

Decision Criteria for Transfer Eligible (TE) and Parole Eligible (PE) Inmates

Release to community supervision may be granted to an eligible offender by the Board when, in its opinion, there is a reasonable probability that the person can be released without detriment to the community or him/herself.

In making its determination regarding an inmate's release to community supervision, the Board considers the following factors:

1. Institutional adjustment in general, including the nature of any disciplinary actions
2. When considered necessary, an examination and opinion by a psychiatrist or psychologist
3. The record of previous criminal offenses (misdemeanors and felonies), the frequency of such offenses, and the nature thereof
4. Conduct in any previous release program, such as probation, parole, work release, boot camp or alternative service
5. Recommendations made by the Judge, Prosecuting Attorney, and Sheriff of the county from which a person was sentenced, or other interested persons
6. The statements of any registered victim(s)
7. The nature of the release plan, including the type of community surroundings in the area the person plans to live and work
8. The results of a validated risk/needs assessment
9. The inmate's employment record
10. The inmate's susceptibility to drugs or alcohol
11. The inmate's basic good physical and mental health
12. The inmate's participation in institutional activities, such as, educational programs, rehabilitation programs, work programs, and leisure time activities
13. The presence of a law enforcement detainer.
(Note: When there is a detainer, the Board must pursue the basis of any such detainer and only release the inmate to a detainer where appropriate. A detainer must not be considered an automatic reason for denying parole.)

Discretionary Offenses
(Offenses for which the Parole Board CAN DENY Parole)

Offenses COMMITTED on or after 1/1/1994

- Murder in the 1st degree
- Kidnapping
- Rape
- Aggravated Robbery
- Causing a Catastrophe
- Engaging in a continuing Criminal Enterprise

Offenses COMMITTED on or after 7/30/1999

- Capital Murder
- Murder in the 2nd degree
- Manslaughter
- Negligent Homicide
- Simultaneous Possession of Drugs and Firearms
- Battery in the 1st degree
- Domestic Battering in the First Degree
- Sexual Assault in the 1st degree
- Sexual Assault in the 2nd degree

Offenses COMMITTED on or after 2/20/2013

Any offense for which an inmate is required, upon release, to register as a sex offender under the Sex Offender Registration Act of 1997 other than Rape, Sexual Assault in the 1st degree, and Sexual Assault in the 2nd degree (see previous sections).

Offenses COMMITTED on or after 08/16/2013

- Attempted Capital Murder
- Attempted Murder in the 1st Degree
- Attempted Aggravated Robbery
- Terroristic Act
- Arson
- Aggravated residential burglary
- Unlawful discharge of a firearm from a vehicle
- Offenses related to acts of terrorism
 - Soliciting Material Support for Terrorism
 - Providing Material Support for a Terrorist Act
 - Making a Terrorist Threat
 - Falsely Communicating a Terrorist Threat
 - Terrorism
 - Hindering Prosecution of Terrorism
 - Exposing the Public to Toxic, Biological, or Radioactive
 - Use of a Hoax Substance