

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 757 (Delegate Crumlin, *et al.*)
Judiciary

Parole Eligibility - First Degree Murder

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.

Fiscal Summary

State Effect: Significant increase in expenditures beginning in FY 2015 and growing to \$33.5 million by FY 2043, unadjusted for inflation and excluding capital costs.

Local Effect: None.

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

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 1996 there were 117 persons admitted to Division of Correction facilities for first degree murder. Of these, 59 received life sentences, 19 received life without parole, and 39 received split sentences (all but a period of years suspended). Inmates sentenced to life are assumed to be paroled after serving 30 years (360 months) while inmates sentenced to life without parole are assumed to serve 45 years (540 months). Inmates with split sentences had average incarceration sentences of 394 months.

People serving a life sentence are incarcerated in a Division of Correction facility. In fiscal

1998 the average monthly cost per inmate is estimated at \$1,500. **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.

Exhibit 1

<u>Sentence Required</u>	<u>Annual Intake</u>	<u>Expected Stay (Months)</u>	<u>HB 968 Stay (Additional)</u>	<u>Additional Beds</u>
Life	59	360	180	885
Life Without	19	540	0	0
Split Sentence	<u>39</u>	237	303	<u>975</u>
Total	117			1,860

Annual operating costs will begin to increase in fiscal 2015 and level off in fiscal 2043 at \$33.5 million. By that time the Division of Correction would need an additional 1,860 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 \$124 million for 1,680 beds.

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

Fiscal Note History: First Reader - March 7, 1997

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