

Department of Fiscal Services  
Maryland General Assembly

**FISCAL NOTE**

House Bill 984 (Delegate Kelly, et al.)  
Judiciary

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**Inmates - Murder - Eligibility for Leave**

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This bill prohibits inmates convicted of murder from participating in work release programs or getting special or family leave.

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**Fiscal Summary**

**State Effect:** Significant increase in general fund expenditures and minimal decline in special fund revenue.

**Local Effect:** None.

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**Fiscal Analysis**

**State Revenues:** There are approximately 10 inmates in Patuxent Institution programs convicted of murder who are currently on a work release program. These inmates pay an average of \$71 every two weeks to offset the costs of room and board. Based on these averages, special fund revenue could decline by an estimated \$13,845 in fiscal 1996, taking into account the October 1 effective date, and by \$18,460 annually.

**State Expenditures:** Under current practice offenders who have been committed to the Division of Correction or the Patuxent Institution are unlikely to obtain parole release without a record of good behavior outside the institution while on work release or other leave. As a result, this bill makes it unlikely that inmates sentenced to murder will receive parole. Generally, inmates released on parole serve 50% of sentence before release while inmates who do not receive parole serve 75% of sentence.

In fiscal 1995 there were 217 people sentenced to the Division of Correction (DOC) for murder. Of these, 77 received life sentences. The average sentence for the other 140 inmates was 26 years. Assuming (1) a constant number of convictions; (2) stable sentence lengths;

and (3) inmates sentenced to murder would serve 13 years under existing law and will serve 21 years under the bill, DOC population could increase by 1,433 over the next eight years. As this bill applies to inmates currently serving sentences, the increase would begin in fiscal 1997.

This would require construction of one new prison. For illustrative purposes, the Western Correctional Institution currently under construction in Allegany County will cost an estimated \$112 million for 1,296 beds. Unadjusted for inflation, capital costs could therefore exceed \$2.528 million. Operating costs are estimated at \$22 million annually.

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**Information Source(s):** Department of Public Safety and Correctional Services (Division of Correction, Patuxent Institution), Department of Fiscal Services

**Fiscal Note History:** First Reader - February 27, 1996

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