

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 171
Committee Substitute Favorable 3/1/94

Short Title: Parole Notification to Newspapers.

(Public)

Sponsors:

Referred to:

February 14, 1994

A BILL TO BE ENTITLED

AN ACT TO REQUIRE NOTIFICATION OF PAROLE HEARINGS AND THE
DECISION REACHED AT THOSE HEARINGS TO NEWSPAPERS IN 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; ~~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

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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. The Parole Commission shall not, however, include the
11 name of any victim in its notification to the newspapers."

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

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

18 a._ The prisoner;

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

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

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

26 e. Repealed by Session Laws 1993, c. 538, s. 22, effective January
27 1, 1995.

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

30 The Post-Release Supervision and Parole Commission must
31 consider any information provided by any such parties before
32 consideration of parole. The Commission must also give the district
33 attorney, the head of the law enforcement agency who has requested in
34 writing to be notified, the victim, ~~or~~ any member of the victim's
35 immediate family who has requested to be notified, and as many
36 newspapers of general circulation in the county as practicable, written
37 notice of its decision within 10 days of that decision. The Parole
38 Commission shall not, however, include the name of any victim in its
39 notification to the newspapers."

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

- 1 of this act becomes effective at the same time that Section 22 of Chapter 538 of the
- 2 1993 Session Laws becomes effective. This section is effective upon ratification.