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FROM THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES

Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee
Senate Judicial Proceedings Committee
2 East
Miller Senate Building
Annapolis, Maryland 21401

February 3, 2021

Senate Bill 202: Correctional Services- Parole- Life Imprisonment

Position: Oppose

Dear Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee:

The Governor's Office of Crime Prevention, Youth, and Victim Services is providing this letter of opposition towards Senate Bill 202: Correctional Services- Parole- Life Imprisonment

Senate Bill 202 makes alterations to the existing parole process in Maryland. Under current law, the Maryland Parole Commission has the power to authorize the parole of an inmate in Maryland. Following a recommendation by the Parole Commission, the Governor has the ability to approve or disapprove of the recommendation to grant parole.

An individual who is sentenced to a term of incarceration is entitled to a parole hearing after serving one-fourth of the term. However, if a person is serving a sentence for a third or subsequent felony drug crime, or for a crime of violence, the individual is not eligible for parole consideration until the person has served 15 years. If the individual is sentenced to life imprisonment for first degree murder, the person is not eligible for parole until the person has served 25 years.

Senate Bill 2020 creates new statutory provision for parole for convictions of crimes committed after October 1, 2021. Under this new provision, individuals who are sentenced to life imprisonment would be eligible for parole after 20 years. Additionally, SB 202 removes the Governor's ability to approve/disapprove the recommendation for parole made by the Maryland Parole Commission.

Article II, Section 20 of the Maryland Constitution gives the Governor the power to grant reprieves and pardons for offenses against the state. Senate Bill 202 interferes with the Chief Executive's ability to carry out this power designated to the office. Violent offenders who are sentenced to life imprisonment would be able to be paroled without the approval of the Governor. Allowing the Governor to review the final recommendations of the Parole Commission is an important safeguard to releasing criminals who have been sentenced to life imprisonment.

For reasons stated above, the Governor's Office of Crime Prevention, Youth, and Victim Services oppose Senate Bill 202.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Glenn Fueston, Jr.", written in a cursive style.

V. Glenn Fueston, Jr.
Executive Director
Governor's Office of Crime Prevention, Youth, and Victim Services

For all inquiries, please contact

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