

2013 -- H 5146

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LC00271
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO CRIMINALS -- CORRECTIONAL INSTITUTIONS

Introduced By: Representatives Serpa, Silva, Carnevale, O'Brien, and Shekarchi

Date Introduced: January 23, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 13-8-13 of the General Laws in Chapter 13-8 entitled "Parole" is
2 hereby amended to read as follows:

3 **13-8-13. Life prisoners and prisoners with lengthy sentences.** -- (a) In the case of a
4 prisoner sentenced to imprisonment for life, a parole permit may be issued at any time after the
5 prisoner has served not less than ten (10) years imprisonment provided, that:

6 (1) In the case of a prisoner serving a sentence or sentences of a length making him or
7 her ineligible for a permit in less than ten (10) years, pursuant to sections 13-8-9 and 13-8-10, the
8 permit may be issued at any time after the prisoner has served not less than ten (10) years
9 imprisonment.

10 (2) In the case of a prisoner sentenced to imprisonment for life for a first or second
11 degree murder committed after July 10, 1989, the permit may be issued only after the prisoner has
12 served not less than fifteen (15) years imprisonment.

13 (3) (i) In the case of a prisoner sentenced to imprisonment for life for a first or second
14 degree murder committed after June 30, 1995, the permit may be issued only after the prisoner
15 has served not less than twenty (20) years imprisonment; and

16 (ii) The permit shall be issued only by a unanimous vote of all the attending members of
17 the board, providing that not less than four (4) members are present, and whenever, after the issue
18 of the permit, the prisoner shall be pardoned, then the control of the board over the prisoner shall
19 cease and terminate. [The attorney general shall have the power to veto any decision of the parole](#)

1 [board issuing a permit to a prisoner sentenced to imprisonment for life for a first or second](#)
2 [degree murder.](#)

3 (4) (i) In the case of a prisoner sentenced to imprisonment for life who is convicted of
4 escape or attempted escape from the lawful custody of the warden of the adult correctional
5 institutions, the permit may be issued only after the prisoner has served not less than twenty-five
6 (25) years imprisonment; and

7 (ii) For each subsequent conviction of escape or attempted escape, an additional five (5)
8 years shall be added to the time required to be served.

9 (b) In the case of a prisoner sentenced consecutively to more than one life term for
10 crimes occurring after May 7, 1981, the permit may be issued only after the prisoner has served
11 not less than ten (10) years consecutively on each life sentence; provided, in the case of a prisoner
12 sentenced consecutively to more than one life term for crimes occurring after June 30, 1995, the
13 permit may be issued only after the prisoner has served not less than fifteen (15) years
14 consecutively on each life sentence.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINALS -- CORRECTIONAL INSTITUTIONS

1 This act would give the attorney general the power to veto any decision of the parole
2 board issuing a parole permit to a prisoner sentenced to imprisonment for life for a first or second
3 degree murder.

4 This act would take effect upon passage.

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