

205—8.15(906) Parole and work release decisions.

8.15(1) The board shall grant parole to an inmate on work release status if at least three members of the board agree that the inmate can be released without detriment to the community or to the inmate. If three members do not agree, the board shall deny parole.

8.15(2) The board shall grant parole or work release to an inmate with a risk assessment score of 1, 2, 3, 4, 5, or 6 only if at least three members of the board agree that the inmate can be released without detriment to the community or to the inmate. If three members do not agree, the board shall deny parole or work release.

8.15(3) The board shall defer granting parole or work release to an inmate with a risk assessment score of 7 or 8 and refer the case to the full board for review. The full board shall grant parole or work release only if at least four members agree that the inmate can be released without detriment to the community or to the inmate. If four members do not agree, the board shall deny parole or work release. If there are not four board members available due to unfilled vacancies on the board, conflicts of interest of board members, illness, or other reason, the board chairperson may, upon consultation with the board, suspend the four-vote requirement and allow parole or work release to be granted upon three votes.

8.15(4) The board shall defer granting parole or work release to an inmate with a risk assessment score of 9 and refer the case to the full board for review. The full board shall grant parole or work release only if the board members unanimously agree that the inmate can be released without detriment to the community or to the inmate. If the board members do not unanimously agree, the board shall deny parole or work release. If any of the five board members are not available due to unfilled vacancies on the board, conflicts of interest of board members, illness, or other reason, the board chairperson may, upon consultation with the board, suspend the five-vote requirement and allow parole or work release to be granted upon four votes if one board member is unavailable, or upon three votes if two board members are unavailable.

8.15(5) The board may determine if an inmate shall be required to provide a physical specimen to be submitted for DNA profiling as a condition of parole or work release. The board shall consider the deterrent effect of DNA profiling, the likelihood of repeated violations by the offender, and the seriousness of the offense. When funds have been allocated from the general fund of the state, or funds have been provided by other public or private sources, the board shall order DNA profiling, if appropriate.