

JHG

A BILL FOR AN ACT

To further amend title 11 of the Code of the Federated States of Micronesia, as amended, by adding a new chapter 14 to authorize any trial justice of the National Courts to review a sentence he imposed on a prisoner, after said prisoner has served one-third of his sentence, and, in the case of any prisoner serving a life sentence, after he has served 5 years of his sentence, for the purpose of determining the eligibility for parole of said prisoner, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Title 11 of the Code of the Federated States of
2 Micronesia is hereby further amended by the addition of a new section
3 1401 of chapter 14 to read as follows:

4 "Section 1401. Authorization. Any trial justice of the
5 National Courts, or any duly appointed temporary justice
6 thereof, is hereby authorized to review a sentence he
7 imposed on a prisoner, after the prisoner has served one-
8 third of his sentence, and, in the case of any prisoner
9 -serving a life sentence, after said prisoner has served 5
10 years of his sentence, for the purpose of determining the
11 eligibility for parole of said prisoner. The justice, in
12 doing so, shall request and consider the views of the
13 prosecution, the prisoner and his counsel, the victim or
14 head of the victim's family, and, when requested by the
15 prosecution or the prisoner, such community leaders as
16 clergy and municipal and village leaders. The justice
17 shall base his determination upon the prisoner's behavior
18 in prison and any factors indicative of the prisoners
19 chances for a successful adaptation to community life after
20 release. The Chief Justice may make rules to implement this
21 section."

22 Section 2. The application of this act shall be retroactive to
23 July 12, 1981.

24
25

JGO

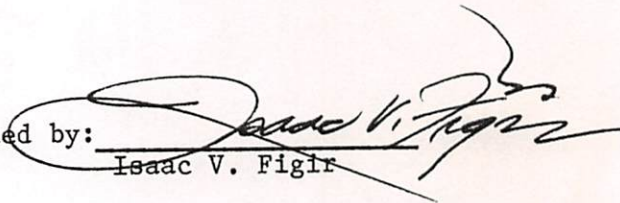
C. B. No. 5-74

1 Section 3. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its becoming
3 law without such approval.

4

5 Date: 7-13-87

Introduced by:


Isaac V. Figler

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25