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February 23, 2024

Re: Testimony opposing HB 0118
Correctional Services - Geriatric and Medical Parole

Dear Members of the Judiciary Committee:

As a, now, 60 year old JuvRA releasee who had served over four continuous decades in Maryland's prison system, a juvenile justice and criminal justice advocate, and someone engaged in parole and reentry services, I oppose HB 0118 sponsored by Delegate Bartlett.

My opposition is based solely on the discriminatory application provision (A) (3) found on page 8, lines 19-21: "is not registered or eligible for sex offender registration under Title 11, Subtitle 7, of the Criminal Procedure Article; and"

This exclusion bars an incarcerated individual from geriatric and medical parole solely due to the nature of the convicted offense. Thus, an incarcerated individual's sentence, age, medical prognosis, availability of outside medical treatment, rehabilitation, as well as the factors identified in the Correctional Services Articles and COMAR for parole consideration are without merit. Frankly, the implication is that the life of a sex offender has less value than other incarcerated individuals as he/she will forever be unworthy of release consideration under any circumstances.

This narrative is untrue, and certainly not supported by any investigative data. While I understand the public fear related to sex offenses, I believe it is damaging to lump every sex offender into one homogeneous group. Offenders and circumstances of crimes vary. Likewise, responses to incarceration and treatment vary. This is why the Parole Commission and the Courts are more qualified to consider the totality of circumstances of criminal offenses before making judgments.

Am I to believe that this was an oversight when the legislature enacted JuvRA? After committing horrible crimes as a fifteen year old, being sentenced to an aggregate parole

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eligible life term, eleven years of specialized treatment, and amassing an outstanding record of accomplishment, and having served over forty-two years with parole hearings in the doubled digits, I still did not know when, if ever, I would be released. I share this with mixed feelings because it is important to recognize that just because a sex offender has an opportunity for parole consideration does not mean that the Parole Commission will grant release.

The proposed carve out in this Bill undermines its intent. If a person has aged out of crime, is no longer a threat to public safety, and has a debilitating medical condition, why keep him or her incarcerated? Why continue to spend excessive amounts of money to detain incarcerated individuals who have served significant time in prison unnecessarily? Personal bias and unfounded fears should not be the basis of any legislation.

If geriatric and medical parole is not equitable, it should not be legislated. Thus, I ask this honorable committee not to vote in favor of HB 0118. Thank you for your time and consideration.

Truly yours,

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