

GENERAL ASSEMBLY OF NORTH CAROLINA  
1983 SESSION

CHAPTER 557  
HOUSE BILL 832

AN ACT TO ACCELERATE THE PAROLE OF CERTAIN INMATES WHEN NECESSARY FOR EFFECTIVE PRISON MANAGEMENT.

Whereas, the present prison population of the State of North Carolina is in excess of 16,750; and

Whereas, in its proposed budget, the Department of Correction requests additional funding for the 1983-85 biennium sufficient to accommodate 18,700 inmates; and

Whereas, it is incumbent on the General Assembly to act in a fiscally responsible manner to control the costs of the Department of Correction; and

Whereas, there are almost 8,000 inmates in the custody of the Department of Correction who are presently eligible for parole; and

Whereas, no specific legislative authority exists for early release of inmates when necessary for the effective management and administration of the State's prison system; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 148 of the General Statutes is amended by adding the following new section:

**"§ 148-4.1. Release of inmates.** – (a) Whenever the Secretary of Correction determines from data compiled by the Department of Correction that it is necessary to reduce the prison population to a more manageable level, he shall direct the Parole Commission to release on parole over a reasonable period of time a number of prisoners sufficient to that purpose.

(b) Except as provided in subsection (c), only inmates who are otherwise eligible for parole pursuant to Article 85 of Chapter 15A or pursuant to Article 3B of this Chapter may be released under this section.

(c) Persons eligible for parole under Article 85A of Chapter 15A shall be eligible for early parole under this section six months prior to the discharge date otherwise applicable, and three months prior to the date of automatic 90-day parole authorized by G.S. 15A-1380.2."

Sec. 2. G.S. 15A-1380.2(c) is amended by adding a new sentence at the end thereof to read as follows:

"In the case of an inmate eligible for parole under G.S. 148- 4.1 of the North Carolina General Statutes, the Parole Commission is authorized to simultaneously parole and terminate supervision of a prisoner when such prisoner has less than 180

days remaining on this maximum sentence, and when the Commission finds that such action will not be incompatible with the public interest."

Sec. 3. G.S. 15A-1380.2(d) is further amended by adding a new sentence at the end to read as follows:

"Provided, that where the Commission feels that supervision is appropriate for a person eligible for parole under the terms of G.S. 148-4.1 of the North Carolina General Statutes, the conditions applicable to such early parole shall be those provided for by G.S. 15A-1374(b) as specified by the Parole Commission."

Sec. 4. This act shall become effective July 1, 1983.

In the General Assembly read three times and ratified, this the 17th day of June, 1983.