

2021 -- S 0333

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO CRIMINALS--CORRECTIONAL INSTITUTIONS -- PAROLE

Introduced By: Senators Quezada, Cano, Murray, Valverde, Seveney, Lombardi,
Lawson, Euer, Pearson, and Mendes

Date Introduced: February 23, 2021

Referred To: Senate 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.**

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

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

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

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

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

19 (5) In the case of a prisoner sentenced to imprisonment for life for a crime, other than first-

1 or second-degree murder, committed after July 1, 2015, the permit may be issued only after the
2 prisoner has served not less than twenty (20) years imprisonment.

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

7 (c)(1) In the case of a prisoner sentenced to imprisonment for life who is convicted of
8 escape or attempted escape from the lawful custody of the warden of the adult correctional
9 institutions, the permit may be issued only after the prisoner has served not less than twenty-five
10 (25) years imprisonment; provided, however, that as to a prisoner who has been sentenced to
11 imprisonment for life for a conviction of first- or second-degree murder, committed after July 1,
12 2015, and who is convicted thereafter of escape or attempted escape from the lawful custody of the
13 warden of the adult correctional institutions, the permit may be issued only after the prisoner has
14 served not less than thirty-five (35) years imprisonment; and

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

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

28 (e) Notwithstanding any other provision of the general or public laws to the contrary,
29 including, but not limited to, §§ 13-8-9 and 13-8-10, but specifically excluding any sentence
30 received under chapter 19.2 of title 12, and unless a prisoner is entitled to earlier eligibility for
31 parole pursuant to any other provision of law, a prisoner sentenced as an adult for any offense or
32 offenses committed prior to the prisoner's eighteenth birthday, shall be eligible for parole review
33 and a parole permit may be issued after the prisoner has served no fewer than fifteen (15) years
34 imprisonment.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would provide that prisoners who committed offenses prior to age eighteen (18)
2 and were sentenced as adults would be eligible for parole after completing fifteen (15) years of
3 their sentence. This act would not lengthen their parole eligibility should the prisoner be eligible
4 for parole earlier than fifteen (15) years.

5 This act would take effect upon passage and would be given prospective and retroactive
6 effect to all offenses occurring on or after January 1, 1991.

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