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Judiciary Committee

*Subcommittees*

Family Law

Public Safety

Rules and Executive  
Nominations Committee

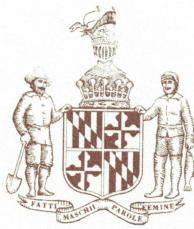
*Joint Committees*

Administrative, Executive,  
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## IN SUPPORT OF HOUSE BILL 1265

### CORRECTIONAL SERVICES – MURDER – DIMINUTION CREDITS

The victim of murder cannot advocate for themselves.. such painful work is left for the victims' family and friends who are left behind. These secondary victims suffer through trials and multiple hearings both before and after the conviction.

Persons convicted of first-degree murder are subject to penalties of life or life without the possibility of parole. Persons convicted of second degree murder are subject to a maximum penalty of 40 years imprisonment. Inmates who are convicted of first or second degree rape, or a third degree sex offense against a victim younger than 16 are not entitled to earn diminution credits for good conduct, work tasks, education and special projects or programs while incarcerated. Yet those who commit the heinous crime of first or second degree murder, under current Maryland law, are still eligible to earn a reduction in their sentence for such "good behavior". Certainly, this is a horrific example of the unintended consequences of law that is overly generous. Indeed, Maryland is one of the most liberal states when it comes to giving "good behavior" credits for murderers.

In Fiscal year 2016, 43 inmates were confined in State correctional facilities for first and second degree murder convictions with an average sentence of 24 years. Such an inmate could earn up to 15 days of diminution credits per month, thus effectively reducing their sentence by 11.8 years. In some cases, such as those you shall hear about today from the victims' family members, the convicted murderer was able to combine good behavior credits from other states to get out even earlier.

This is unacceptable. If the victims were here, there would be an overwhelming cry for justice and concern for society as these perpetrators take a human life and then are allowed to earn "good behavior" credits after doing so.

Perpetrators who commit first and second degree rape against victims under the age of 16 are not entitled to diminution credits. Why would we grant them to those who brutally take a life?