

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Section 1 amends Section 31-21-10(A) entitled “Parole Authority and Procedure”, which provides that an inmate sentenced to life imprisonment becomes eligible for parole after thirty years, to include the provision that the thirty years is “construed as the retributive portion” of the life sentence. Subsection A is further amended to include three factors to be considered for release on parole: (1) risk and readiness for release, as demonstrated by the inmate’s compliance with rules of the institution; (2) whether the inmate participated in education or vocational programs while confined; and (3) whether the inmate has demonstrated “maturity, rehabilitation and a fitness to reenter society.”

A new subsection B is added to further provide that before parole is ordered for an inmate serving life imprisonment, the board shall hear from the victim or the victim’s family. A stylistic change is made to combine subsections (a) and (b) into one, and the language that the board shall consider whether the inmate is a habitual offender is changed to provide that the board shall consider the broader “relevant criminal history.”

Section 2 changes the short title of the Parole Board Act to specify the statute numbers, rather than “Section 1 through 5 of this act.”

Section 3 amends Section 31-21-24 entitled “Parole Board – Members – Appointment – Terms – Qualifications – Compensation – Organization” to specify in Subsection E that members can receive per diem and mileage for a “scheduled board meeting or hearing or any other reimbursable activity under that act.”

Section 4 is new material that creates Section 31-21-25.2 which provides that in a case of a homicide, the board shall not schedule a hearing on the anniversary of either the birth or death of the homicide victim, “when practicable.”

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

None for this agency.

SIGNIFICANT ISSUES

This bill amends the parole board statute on inmates serving life imprisonment to give the board more guidance on factors to consider when deciding parole for an inmate. The bill also states that the board shall hear from the victim or the victim’s family, if they choose to participate. Currently, under Section 31-26-12 of the Victims of Crime Act, the parole board must notify the district attorneys of their release dockets and the district attorneys are then responsible for notifying victims within their district.

PERFORMANCE IMPLICATIONS

None noted for this agency.

ADMINISTRATIVE IMPLICATIONS

None noted for this agency.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

n/a

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

n/a