

2011 -- H 6087

LC02531

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE

Introduced By: Representatives JP O'Neill, Johnston, Tanzi, Brien, and Tarro

Date Introduced: April 28, 2011

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 13-8-23 of the General Laws in Chapter 13-8 entitled "Parole" is
2 hereby amended to read as follows:

3 ~~13-8-23. Agencies required to provide reports to parole board. -- Parties required to~~
4 ~~provide reports to parole board. --~~ Information concerning applicants for parole shall be
5 provided by:

6 (1) The director of corrections, who shall submit a list of all prisoners under his or her
7 control who will be eligible for parole in a given month, not later than the tenth day of the second
8 month preceding. That list shall identify the prisoner by name, offense, and date of commitment;

9 (2) The director of corrections, who shall secure reports from prison officials and
10 institutional personnel who have had direct contact with the prisoner including, but not limited to,
11 ~~the director of corrections, the chaplain, the work detail officer, the prison physician, and the~~
12 ~~classification officer~~ prison administrators, the classification board, mental health counselors,
13 correctional officers, and medical personnel The director shall transmit those reports, together
14 with all pertinent classification information, including such as social history and information
15 pertaining to the prisoner's disciplinary record, participation in rehabilitation and educational
16 programs, employment history and plan, housing plan, community supports, mental health status
17 and needs, substance abuse status and needs, discharge plan, etc., and any actions or
18 recommendations made by a classification board or committee in the institution, to the board not
19 later than the twentieth day of the month next preceding the month in which the individual is

1 eligible to appear before the board;

2 (3) The attorney general's department, which shall supply to the board a written report of
3 its recommendation concerning the current application for parole. The report shall set forth in
4 detail the reason or reasons why the particular inmate, given his or her criminal history and the
5 circumstances surrounding his or her offense, should or should not be paroled. The department
6 shall also consult the trial judge in the case to determine if he or she may wish to make any
7 comment or recommendation; and if requested by the board, the department shall have one of its
8 attorneys present at the board hearings to elaborate on the attorney general's recommendation as
9 to parole of the inmate;

10 (4) ~~The state~~ When deemed necessary by the board, a psychiatrist, who shall examine the
11 prisoner upon notice from the board and shall submit his or her findings and recommendations to
12 the board not later than the twentieth day of the month next preceding the month in which the
13 prisoner is eligible to appear before the board;

14 (5) ~~The psychological services agency, which~~ Licensed mental health professionals who
15 shall upon notice from the board examine the prisoner and report ~~its~~ their findings and
16 recommendations to the board not later than the twentieth day of the month next preceding the
17 month in which the prisoner is eligible to appear before the board; ~~provided, no applicant for~~
18 ~~parole who is incarcerated for a crime of violence, as defined in section 11-47-2, shall be~~
19 ~~considered for parole unless a psychological examination of the applicant that included~~
20 ~~standardized national psychological testing was completed within one year prior to the applicant's~~
21 ~~parole hearing date or any continuance of the hearing;~~

22 (6) The department of corrections, which shall submit: (i) a transcript of the previous
23 criminal record of the prisoner, including the date of offenses, nature of offenses, and the
24 disposition of each; (ii) a copy of the pre-sentence investigation; and (iii) a full summary of the
25 contact of the department with the prisoner during any prior period under supervision, either
26 probation or parole or both. The department shall make a written recommendation concerning the
27 current application for parole.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE

1 This act would require the director of corrections to transmit all reports on individuals
2 eligible to appear before the parole board together with all pertinent classification information,
3 including social history and information pertaining to the prisoner's disciplinary record,
4 participation in rehabilitation and educational programs, employment history and plan, housing
5 plan, community supports, mental health status and needs, substance abuse status and needs,
6 discharge plan, and any actions or recommendations made by a classification board or committee
7 in the institution.

8 This act would take effect upon passage.

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