

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1624
Senate Judiciary I (Civil) Committee Substitute Adopted 7/15/08
Third Edition Engrossed 7/17/08

Short Title: Frequency of Parole Reviews.

(Public)

Sponsors:

Referred to:

April 19, 2007

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE FREQUENCY OF PAROLE REVIEWS FOR INMATES
CONVICTED OF MURDER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1371(b), repealed by Section 22 of Chapter 538 of the 1993 Session Laws, but still applicable to sentences based on offenses occurring before October 1, 1994, under Section 56 of that act, reads as rewritten:

"(b) Consideration for Parole. – The Parole Commission must consider the desirability of parole for each person sentenced as a felon for a maximum term of 18 months or longer:

- (1) Within the period of 90 days prior to his eligibility for parole, if he is ineligible for parole until he has served more than a year;
- (2) Within the period of 90 days prior to the expiration of the first year of the sentence, if he is eligible for parole at any time. Whenever the Parole Commission will be considering for parole a prisoner who, if released, would have served less than half of the maximum term of his sentence, the Commission must notify the prisoner and the district attorney of the district where the prisoner was convicted at least 30 days in advance of considering the parole. If the district attorney makes a written request in such cases, the Commission must publicly conduct its consideration of parole. Following its consideration, the Commission must give the prisoner written notice of its decision. If parole is denied, the Commission must consider its decision while the prisoner is eligible for parole at least once a year until parole is granted and must give the prisoner written notice of its decision at least once a ~~year~~; year, except as provided in subdivision (4) of this subsection, or
- (3) Whenever the Parole Commission will be considering for parole a prisoner convicted of first- or second-degree murder, first-degree rape,

1 or first-degree sexual offense, the Commission must notify, at least 30
2 days in advance of considering the parole, by first class mail at the last
3 known address:

- 4 a. The prisoner;
5 b. The district attorney of the district where the prisoner was
6 convicted;
7 c. The head of the law enforcement agency that arrested the
8 prisoner, if the head of the agency has requested in writing that
9 he be notified;
10 d. Any of the victim's immediate family members who have
11 requested in writing to be notified; and
12 e. The victim, in cases of first-degree rape or first-degree sexual
13 offense, if the victim has requested in writing to be notified.

14 The Parole Commission must consider any information provided
15 by any such parties before consideration of parole. The Commission
16 must also give the district attorney, the head of the law enforcement
17 agency who has requested in writing to be notified, the victim, or any
18 member of the victim's immediate family who has requested to be
19 notified, written notice of its decision within 10 days of that decision.

20 (4) The Commission shall review cases where the prisoner was convicted
21 of first or second degree murder, and in its discretion, give
22 consideration of parole and written notice of its decision once every
23 third year; except that the Commission may give more frequent parole
24 consideration if it finds that exigent circumstances or the interests of
25 justice demand it."

26 **SECTION 2.** This act becomes effective October 1, 2008, and applies to
27 parole reviews conducted on and after that date.