented to the disclosure. Consent may be implied if the subject has written to the legislator requesting information or assistance.
- ...
5. Compelling Circumstances. Pursuant to a determination by the board that compelling circumstances exist which affect the health or safety of the subject if notice of the disclosure is transmitted to the subject of the information at his last known address.
6. Courts. To any person pursuant to a court order if prior to the disclosure, the board reasonably attempts to notify the subject of the disclosure and notice is not prohibited by law.

(d) Confidential Information.

(1) Definition. Confidential information includes information which, if disclosed, would:

- (A) Endanger the health or safety of the subject or of other persons;
- (B) Endanger the security of any department institution;

	<p>(C) Disclose personal or confidential information about a person other than the subject of the information when the information about the other person would not reasonably be part of the subject's knowledge or experience;</p> <p>(D) Impede an investigation or preclude the department or board from accomplishing its statutory purpose or function in criminal, civil or administrative matters;</p> <p>(E) Compromise the objectivity or fairness of the testing, appointment or promotion process;</p> <p>(F) Release information required by statute to be withheld from the person to whom the information pertains.</p> <p>(2) Disclosure. Confidential information may be disclosed as provided in subsection (c)(2).</p> <p>Note: Authority cited: Section 5076.2, Penal Code. Reference: Sections 1798-1798.76, Civil Code. Cal.</p>
Colorado	<p><i>Colo. Rev. Stat. Ann. § 17-2-104 (Parole and Probation).</i></p> <p>(1) The office of director of the division of adult parole shall be maintained as a clearing house for all information on domestic as well as interstate parolees, and the director shall prescribe, prepare, and furnish such forms, records, and reports as the executive director may require from time to time. Such data and information so compiled shall not be considered to be public records but shall be held to be confidential in character.</p> <p>(2) The director shall report to the executive director at such times and on such matters as the executive director may require; except that confidential information shall not be made public. Publications of the director circulated in quantity outside the division shall be subject to the approval and control of the executive director.</p>
Connecticut	<p><i>Conn. Gen. Stat. Ann. § 54-235 (State-wide automated victim information and notification system).</i></p> <p>The Judicial Branch shall contract for the establishment and implementation of a state-wide automated victim information and notification system to provide automatic notice of relevant offender information and status reports to registered crime victims. Such system shall be used to provide victim notification by the Office of Victim Services within the Judicial Department, the Victim Services Unit within the Department of Correction, the Board of Pardons and Paroles and the Division of Criminal Justice. Such system shall be operational on July 1, 2009, or not later than thirty days after receipt of notice of the award of federal funds for the establishment and implementation of such system, whichever is earlier.</p> <p><i>Conn. Gen. Stat. § 54-130c (Information About Prisoner).</i></p> <p>Said board may institute inquiries by correspondence or otherwise as to the previous history or character of any prisoner, and each prosecuting officer, judge, police officer or other person shall give said board, upon request, such information as he may possess with reference to the habits, disposition, career and associates of any prisoner.</p> <p><i>Conn. Gen. Stat. § 54-108c (Availability of information for outstanding arrest warrants for probation violations).</i></p> <p>The Court Support Services Division of the Judicial Branch shall make available on the Internet (1) information concerning all outstanding arrest warrants for violation of probation including the name, address and photographic image of the probationer named in such warrant, except that information concerning such an outstanding warrant shall not be made available on the Internet if (A) there is reason to believe that making such information available might endanger the safety of the probationer or any other person, or (B) the probationer is a person adjudicated as a youthful offender, and (2) a quarterly report listing by court of issuance all arrest warrants for violation of probation made available under subdivision (1) of this section, including the name and address of the probationer named in each such warrant and the date of issuance of such warrant.</p> <p><i>Conn. Gen. Stat. § 54-108e (Availability of information contained in alternative sentencing plan or community release plan).</i></p> <p>(d) Information contained in an alternative sentencing plan or a community release plan shall be available only to: (1) Employees of the Judicial Branch who in the performance of their duties require access to the information contained in such plan; (2) employees and authorized agents of state or federal agencies involved in the design and delivery of treatment services to the person who is the subject of such plan; (3) employees of state or community-based agencies providing services directly to the person who is the subject of such plan; (4) an attorney representing the person who is the subject of such plan in</p>

	<p>any proceeding in which such plan is relevant; (5) employees of the Division of Criminal Justice who are assigned to the court location where the court ordered completion of an alternative sentencing plan pursuant to subsection (b) of this section, or where a sentence modification hearing will be heard pursuant to subsection (c) of this section; and (6) employees of the Department of Correction.</p> <p><i>Conn. Gen. Stat. § 1-210 (Freedom of Information Act).</i></p> <p>(b) Nothing in the Freedom of Information Act shall be construed to require disclosure of:</p> <p>(1) Preliminary drafts or notes provided the public agency has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure;</p> <p>(2) Personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy;</p> <p>(3) Records of law enforcement agencies not otherwise available to the public which records were compiled in connection with the detection or investigation of crime, if the disclosure of said records would not be in the public interest because it would result in the disclosure of (A) the identity of informants not otherwise known or the identity of witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known, (B) the identity of minor witnesses, (C) signed statements of witnesses, (D) information to be used in a prospective law enforcement action if prejudicial to such action, (E) investigatory techniques not otherwise known to the general public, (F) arrest records of a juvenile, which shall also include any investigatory files, concerning the arrest of such juvenile, compiled for law enforcement purposes, (G) the name and address of the victim of a sexual assault under section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, voyeurism under section 53a-189a, or injury or risk of injury, or impairing of morals under section 53-21, or of an attempt thereof, or (H) uncorroborated allegations subject to destruction pursuant to section 1-216;</p>
Delaware	<p><i>Del. Code Ann. tit. 11, § 4336 (Community notice of offenders on probation, parole, conditional release, or release from confinement).</i></p> <p>(j) All elected public officials, public employees and public agencies are immune from civil liability for any discretionary decision to release relevant information unless it is shown that the official, employee or agency acted with gross negligence or in bad faith. The immunity provided under this section applies to the release of relevant information to other employees or officials or to the general public.</p> <p><i>Del. Code Ann. tit. 11, § 4322 (Protection of records).</i></p> <p>(a) The presentence report (other than a presentence report prepared for the Superior Court or the Court of Common Pleas), the preparole report, the supervision history and all other case records obtained in the discharge of official duty by any member or employee of the Department shall be privileged and shall not be disclosed directly or indirectly to anyone other than the courts as defined in § 4302 of this title, the Board of Parole, the Board of Pardons, the Attorney General and the Deputies Attorney General or others entitled by this chapter to receive such information; except that the court or Board of Pardons may, in its discretion, permit the inspection of the report or parts thereof by the offender or the offender's attorney or other persons who in the judgment of the court or Board of Pardons have a proper interest therein, whenever the best interest of the State or welfare of a particular defendant or person makes such action desirable or helpful. No person committed to the Department shall have access to any of said records. The presentence reports prepared for the Superior Court and the Court of Common Pleas shall be under the control of those Courts respectively.</p> <p><i>Del. Code Ann. tit. 11, § 9413 (Information concerning confinement).</i></p> <p>(c) Notwithstanding any provision to the contrary, upon the request of the victim, the Department of Correction and the Department of Services for Children, Youth and Their Families shall provide the victim with information concerning the terms of probation, parole or other condition of release and the defendant's compliance or noncompliance with the sentence, probation, parole or other conditions imposed on the defendant. The Department of Correction shall have the authority to promulgate rules and regulations to implement this subsection.</p>
Florida	<p><i>Fla. Stat. Ann. §945.10 (Confidential information).</i></p>

	<p>(1) Except as otherwise provided by law or in this section, the following records and information held by the Department of Corrections are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:</p> <ul style="list-style-type: none"> (a) Mental health, medical, or substance abuse records of an inmate or an offender. (b) Preplea, pretrial intervention, and presentence or postsentence investigative records, except as provided in s. 960.001(1)(g). (c) Information regarding a person in the federal witness protection program. (d) Florida Commission on Offender Review records which are confidential or exempt from public disclosure by law. (e) Information which if released would jeopardize a person's safety. (f) Information concerning a victim's statement and identity. (g) Information which identifies an executioner, or any person prescribing, preparing, compounding, dispensing, or administering a lethal injection. (h) Records that are otherwise confidential or exempt from public disclosure by law. <p>(2) The records and information specified in paragraphs (1)(a)-(h) may be released as follows unless expressly prohibited by federal law:</p> <ul style="list-style-type: none"> (a) Information specified in paragraphs (1)(b), (d), and (f) to the Office of the Governor, the Legislature, the Florida Commission on Offender Review, the Department of Children and Families, a private correctional facility or program that operates under a contract, the Department of Legal Affairs, a state attorney, the court, or a law enforcement agency. A request for records or information pursuant to this paragraph need not be in writing. (b) Information specified in paragraphs (1)(c), (e), and (h) to the Office of the Governor, the Legislature, the Florida Commission on Offender Review, the Department of Children and Families, a private correctional facility or program that operates under contract, the Department of Legal Affairs, a state attorney, the court, or a law enforcement agency. A request for records or information pursuant to this paragraph must be in writing and a statement provided demonstrating a need for the records or information. (c) Information specified in paragraph (1)(b) to an attorney representing an inmate under sentence of death, except those portions of the records containing a victim's statement or address, or the statement or address of a relative of the victim. A request for records of information pursuant to this paragraph must be in writing and a statement provided demonstrating a need for the records or information. (d) Information specified in paragraph (1)(b) to a public defender representing a defendant, except those portions of the records containing a victim's statement or address, or the statement or address of a relative of the victim. A request for records or information pursuant to this paragraph need not be in writing. (e) Information specified in paragraph (1)(b) to state or local governmental agencies. A request for records or information pursuant to this paragraph must be in writing and a statement provided demonstrating a need for the records or information. (f) Information specified in paragraph (1)(b) to a person conducting legitimate research. A request for records and information pursuant to this paragraph must be in writing, the person requesting the records or information must sign a confidentiality agreement, and the department must approve the request in writing. (g) Information specified in paragraph (1)(a) to the Department of Health and the county health department where an inmate plans to reside if he or she has tested positive for the presence of the antibody or antigen to human immunodeficiency virus infection.
<p>Georgia</p>	<p><i>Ga. Code Ann. § 42-9-53 (Secrecy of information; public hearings).</i></p> <ul style="list-style-type: none"> (a) Subject to other laws, the board shall preserve on file all documents on which it has acted in the granting of pardons, paroles, and other relief. (b)(1) All information, both oral and written, received by the members of the board in the performance of their duties under this chapter and all records, papers, and documents coming into their possession by reason of the performance of their duties under this chapter shall be classified as confidential state secrets until declassified by the board; provided, however, that the board shall be authorized to disclose to an alleged violator of parole or conditional release the evidence introduced against him or her at a final hearing on the matter of revocation of parole or conditional release. (2) The department may make supervision records of the department available to officials employed with the Department of Corrections and the Sexual Offender Registration Review Board, provided that the same shall remain confidential and not available to any other person or subject to subpoena unless declassified by the commissioner of community supervision. (c) No person shall divulge or cause to be divulged in any manner any confidential state secret. Any person violating this Code section or any person who causes or procures a violation of this Code section or conspires to violate this Code section shall be guilty of a misdemeanor.

