

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 114

Short Title: Parole Notice Changes.

(Public)

Sponsors: Representatives Lemmond; Flaherty, Spears, Bowman, Ives, and Wood.

Referred to: Judiciary I.

February 14, 1994

A BILL TO BE ENTITLED

AN ACT TO REQUIRE NOTICE OF PAROLE HEARINGS AND THE DECISION
REACHED AT THOSE HEARINGS TO THE COUNTY WHERE THE
PRISONER BEING CONSIDERED FOR PAROLE WAS CONVICTED.

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;
 - e. The victim, in cases of first-degree rape or first-degree sexual offense, if the victim has requested in writing to be notified.

The Commission shall also publish notice of the hearing once a week for two successive weeks in a newspaper published in the county where the defendant was convicted, or, if there is no newspaper

1 published in the county, by posting the notice at four public places in
2 the county. The notice shall be published the first time or posted not
3 less than 30 days prior to the date fixed for the hearing.

4 The Parole Commission must consider any information provided
5 by any such parties before consideration of parole. The Commission
6 must also give the district attorney, the head of the law enforcement
7 agency who has requested in writing to be notified, the victim, or any
8 member of the victim's immediate family who has requested to be
9 notified, and shall publish or post notice in the same manner as notice
10 of the hearing was provided, written notice of its decision within 10
11 days of that decision."

12 Sec. 2. This act becomes effective 45 days after ratification.