
By: Senator McFadden

Introduced and read first time: February 24, 1997

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Parole - Matters Considered at Release Hearing - Cost to State**

3 FOR the purpose of requiring each hearing examiner and member of the Maryland
4 Parole Commission to consider, using certain information, the financial cost to the
5 State of continuing an inmate at the inmate's present level of confinement when
6 determining if the inmate is suitable for release on parole; and generally relating to
7 matters considered at a parole release hearing.

8 BY repealing and reenacting, with amendments,
9 Article 41 - Governor - Executive and Administrative Departments
10 Section 4-506
11 Annotated Code of Maryland
12 (1997 Replacement Volume)

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 4-506.

17 Each hearing examiner and Commission member determining if an inmate is
18 suitable for release on parole shall consider:

- 19 (1) The circumstances surrounding the crime;
- 20 (2) The physical, mental, and moral qualification of the inmate eligible for
21 parole;
- 22 (3) The progress of the inmate during his confinement, including the
23 academic progress of the inmate in the mandatory education program required in §
24 22-102 of the Education Article;
- 25 (4) Whether or not there is reasonable probability that the inmate, if
26 released on parole, will remain at liberty without violating the law;
- 27 (5) Whether or not release on parole of the inmate is compatible with the
28 welfare of society;

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

3 (7) Any recommendation made by the sentencing judge at the time of
4 sentencing;

5 (8) Any information that is presented to a Commission member at a meeting
6 with the victim; [and]

7 (9) Any testimony presented to the Commission by the victim or the victim's
8 designated representative under § 4-504(d)(4) of this subtitle; AND

9 (10) THE FINANCIAL COST TO THE STATE OF CONTINUING THE INMATE
10 AT THE INMATE'S PRESENT LEVEL OF CONFINEMENT USING THE ESTIMATED
11 AVERAGE MONTHLY COST AS DETERMINED BY THE DEPARTMENT OF FISCAL
12 SERVICES FOR THE CURRENT FISCAL YEAR.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 1997.