	<p>(d) All hearings required to be held by this chapter shall be public, and the transcript thereof shall be exempt from subsection (b) of this Code section. All records and documents which were public records at the time they were received by the board are exempt from subsection (b) of this Code section. All information, reports, and documents required by law to be made available to the General Assembly, the Governor, or the state auditor are exempt from subsection (b) of this Code section.</p> <p><i>Ga. Code Ann., § 42-9-20.1 (Development of system whereby interested citizens may receive information relating to persons who have been convicted of felony and who have been paroled).</i></p> <p>Notwithstanding the provisions of Article 4 of Chapter 18 of Title 50 [relating to requesting copies of public records] or any provisions of this chapter relating to the confidentiality of records, the State Board of Pardons and Paroles shall develop and implement a system whereby any interested citizen of this state shall be permitted to contact the board through an electronic calling system or by other means and receive information relating to persons who have been convicted of a felony, who have been paroled, and whose current addresses are within the State of Georgia. With respect to each parolee, the board shall provide the parolee's name, sex, date of birth, current address, crime or crimes for which the parolee was convicted, and the beginning and ending dates of such person's parole. The board shall be authorized to charge a reasonable fee to cover the costs of providing such information. The board shall be authorized to promulgate rules and regulations to carry out the provisions of this Code section.</p> <p><i>Ga. Code Ann., § 42-9-41 (Obtaining information respecting persons subject to relief by board; records).</i></p> <p><i>Lists the information the board must obtain, including probation reports and any social, physical, mental or criminal record of the person and also states: "The board may make such rules as to the privacy or privilege of such information and as to its use by persons other than the board and its staff as may be deemed expedient in the performance of its duties."</i></p>
<p>Hawaii</p>	<p><i>Haw. Rev. Stat. Ann. § 806-73 (Duties and powers of probation officers; adult probation records).</i></p> <p>(b) All adult probation records shall be confidential and shall not be deemed to be public records. As used in this section, the term "records" includes but is not limited to all records made by any adult probation officer in the course of performing the probation officer's official duties. The records, or the content of the records, shall be divulged only as follows:</p> <p>(1) A copy of any adult probation case record or of a portion of it, or the case record itself, upon request, may be provided to:</p> <p>(A) An adult probation officer, court officer, social worker of a Hawaii state adult probation unit, or a family court officer who is preparing a report for the courts; or</p> <p>(B) A state or federal criminal justice agency, or state or federal court program that:</p> <p>(i) Is providing supervision of a defendant or offender convicted and sentenced by the courts of Hawaii; or</p> <p>(ii) Is responsible for the preparation of a report for a court;</p> <p>(2) The residence address, work address, home telephone number, or work telephone number of a current or former defendant shall be provided only to:</p> <p>(A) A law enforcement officer as defined in section [710-1000] to locate the probationer for the purpose of serving a summons or bench warrant in a civil, criminal, or deportation hearing, or for the purpose of a criminal investigation; or</p> <p>(B) A collection agency or licensed attorney contracted by the judiciary to collect any delinquent court-ordered penalties, fines, restitution, sanctions, and court costs pursuant to section 601-17.5;</p> <p>(3) A copy of a presentence report or investigative report shall be provided only to:</p> <p>(A) The persons or entities named in section 706-604;</p> <p>(B) The Hawaii paroling authority;</p> <p>(C) Any psychiatrist, psychologist, or other treatment practitioner who is treating the defendant pursuant to a court order or parole order for that treatment;</p> <p>(D) The intake service centers;</p> <p>(E) In accordance with applicable law, persons or entities doing research; and</p> <p>(F) Any Hawaii state adult probation officer or adult probation officer of another state or federal jurisdiction who:</p> <p>(i) Is engaged in the supervision of a defendant or offender convicted and sentenced in the courts of Hawaii; or</p>

	<p>(ii) Is engaged in the preparation of a report for a court regarding a defendant or offender convicted and sentenced in the courts of Hawaii;</p> <p>(4) Access to adult probation records by a victim, as defined in section 706-646 to enforce an order filed pursuant to section 706-647, shall be limited to the name and contact information of the defendant's adult probation officer;</p> <p>(5) Upon written request, the victim, or the parent or guardian of a minor victim or incapacitated victim, of a defendant who has been placed on probation for an offense under section 580-10(d)(1), 586-4(e), 586-11(a), or 709-906 may be notified by the defendant's probation officer when the probation officer has any information relating to the safety and welfare of the victim;</p> <p>(6) Notwithstanding paragraph (3) and upon notice to the defendant, records and information relating to the defendant's risk assessment and need for treatment services; information related to the defendant's past treatment and assessments, with the prior written consent of the defendant for information from a treatment service provider; provided that for any substance abuse records such release shall be subject to title 42 Code of Federal Regulations part 2, relating to the confidentiality of alcohol and drug abuse patient records; and information that has therapeutic or rehabilitative benefit, may be provided to:</p> <p>(A) A case management, assessment, or treatment service provider assigned by adult probation to service the defendant; provided that the information shall be given only upon the screening for admission, acceptance, or admittance of the defendant into a program;</p> <p>(B) Correctional case manager, correctional unit manager, and parole officers involved with the defendant's treatment or supervision; and</p> <p>(C) In accordance with applicable law, persons or entities doing research;</p> <p>(7) Probation drug test results may be released with prior written consent of a defendant to the defendant's treating physician when test results indicate substance use which may be compromising the defendant's medical care or treatment;</p> <p>(8) Any person, agency, or entity receiving records, or contents of records, pursuant to this subsection shall be subject to the same restrictions on disclosure of the records as Hawaii state adult probation offices; and</p> <p>(9) Any person who uses the information covered by this subsection for purposes inconsistent with the intent of this subsection or outside of the scope of the person's official duties shall be fined no more than \$500.</p> <p>(c) Every probation officer, within the scope of the probation officer's duties, shall have the powers of a police officer.</p>
<p>Idaho</p>	<p><i>Idaho Code Ann. § 19-5306 (Rights of victim during investigation, prosecution, and disposition of the crime).</i></p> <p>(1) Each victim of a criminal or juvenile offense shall be:</p> <p>(a) Treated with fairness, respect, dignity and privacy throughout the criminal justice process;</p> <p>(b) Permitted to be present at all criminal justice proceedings or juvenile proceedings including probation proceedings;</p> <p>(c) Entitled to a timely disposition of the case;</p> <p>(d) Given prior notification of trial court, appellate, probation and parole proceedings and, upon request, to information about the sentence, incarceration, placing on probation or release of the defendant;</p> <p><i>Idaho Code Ann. § 20-223(4) (Parole and rules governing--Restrictions--Psychiatric or psychological examination).</i></p> <p>A designated report and risk assessment prepared by commission staff or a designated department of correction employee that is specifically to be used by the commission in making a parole determination shall be exempt from public disclosure; such reports contain information from the presentence investigation report, medical or psychological information, the results of a risk assessment, victim information, designated confidential witness information and criminal history information.</p> <p><i>Idaho Code Ann. § 20-224 (Information regarding prisoners to be secured).</i></p> <p><i>Describes the information about the prisoner the board must obtain.</i></p> <p><i>Idaho Code Ann. § 20-226 (Records of prisoners).</i></p> <p>The state board of correction shall cause a complete record to be kept of every prisoner committed to its custody. Such record shall be organized in accordance with the most modern method of filing and indexing so that there will always be immediately available a complete history on each prisoner. Such records shall be subject to disclosure according to chapter 1, title 74, Idaho Code [The Public Records Act].</p>

<p>Illinois</p>	<p><i>730 Ill. Comp. Stat. 5/3-5-1 (Master Record File).</i> <i>Describes records that the Department of Corrections must maintain and states:</i> (b) All files shall be confidential and access shall be limited to authorized personnel of the respective Department. Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.</p>
<p>Indiana</p>	<p><i>Ind. Code § 11-8-5-2 (Classification; denial of access; disclosure to certain parties).</i> Sec. 2. (a) The department may, under IC 4-22-2, classify as confidential the following personal information maintained on a person who has been committed to the department or who has received correctional services from the department: (1) Medical, psychiatric, or psychological data or opinion which might adversely affect that person's emotional well-being. (2) Information relating to a pending investigation of alleged criminal activity or other misconduct. (3) Information which, if disclosed, might result in physical harm to that person or other persons. (4) Sources of information obtained only upon a promise of confidentiality. (5) Information required by law or promulgated rule to be maintained as confidential. (b) The department may deny the person about whom the information pertains and other persons access to information classified as confidential under subsection (a). However, confidential information shall be disclosed: (1) upon the order of a court; (2) to employees of the department who need the information in the performance of their lawful duties; (3) to other agencies in accord with IC 4-1-6-2(m) and IC 4-1-6-8.5; (4) to the governor or the governor's designee; (5) for research purposes in accord with IC 4-1-6-8.6(b); (6) to the department of correction ombudsman bureau in accord with IC 11-11-1.5; (7) to a person who is or may be the victim of inmate fraud (IC 35-43-5-20) if the commissioner determines that the interest in disclosure overrides the interest to be served by nondisclosure; or (8) if the commissioner determines there exists a compelling public interest as defined in IC 4-1-6-1, for disclosure which overrides the interest to be served by nondisclosure. (c) The department shall disclose information classified as confidential under subsection (a)(1) to a physician, psychiatrist, or psychologist designated in writing by the person about whom the information pertains. (d) The department may disclose confidential information to the following: (1) A provider of sex offender management, treatment, or programming. (2) A provider of mental health services. (3) Any other service provider working with the department to assist in the successful return of an offender to the community following the offender's release from incarceration. (e) This subsection does not prohibit the department from sharing information available on the Indiana sex offender registry with another person. <i>Ind. Code Ann. § 11-13-3-3 (describes the records that must be considered prior to granting parole).</i> (c) Unless the victim has requested in writing not to be notified, the department shall notify a victim of a felony (or the next of kin of the victim if the felony</p>

resulted in the death of the victim) or any witness involved in the prosecution of an offender imprisoned for the commission of a felony when the offender is:

- (1) to be discharged from imprisonment;
- (2) to be released on parole under IC 35-50-6-1;
- (3) to have a parole release hearing under this chapter;
- (4) to have a parole violation hearing;
- (5) an escaped committed offender; or
- (6) to be released from departmental custody under any temporary release program administered by the department, including the following:
 - (A) Placement on minimum security assignment to a program authorized by IC 11-10-1-3 or IC 35-38-3-6 and requiring periodic reporting to a designated official, including a regulated community assignment program.
 - (B) Assignment to a minimum security work release program.

(d) The department shall make the notification required under subsection (c):

- (1) not later than twenty-four (24) hours after the escape of a committed offender;
- (2) at least forty (40) days before:
 - (A) the discharge or release of a committed offender; or
 - (B) the date of a hearing concerning a committed offender's possible discharge or release; and
- (3) if the date of a committed offender's discharge or release as referred to in subdivision (2)(A) is changed during the forty (40) day notification period referred to in subdivision (2), not more than forty-eight (48) hours after the change in the discharge or release date. The department shall supply the information to a victim (or a next of kin of a victim in the appropriate case) and a witness at the address supplied to the department by the victim (or next of kin) or witness. A victim (or next of kin) is responsible for supplying the department with any change of address or telephone number of the victim (or next of kin).
- (e) The probation officer conducting the presentence investigation shall inform the victim and witness described in subsection (c), at the time of the interview with the victim or witness, of the right of the victim or witness to receive notification from the department under subsection (c). The probation department for the sentencing court shall forward the most recent list of the addresses or telephone numbers, or both, of victims to the department of correction. The probation department shall supply the department with the information required by this section as soon as possible but not later than five (5) days from the receipt of the information from the victim. A victim (or next of kin) is responsible for supplying the department with the correct address and telephone number of the victim (or next of kin).
- (f) Notwithstanding IC 11-8-5-2 and IC 4-1-6, an inmate may not have access to the name and address of a victim and a witness. Upon the filing of a motion by any person requesting or objecting to the release of victim information, witness information, or both that is retained by the department, the court shall review the information that is the subject of the motion in camera before ruling on the motion.
- (g) The notice required under subsection (c) must specify whether the prisoner is being discharged, is being released on parole, is being released on lifetime parole, is having a parole release hearing, is having a parole violation hearing, or has escaped. The notice must contain the following information:
 - (1) The name of the prisoner.
 - (2) The date of the offense.
 - (3) The date of the conviction.
 - (4) The felony of which the prisoner was convicted.
 - (5) The sentence imposed.
 - (6) The amount of time served.
 - (7) The date and location of the interview (if applicable).
- (h) The parole board shall adopt rules under IC 4-22-2 and make available to offenders the criteria considered in making parole release determinations. The criteria must include the:
 - (1) nature and circumstances of the crime for which the offender is committed;
 - (2) offender's prior criminal record;
 - (3) offender's conduct and attitude during the commitment; and

	<p>(4) offender's parole plan.</p> <p>(i) The hearing prescribed by this section may be conducted in an informal manner without regard to rules of evidence. In connection with the hearing, however:</p> <p>(1) reasonable, advance written notice, including the date, time, and place of the hearing shall be provided to the person being considered;</p> <p>(2) the person being considered shall be given access, in accord with IC 11-8-5, to records and reports considered by the parole board in making its parole release decision;</p> <p>(3) the person being considered may appear, speak in the person's own behalf, and present documentary evidence;</p> <p>(4) irrelevant, immaterial, or unduly repetitious evidence shall be excluded; and</p> <p>(5) a record of the proceeding, to include the results of the parole board's investigation, notice of the hearing, and evidence adduced at the hearing, shall be made and preserved.</p> <p>(j) If parole is denied, the parole board shall give the person written notice of the denial and the reasons for the denial. The parole board may not parole a person if it determines that there is substantial reason to believe that the person:</p> <p>(1) will engage in further specified criminal activity; or</p> <p>(2) will not conform to appropriate specified conditions of parole.</p>
<p>Iowa</p>	<p><i>Iowa Code Ann. § 904.602 (Confidentiality of records--penalty).</i> <i>Describes the information that is publicly available, including name, age, sex, arrest and detention orders, etc. Also lists information that may not be disclosed, including medical and psychological information, prior criminal history, family and personal history, financial information, department committee records and other information.</i> 3. Information identified in subsection 2 shall not be disclosed or used by any person or agency except for purposes of the administration of the department's programs of services or assistance and shall not, except as otherwise provided in this section, be disclosed by the department or be used by persons or agencies outside the department unless they are subject to, or agree to, comply with standards of confidentiality comparable to those imposed on the department by this section.</p> <p>...</p> <p>12. This section does not preclude the disclosure of otherwise confidential material if it is necessary to civil or criminal court proceedings. The review of the court may, however, limit the confidential information to an in camera inspection where the court determines that the confidential nature of the information needs to be protected.</p>
<p>Kansas</p>	<p><i>Kan. Stat. Ann. 45-221 (Certain records not required to be open; separation of open and closed information required; statistics and records over 70 years old open).</i></p> <p>(a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:</p> <p>(29) Correctional records pertaining to an identifiable inmate or release, except that:</p> <p>(A) The name; photograph and other identifying information; sentence data; paroleeligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;</p> <p>(B) the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;</p> <p>(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall not be disclosed; and</p>

	(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.
Kentucky	<p><i>Ky. Rev. Stat. Ann. § 439.510 (Information obtained by probation or parole officer to be privileged; exception).</i></p> <p>All information obtained in the discharge of official duty by any probation or parole officer shall be privileged and shall not be received as evidence in any court. Such information shall not be disclosed directly or indirectly to any person other than the court, board, cabinet, or others entitled under KRS 439.250 to 439.560 to receive such information, unless otherwise ordered by such court, board or cabinet. Information shall be made available to sex offender treatment programs operated or approved by the Department of Corrections or the Department for Behavioral Health, Developmental and Intellectual Disabilities who request the information in the course of conducting an evaluation or treatment pursuant to KRS 439.265(6), 532.045(3), or 532.050(4).</p>
Louisiana	<p><i>La. Stat. Ann. §574.12 (Information as to offenders and ex-offenders confidentiality).</i></p> <p>A. The presentence investigation report, the pre-parole report, the clemency report, the information and data gathered by the staffs of the Board of Pardons and committee on parole, the prison record, and any other information obtained by the board or committee or the Department of Public Safety and Corrections, correction services and youth services, in the discharge of their official duties shall be confidential and shall not be subject to public inspection nor be disclosed directly or indirectly to anyone except as provided by this Section.</p> <p>B. Information may be released upon request without special authorization, subject to other restrictions that may be imposed by federal law or by other provisions of state law, to the committee on parole, the Board of Pardons, the governor, the sentencing judge, counsel for the juvenile in a delinquency matter, a district attorney or law enforcement agency, the personnel and legal representatives of the Department of Public Safety and Corrections, corrections services and youth services, including student interns, appropriate governmental agencies, or officials when access to such information is imperative for discharge of the responsibilities of the requesting agency, official, or court officer and the information is not reasonably available through any other means, and court officers with court orders specifying the information requested.</p> <p>...</p> <p>F. (1) Whenever records covered by this Section are subpoenaed, the records shall be submitted to the appropriate court for a ruling as to whether the information should be turned over to the party who caused the subpoena to be issued. The court shall make this determination in camera. Should the court find:</p> <p>(a) That the information is not relevant to the proceedings, or</p> <p>(b) That the information was derived from communications which were obviously made in the confidence that they would not be disclosed, or</p> <p>(c) That confidentiality is essential to future useful relations between the source and the recorder of the information,</p> <p>the information shall be withheld.</p> <p>(2) Should the court authorize disclosure of the records in accordance with the subpoena, the party who caused the subpoena to be issued shall pay a fee for the cost of production of the records in accordance with R.S. 39:241, unless the court determines that the party has been granted pauper status in accordance with law.</p> <p>G. (1)(a) Notwithstanding the provisions of Subsection A of this Section, all information pertaining to an individual's misconduct while incarcerated, statistical information, information pertaining to disposition of criminal charges and incarcerations, and information of a general nature including an individual's age, offense, date of conviction, length of sentence, any correspondence by a public official which requests, or may be determined to be in support of, or in opposition to, the pardon or parole of an individual, and discharge date shall be released to the general public at any time upon request.</p> <p><i>La.Stat. Ann. § 15:840.1 (Access to records; cooperation by other agencies; confidentiality; disclosure).</i></p> <p><i>Describes records that the Dept of Corrections may obtain and states:</i></p> <p>C. All information obtained under this provision shall be held as confidential and shall not be disclosed directly or indirectly to anyone except in accordance with R.S. 15:574.12.</p>

	<p><i>La. Code Crim. Proc. Ann. art. 877 (Protection of investigation reports).</i></p> <p>A. The presentence and postsentence investigation reports shall be privileged and shall not be disclosed directly or indirectly to anyone other than the sentencing court, the victim or the victim's designated family member, as defined in R.S. 46:1842, the prosecutor, members of the division of probation and parole within the office of adult services, the officer in charge of the institution to which the defendant is committed, the committee on parole, the probation or the parole officer if the defendant is placed on probation or released on parole, medical authorities directly involved in the defendant's rehabilitation or treatment if the defendant is committed to a hospital or a substance abuse program, the Board of Pardons, and the governor or his representative. However, this Article shall not require the disclosure of sources of confidential information.</p>
Maine	<p><i>Me. Rev. Stat. Ann. tit. 1, § 408-A (Public records available for inspection and copying).</i></p> <p>Except as otherwise provided by statute, a person has the right to inspect and copy any public record in accordance with this section within a reasonable time of making the request to inspect or copy the public record.</p> <p><i>Me. Rev. Stat. Ann. tit. 1, §402 (Definitions).</i></p> <p>3-A. Public records further defined. "Public records" also includes the following criminal justice agency records:</p> <p>A. Records relating to prisoner furloughs to the extent they pertain to a prisoner's identity, public criminal history record information, as defined in Title 16, section 703, subsection 8, address of furlough and dates of furlough;</p> <p>B. Records relating to out-of-state adult probationer or parolee supervision to the extent they pertain to a probationer's or parolee's identity, public criminal history record information, as defined in Title 16, section 703, subsection 8, address of residence and dates of supervision; and</p> <p>C. Records to the extent they pertain to a prisoner's, adult probationer's or parolee's identity, public criminal history record information, as defined in Title 16, section 703, subsection 8, and current address or location, unless the Commissioner of Corrections determines that it would be detrimental to the welfare of a client to disclose the information.</p> <p><i>Me. Rev. Stat. Ann. tit. 16, § 704 (Dissemination of public criminal history record information).</i></p> <p>1. Generally. Public criminal history record information [as defined in 16 Maine Rev. Stat. Ann. §703] is public for purposes of Title 1, chapter 13. Public criminal history record information may be disseminated by a Maine criminal justice agency to any person or public or private entity for any purpose. Public criminal history record information is public whether it relates to a crime for which a person is currently within the jurisdiction of the criminal justice system or it relates to a crime for which a person is no longer within that jurisdiction. There is no time limitation on dissemination of public criminal history record information.</p> <p><i>Me. Rev. Stat. Ann. tit. 16, §705 (Dissemination of confidential criminal history record information).</i></p> <p>1. Generally. A Maine criminal justice agency, whether directly or through any intermediary, may disseminate confidential criminal history record information [as defined in 16 Maine Rev. Stat. Ann. §703] only to:...</p> <p>B. Any person for any purpose when expressly authorized by a statute, executive order, court rule, court decision or court order containing language specifically referring to confidential criminal history record information or one or more of the types of confidential criminal history record information;...</p> <p>E. Any person who makes a specific inquiry to the criminal justice agency as to whether a named individual was summonsed, arrested or detained or had formal criminal charges initiated on a specific date;</p>
Maryland	<p><i>Md Code Ann., Corr. Servs. § 3-602 (Disclosure of case record).</i></p> <p>(a) Except as otherwise provided in this subtitle, the contents of a case record maintained under § 3-601 of this subtitle may not be disclosed.</p> <p>(b) The contents of a case record may be disclosed:</p> <p>(1) if the record is necessary to ensure proper medical treatment, to a provider of medical services to the inmate;</p>

- (2) to the inmate's attorney;
 - (3) to a person authorized by a court order;
 - (4) to a person expressly authorized by law;
 - (5) to a judge of a State court;
 - (6) to a State's Attorney;
 - (7) to an employee of any State unit or a federal or local law enforcement unit, if disclosure is in furtherance of the employee's lawful duties; and
 - (8) on written request, to a person who has written authorization for the disclosure from the inmate.
 - (c) Except for a disclosure under subsection (b)(5) or (6) of this section, an inmate's case record may be disclosed only if the managing official of the correctional facility:
 - (1) approves the disclosure; and
 - (2) is satisfied that:
 - (i) each applicable condition set forth in subsection (b) of this section has been met;
 - (ii) the record will be used solely for the legitimate purposes of the person or governmental unit that receives it and not for any improper or unauthorized purpose; and
 - (iii) the record will not be further disseminated to a person or governmental unit not authorized to receive it.
 - (d) The Commissioner shall adopt regulations in accordance with this section to establish procedures that govern the disclosure of an inmate's case record.
- Md. Code Ann., Corr. Servs. §4-209 (Inmate Record).*
- Note: This is with regard to the Patuxent Institution, a correctional mental health institution.*
- (a) The Institution shall compile and maintain a complete record of each inmate transferred to it for evaluation or treatment.
 - (b) The record shall include the following materials to the extent that the materials are physically available and the inclusion is not prohibited by federal law:
 - (1) police reports and other relevant information concerning the crime of which the inmate was most recently convicted and the sentence imposed for that conviction;
 - (2) the inmate's criminal and juvenile history and all relevant records concerning this history;
 - (3) presentence investigation, parole, probation, and other reports concerning the inmate;
 - (4) school records;
 - (5) information concerning the inmate's medical and mental health history, including relevant medical and hospital records and reports; and
 - (6) all other relevant information, records, and reports concerning the inmate's social, physical, or mental condition and history.
 - (c)(1) The Institution shall record a full and accurate description, including photographs, of each inmate transferred to the Institution for treatment.
 - (2) The Institution may adopt the Bertillon method or any other accurate method of description, measurement, and registration.
 - (d)(1) In order that the Institution may comply with this section, all State and local officials and units:
 - (i) shall cooperate with the Institution; and
 - (ii) promptly, on request of the Institution, shall furnish or cause to be furnished to the Institution the **information**, records, and reports in their possession.
 - (2) The provisions of [§ 3-8A-27\(b\) of the Courts Article](#) do not apply to a request made for juvenile records under this section.
 - (e) To the extent that any record, report, or information compiled under this section is legally confidential, it shall remain confidential and may not be disclosed to any person or unit except to:
 - (1) the Commissioner or the Commissioner's authorized staff;
 - (2) the Division of Parole and Probation;
 - (3) the Maryland Parole Commission;
 - (4) a State's Attorney, when required in the prosecution or defense of a proceeding in court;
 - (5) a federal, State, or local law enforcement officer on a written request signed by an authorized commanding officer of the law enforcement unit certifying that the record, report, or information is needed for a pending investigation;
 - (6) an authorized correctional official or probation officer of:

