

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

House Bill 968 (Delegate Crumlin, et al.)  
Judiciary

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**Parole Eligibility - First Degree Murder**

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This bill eliminates parole for people convicted of first degree murder unless the person was under 18 years old or mentally retarded at the time of the murder.

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**Fiscal Summary**

**State Effect:** Significant increase in expenditures beginning in FY 2014 and growing to \$26.1 million by FY 2042, unadjusted for inflation and excluding capital costs.

**Local Effect:** None.

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**Fiscal Analysis**

**State Expenditures:** General fund expenditures could increase as a result of the bill's incarceration penalty, as people may be committed to Division of Correction facilities for longer periods. Any increase would depend upon the number of convictions and sentences imposed.

In 1995 there were 103 persons admitted to Division of Correction facilities for first degree murder. Of these, 62 received life sentences, 15 received life without parole, and 26 received split sentences (all but a period of years suspended). Inmates sentenced to life are assumed to be paroled after serving 30 years while inmates sentenced to life without parole are assumed to serve 45 years (540 months). Inmates with split sentences had average incarceration sentences of 413 months.

People serving a life sentence are incarcerated in a Division of Correction facility. In fiscal 1997 the average monthly cost per inmate is estimated at \$1,400. **Exhibit 1** shows the anticipated growth in the inmate population if inmates convicted of first degree murder are

not eligible for parole, assuming half of those with split sentences are paroled after serving 50% of their sentences and the other half receive mandatory release after serving 75% of their sentences.

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**Exhibit 1**

<u>Sentence</u>	<u>Annual Intake</u>	<u>Expected Stay (Months)</u>	<u>HB 968 Stay (Additional)</u>	<u>Additional Beds Required</u>
Life	62	360	180	930
Life Without	15	540	0	0
Split Sentence	<u>26</u>	252	288	<u>624</u>
Total	103			1,554

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Annual operating costs will begin to increase in fiscal 2014 and level off in fiscal 2042 at \$26.1 million. By that time the Division of Correction would need an additional 1,554 beds. 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.

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

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