

GENERAL ASSEMBLY OF NORTH CAROLINA  
EXTRA SESSION 1994

CHAPTER 25  
HOUSE BILL 171

AN ACT TO REQUIRE NOTIFICATION OF PAROLE HEARINGS AND THE DECISION REACHED AT THOSE HEARINGS TO NEWSPAPERS AND OTHER MEDIA IN THE COUNTY WHERE THE PRISONER BEING CONSIDERED FOR PAROLE WAS CONVICTED AND, IF DIFFERENT, IN THE COUNTY WHERE THE PRISONER WAS CHARGED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1371(b)(3) reads as rewritten:

"(3) Whenever the Parole Commission will be considering for parole a prisoner convicted of first- or second-degree murder, first-degree rape, or first-degree sexual offense, the Commission must notify, at least 30 days in advance of considering the parole, by first class mail at the last known address:

- a. The prisoner;
- b. The district attorney of the district where the prisoner was convicted;
- c. The head of the law enforcement agency that arrested the prisoner, if the head of the agency has requested in writing that he be notified;
- d. Any of the victim's immediate family members who have requested in writing to be notified; ~~and~~
- e. The victim, in cases of first-degree rape or first-degree sexual offense, if the victim has requested in writing to be ~~notified~~ notified; and
- f. As many newspapers of general circulation and other media in the county where the prisoner was convicted and if different, in the county where the prisoner was charged, as reasonable.

The Parole Commission must consider any information provided by any such parties before consideration of parole. The Commission must also give the district attorney, the head of the law enforcement agency who has requested in writing to be notified, the victim, ~~or~~ any member of the victim's immediate family who has requested to be notified, and as many newspapers of general circulation and other media in the county or counties designated in sub-subdivision f. of this section as reasonable, written notice of its decision within 10 days of that decision. The Parole Commission shall not, however, include the

name of any victim in its notification to the newspapers and other media."

Sec. 2. G.S. 15A-1371(b)(3), as it will be effective upon the effective date of Section 22 of Chapter 538 of the 1993 Session Laws, reads as rewritten:

- "(3) Whenever the Post-Release Supervision and Parole Commission will be considering for parole a prisoner serving a sentence of life imprisonment the Commission must notify, at least 30 days in advance of considering the parole, by first class mail at the last known address:
- a. The prisoner;
  - b. The district attorney of the district where the prisoner was convicted;
  - c. The head of the law enforcement agency that arrested the prisoner, if the head of the agency has requested in writing that he be notified;
  - d. Any of the victim's immediate family members who have requested in writing to be notified; ~~notified;~~ and
  - e. Repealed by Session Laws 1993, c. 538, s. 22, effective January 1, 1995.
  - f. As many newspapers of general circulation and other media in the county where the defendant was convicted and if different, in the county where the prisoner was charged, as reasonable.

The Post-Release Supervision and Parole Commission must consider any information provided by any such parties before consideration of parole. The Commission must also give the district attorney, the head of the law enforcement agency who has requested in writing to be notified, the victim, ~~or~~ any member of the victim's immediate family who has requested to be notified, and as many newspapers of general circulation and other media in the county or counties designated in sub-subdivision f. of this section as reasonable, written notice of its decision within 10 days of that decision. The Parole Commission shall not, however, include the name of any victim in its notification to the newspapers and other media."

Sec. 3. Section 1 of this act becomes effective 45 days after ratification and expires upon the effective date of Section 22 of Chapter 538 of the 1993 Session Laws, but remains effective for offenses committed prior to the effective date of Section 22 of Chapter 538 of the 1993 Session Laws, as provided by Section 56 of that act. Section 2 of this act becomes effective at the same time that Section 22 of Chapter 538 of the 1993 Session Laws becomes effective. This section is effective upon ratification.

In the General Assembly read three times and ratified this the 26th day of March, 1994.

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Marc Basnight  
President Pro Tempore of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives