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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE

Introduced By: Senators McCaffrey, and Walaska

Date Introduced: March 06, 2013

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 13-8-18 and 13-8-19 of the General Laws in Chapter 13-8 entitled  
2 "Parole" are hereby amended to read as follows:  
3           **13-8-18. Revocation of parole -- Hearing. --** The parole board may, by a majority vote  
4 of all of its members, revoke, in accordance with the provisions of section 13-8-18.1, any permit  
5 issued by it to any prisoner under the provisions of this chapter or revoke any permit issued by  
6 another state or jurisdiction where the prisoner is being supervised by the Rhode Island parole  
7 board whenever it shall appear to the board that the prisoner has violated any of the terms or  
8 conditions of his or her permit or conditions of parole set by an out-of-state jurisdiction, or has  
9 during the period of his or her parole violated any state laws. Whenever it shall come to the  
10 knowledge of the board that any prisoner at liberty under a permit issued by this state or another  
11 state or jurisdiction has been guilty of any violation, the chairperson shall issue his or her warrant  
12 to any officer authorized to serve criminal process to arrest the prisoner and commit him or her to  
13 the adult correctional institutions, to be detained until the board shall have an opportunity to  
14 determine whether the permit of the prisoner is to be revoked in accordance with the provisions of  
15 section 13-8-18.1, or in the case of prisoners granted parole by another state or jurisdiction, and  
16 supervised by the Rhode Island parole board, until that state or jurisdiction takes custody of the  
17 prisoner. If the board shall determine that the permit shall not be revoked, then the board shall  
18 immediately order the prisoner to be set at liberty under the terms and conditions of his or her  
19 original permit.

1           **13-8-19. Arrest and return to institution on revocation of parole.** -- (a) Whenever the  
2 permit of a prisoner is revoked, in accordance with the provisions of section 13-8-18.1 the parole  
3 board shall order the prisoner to be returned to the adult correctional institutions or to the  
4 women's division of the adult correctional institutions, as the case may be, to serve the remainder  
5 of the prisoner's original sentence according to the terms of that sentence.

6           (b) The time between the release of the prisoner under the permit and the prisoner's  
7 return to the adult correctional institutions or the women's division of the adult correctional  
8 institutions under order of the board shall not be considered as any part of the prisoner's original  
9 sentence.

10           (c) If a prisoner is at liberty when the prisoner's permit is revoked, the chairperson shall  
11 issue his or her warrant to any officer authorized to serve criminal process to arrest the prisoner  
12 and return the prisoner to the adult correctional institutions or the women's division of the adult  
13 correctional institutions in accordance with the provisions of section 13-8-18.1 as ordered by the  
14 board.

15           (d) Where the prisoner is supervised by the parole board pursuant to a grant of parole by  
16 a state or jurisdiction other than Rhode Island, the parole board shall issue a detention warrant  
17 and order the prisoner committed to the adult correctional institution or the women's division of  
18 the adult correctional institution until the authority from the state or other jurisdiction having  
19 granted the prisoner parole takes custody of the prisoner.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would permit the Rhode Island parole board to revoke a permit issued by another  
2 jurisdiction when the prisoner is being supervised by the Rhode Island parole board, and require  
3 return to the adult correctional institution of such person whose licenses have been so revoked.

4           This act would take effect upon passage.

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