	<p>(i) the United States; or (ii) a state, if that jurisdiction has made reciprocal provision by law to furnish similar records, reports, or information to comparable officials of this State; (7) the Attorney General; (8) the Inmate Grievance Office, to the extent relevant to a matter pending before it and with the written consent of the inmate to whom the record, report, or information pertains; (9) the Division of Rehabilitation Services of the Department of Education solely to determine if an inmate confined at the Institution qualifies for benefits provided by that Division; (10) providers of medical care to the extent necessary to ensure proper medical treatment; (11) a judge of a circuit court or the District Court when required in connection with a pretrial release, presentence, or postsentence investigation; and (12) State, local, and federal units and private agencies to the extent that the release of the record, report, or information will benefit an eligible person but only with the written consent of the inmate to whom the record, report, or information pertains. (f) Confidential records, reports, or information may be disclosed under subsection (e) of this section only if the Director reasonably believes that the record, report, or information: (1) will be used solely for the legitimate purposes of the person or unit receiving it; and (2) will not be further disseminated to any person or unit not authorized to receive it under subsection (e) of this section. (g) Juvenile records obtained under subsection (d) of this section may be disclosed only: (1) to a person or unit listed in subsection (e)(1), (2), and (3) of this section; and (2) in accordance with subsection (f) of this section.</p>
<p>Massachusetts</p>	<p><i>120 Mass. Code Regs. 400.02 (Notification of Parole Eligibility and Release).</i> (1) Upon receipt of CORI certification, the Massachusetts Parole Board shall notify victims of the initial parole eligibility date or parole status of the offender and the victims' right to provide input to the Massachusetts Parole Board during the parole process. (2) Victims will be notified of the parole hearing date in accordance with the time specifications set forth below, absent extenuating circumstances. Such circumstances may include, but are not limited to recalculation of the parole eligibility date due to previously unaccounted for earned good time, or where notice of CORI certification is not received within sufficient time for advance notice of the parole hearing or decision. (a) The Massachusetts Parole Board shall provide notice of the parole release hearing to victims who are eligible to participate in victim access hearings according to 120 CMR 401.00 60 days prior to the parole hearing. (b) The Massachusetts Parole Board shall provide notice of the parole release hearing to victims of all other offenders 30 days prior to the hearing. (3) Where the Massachusetts Parole Board does not receive a CORI certification from a victim within the above time specifications, it will make all reasonable attempts to contact the victim prior to the scheduled hearing. If possible, victims will be given a reasonable amount of time to give information regarding the impact of the crime and the victims' opinion regarding parole release. (4) On the business day following the parole release decision, if possible at least 14 days prior to release from custody to parole supervision, victims shall be notified of the Parole Board Members' decision. If parole release is granted, the victim will also be notified of the parolee's anticipated date of release, the conditions attached to such release, and, if known at that time, the name and the office telephone number of the supervising parole officer. (5) Where a parole decision has been made prior to receipt of a CORI certification, the Massachusetts Parole Board will make all reasonable attempts to notify victims of such release date and enable victims to inform the panel of the impact of the crime and of their opinion regarding parole release. Such information may be considered new information not previously known to the panel and may constitute the basis of a rescission hearing. (6) After the parole release, victims shall be notified of the actual release date, the name and office telephone number of the supervising parole officer and the parolee's parole discharge date. If the parole discharge date is adjusted during the parole supervision period, the Massachusetts Parole Board will notify victims of the new date. (7) Victims shall be notified of the death of a parolee.</p> <p><i>Mass Gen Laws Ann. ch. 127, §130 (Granting of parole permits; record of decision; jurisdiction of parole board over parolee; terms and conditions)</i></p>

	<p><i>including payment of child support due under support order; certificate of termination of sentence; alcohol and drug free housing requirement).</i></p> <p>... Said record of decision shall become a public record and shall be available to the public except for such portion thereof which contains information upon which said decision was made which said information the board determines is actually necessary to keep confidential to protect the security of a criminal or civil investigation, to protect anyone from physical harm or to protect the source of any information; provided, however, that it was obtained under a promise of confidentiality. All such confidential information shall be segregated from the record of decision and shall not be available to the public. Said confidential information may remain secret only as long as publication may defeat the lawful purposes of this section for confidentiality hereunder, but no longer. ...</p>
Michigan	<p><i>Mich. Comp. Laws Ann. §791.244 (Reprieves, commutations, or pardons; interviews, application or initiation; parole board duties; review, investigation, public hearing, notice to victim, recommendations; public record).</i></p> <p>(3) Except for medical records protected by the doctor-patient privilege of confidentiality, the files of the parole board in cases under this section shall be matters of public record.</p>
Minnesota	<p><i>Minn. Stat. Ann. § 13.84 (Court services data).</i></p> <p>Subdivision 1. Definition. As used in this section “court services data” means data that are created, collected, used or maintained by a court services department, parole or probation authority, correctional agency, or by an agent designated by the court to perform studies or other duties and that are on individuals who are or were defendants, parolees or probationers of a district court, participants in diversion programs, petitioners or respondents to a family court, or juveniles adjudicated delinquent and committed, detained prior to a court hearing or hearings, or found to be dependent or neglected and placed under the supervision of the court.</p> <p>Subd. 2. General. Unless the data is summary data or a statute, including sections 609.115 and 257.70, specifically provides a different classification, the following court services data are classified as private pursuant to section 13.02, subdivision 12:</p> <p>(a) Court services data on individuals gathered at the request of a district court to determine the need for any treatment, rehabilitation, counseling, or any other need of a defendant, parolee, probationer, or participant in a diversion program, and used by the court to assist in assigning an appropriate sentence or other disposition in a case;</p> <p>(b) Court services data on petitioners or respondents to a family court gathered at the request of the court for purposes of, but not limited to, individual, family, marriage, chemical dependency and marriage dissolution adjustment counseling, including recommendations to the court as to the custody of minor children in marriage dissolution cases;</p> <p>(c) Court services data on individuals gathered by psychologists in the course of providing the court or its staff with psychological evaluations or in the course of counseling individual clients referred by the court for the purpose of assisting them with personal conflicts or difficulties.</p> <p>Subd. 3. Third-party information. Whenever, in the course of gathering the private data specified above, a psychologist, probation officer or other agent of the court is directed by the court to obtain data on individual defendants, parolees, probationers, or petitioners or respondents in a family court, and the source of that data provides the data only upon the condition of its being held confidential, that data and the identity of the source shall be confidential data on individuals, pursuant to section 13.02, subdivision 3.</p> <p>Subd. 4. Probation data. Progress reports and other reports and recommendations provided at the request of the court by parole or probation officers for the purpose of determining the appropriate legal action or disposition regarding an individual on probation are confidential data on individuals.</p> <p>Subd. 5. Disclosure. Private or confidential court services data shall not be disclosed except:</p> <p>(a) pursuant to section 13.05;</p> <p>(b) pursuant to a statute specifically authorizing disclosure of court services data;</p> <p>(c) with the written permission of the source of confidential data;</p> <p>(d) to the court services department, parole or probation authority or state or local correctional agency or facility having statutorily granted supervision over the individual subject of the data;</p> <p>(e) pursuant to subdivision 6;</p>

(f) pursuant to a valid court order; or
 (g) pursuant to section 611A.06, subdivision 3a.

Subd. 6. Public benefit data. (a) The responsible authority or its designee of a parole or probation authority or correctional agency may release private or confidential court services data related to:

- (1) criminal acts to any law enforcement agency, if necessary for law enforcement purposes; and
- (2) criminal acts or delinquent acts to the victims of criminal or delinquent acts to the extent that the data are necessary for the victim to assert the victim's legal right to restitution.

(b) A parole or probation authority, a correctional agency, or agencies that provide correctional services under contract to a correctional agency may release to a law enforcement agency the following data on defendants, parolees, or probationers: current address, dates of entrance to and departure from agency programs, and dates and times of any absences, both authorized and unauthorized, from a correctional program.

(c) The responsible authority or its designee of a juvenile correctional agency may release private or confidential court services data to a victim of a delinquent act to the extent the data are necessary to enable the victim to assert the victim's right to request notice of release under section 611A.06. The data that may be released include only the name, home address, and placement site of a juvenile who has been placed in a juvenile correctional facility as a result of a delinquent act.

(d) Upon the victim's written or electronic request and, if the victim and offender have been household or family members as defined in section 518B.01, subdivision 2, paragraph (b), the commissioner of corrections or the commissioner's designee may disclose to the victim of an offender convicted of a qualified domestic violence-related offense as defined in section 609.02, subdivision 16, notification of the city and five-digit zip code of the offender's residency upon or after release from a Department of Corrections facility, unless:

- (1) the offender is not under correctional supervision at the time of the victim's request;
- (2) the commissioner or the commissioner's designee does not have the city or zip code; or
- (3) the commissioner or the commissioner's designee reasonably believes that disclosure of the city or zip code of the offender's residency creates a risk to the victim, offender, or public safety.

(e) Paragraph (d) applies only where the offender is serving a prison term for a qualified domestic violence-related offense committed against the victim seeking notification.

Subd. 7. Public data. The following court services data on adult individuals is public:

- (a) name, age, date of birth, sex, occupation and the fact that an individual is a parolee, probationer or participant in a diversion program, and if so, at what location;
- (b) the offense for which the individual was placed under supervision;
- (c) the dates supervision began and ended and the duration of supervision;
- (d) court services data which was public in a court or other agency which originated the data;
- (e) arrest and detention orders, orders for parole or probation revocation and the reasons for revocation;
- (f) the conditions of parole, probation or participation and the extent to which those conditions have been or are being met;
- (g) identities of agencies, units within agencies and individuals providing supervision; and
- (h) the legal basis for any change in supervision and the date, time and locations associated with the change.

Subd. 8. Limitation. Nothing in this section shall limit public access to data made public by section 13.82.

Subd. 9. Child abuse data; release to child protective services. A court services agency may release private or confidential data on an active case involving assessment or investigation of actions that are defined as sexual abuse, physical abuse, or neglect under section 626.556 to a local welfare agency if:

- (1) the local welfare agency has an active case involving a common client or clients who are the subject of the data; and
- (2) the data are necessary for the local welfare agency to effectively process the agency's case, including investigating or performing other duties relating to the case required by law.

Court services data disclosed under this subdivision may be used only for purposes of the active case described in clause (1) and may not be further disclosed to any other person or agency, except as authorized by law.

	<p><i>Minn. Stat. Ann. § 13.87 (Criminal justice data).</i> Subdivision 1. Criminal history data. (a) Definition. For purposes of this subdivision, “criminal history data” means all data maintained in criminal history records compiled by the Bureau of Criminal Apprehension, including, but not limited to fingerprints, photographs, identification data, arrest data, prosecution data, criminal court data, custody and supervision data. (b) Classification. Criminal history data maintained by agencies, political subdivisions and statewide systems are classified as private, pursuant to section 13.02, subdivision 12, except that data created, collected, or maintained by the Bureau of Criminal Apprehension that identify an individual who was convicted of a crime, the offense of which the individual was convicted, associated court disposition and sentence information, controlling agency, and confinement information are public data for 15 years following the discharge of the sentence imposed for the offense. If an individual's name or other identifying information is erroneously associated with a criminal history and a determination is made through a fingerprint verification that the individual is not the subject of the criminal history, the name or other identifying information must be redacted from the public criminal history data. The name and other identifying information must be retained in the criminal history and are classified as private data. The Bureau of Criminal Apprehension shall provide to the public at the central office of the bureau the ability to inspect in person, at no charge, through a computer monitor the criminal conviction data classified as public under this subdivision. (c) Limitation. Nothing in paragraph (a) or (b) shall limit public access to data made public by section 13.82.</p> <p><i>Minn. Stat. Ann. § 257.70 (Hearings and records; confidentiality).</i> (a) Notwithstanding any other law concerning public hearings and records, any hearing or trial held under sections 257.51 to 257.74 shall be held in closed court without admittance of any person other than those necessary to the action or proceeding. All papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in the state Department of Human Services or elsewhere, are subject to inspection only upon consent of the court and all interested persons, or in exceptional cases only upon an order of the court for good cause shown. (b) In all actions under this chapter in which public assistance is assigned under section 256.741 or the public authority provides services to a party or parties to the action, notwithstanding statutory or other authorization for the public authority to release private data on the location of a party to the action, information on the location of one party may not be released by the public authority to the other party if: (1) the public authority has knowledge that a protective order with respect to the other party has been entered; or (2) the public authority has reason to believe that the release of the information may result in physical or emotional harm to the other party.</p>
Mississippi	<p><i>Miss. Code Ann. § 47-7-21 (Probation and Parole Law: Privilege; authorized disclosure).</i> All information obtained in the discharge of official duty by a field officer as an employee of the Department of Corrections shall be privileged and shall not be disclosed directly or indirectly to anyone other than to (a) the State Parole Board, (b) a judge, or (c) law enforcement agencies when such information is relevant to criminal activity.</p>
Missouri	<p><i>Mo. Ann. Stat. § 595.209 (Rights of victims and witnesses--written notification, requirements).</i> 5. Victims' rights as established in section 32 of article I of the Missouri Constitution or the laws of this state pertaining to the <i>rights</i> of victims of crime shall be granted and enforced regardless of the desires of a defendant and no privileges of confidentiality shall exist in favor of the defendant to exclude victims or prevent their full participation in each and every phase of parole hearings or probation revocation hearings. The rights of the victims granted in this section are absolute and the policy of this state is that the victim's rights are paramount to the defendant's rights. The victim has an absolute right to be present at any hearing in which the defendant is present before a probation and parole hearing officer. (emphasis added)</p> <p><i>Mo. Ann. Stat. § 559.125 (Record of applications for probation or parole to be kept--information to be privileged—exceptions).</i> 1. The clerk of the court shall keep in a permanent file all applications for probation or parole by the court, and shall keep in such manner as may be prescribed by the court complete and full records of all presentence investigations requested, probations or paroles granted, revoked or terminated and all</p>

	<p>discharges from probations or paroles. All court orders relating to any presentence investigation requested and probation or parole granted under the provisions of this chapter and sections 558.011 and 558.026 shall be kept in a like manner, and, if the defendant subject to any such order is subject to an investigation or is under the supervision of the state board of probation and parole, a copy of the order shall be sent to the board. In any county where a parole board ceases to exist, the clerk of the court shall preserve the records of that board.</p> <p>2. Information and data obtained by a probation or parole officer shall be privileged information and shall not be receivable in any court. Such information shall not be disclosed directly or indirectly to anyone other than the members of a parole board and the judge entitled to receive reports, except the court or the board may in its discretion permit the inspection of the report, or parts of such report, by the defendant, or offender or his attorney, or other person having a proper interest therein.</p> <p>3. The provisions of subsection 2 of this section notwithstanding, the presentence investigation report shall be made available to the state and all information and data obtained in connection with preparation of the presentence investigation report may be made available to the state at the discretion of the court upon a showing that the receipt of the information and data is in the best interest of the state.</p>
<p>Montana</p>	<p><i>Mont. Code Ann. § 46-24-212 (Information concerning confinement).</i></p> <p>On request of a victim of a felony offense, the department of corrections or the board of pardons and parole, as applicable, shall:</p> <p>(1) promptly inform the victim of the following information concerning a prisoner committing the offense:</p> <ul style="list-style-type: none"> (a) the custody level; (b) the projected discharge or parole eligibility date; (c) the actual date of the prisoner's discharge from confinement or parole, if reasonably ascertainable; (d) the time and place of a parole hearing concerning the prisoner, the victim's right to submit a statement to the board of pardons and parole or the hearing panel conducting a parole hearing under 46-23-202, and the victim's right under 46-23-215, 46-23-509, or 46-23-1011 to request a condition of parole or probation to require the prisoner to refrain from direct or indirect contact with the victim; and (e) the community in which the prisoner will reside after parole; <p>(2) provide reasonable advance notice to the victim before release of the defendant on furlough or to a work-release program, halfway house, or other community-based program or correctional facility; and</p> <p>(3) promptly inform the victim of the occurrence of any of the following events concerning the prisoner:</p> <ul style="list-style-type: none"> (a) an escape from a correctional or mental health facility or community program; (b) a recapture; (c) a decision of the board of pardons and parole; (d) a decision of the governor to commute the sentence or to grant executive clemency; (e) a release from confinement and any conditions attached to the release; and (f) the prisoner's death. <p><i>Mont. Code Ann. § 46-23-110 (Records—Dissemination).</i></p> <p>(1) The department and the board shall keep a record of the board's acts and decisions. Citizens may inspect and make copies of the public records of the board, as provided in 2-6-1003, 2-6-1006, 2-6-1007, and this section.</p> <p>(2) Records and materials that are constitutionally protected from disclosure are not subject to disclosure under the provisions of subsection (1). Information that is constitutionally protected from disclosure is information in which there is an individual privacy or safety interest that clearly exceeds the merits of public disclosure.</p> <p>(3) Upon a request to inspect or copy records of the board's acts and decisions, the board or a board staff member shall review the file requested and determine whether any document in the file is subject to a personal privacy or safety interest that clearly exceeds the merits of public disclosure.</p> <p>(4) The board may assert the privacy or safety interest and may withhold a document if the board determines that the demand for individual privacy clearly exceeds the merits of public disclosure or if the document's contents would compromise the safety, order, or security of a facility or the safety of facility personnel, a member of the public, or an inmate of the facility if disclosed.</p>

	<p>(5) The board may not withhold from public scrutiny under subsections (2) through (4) any more information than is required to protect an individual privacy interest or a safety interest.</p> <p>(6) The board may charge a reasonable fee for copying and inspecting records.</p> <p>(7) The board may limit the time and place that the records may be inspected or copied.</p>
Nevada	<p><i>Nev. Rev. Stat. Ann. § 213.1075 (Information obtained by employees of Division or Board privileged; nondisclosure).</i> Except as otherwise provided by specific statute, all information obtained in the discharge of official duty by an employee of the Division or the Board is privileged and may not be disclosed directly or indirectly to anyone other than the Board, the judge, district attorney or others entitled to receive such information, unless otherwise ordered by the Board or judge or necessary to perform the duties of the Division. (emphasis added)</p>
New Hampshire	<p><i>N.H. Rev. Stat. Ann. § 21-M:8-b (Office of Victim/Witness Assistance).</i> III. The office of victim/witness assistance shall seek to coordinate efforts with the county attorneys and the various law enforcement agencies in the provision of information and services to victims and witnesses.</p> <p><i>N.H. Rev. Stat. Ann. § 91-A:5 (Exemptions).</i> The following governmental records are exempted from the provisions of this chapter [granting access to governmental records]: . . .</p> <p>II. Records of parole and pardon boards.</p>
New Jersey	<p><i>N.J. Admin. Code § 10A:71-2.2 (Records designated confidential).</i> (b) No information, files, documents, reports, records or other written material deemed confidential pertaining to inmates or parolees shall be reviewed by any person except a Board member or employee or individual or law enforcement agency authorized by the Board or by the Chairperson.</p>
New Mexico	<p><i>N.M. Stat. Ann. § 31-21-6 (Protection of records).</i> All social records, including presentence reports, pre-parole reports and supervision histories, obtained by the board are privileged and shall not be disclosed directly or indirectly to anyone other than the board, director, sentencing guidelines commission or sentencing judge, but authorities of the institution in which the prisoner is confined shall have access to all records and reports concerning the prisoner, and the sentencing judge, board and director shall have access to all records concerning the prisoner. The board, in the case of parole records, and the sentencing judge, in the case of probation records, in their discretion, whenever the best interest or welfare of a particular probationer or prisoner makes such action desirable or helpful, may permit inspection of the reports, or parts thereof, by the probationer, prisoner or his attorney. The sentencing guidelines commission shall have access to the social records for statistical and policymaking purposes only and shall not release any information identifying any individual.</p>
New York	<p><i>N.Y. Exec. Law § 259-k (Access to records and institutions).</i> 2. The board shall make rules for the purpose of maintaining the confidentiality of records, information contained therein and information obtained in an official capacity by officers, employees or members of the board of parole.</p> <p><i>N.Y. Comp. Codes R. & Regs. tit. 9, § 8000.5 (Parole Record).</i> (a) The division shall cause to be obtained and filed, as soon as practicable, information as complete as may be obtainable with regard to each inmate who is received in an institution under the jurisdiction of the State Department of Correctional Services, including a complete statement of the crime for which the inmate has been sentenced, the circumstances of such crime, all presentence memoranda, the nature of the sentence, the court in which he was sentenced, the name of the judge and district attorney, and copies of such probation reports as may have been made, as well as reports as to the inmate's social,</p>

physical, mental and psychiatric condition and history.

(b) The division shall cause complete records to be kept of every person on parole or conditional release. Such records shall contain the aliases and photographs of each person and the information referred to in subdivision (a) of this section, as well as all reports of parole officers in relation to such persons.

(c) Access to case records maintained by the Division of Parole.

(1) An inmate, a releasee or counsel for either may have access to information contained in the parole case record:

- (i) prior to a scheduled appearance before the board;
- (ii) prior to a scheduled appearance before an authorized hearing officer of the division; or
- (iii) prior to the timely perfecting of an administrative appeal of a final decision of the board.

(2) In that it is essential to protect the internal process by which division personnel assist the board in formulating individual decisions with respect to inmates and releasees; to prevent disclosures of information to inmates and releasees that would jeopardize legitimate correctional interests of security, custody, supervision or rehabilitation; to permit receipt of relevant information regarding such persons from other Federal, State and local law enforcement agencies, and Federal and State probation and judicial offices; to permit private citizens to express freely their opinions for or against an individual's parole; to allow relevant criminal history type information of codefendants to be kept; to allow medical, psychiatric and sociological material to be available to professional staff; and to permit a candid process of factual analysis, opinion formulation, evaluation and recommendation to be continued by professional staff: the following conditions and limitations are imposed regarding access to information in the parole case record pursuant to paragraph (1) of this subdivision.

