

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 91
Second Edition Engrossed 3/2/89

Short Title: Open Parole Process to Victims.

(Public)

Sponsors: Senators Simpson; and Kincaid.

Referred to: Judiciary I.

February 1, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE NOTIFICATION OF VICTIMS THAT A PAROLE
DECISION IS PENDING.

The General Assembly of North Carolina enacts:

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

"(b) Consideration for Parole. – The Parole Commission must consider the desirability of parole for each person sentenced for a maximum term of 18 months or longer:

- (1) Within the period of 90 days prior to his eligibility for parole, if he is ineligible for parole until he has served more than a year; or
- (2) Within the period of 90 days prior to the expiration of the first year of the sentence, if he is eligible for parole at any time. Whenever the Parole Commission will be considering for parole a prisoner who, if released, would have served less than half of the maximum term of his sentence, the Commission must notify the ~~prisoner-prisoner~~, the victim whenever possible if the prisoner is serving a felony conviction term, and the district attorney of the district where the prisoner was convicted at least 30 days in advance of considering the parole. If the district attorney makes a written request in such cases, the Commission must publicly conduct its consideration of parole. Following its consideration, the Commission must give the prisoner written notice of its decision. If parole is denied, the Commission must consider its decision while the prisoner is eligible for parole at least once a year

1 until parole is granted and must give the prisoner written notice of its
2 decision at least once a year."
3 Sec. 2. This act shall become effective October 1, 1989.