

CHAPTER 362
FORMERLY
HOUSE BILL NO. 438
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO
RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.

AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO
RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.

WHEREAS, Title 11, § 4217(c) of the Delaware Code contains the term “exceptional rehabilitation”,
which was never defined in the Statute, nor does it have a generally-accepted common meaning; and

WHEREAS, the lack of proper definition has led to confusion by the Department of Correction (DOC)
which must make an initial determination regarding rehabilitation of an inmate; and

WHEREAS, the word “rehabilitation” is commonly defined in Webster’s Dictionary as “*the process of
restoring an individual to a useful and constructive place in society especially through some form of vocational,
correctional, or therapeutic retraining*”; and

WHEREAS, the above definition is consistent with the original intent of the Statute.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Title 11, § 4217(c) of the Delaware Code is hereby amended by removing the word
“exceptional” from “exceptional rehabilitation”.

Section 2. Title 11, § 4217 of the Delaware Code is hereby amended by adding subsection (h) as
follows: “For purposes of this section, “rehabilitation” is defined as the process of restoring an individual to a
useful and constructive place in society especially through some form of vocational, correctional, or therapeutic
retraining.”.

Approved July 12, 2010