AN ACT

RELATING TO CRIMINALS-CORRECTIONAL INSTITUTIONS -- PAROLE

Introduced By: Representatives Casimiro, Ranglin-Vassell, McEntee, Craven, and Knight

Date Introduced: February 13, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

13-8-13. Life prisoners and prisoners with lengthy sentences.

(a) In the case of a prisoner sentenced to imprisonment for life, a parole permit may be issued at any time after the prisoner has served not less than ten (10) years imprisonment; provided that:

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

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

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

(4) In the case of a prisoner sentenced to imprisonment for life for a first- or second-degree murder committed after July 1, 2015, the permit may be issued only after the prisoner has served not less than twenty-five (25) years imprisonment.

(5) In the case of a prisoner sentenced to imprisonment for life for a crime, other than first-
or second-degree murder, committed after July 1, 2015, the permit may be issued only after the prisoner has served not less than twenty (20) years imprisonment.

(b) The permit shall be issued only by a unanimous vote of all the attending members of the board; provided that not less than four (4) members are present, and whenever, after the issue of the permit, the prisoner shall be pardoned, then the control of the board over the prisoner shall cease and terminate.

(c)(1) In the case of a prisoner sentenced to imprisonment for life who is convicted of escape or attempted escape from the lawful custody of the warden of the adult correctional institutions, the permit may be issued only after the prisoner has served not less than twenty-five (25) years imprisonment; provided, however, that as to a prisoner who has been sentenced to imprisonment for a conviction of first- or second-degree murder, committed after July 1, 2015, and who is convicted thereafter of escape or attempted escape from the lawful custody of the warden of the adult correctional institutions, the permit may be issued only after the prisoner has served not less than thirty-five (35) years imprisonment; and

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

(d) In the case of a prisoner sentenced consecutively to more than one life term for crimes occurring after May 7, 1981, the permit may be issued only after the prisoner has served not less than ten (10) years consecutively on each life sentence; provided, in the case of a prisoner sentenced consecutively to more than one life term for crimes occurring after June 30, 1995, the permit may be issued only after the prisoner has served not less than fifteen (15) years consecutively on each life sentence. In the case of a prisoner sentenced consecutively to more than one life term for crimes occurring after July 1, 2015, the permit may be issued only after the prisoner has served not less than twenty (20) years consecutively on each life sentence. In the case of a prisoner sentenced consecutively to more than one life term for crimes, including first- or second-degree murder, occurring after July 1, 2015, the permit may be issued only after the prisoner has served not less than twenty-five (25) years consecutively on each life sentence.

(e) Notwithstanding any other provision of the general or public laws to the contrary, excluding any sentence received under chapter 19.2 of title 12, and unless a prisoner is entitled to earlier eligibility for parole pursuant to any other provision of law, a prisoner sentenced as an adult for any offense or offenses committed prior to the prisoner’s eighteenth birthday, shall be eligible for parole review and a parole permit may be issued after the prisoner has served no fewer than fifteen (15) years imprisonment.

SECTION 2. This act shall take effect upon passage, the provisions shall be given
prospective effect and retroactive effect for all offenses occurring on or after January 1, 1991.

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

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1 This act would make minors who were sentenced as adults, eligible for parole after serving
2 fifteen (15) years of a sentence. This act would not apply to those serving life without parole and
3 would apply to those prisoners whose offenses were committed after January 1, 1991.
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5 This act would take effect upon passage, the provisions shall be given prospective effect
6 and retroactive effect for all offenses occurring on or after January 1, 1991.

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