

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**EXTRA SESSION 1994**

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HOUSE BILL 171

Short Title: Parole Notification to Newspapers.

(Public)

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Sponsors: Representatives Cromer; Spears, Wood, and Bowman.

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Referred to: Judiciary III.

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February 14, 1994

A BILL TO BE ENTITLED

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2 AN ACT TO REQUIRE NOTIFICATION OF PAROLE HEARINGS AND THE  
3 DECISION REACHED AT THOSE HEARINGS TO NEWSPAPERS IN THE  
4 COUNTY WHERE THE PRISONER BEING CONSIDERED FOR PAROLE WAS  
5 CONVICTED.

6 The General Assembly of North Carolina enacts:

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

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

13 a.\_ The prisoner;

14 b.\_ The district attorney of the district where the prisoner was  
15 convicted;

16 c.\_ The head of the law enforcement agency that arrested the  
17 prisoner, if the head of the agency has requested in writing that  
18 he be notified;

19 d.\_ Any of the victim's immediate family members who have  
20 requested in writing to be notified; ~~and~~

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

1 f. As many newspapers of general circulation in the county where  
2 the prisoner was convicted as practicable.

3 The Parole Commission must consider any information provided  
4 by any such parties before consideration of parole. The Commission  
5 must also give the district attorney, the head of the law enforcement  
6 agency who has requested in writing to be notified, the victim, ~~or~~ any  
7 member of the victim's immediate family who has requested to be  
8 notified, and as many newspapers of general circulation in the county  
9 as practicable, written notice of its decision within 10 days of that  
10 decision."

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

13 "(3) Whenever the Post-Release Supervision and Parole Commission will  
14 be considering for parole a prisoner serving a sentence of life  
15 imprisonment the Commission must notify, at least 30 days in advance  
16 of considering the parole, by first class mail at the last known address:

17 a. The prisoner;

18 b. The district attorney of the district where the prisoner was  
19 convicted;

20 c. The head of the law enforcement agency that arrested the  
21 prisoner, if the head of the agency has requested in writing that  
22 he be notified;

23 d. Any of the victim's immediate family members who have  
24 requested in writing to be ~~notified~~ notified; and

25 e. Repealed by Session Laws 1993, c. 538, s. 22, effective January  
26 1, 1995.

27 f. As many newspapers of general circulation in the county where  
28 the defendant was convicted as practicable.

29 The Post-Release Supervision and Parole Commission must  
30 consider any information provided by any such parties before  
31 consideration of parole. The Commission must also give the district  
32 attorney, the head of the law enforcement agency who has requested in  
33 writing to be notified, the victim, ~~or~~ any member of the victim's  
34 immediate family who has requested to be notified, and as many  
35 newspapers of general circulation in the county as practicable, written  
36 notice of its decision within 10 days of that decision."

37 Sec. 3. Section 1 of this act becomes effective 45 days after ratification and  
38 expires upon the effective date of Section 22 of Chapter 538 of the 1993 Session Laws,  
39 but remains effective for offenses committed prior to the effective date of Section 22 of  
40 Chapter 538 of the 1993 Session Laws, as provided by Section 56 of that act. Section 2  
41 of this act becomes effective at the same time that Section 22 of Chapter 538 of the  
42 1993 Session Laws becomes effective. This section is effective upon ratification.