- (i) Access shall be granted only to those portions of the case record which will be considered by the board or authorized hearing officer at a hearing or pursuant to an administrative appeal of a final decision of the board, except:
 - (a) access shall not be granted to those portions of the case record to the extent that they contain:
 - (1) diagnostic opinions which, if known to the inmate/releasee, could lead to a serious disruption of his institutional program or supervision;
 - (2) materials which would reveal sources of information obtained upon a promise of confidentiality;
 - (3) any information which if disclosed might result in harm, physical or otherwise, to any person;
 - (b) access by the Division of Parole shall not be granted to reports, documents and materials of other agencies, including but not limited to probation reports, drug abuse and alcoholism rehabilitation records, and the DCJS report.
- (ii) Any record of the Division of Parole not made available pursuant to this section shall not be released, except by the chairman upon good cause shown.
- (3) Requests for access to case records prior to an appearance before the board or an authorized hearing officer, or prior to the timely perfecting of an administrative appeal, shall be made in writing to the:
 - (i) senior parole officer, or parole officer in charge, of the State correctional facility where the inmate/releasee is confined; or
 - (ii) director of the area parole office serving the locale where the releasee is confined in a city or county jail or correctional facility; at least 10 days prior to the scheduled date of a final revocation hearing or the final date to perfect an administrative appeal, and at most one day subsequent to receipt of notice of the scheduled date of any other hearing.
- (4) All requests by counsel on behalf of an inmate/releasee for access to case records must be accompanied by a signed authorization from such inmate/releasee, in which a waiver of his/her privacy interest is clearly stated.
- (5) For the purpose of access to case records, the senior parole officer or parole officer in charge at an institution, or the director of an area parole office or such other professional staff person(s) designated by one of the above persons, shall be the records access officer.
- (6) Review of those portions of the case record to which access is granted may take place on the day of the hearing or earlier at the:
 - (i) State institution where the inmate/releasee is confined; or
 - (ii) area parole office serving the locale of the city or county institution where the inmate/releasee is confined; pursuant to arrangements made for review on any workday with records access officer or his designee.
- (7) Pursuant to a review of a case record as noted in paragraph (6) of this subdivision, the inmate/releasee or counsel for either may request and receive copies of such records upon payment to the records access officer of 25 cents per page.
- (8) Requests for access to case records shall state the name and identification number of the inmate/releasee, the nature of the pending hearing and the present institution of confinement.

	<p>(d) Any record of the Division of Parole not made available pursuant to this section shall not be released, except by the chairman upon good cause shown.</p> <p>(e) Requests for access to records in the parole file prior to an appearance before the Board of Parole, or an authorized hearing officer, shall be made in writing to the chairman of the board at Central Office (Albany) at least 10 days prior to the scheduled date of the hearing.</p> <p>(f) The request should identify, to the extent possible, the information to which access is sought and should state the reasons requiring such access.</p> <p>(g) In addition to the forwarding of the request to Central Office, a copy of the request should be forwarded to the senior parole officer at the inmate's institution of confinement or to the director of the area parole office serving the locale of the releasee's local confinement.</p> <p>(h) Review of the reports, documents and materials to which access is granted may take place at the institution where the inmate or releasee is confined on the day of the hearing or sooner, pursuant to arrangements made for such review with parole staff at the institution or in the area office where appropriate.</p> <p>(i) Requests for access to records shall state the name of the inmate or releasee, the nature of the pending hearing and the present institution of confinement.</p>
<p>North Carolina</p>	<p><i>N.C. Gen. Stat. Ann. § 15-207 (Records treated as privileged information).</i></p> <p>All information and data obtained in the discharge of official duty by any probation officer shall be privileged information, shall not be receivable as evidence in any court, and shall not be disclosed directly or indirectly to any other than the judge or to others entitled under this Article to receive reports, unless and until otherwise ordered by a judge of the court or the Secretary of Public Safety.</p>
<p>North Dakota</p>	<p><i>N.D. Cent. Code Ann. § 12-59-04 (Parole Records – Inspection).</i></p> <p>All parole records of the department of corrections and rehabilitation obtained in the discharge of official duty by any member of the parole board or employee of a division or department of the department of corrections and rehabilitation on behalf of the parole board may not be disclosed except in the manner provided under section 12-47-36. The decisions of the parole board to grant or deny parole are open records.</p> <p><i>N.D. Cent. Code Ann. § 12-47-36 (Records exempt – confidential – exceptions).</i></p> <p>1. The case history records of the department of corrections and rehabilitation or its divisions or departments relating to persons in the custody or under the supervision and management of the division of adult services of the department of corrections and rehabilitation are exempt records as defined in section 44-04-17.1. Upon application to the district court, with service of the application on the department of corrections and rehabilitation and opportunity for the department to submit a written response, the court may order the inspection of a case history record unless there is a showing by the department of corrections and rehabilitation that a proper and legitimate reason exists for denying inspection of the case history record. If the court issues an order allowing inspection, the court shall allow the department of corrections and rehabilitation to remove all identifying information that may create a risk of harm to property or to any person. As used in this section, “case history record” means any record of a person in the custody or under the supervision and management of the division of adult services of the department of corrections and rehabilitation except for medical, psychological, and treatment records and legal files. The term includes inmate disciplinary proceedings, administrative and disciplinary segregation placements, institutional and criminal investigation reports, supervision histories, job placements, education programs, inmate financial accounts under section 12-48-15, and protective management cases.</p> <p>2. The medical, psychological, and treatment records of the department of corrections and rehabilitation or its divisions or departments relating to persons in the custody or under the supervision and management of the division of adult services of the department of corrections and rehabilitation are confidential, and may not be disclosed directly or indirectly to any person, organization, or agency, except as otherwise provided in this section. A district court may order the inspection of medical, psychological, and treatment records, or parts of those records, upon application to the court and a showing that there is a proper and legitimate purpose for the inspection of the records, with service of the application on the department of corrections and rehabilitation and opportunity for the department of corrections and rehabilitation to submit a written response.</p> <p>3. Notwithstanding any other provisions of law relating to privilege or confidentiality, except for the confidentiality requirements of federal drug and alcohol treatment and rehabilitation laws, the following persons, organizations, or agencies without prior application to the court may inspect case history, medical, psychological, or treatment records:</p> <p>a. The governor;</p>

- b. The pardon advisory board, if the governor has appointed a pardon advisory board;
 - c. The parole board;
 - d. Any division, department, official, or employee of the department of corrections and rehabilitation;
 - e. Another state receiving a parolee or probationer under the provisions of chapter 12-65;
 - f. A federal, state, regional, or county correctional facility receiving physical custody of a person under the legal custody of the department of corrections and rehabilitation;
 - g. The employees in the office of the attorney general and investigators, consultants, or experts retained by the state;
 - h. The risk management division of the office of management and budget for the purpose of investigating and defending actions or claims under chapter 32-12.2;
 - i. The district court of the county where the judgment of conviction was entered;
 - j. A state or federal court where a person in the custody or under the supervision and management of the adult services division of the department of corrections and rehabilitation has commenced litigation and the records are relevant to the litigation;
 - k. A criminal justice agency as defined in [section 44-04-18.7](#); or
 - l. The United States social security administration and veterans administration.
4. Records with respect to the person's identity, location, legal files except records under court seal, criminal convictions, or projected date of release, except for the records of a person who is under protective management, are open records.
5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, or to a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.
6. A criminal defendant's presentence investigation report, together with any attachment or addendum, is subject to rule 32 of the North Dakota Rules of Criminal Procedure and any amendments made thereto.
7. The parole board may permit the inspection of a person's preparole report, or parts of the report, prepared for the parole board.
8. Any person, organization, or agency receiving exempt or confidential records under this section shall maintain the closed or confidential nature of the records and may not redisclose the records.
9. The department of corrections and rehabilitation shall maintain the confidentiality of witness protection program records and legal files under seal.
10. The medical, psychological, and treatment records of the department relating to persons in the custody or under the supervision and management of the division of adult services of the department of corrections and rehabilitation may be disclosed for the purpose of conducting research and educational activities. A person conducting research or educational activities may not redisclose identifying information received under this subsection.
- N.D. Cent. Code Ann. § 12.1-34-06 (Statewide automated victim information and notification system).*
1. The information technology department may establish a statewide automated victim information and notification system that must:
- a. Permit a victim to register or update the victim's registration information for the system by calling a toll-free telephone number or accessing a public website.
 - b. Notify a registered victim by telephone, mail, or e-mail in accordance with this chapter.
 - c. Notify a registered victim by telephone, mail, or e-mail when the offender has a scheduled court proceeding, a parole review, or a change in the status of the offender's parole or probation status, including a change in the offender's address.
 - d. Notify a registered victim by telephone, mail, or e-mail when a protective order requested by the victim has been served upon the respondent.
 - e. *Permit a victim to receive a status report for an offender under the supervision or in the custody of the department of corrections and rehabilitation or other correctional facility by calling the system on a toll-free telephone number or by accessing the system through a public website.*
2. The provision of offender and case data on a timely basis to the automated victim information and notification system satisfies any obligation under this chapter to notify a registered victim of an offender's custody and the status of the offender's scheduled court proceedings.
3. The user agency shall ensure that an offender's information contained in the system is updated to timely notify a victim that an offender has been released or discharged or has escaped. The failure of the system to provide notice to the victim does not establish a cause of action by the victim against the state or

	<p>any custodial authority.</p> <p>4. All affected entities, including custodial authorities, prosecuting attorneys, law enforcement agencies, courts, the attorney general's office, and the parole clerk, shall cooperate with the system operator in establishing and maintaining the statewide automated victim information and notification system.</p>
Ohio	<p><i>Ohio Rev. Code Ann. §149.44 (Availability of records; rules)</i> Any state records center or archival institution established pursuant to sections 149.31 and 149.331 of the Revised Code is an extension of the departments, offices, and institutions of the state and all state and local records transferred to records centers and archival institutions shall be available for use under section 149.43 of the Revised Code.</p> <p><i>Ohio Rev. Code Ann. § 149.43 (Availability of public records).</i> (A) As used in this section: (1) “Public record” means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Revised Code. “Public record” does not mean any of the following:...</p> <p style="padding-left: 40px;">(b) Records pertaining to probation and parole proceedings or to proceedings related to the imposition of community control sanctions and post-release control sanctions;</p> <p><i>Ohio Rev. Code Ann. § 2967.12 (Notice of pendency of pardon, commutation, parole, termination or transfer of control; rights of crime victim or representative).</i> (B) If a request for notification has been made pursuant to section 2930.16 of the Revised Code or if division (H) of this section applies, the office of victim services or the adult parole authority also shall provide notice to the victim or the victim's representative at least sixty days prior to recommending any pardon or commutation of sentence for, or granting any parole to, the person. The notice shall include the information required by division (A) of this section [namely, a notice of the pendency of the pardon, commutation, or parole, the name of the person on whose behalf it is made, the offense of which the person was convicted or to which the person pleaded guilty, the time of conviction or the guilty plea, and the term of the person's sentence] and may be provided by telephone or through electronic means. The notice also shall inform the victim or the victim's representative that the victim or representative may send a written statement relative to the victimization and the pending action to the adult parole authority and that, if the authority receives any written statement prior to recommending a pardon or commutation or granting a parole for a person, the authority will consider the statement before it recommends a pardon or commutation or grants a parole. If the person is being considered for parole, the notice shall inform the victim or the victim's representative that a full board hearing of the parole board may be held and that the victim or victim's representative may contact the office of victims' services for further information. If the person being considered for parole was convicted of or pleaded guilty to a violation of section 2903.01 or 2903.02 of the Revised Code, an offense of violence that is a felony of the first, second, or third degree, or an offense punished by a sentence of life imprisonment, the notice shall inform the victim of that offense, the victim's representative, or a member of the victim's immediate family that the victim, the victim's representative, and the victim's immediate family have the right to give testimony at a full board hearing of the parole board and that the victim or victim's representative may contact the office of victims' services for further information.</p>
Oklahoma	<p><i>Okla. Admin. Code 515:1-3-2 (Availability of records).</i> (d) Confidentiality. Any person submitting information, data or materials to the Pardon and Parole Board may assert and substantiate a claim of confidentiality upon submission. Absent such assertion and substantiation, information or materials submitted to the Pardon and Parole Board shall be recognized and treated as being available for disclosure. Provided that the following information is considered confidential: (1) Victim protest letters (including information about the presence of such correspondence) (2) Correspondence from a person exercising their rights under the State Constitution</p>

