

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 171

Committee Substitute Favorable 3/1/94

Senate Select Committee on Corrections/Punishment Substitute Adopted 3/9/94

Fourth Edition Engrossed 3/18/94

Short Title: Parole Notification to Newspapers.

(Public)

Sponsors:

Referred to: Appropriations.

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 AND OTHER MEDIA IN THE COUNTY WHERE THE PRISONER BEING CONSIDERED FOR PAROLE WAS CONVICTED AND, IF DIFFERENT, IN THE COUNTY WHERE THE PRISONER WAS CHARGED.

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~~

- 1 e. The victim, in cases of first-degree rape or first-degree sexual
2 offense, if the victim has requested in writing to be ~~notified~~
3 notified; and
4 f. As many newspapers of general circulation and other media in
5 the county where the prisoner was convicted and if different, in
6 the county where the prisoner was charged, as reasonable.

7 The Parole Commission must consider any information provided
8 by any such parties before consideration of parole. The Commission
9 must also give the district attorney, the head of the law enforcement
10 agency who has requested in writing to be notified, the victim, ~~or~~ any
11 member of the victim's immediate family who has requested to be
12 notified, and as many newspapers of general circulation and other
13 media in the county or counties designated in sub-subdivision f. of this
14 section as reasonable, written notice of its decision within 10 days of
15 that decision. The Parole Commission shall not, however, include the
16 name of any victim in its notification to the newspapers and other
17 media."

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

- 20 "(3) Whenever the Post-Release Supervision and Parole Commission will
21 be considering for parole a prisoner serving a sentence of life
22 imprisonment the Commission must notify, at least 30 days in advance
23 of considering the parole, by first class mail at the last known address:
24 a. The prisoner;
25 b. The district attorney of the district where the prisoner was
26 convicted;
27 c. The head of the law enforcement agency that arrested the
28 prisoner, if the head of the agency has requested in writing that
29 he be notified;
30 d. Any of the victim's immediate family members who have
31 requested in writing to be ~~notified~~ notified; and
32 e. Repealed by Session Laws 1993, c. 538, s. 22, effective January
33 1, 1995.
34 f. As many newspapers of general circulation and other media in
35 the county where the defendant was convicted and if different,
36 in the county where the prisoner was charged, as reasonable.

37 The Post-Release Supervision and Parole Commission must
38 consider any information provided by any such parties before
39 consideration of parole. The Commission must also give the district
40 attorney, the head of the law enforcement agency who has requested in
41 writing to be notified, the victim, ~~or~~ any member of the victim's
42 immediate family who has requested to be notified, and as many
43 newspapers of general circulation and other media in the county or
44 counties designated in sub-subdivision f. of this section as reasonable,

1 written notice of its decision within 10 days of that decision. The
2 Parole Commission shall not, however, include the name of any victim
3 in its notification to the newspapers and other media."

4 Sec. 3. Section 1 of this act becomes effective 45 days after ratification and
5 expires upon the effective date of Section 22 of Chapter 538 of the 1993 Session Laws,
6 but remains effective for offenses committed prior to the effective date of Section 22 of
7 Chapter 538 of the 1993 Session Laws, as provided by Section 56 of that act. Section 2
8 of this act becomes effective at the same time that Section 22 of Chapter 538 of the
9 1993 Session Laws becomes effective. This section is effective upon ratification.