

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 657 (Senator Madden. *et al.*)

Judicial Proceedings

Parole - Violent Crimes - Solicitation of Murder

This bill adds the common law crime of solicitation of murder to the definition of “violent crime” for purposes of the parole laws.

Fiscal Summary

State Effect: Potential minimal effect on State expenditures. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

Background: Special parole provisions apply to persons who were convicted of a “violent crime,” including the following:

- when a parole release hearing is scheduled, the victim may require the Division of Parole and Probation (DPP) to complete an updated victim impact statement;
- the victim may make a written recommendation to the Commission on the advisability of releasing the inmate on parole;
- the victim may request that an inmate be prohibited from having any contact with a victim as a condition of parole or work release;
- the victim may request a meeting with a Commission member;
- the victim may testify at the parole release hearing;
- the victim may request that a parole release hearing be open to the public;
- a prisoner may not receive credit for time between release on parole and revocation of parole;
- the victim is to be notified if the prisoner is charged with violation of parole; and
- a prisoner is not eligible for parole until having served at least one-half of his or her sentence.

State Effect: Some of the special parole provisions that apply to prisoners convicted of a violent crime could require extra expenditures by the State. The additional communications with and accommodations for victims could involve extra work and expenses for DPP. Moreover, the provisions that a prisoner convicted of a violent crime is not eligible for parole until having served at least half of the prisoner's sentence, and may not receive credit for time between release on parole and revocation of parole, could result in increased jail time for perpetrators of violent crimes. If the crime for which a prisoner was convicted is not a violent crime, the prisoner generally need only serve 25% of the sentence before becoming eligible for parole; and the overall average time served before parole release is 44% of the sentence. Therefore, to the extent that the special parole provisions are applied to more people, State expenditures could increase. Increased incarceration costs would be incurred at the rate of \$1,600 per inmate per month (the average estimated Division of Correction (DOC) cost figure for fiscal 1999).

However, people are not often charged with and/or convicted of solicitation of murder. Over the past three years, nine people have been convicted of solicitation to commit murder in Maryland. Seven were placed on probation and two were committed to the Division of Correction. Consequently, any increase in State expenditures that results from this bill is not expected to be substantial.

Local Effect: It is conceivable that this bill could result in increased incarceration costs for local governments. However, because none of the people convicted of solicitation for murder in the past three years were committed to a local detention facility, it is expected that local finances would not be materially affected.

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

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