

Department of Legislative Services
 Maryland General Assembly
 2003 Session

FISCAL AND POLICY NOTE

House Bill 1156

(Delegate Vallario)

Judiciary

Judicial Proceedings

Maryland Parole Commission - Membership

This bill increases the membership of the Maryland Parole Commission from eight to ten members.

Fiscal Summary

State Effect: General fund expenditure increase of \$165,800 in FY 2004 for two additional commission members. Out-year costs reflect annualization and inflation. Revenues would not be affected.

(in dollars)	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	165,800	212,700	223,800	235,600	248,200
Net Effect	(\$165,800)	(\$212,700)	(\$223,800)	(\$235,600)	(\$248,200)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Maryland Parole Commission consists of eight members, who are appointed by the Secretary of Public Safety and Correctional Services, with the approval of the Governor and the advice and consent of the Senate. The Secretary, also with the approval of the Governor, appoints the chair of the commission.

Each commissioner must be appointed without regard to political affiliation, be a State resident, and have training and experience in law, sociology, psychology, psychiatry, education, social work, or criminology. A commissioner's position is a full-time position, and a commissioner may not have any other employment that conflicts with his or her full-time duties.

A commissioner's term is six years. With the approval of the Governor, the Secretary may remove a commissioner for disability, neglect of duty, or misconduct in office.

Background: The Maryland Parole Commission originated in 1914 as the Advisory Board of Parole (Chapter 500, Acts of 1914). In 1922, board functions were assumed by the Parole Commissioner (Chapter 29, Acts of 1922). The Board of Parole and Probation succeeded the Parole Commissioner in 1939 (Chapter 406, Acts of 1939). In 1968, the Board of Parole and Probation was reformed as the Board of Parole (Chapter 457, Acts of 1968). It was replaced by the Maryland Parole Commission in 1976 (Chapter 540, Acts of 1976).

Parole is considered for persons sentenced for a term of six months or more to the jurisdiction of the Division of Correction, or to any other place of confinement or detention for violators of State criminal laws, when the prisoner has served one-fourth of the term or consecutive terms in confinement. Commission jurisdiction extends to persons sentenced under State law to any penal or correctional institution, including local jails and detention centers.

The commission uses hearing examiners to hear certain cases for parole release. The commission itself has exclusive power to hear certain serious cases for parole release and to conduct hearings for revocation of parole. The commission can issue warrants for the return to custody of alleged violators of parole and to suspend or revoke parole upon a showing of its violation.

State Expenditures: General fund expenditures could increase by an estimated \$165,782 in fiscal 2004, which accounts for the bill's October 1, 2003 effective date. This estimate reflects the cost of hiring two additional members of the Maryland Parole Commission. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salaries and Fringe Benefits	\$151,734
Operating Expenses	<u>14,048</u>
Total FY 2004 State Expenditures	\$165,782

Future year expenditures reflect: (1) full salaries with 4.5% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Additional Information

Prior Introductions: None.

Cross File: SB 507 (Senator DeGrange, *et al.*) – Judicial Proceedings.

Information Source(s): Department of Public Safety and Correctional Services (Maryland Parole Commission), Department of Legislative Services

Fiscal Note History: First Reader - March 10, 2003
mld/jr

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510