

HOUSE BILL 963

E2, E4

8lr2097

By: **Delegates Malone, Afzali, Arentz, Buckel, Cassilly, Corderman, Folden, Glass, Grammer, Kipke, Krebs, McComas, McConkey, Miele, W. Miller, Parrott, Rose, Shoemaker, Szeliga, and Vogt**

Introduced and read first time: February 5, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Eligibility for Parole – Violent Crime**

3 FOR the purpose of prohibiting a certain inmate who has been convicted of a certain violent
4 crime committed at a certain time from being eligible for parole until the inmate has
5 served a certain portion of a certain sentence under certain circumstances; requiring
6 a certain inmate who has been convicted of a certain violent crime committed at a
7 certain time to receive an administrative review of the inmate's progress in the
8 correctional facility after the inmate has served a certain part of a certain sentence;
9 and generally relating to eligibility for parole.

10 BY repealing and reenacting, with amendments,

11 Article – Correctional Services

12 Section 7–301(c)

13 Annotated Code of Maryland

14 (2017 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Correctional Services**

18 7–301.

19 (c) (1) (i) Except as provided in subparagraph (ii) of this paragraph, an
20 inmate who has been sentenced to the Division of Correction after being convicted of a
21 violent crime committed on or after October 1, 1994, **AND BEFORE OCTOBER 1, 2018**, is
22 not eligible for parole until the inmate has served the greater of:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. one-half of the inmate's aggregate sentence for violent
2 crimes; or

3 2. one-fourth of the inmate's total aggregate sentence.

4 (ii) An inmate who has been sentenced to the Division of Correction
5 after being convicted of a violent crime committed on or after October 1, 1994, **AND BEFORE**
6 **OCTOBER 1, 2018**, and who has been sentenced to more than one term of imprisonment,
7 including a term during which the inmate is eligible for parole and a term during which
8 the inmate is not eligible for parole, is not eligible for parole until the inmate has served
9 the greater of:

10 1. one-half of the inmate's aggregate sentence for violent
11 crimes;

12 2. one-fourth of the inmate's total aggregate sentence; or

13 3. a period equal to the term during which the inmate is not
14 eligible for parole.

15 (2) An inmate who is serving a term of imprisonment for a violent crime
16 committed on or after October 1, 1994, **AND BEFORE OCTOBER 1, 2018**, shall receive an
17 administrative review of the inmate's progress in the correctional facility after the inmate
18 has served the greater of:

19 (i) one-fourth of the inmate's aggregate sentence; or

20 (ii) if the inmate is serving a term of imprisonment that includes a
21 mandatory term during which the inmate is not eligible for parole, a period equal to the
22 term during which the inmate is not eligible for parole.

23 **(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
24 **PARAGRAPH, AN INMATE WHO HAS BEEN SENTENCED TO THE DIVISION OF**
25 **CORRECTION AFTER BEING CONVICTED OF A VIOLENT CRIME COMMITTED ON OR**
26 **AFTER OCTOBER 1, 2018, IS NOT ELIGIBLE FOR PAROLE UNTIL THE INMATE HAS**
27 **SERVED THE GREATER OF:**

28 1. **60% OF THE INMATE'S AGGREGATE SENTENCE FOR**
29 **VIOLENT CRIMES; OR**

30 2. **ONE-THIRD OF THE INMATE'S TOTAL AGGREGATE**
31 **SENTENCE.**

32 **(II) AN INMATE WHO HAS BEEN SENTENCED TO THE DIVISION**
33 **OF CORRECTION AFTER BEING CONVICTED OF A VIOLENT CRIME COMMITTED ON OR**

1 AFTER OCTOBER 1, 2018, AND WHO HAS BEEN SENTENCED TO MORE THAN ONE
2 TERM OF IMPRISONMENT, INCLUDING A TERM DURING WHICH THE INMATE IS
3 ELIGIBLE FOR PAROLE AND A TERM DURING WHICH THE INMATE IS NOT ELIGIBLE
4 FOR PAROLE, IS NOT ELIGIBLE FOR PAROLE UNTIL THE INMATE HAS SERVED THE
5 GREATER OF:

6 1. 60% OF THE INMATE'S AGGREGATE SENTENCE FOR
7 VIOLENT CRIMES;

8 2. ONE-THIRD OF THE INMATE'S TOTAL AGGREGATE
9 SENTENCE; OR

10 3. A PERIOD EQUAL TO THE TERM DURING WHICH THE
11 INMATE IS NOT ELIGIBLE FOR PAROLE.

12 (4) AN INMATE WHO IS SERVING A TERM OF IMPRISONMENT FOR A
13 VIOLENT CRIME COMMITTED ON OR AFTER OCTOBER 1, 2018, SHALL RECEIVE AN
14 ADMINISTRATIVE REVIEW OF THE INMATE'S PROGRESS IN THE CORRECTIONAL
15 FACILITY AFTER THE INMATE HAS SERVED THE GREATER OF:

16 (I) ONE-THIRD OF THE INMATE'S AGGREGATE SENTENCE; OR

17 (II) IF THE INMATE IS SERVING A TERM OF IMPRISONMENT THAT
18 INCLUDES A MANDATORY TERM DURING WHICH THE INMATE IS NOT ELIGIBLE FOR
19 PAROLE, A PERIOD EQUAL TO THE TERM DURING WHICH THE INMATE IS NOT
20 ELIGIBLE FOR PAROLE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2018.