

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 685 (Delegate C. Davis. *et al.*)

Judiciary

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**Parole - Life Sentences - Governor's Approval**

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This bill allows a person serving a life sentence to be paroled without the approval of the Governor if the person has served at least 20 years, or the equivalent of 20 years after allowing for consideration of specified diminution credits.

The provisions of this bill sunset after September 30, 2003.

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**Fiscal Summary**

**State Effect:** Potential indeterminate expenditure savings. Revenues would not be affected.

**Local Effect:** None.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Expenditures:** The average length of stay for life term inmates is 30 years (360 months). The Division of Correction (DOC) reports that there were no life term prisoners paroled in 1997 or 1996; five were paroled in 1995 (including medical paroles); and one in 1994. The intake of life sentenced prisoners over that same time frame has been 101 in 1997; 99 in 1996; 110 in 1995; and 102 in 1994. DOC now has more than 1,800 prisoners serving a life term.

The Maryland Parole Commission reports the following as numbers of persons serving a life term and recommended for parole by the commission via the current mechanism that includes gubernatorial approval:

<b>Year</b>	<b>Submitted to Governor</b>	<b>Approved by Governor</b>		<b>Denied by Governor</b>
1988	12	None		12
1989	8	1	7	
1990	7	None		7
1991	20	11	9	
1992	18	9	9	
1993	10	7	3	
1994	13	7	6	
1995	<u>13</u>	<u>2</u>	<u>11</u>	
<b>TOTALS</b>	<b>101</b>	<b>37</b>		<b>64</b>

Since 1995, the Parole Commission has not submitted any names of life prisoners to the Governor for parole. It is possible that some persons denied parole in a given year may have eventually been successful in being granted parole in a subsequent year.

In any event, to the extent that additional paroles of inmates serving life terms would be granted under the provisions of this bill, DOC could experience minimal savings based on actual per inmate expenses for food, medication, and supplies. Any potential for significant savings would be dependent on whether the reduction in the number of inmates would be sufficient to affect average daily prison populations. The number of in banc reviews that would be requested, the outcomes of any such reviews, and whether any resulting increased costs for DOC would be offset by decreased incarceration costs cannot be reliably predicted at this time.

The extent to which this bill could affect the workload and costs of the Division of Parole and Probation for those additional persons who might be granted parole under this bill cannot be reliably calculated at this time.

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**Information Source(s):** Department of Public Safety and Correctional Services (Division of Correction, Maryland Parole Commission), Department of Legislative Services

**Fiscal Note History:** First Reader - February 27, 1998

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