

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 982 (Delegate Marriott)
Judiciary

CIA, Crack, and Contras - Sentencing Recalculation and Public Information

This bill requires the Secretary of the Department of Public Safety and Correctional Services (DPSCS) to review all drug convictions based on Maryland laws that reflect federal “war on drugs” provisions and recalculate sentences based on the sentencing policy in effect in Maryland before 1980.

In addition, the Governor is required to collect, compile, and publish all State documents that discuss or indicate collaboration between federal and State law enforcement that was impacted by the CIA’s involvement with the Nicaraguan Contras. All State agencies are required to cooperate with the Governor in this effort.

Fiscal Summary

State Effect: None. (See below.)

Local Effect: None.

Small Business Effect: None. The bill would not directly affect small businesses.

Fiscal Analysis

State Effect: Since this bill has no specified completion dates for the tasks assigned to the Secretary of DPSCS and the Governor, it is assumed that the bill’s requirements can be handled with the existing budgeted resources of affected State agencies over time. It is noted that DPSCS reports that its automated systems do not quantify data in a manner suitable to meeting the requirements of the bill, so that the review of all drug convictions would have to be performed manually. There are approximately 6,300 inmates with drug related charges currently incarcerated by DPSCS. For 3,000 of that total the drug related charge was the

most serious offense.

The Department of Fiscal Services also notes sentencing is the exclusive purview of the courts. Therefore, a “recalculation” of sentences by DPSCS would not alter or affect any sentences meted out by the courts or sentences currently (or previously) being served. State incarceration costs would not be affected.

Information Source(s): Office of the Governor, Secretary of State (Division of State Documents), Department of Public Safety and Correctional Services, Department of State Police, Department of Fiscal Services

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