229A.9A Release with supervision.

1. In any proceeding under section 229A.8, the court may order the committed person released with supervision if any of the following apply:

a. The attorney general stipulates to the release with supervision.

b. The court or jury has determined that the person should be released from a secure facility or a transitional release program, but the court has determined the person suffers from a mental abnormality and it is in the best interest of the community to order release with supervision before the committed person is discharged.

2. If release with supervision is ordered, the department of human services shall prepare within sixty days of the order of the court a release plan addressing the person's needs for counseling, medication, community support services, residential services, vocational services, alcohol or other drug abuse treatment, sex offender treatment, or any other treatment or supervision necessary.

3. The court shall set a hearing on the release plan prepared by the department of human services before the committed person is released from a secure facility or a transitional release program.

4. If the court orders release with supervision, the court shall order supervision by an agency with jurisdiction that is familiar with the placement of criminal offenders in the community. The agency with jurisdiction shall be responsible for initiating proceedings for violations of the release plan as provided in section 229A.9B.

5. A committed person may not petition the court for release with supervision.

6. A committed person released with supervision is not considered discharged from civil commitment under this chapter.

7. After being released with supervision, the person may petition the court for discharge as provided in section 229A.8.

8. The court shall retain jurisdiction over the committed person who has been released with supervision until the person is discharged from the program. The department of human services or a judicial district department of correctional services shall not be held liable for any acts committed by a committed person who has been ordered released with supervision.

2002 Acts, ch 1139, §13, 27; 2014 Acts, ch 1059, §2; 2018 Acts, ch 1165, §102
Section amended