	<p>(3) Criminal history information not resulting in conviction</p> <p>(4) Juvenile records</p> <p>(5) Medical and mental health information, including substance abuse treatment</p> <p>(6) References to Department of Corrections internal investigations</p> <p>(7) Pre-sentence investigations</p> <p>(8) Other information deemed confidential by the Executive Director or General Counsel pursuant to Oklahoma law.</p>
Oregon	<p><i>Or. Rev. Stat. Ann. § 144.750 (Rights of certain crime victims when crime is subject of proceedings of State Board of Parole and Post-Prison Supervision).</i></p> <p>(c) The victim, personally or by counsel, and the district attorney of the county in which the offender was convicted shall be given access to the information that the board will rely upon in the hearing. The victim and the district attorney shall be given adequate time to rebut the information. The victim or the district attorney may request that the board, in the discretion of the board, obtain and consider additional records, evaluations or other documents.</p>
Pennsylvania	<p><i>37 Pa. Code § 61.2 (Confidentiality of records).</i></p> <p>Records, reports and other written things and information, evaluations, opinions and voice recordings in the Board's custody or possession touching on matters concerning a probationer or parolee are private, confidential and privileged; except that a brief statement of the reasons for actions by the Board granting or refusing a parole will at all reasonable times be open to public inspection in the offices of the Board.</p>
Rhode Island	<p><i>R.I. Code R. 49-1-1:1 (Components of the 2014 Rhode Island Parole Board Guidelines) (proposed amendments pending).</i></p> <p>A.) PUBLIC RECORDS:</p> <p>It is the policy of the Rhode Island Parole Board not to release any information obtained from documents or records, which are not deemed to be public records pursuant to the provisions of RI Gen. Laws § 38-2-2 et al. Parole Board records are exempt from public disclosure since these records contain personal or medical information relating to an individual.</p> <p><i>38 R.I. Gen. Laws Ann. § 38-2-2 (Access to Public Records: Definitions).</i></p> <p>(4) "Public record" or "public records" shall mean all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, magnetic or other tapes, electronic data processing records, computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities) or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. For the purposes of this chapter, the following records shall not be deemed public:</p> <p>(A)(I)(a) All records relating to a client/attorney relationship and to a doctor/patient relationship, including all medical information relating to an individual in any files.</p> <p>...</p> <p>(D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information (a) could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (d) could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority, or any private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of</p>

	<p>any individual. Records relating to management and direction of a law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult shall be public.</p> <p>...</p> <p>(P) All investigatory records of public bodies, with the exception of law enforcement agencies, pertaining to possible violations of statute, rule, or regulation other than records of final actions taken provided that all records prior to formal notification of violations or noncompliance shall not be deemed to be public.</p> <p>...</p> <p>(S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state law, or rule of court.</p>
<p>South Carolina</p>	<p><i>S.C. Code Ann. §24-21-290 (Information received by probation agents privileged.)</i>.All information and data obtained in the discharge of his official duty by a probation agent is privileged information, is not receivable as evidence in a court, and may not be disclosed directly or indirectly to anyone other than the judge or others entitled under this chapter to receive reports unless ordered by the court or the director.</p> <p><i>S.C. Code Ann. § 24-21-640 (Circumstances warranting parole; search and seizure; criteria; reports of parolees; records subject to Freedom of Information Act)</i>.</p> <p>...Any part or all of a prisoner's in-prison disciplinary records and, with the prisoner's consent, records involving all awards, honors, earned work credits and educational credits, are subject to the Freedom of Information Act as contained in Chapter 4, Title 30.</p>
<p>South Dakota</p>	<p><i>S.D. Codified Laws § 24-15-1 (Files and case histories of inmates--Purposes--Access to file)</i>.</p> <p>If a defendant is sentenced to the state penitentiary, the Department of Corrections shall develop a file which shall contain a complete history of that person. The executive director of the Board of Pardons and Paroles shall generate an adequate case history of each inmate of the state penitentiary to enable the executive director to make recommendations to the Board of Pardons and Paroles. The case history shall include results of risk and needs assessments of the inmate conducted by the department and other agencies as available and copies of documents relevant to supervision, treatment, and violation decisions in the inmate's prior prison, probation and parole custodies. The case history shall be transferred and kept as a permanent record of the Department of Corrections, solely for the proper supervision of the inmate by the Department of Corrections and as a guide to the inmate's needs. Except for the information authorized for release pursuant to § 24-2-20, no person other than members of the Board of Pardons and Paroles, its executive director, the secretary of corrections, or any person specifically delegated for such access by the secretary of corrections, may inspect such file unless otherwise ordered by a circuit court or subpoena after notice to the secretary of corrections and an opportunity for a hearing on any objections to inspection. The secretary shall have ten days after receipt of the notice to inform the court if the secretary requests a hearing.</p> <p><i>S.D. Codified Laws § 24-2-20 (Notice of incarcerated offender's change of status)</i>.</p> <p>Notwithstanding the provisions of § 24-1-26, when requested, regarding the fitness of any inmate, sentenced as an adult, for a modification of sentence, parole, pardon, or early release, the warden shall furnish only to the sentencing court, the secretary of corrections, the Board of Pardons and Parole, or the Governor, respectively, any requested record, fact, or opinion in the warden's possession or knowledge. The Department of Corrections may release the following information on any inmate or parolee sentenced as an adult for purposes of community and victim notification pursuant to subdivisions 23A-28C-1(10) and (12) and § 23A-28C-5, and to other governmental entities as defined in § 24-2-20.1:</p> <ol style="list-style-type: none"> (1) Name and any known aliases; (2) Date of birth or age; (3) Race and gender; (4) Location of incarceration; (5) Community of residence; (6) Custody status and conditions of supervision;

	<p>(7) Any Department of Corrections sentence identification number;</p> <p>(8) Any crime of conviction;</p> <p>(9) Number of felony convictions;</p> <p>(10) Sentence, time suspended, jail time credit, and revoked good-time credits;</p> <p>(11) Offense, sentence, admission, release, and parole eligibility dates;</p> <p>(12) Dates of pending hearings and final determinations of parole, suspended sentence, pardon, and commutation hearings;</p> <p>(13) Status as an inmate, parolee, or person who has completed a prison term;</p> <p>(14) County of conviction;</p> <p>(15) Plea;</p> <p>(16) Citizenship status;</p> <p>(17) Birth town, state, and country; and</p> <p>(18) Identification photograph and physical description.</p> <p>The department is not civilly liable for good faith conduct under this section.</p>
<p>Tennessee</p>	<p><i>Tenn. Comp. R. & Regs. 1100-01-01-.15 (CONFIDENTIALITY OF RECORDS).</i></p> <p>(1) Confidential Information.</p> <p>(a) The following information may be contained in the Board's file and is considered confidential by the Board and will not be released unless listed as an exception under rule 1100-01-01-.15(3):</p> <ol style="list-style-type: none"> 1. Psychological evaluations provided, however, that such may be released to mental health officials who are treating the offender if a release of information form signed by the offender is presented with the request. 2. Offense Report. 3. Medical Records. 4. Contents of probation and parole staff chronological records, contact notes. 5. Probation/Parole Officers' statements accompanying violation reports 6. Written clemency recommendations to the Governor. 7. Statements in opposition of an offender by victims, families of victims, victims' representatives, families of inmates, private citizens who request confidentiality, and public officials who request confidentiality. 8. Victim impact statements. 9. Internal Affairs investigative reports. 10. Any reports or information generated by other agencies. 11. Other information, the release of which the Board specifically finds would be a serious safety risk to the public, staff, parolee or inmate. <p>(2) Information Available for Release.</p> <p>(a) The following information may be released:</p> <ol style="list-style-type: none"> 1. hearing and decision-making policy and procedures; 2. whether an inmate is being considered for parole or clemency; 3. whether parole or clemency has been granted or denied; 4. effective date for parole; 5. statements in support of a parole; 6. clemency applications and supporting documentation; 7. date, time, and location of hearings; 8. parole certificates and determinate release certificates; 9. reasons for the Board decisions listed on the Board Action Sheet; 10. residential and employment records of offenders;

	<p>(b) Requests for information from field supervision files shall be directed to the District Director or his or her designee. The District Director or his or her designee will review the records and release information available under rule 1100-01-01-.15(2)(a).</p> <p>(3) Upon official request, law enforcement, child support officials, or other governmental entities shall be provided information as necessary to assist in their investigations, in their official capacity. Upon verification of the identity of the requesting official the following information may be released:</p> <p>(a) offender's aliases;</p> <p>(b) offender's M.O. (modus operandi or mode of operation);</p> <p>(c) offender's address;</p> <p>(d) offender's place of employment;</p> <p>(e) offender's photographs and fingerprints;</p> <p>(f) offender's social security number;</p> <p>(g) offender's telephone number;</p> <p>(h) offense reports;</p> <p>(i) whether a Board of Probation and Parole warrant has been issued and whether an offender has been arrested on a Board of Probation and Parole warrant;</p> <p>(j) violation reports;</p> <p>(k) information on assets of persons currently or previously on parole who owe court fines.</p> <p>(4) The Board shall not release employee personal information such as social security numbers, home addresses, or telephone numbers.</p>
Texas	<p><i>Tex. Gov't Code Ann. § 508.313 (Confidential Information).</i></p> <p>(a) All information obtained and maintained, including a victim protest letter or other correspondence, a victim impact statement, a list of inmates eligible for release on parole, and an arrest record of an inmate, is confidential and privileged if the information relates to:</p> <p>(1) an inmate of the institutional division subject to release on parole, release to mandatory supervision, or executive clemency;</p> <p>(2) a releasee; or</p> <p>(3) a person directly identified in any proposed plan of release for an inmate.</p> <p>(b) Statistical and general information relating to the parole and mandatory supervision system, including the names of releasees and data recorded relating to parole and mandatory supervision services, is not confidential or privileged and must be made available for public inspection at any reasonable time.</p> <p>(c) The department, on request or in the normal course of official business, shall provide information that is confidential and privileged under Subsection (a) to:</p> <p>(1) the governor;</p> <p>(2) a member of the board or a parole commissioner;</p> <p>(3) the Criminal Justice Policy Council in performing duties of the council under Section 413.017; or</p> <p>(4) an eligible entity requesting information for a law enforcement, prosecutorial, correctional, clemency, or treatment purpose.</p> <p>(d) In this section, "eligible entity" means:</p> <p>(1) a government agency, including the office of a prosecuting attorney;</p> <p>(2) an organization with which the department contracts or an organization to which the department provides a grant; or</p> <p>(3) an organization to which inmates are referred for services by the department.</p> <p>(e) This section does not apply to information relating to a sex offender that is authorized for release under Chapter 62, Code of Criminal Procedure. (f) This section does not apply to information that is subject to required public disclosure under Section 552.029.</p>
Utah	<p><i>Utah Code Ann. § 63G-2-305 (Protected records).</i></p> <p>(13) records that, if disclosed, would jeopardize the security or safety of a correctional facility, or records relating to incarceration, treatment, probation, or parole, that would interfere with the control and supervision of an offender's incarceration, treatment, probation, or parole;</p> <p>(14) records that, if disclosed, would reveal recommendations made to the Board of Pardons and Parole by an employee of or contractor for the Department</p>

