

April 18, 2007

H 1730. BALANCE FAIR SENTENCING/STRUCTURED SENTENCING. Filed 4/18/07. *TO BALANCE FAIR SENTENCING AND STRUCTURED SENTENCING AND TO KEEP INMATES WHO POSE GREAT RISKS TO SOCIETY IN THE PRISONS.*

Enacts new GS 143B-268 to direct the Parole and Post-Release Supervision Commission to parole inmates serving sentences imposed for crimes committed before the Structured Sentencing Act became effective in 1994 if (1) the person has served more time than they would have served had the offense occurred under structured sentencing, (2) the Commission determines that the person does not pose a substantial risk of violence or recidivism, and (3) the crime was not "heinous." Specifies how the maximum sentence is to be determined for comparison purposes. Provides that the Commission's determinations are final and not reviewable by any court. Requires that priority be given to prisoners serving the most excess time. Requires the Commission to report to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Committee by June 1, 2008. Effective December 1, 2007.

Intro. by Allred.

GS 143B