

2017 -- S 0237 SUBSTITUTE A

LC001110/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO CRIMINALS-CORRECTIONAL INSTITUTIONS - PAROLE

Introduced By: Senator Harold M. Metts

Date Introduced: February 02, 2017

Referred To: Senate Judiciary

(by request)

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;
6 provided 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-
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) 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 (4) In the case of a prisoner sentenced to imprisonment for life for a first- or second-
17 degree murder committed after July 1, 2015, the permit may be issued only after the prisoner has
18 served 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

1 first- or second-degree murder, committed after July 1, 2015, the permit may be issued only after
2 the 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
13 the warden of the adult correctional institutions, the permit may be issued only after the prisoner
14 has 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
20 sentenced consecutively to more than one life term for crimes occurring after June 30, 1995, the
21 permit may be issued only after the prisoner has served not less than fifteen (15) years
22 consecutively on each life sentence. In the case of a prisoner sentenced consecutively to more
23 than one life term for crimes occurring after July 1, 2015, the permit may be issued only after the
24 prisoner has served not less than twenty (20) years consecutively on each life sentence. In the
25 case of a prisoner sentenced consecutively to more than one life term for crimes, including first-
26 or second-degree murder, occurring after July 1, 2015, the permit may be issued only after the
27 prisoner has served not less 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 any sentence received under chapter 19.2 of title 12, and unless a prisoner is entitled to
30 earlier eligibility for parole pursuant to any other provision of law, a prisoner sentenced as an
31 adult for any offense or offenses committed prior to the prisoner's eighteenth birthday, shall be
32 eligible for parole review and a parole permit may be issued after the prisoner has served no
33 fewer than fifteen (15) years imprisonment.

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

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

5 This act would take effect upon passage.

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