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MAYOR

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SB0128

February 7, 2024

TO: Members of the Senate Judicial Proceedings Committee
FROM: Nina Themelis, Director of Mayor's Office of Government Relations
RE: Senate Bill 128 – Correctional Services - Geriatric and Medical Parole
POSITION: SUPPORT

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 128.

SB 128 requires the Maryland Parole Commission to consider the age of an incarcerated individual when determining whether to grant parole and updates the medical criteria and community support factors to be considered upon discharge. SB 128 allows the Commission to consider the combination of age and medical conditions in determining if an inmate can be safely returned to the community.

According to Maryland Department of Public Safety data, 7.4% of Maryland inmates are over the age of 60.ⁱ Many of these older inmates have chronic or even terminal illnesses. Prisons are not appropriate settings for older adults with these medical issues and are not equipped to provide care that is necessary and humane, including palliative care. The increased vulnerability of these older inmates may it more likely that they may become targets for violence from younger inmates, while at the same time, incarcerated people are less likely to participate in misconduct as they age.ⁱⁱ The functional limitations that these conditions impose make it very unlikely that they will re-offend if released.ⁱⁱⁱ As a result, the Parole Commission should consider age and medical conditions when making decisions about granting parole for older and/or medically frail incarcerated people.

For these reasons, the BCA respectfully request a **favorable** report on SB 128.

ⁱ Maryland Department of Public Safety and Correctional Services. (2022). Maryland Department of Public Safety and Correctional Services. Retrieved from <https://dpscs.maryland.gov/publicinfo/publications/pdfs/Inmate%20Characteristics%20Report%20FY%202022%20Q4.pdf>

ⁱⁱ Augustyn, Rita A., Tusty ten Bensel, Robert D. Lytle, Benjamin R. Gibbs, and Lisa L. Sample. 2020. "'Older' Inmates in Prison: Considering the Tipping Point of Age and Misconduct." *Criminology, Criminal Justice, Law & Society* 21 (2): 37–57. Retrieved from <https://cjl.scholasticahq.com/article/14161-older-inmates-in-prison-considering-the-tipping-point-of-age-and-misconduct>

ⁱⁱⁱ Department of Public Safety and Correctional Services. (2022). Joint Chairmen's Report – Q00R – Recidivism Report. Retrieved from https://dpscs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recivism%20Report.pdf