

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 247 (Delegate Crumlin)

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 2016, unadjusted for inflation and excluding capital costs.

**Local Effect:** None.

**Small Business 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 1997 there were 106 persons admitted to Division of Correction facilities for first degree murder. Of these, 63 received life sentences, 16 received life without parole, and 27 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 300 months.

People serving a life sentence are incarcerated in a Division of Correction facility. In fiscal 1999 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 40% of those with split sentences are paroled after serving 50% of their sentences and the other 60% receive mandatory release after serving 75% of their sentences.

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**Exhibit 1**

<u>Sentence Required</u>	<u>Annual Intake</u>	<u>Expected Stay (Months)</u>	<u>HB 247 Stay (Additional)</u>	<u>Additional Beds</u>
Life	63	360	180	945
Life Without	16	540	0	0
Split Sentence	<u>27</u>	168	372	<u>837</u>
<b>Total</b>	<b>106</b>			<b>1,782</b>

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Annual operating costs will begin to increase in fiscal 2016 and level off in fiscal 2044 at \$32.1 million. By that time the Division of Correction would need an additional 1,782 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.

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

**Fiscal Note History:** First Reader - March 16, 1998

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