

2013 -- H 5145

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LC00270
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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 - PAROLE

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) In the case of a conviction for a first or second degree murder and the prisoner has not
17 been sentenced to life in prison, a parole permit may only be issued after the prisoner has served
18 at least fifty percent (50%) of that sentence.

19 (⊕) (iii) The parole permit shall be issued only by a unanimous vote of all the attending

1 members of the board, providing that not less than four (4) members are present, and whenever,
2 after the issue of the permit, the prisoner shall be pardoned, then the control of the board over the
3 prisoner shall cease and terminate.

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

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would provide that if a person has been convicted of first or second degree
2 murder but has not been sentenced to life in prison, then that convict must serve at least fifty
3 percent (50%) of that sentence prior to being eligible for parole consideration.

4 This act would take effect upon passage.

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