	<p>of Corrections, the Board of Pardons and Parole, or the Department of Human Services that are based on the employee's or contractor's supervision, diagnosis, or treatment of any person within the board's jurisdiction;</p> <p>(34) memoranda prepared by staff and used in the decision-making process by an administrative law judge, a member of the Board of Pardons and Parole, or a member of any other body charged by law with performing a quasi-judicial function;</p>
Vermont	<p><i>Vt. Stat. Ann. tit. 28, § 204 (Submission of written report; protection of records).</i></p> <p>(d) Any presentence report, preparole report, or supervision history prepared by any employee of the Department in the discharge of the employee's official duty, except as provided in subdivision 204a(b)(5) and section 205 of this title, is confidential and shall not be disclosed to anyone outside the Department other than the judge or the Parole Board, except that the court or Board may in its discretion permit the inspection of the report or parts thereof by the State's Attorney, the defendant or inmate, or his or her attorney, or other persons having a proper interest therein, whenever the best interest or welfare of the defendant or inmate makes that action desirable or helpful. Nothing in this section shall prohibit the Department for Children and Families from accessing the supervision history of probationers or parolees for the purpose of child protection.</p> <p>(e) The presentence report ordered by the court under this section or section 204a of this title shall include the comments or written statement of the victim, or the victim's guardian or next of kin if the victim is incompetent or deceased, whenever the victim or the victim's guardian or next of kin choose to submit comments or a written statement.</p> <p><i>Amended:</i></p> <p><i>2015 Vermont Senate Bill No. 116, Vermont 2015-2016 Legislative Session.</i></p> <p>(d)(1) Except as provided in subdivision (2) of this subsection, any presentence investigation report or parole summary prepared by any employee of the Department in the discharge of the employee's official duty, except as provided in subdivision 204a(b)(5) and section 205 of this title, is confidential and shall not be disclosed to anyone outside the Department other than the judge or the Parole Board.</p> <p>(2)(A) The court or Board shall permit inspection of the presentence investigation report or parole summary, redacted of information that may compromise the safety or confidentiality of any person, by the State's Attorney and by the defendant or inmate or his or her attorney; and (B) the court or Board may, in its discretion, permit the inspection of the presentence investigation report or parole summary or parts thereof by other persons having a proper interest therein, whenever the best interest or welfare of the defendant or inmate makes that action desirable or helpful.</p> <p>(e) The presentence investigation report ordered by the court under this section or section 204a of this title shall include the comments or written statement of the victim, or the victim's guardian or next of kin if the victim is incompetent or deceased, whenever the victim or the victim's guardian or next of kin choose to submit comments or a written statement.</p>
Virginia	<p><i>Va. Code Ann. §2.2-3703 (Public Records Act)</i></p> <p>A. The provisions of this chapter [requiring public disclosure] shall not apply to:</p> <p>1. The Virginia Parole Board, except that (i) information from the Virginia Parole Board providing the number of inmates considered by such Board for discretionary parole, the number of inmates granted or denied parole, and the number of parolees returned to the custody of the Department of Corrections solely as a result of a determination by such Board of a violation of parole shall be open to inspection and available for release, on a monthly basis, as provided by § 2.2-3704 and (ii) all records concerning the finances of the Virginia Parole Board shall be public records and subject to the provisions of this chapter. The information required by clause (i) shall be furnished by offense, sex, race, age of the inmate, and the locality in which the conviction was obtained, upon the request of the party seeking the information;</p>
Washington	<p><i>Wash. Rev. Code Ann. § 36.28A.040 (Statewide city and county jail booking and reporting system--Standards committee--Statewide automated victim information and notification system--Statewide unified sex offender notification and registration program--Liability immunity).</i></p>

	<p>(5)(a) A statewide automated victim information and notification system shall be added to the city and county jail booking and reporting system. The system shall:</p> <p>(i) Automatically notify a registered victim via the victim's choice of telephone, letter, or e-mail when any of the following events affect an offender housed in any Washington state city or county jail or department of corrections facility:</p> <p>(A) Is transferred or assigned to another facility;</p> <p>(B) Is transferred to the custody of another agency outside the state;</p> <p>(C) Is given a different security classification;</p> <p>(D) Is released on temporary leave or otherwise;</p> <p>(E) Is discharged;</p> <p>(F) Has escaped; or</p> <p>(G) Has been served with a protective order that was requested by the victim;</p> <p>(ii) Automatically notify a registered victim via the victim's choice of telephone, letter, or e-mail when an offender has:</p> <p>(A) An upcoming court event where the victim is entitled to be present, if the court information is made available to the statewide automated victim information and notification system administrator at the Washington association of sheriffs and police chiefs;</p> <p>(B) An upcoming parole, pardon, or community supervision hearing; or</p> <p>(C) A change in the offender's parole, probation, or community supervision status including:</p> <p>(I) A change in the offender's supervision status; or</p> <p>(II) A change in the offender's address;</p> <p>(iii) Automatically notify a registered victim via the victim's choice of telephone, letter, or e-mail when a sex offender has:</p> <p>(A) Updated his or her profile information with the state sex offender registry; or</p> <p>(B) Become noncompliant with the state sex offender registry;</p> <p>(iv) Permit a registered victim to receive the most recent status report for an offender in any Washington state city and county jail, department of corrections, or sex offender registry by calling the statewide automated victim information and notification system on a toll-free telephone number or by accessing the statewide automated victim information and notification system via a public web site. All registered victims calling the statewide automated victim information and notification system will be given the option to have live operator assistance to help use the program on a twenty-four hour, three hundred sixty-five day per year basis;</p> <p>(v) Permit a crime victim to register, or registered victim to update, the victim's registration information for the statewide automated victim information and notification system by calling a toll-free telephone number or by accessing a public web site; and</p> <p>(vi) Ensure that the offender information contained within the statewide automated victim information and notification system is updated frequently to timely notify a crime victim that an offender has been released or discharged or has escaped. However, the failure of the statewide automated victim information and notification system to provide notice to the victim does not establish a separate cause of action by the victim against state officials, local officials, law enforcement officers, or any related correctional authorities.</p> <p>(b) Participation in the statewide automated victim information and notification program satisfies any obligation to notify the crime victim of an offender's custody status and the status of the offender's upcoming court events so long as:</p> <p>(i) Information making offender and case data available is provided on a timely basis to the statewide automated victim information and notification program; and</p> <p>(ii) Information a victim submits to register and participate in the victim notification system is only used for the sole purpose of victim notification.</p> <p>(c) Automated victim information and notification systems in existence and operational as of July 22, 2007, shall not be required to participate in the statewide system.</p>
<p>Wisconsin</p>	<p><i>Wis. Stat. Ann. § 304.06 (Paroles from state prisons and house of correction).</i></p> <p>(em) The parole commission shall promulgate rules that provide a procedure to allow any person who is a victim, or a family member of a victim, of a crime specified in s. 940.01, 940.03, 940.05, 940.225(1), (2), or (3), 948.02(1) or (2), 948.025, 948.06, or 948.07 to have direct input in the decision-making</p>

	<p>process for parole.</p> <p><i>Wis. Stat. Ann. § 19.35 (Access to records)</i></p> <p>(1) Right to inspection. (a) Except as otherwise provided by law, any requester has a right to inspect any record. Substantive common law principles construing the right to inspect, copy or receive copies of records shall remain in effect. The exemptions to the requirement of a governmental body to meet in open session under s. 19.85 are indicative of public policy, but may be used as grounds for denying public access to a record only if the authority or legal custodian under s. 19.33 makes a specific demonstration that there is a need to restrict public access at the time that the request to inspect or copy the record is made.</p> <p>(am) In addition to any right under par. (a), any requester who is an individual or person authorized by the individual has a right to inspect any personally identifiable information pertaining to the individual in a record containing personally identifiable information that is maintained by an authority and to make or receive a copy of any such information. The right to inspect or copy information in a record under this paragraph does not apply to any of the following:</p> <ol style="list-style-type: none"> 1. Any record containing personally identifiable information that is collected or maintained in connection with a complaint, investigation or other circumstances that may lead to an enforcement action, administrative proceeding, arbitration proceeding or court proceeding, or any such record that is collected or maintained in connection with such an action or proceeding.
<p>Wyoming</p>	<p><i>Wyo. Stat. Ann. § 7-13-409 (Probation and Parole Generally: Disclosure of information and data).</i></p> <p>All information and data obtained in the discharge of official duties by probation and parole agents is privileged information and shall not be disclosed directly or indirectly to anyone other than to the judge, the department or to others entitled to receive reports unless and until otherwise ordered by the judge, board or department.</p> <p><i>Wyo. Stat. Ann. § 7-19-106 (Criminal History Records: Access to, and dissemination of, information).</i></p> <p>(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:</p> <ol style="list-style-type: none"> (i) Other criminal justice agencies; (ii) Any person designated for the purpose provided by W.S. 14-6-227; (iii) The department of family services; (iv) Other governmental agencies as authorized by the laws of the United States or any state or by executive order; (v) An individual who has met the requirements established by the division to ensure the record will be used solely as a statistical research or reporting record and that the record is to be transferred in a form that is not individually identifiable; (vi) Any record subject as provided by W.S. 7-19-109; (vii) The department of health; (viii) The Wyoming state board of nursing for purposes of obtaining background information on applicants for licensure or certification under the board; (ix) Court supervised treatment program staff solely for the purposes of utilizing the information pursuant to the Court Supervised Treatment Programs Act in title 7, chapter 13, article 6 <p><i>Wyo. Stat. Ann. § 1-40-204 (Victim and Witness Bill of Rights: Rights of victims and witnesses to be informed during the criminal justice process).</i></p> <p>(c) Victims, key witnesses, offices of prosecutors, victim witness coordinators and advocates who have participated in the criminal prosecution shall be offered the opportunity to be informed in writing by the department of corrections about:</p> <ol style="list-style-type: none"> (i) The commencement of the offender's imprisonment to serve the sentence imposed and the name, official address and security classification of the place of confinement;

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| | <ul style="list-style-type: none">(ii) The earliest date upon which the offender could be released and the date released;(iii) Any transfer of the offender to another facility including the security classification of that facility;(iv) Any placement of the offender in a community correctional program;(v) Any change in location of the offender's parole supervision;(vi) The escape, recapture or death of an offender;(vii) Any reduction or extension of the offender's sentence. <p>(d) Victims, key witnesses, offices of prosecutors, victim witness coordinators and advocates who have participated in the criminal prosecution shall be offered the opportunity to be informed in writing by the board of parole about:</p> <ul style="list-style-type: none">(i) Any decision to grant or modify parole and any conditions imposed;(ii) Any pending revocation of parole, any associated return to custody, the revocation hearing date and disposition of revocation proceedings;(iii) Any absconscion from supervision and subsequent apprehension;(iv) Any rescission of parole;(v) Discharge from parole. <p>(e) The governor's office shall ensure that the appropriate government agency shall notify in writing, or in person, victims, key witnesses, prosecutors, victim witness coordinators and advocates who have participated in the criminal prosecution of an application for a pardon or the pending commutation of the offender.</p> <p>(f) Victims, key witnesses, prosecutors, victim witness coordinators and advocates who have participated in the criminal prosecution who wish to receive notification and information shall provide the appropriate criminal justice agencies with their current address and telephone number. This address will only be used for notification purposes.</p> <p>(g) Nothing in subsections (c) through (e) of this section shall mean the victim, key witnesses, prosecutors, victim witness coordinators or advocates who have participated in the criminal prosecution shall be given information that could jeopardize the safety or security of any person.</p> |
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