



NATASHA M. DARTIGUE
PUBLIC DEFENDER

BRIAN SACCENTI
DIRECTOR OF THE DECARCERATION INITIATIVE

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

To: Senate Judicial Proceedings Committee

From: Maryland Office of the Public Defender

Re: In Support of Senate Bill 181 - Correctional Services - Geriatric and Medical Parole

Date: March 21, 2025

Senate Bill 181 makes necessary reforms to Maryland's geriatric and medical parole schemes to move Maryland towards having a true mechanism for compassionate release for elderly and infirm incarcerated men and women. According to January 2025 estimates from the Department of Public Safety & Correctional Services, there are currently approximately 439 individuals over the age of 60 in the Department of Corrections (DOC) who have already served over 15 years in prison on a sentence eligible for geriatric parole consideration in Senate Bill 181.¹ In response to a legislative inquiry, the Department recently estimated that approximately 1,1173 incarcerated individuals, or 9.9% of the overall incarcerated population, are living with serious mental illness and require chronic medical care. The numbers are staggering – incarcerated Marylanders are aging and they are ailing. Maryland has always intended to have a release valve for incarcerated individuals who are sick and elderly by adopting a medical and geriatric

SB 181 as it crossed over to the Judiciary Committee is the work product of many years of negotiation between advocates, the Maryland Office of the Public Defender, the Maryland Parole Commission and the Maryland States' Attorney's Association. The bill was amended in the following ways:

- The qualifying age for geriatric parole was increased to 65 years old;
- The time served criterion was increased from 15 years to 20 years; and,
- If the Commission declines to grant geriatric parole, it must have a rehearing within 5 years.

SB 181 is the product of robust discussion, safety-centered debate and thoughtful consideration over time. The workgroup was able to reach consensus on critical matters that will drive meaningful change while maintaining public safety. While the compromises were challenging, OPD acknowledges that SB 181 is a compassionate, fiscally responsible and

significant step towards addressing the needs of elderly and severely ill incarcerated individuals in Maryland's prisons.

We can no longer ignore that the rapidly growing elderly population within Maryland's prisons presents significant ethical, moral and practical challenges. As the incarcerated population ages - many who have spent multiple decades behind bars and statistically pose minimal risk to public safety upon release - we must confront our ethical and moral obligations. We must address critical issues using facts. Research shows that the likelihood of recidivism decreases dramatically with age. The data reveals that providing adequate health care for elderly inmates incurs significant costs for correctional facilities and diverts resources from rehabilitative programming. This is neither a practical nor a prudent use of Maryland resources. While remaining centered in public safety, SB 181 forges an actual, well-reasoned path toward geriatric parole, and acknowledges that continuing to incarcerate individuals who are elderly does little for public safety and puts undue strain on our prison systems and wallets.

Senate Bill 181's changes are necessary to ensure truly vulnerable and infirm individuals are able to seek release and receive care outside of the correctional setting. Continuing their incarceration of these clients and those like them comes at a great human and financial cost. Continuing the confinement of someone with a debilitating medical condition who poses no threat to public safety and who could receive better medical treatment in the community is inhumane. It is unjust. It costs the State of Maryland an exorbitant amount of money that would be better invested elsewhere in our system.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on Senate Bill 181.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by:

- **Lila Meadows, Assistant Public Defender, Decarceration Initiative,
lila.meadows@maryland.gov**