
By: Senator Collins

Introduced and read first time: January 24, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Parole Hearings - Oral Testimony by Victims of Violent Crime**

3 FOR the purpose of allowing certain victims or designated representatives, at certain
4 parole release hearings, to present oral testimony and rebut certain other testimony;
5 requiring the Parole Commission to consider any oral testimony made by these
6 victims or designated representatives when making a parole determination; and
7 generally relating to parole release hearings.

8 BY repealing and reenacting, with amendments,
9 Article 41 - Governor - Executive and Administrative Departments
10 Section 4-504(d) and 4-506
11 Annotated Code of Maryland
12 (1993 Replacement Volume and 1995 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 41 - Governor - Executive and Administrative Departments**

16 4-504.

17 (d) (1) In this subsection, "victim" means a person who suffers personal physical
18 injury or death as a direct result of a crime or, if the victim is deceased, a designated
19 family member of the victim.

20 (2) (i) In cases where a defendant is sentenced to the Division of
21 Correction, if the victim makes a written request to the Commission for notification and
22 maintains a current address on file with the Commission, the Commission, at least 90 days
23 before the parole release hearing, shall notify the victim or designated representative in
24 writing, directed to the most current address on file, that a parole release hearing has
25 been scheduled for the inmate convicted of the commission of the violent crime.

26 (ii) If the inmate was convicted of a violent crime:

27 1. The victim may submit to the Commission, in writing, not
28 later than 30 days from the date of the Commission's notice, a request to require the
29 Division of Parole and Probation to complete an updated victim impact statement.

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1 (5) Whether or not release on parole of the inmate is compatible with the
2 welfare of society;

3 (6) An updated victim impact statement or recommendation prepared
4 under § 4-504(d) of this subtitle;

5 (7) Any recommendation made by the sentencing judge at the time of
6 sentencing; [and]

7 (8) Any information that is presented to a Commission member at a meeting
8 with the victim; AND

9 (9) ANY TESTIMONY PRESENTED TO THE COMMISSION BY THE VICTIM
10 OR THE VICTIM'S DESIGNATED REPRESENTATIVE UNDER § 4-504(D)(4) OF THIS
11 SUBTITLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1996.