

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 400 (Delegate Marriott. *et al.*)

Judiciary

Parole - Extension of Jurisdiction of Maryland Parole Commission

This bill eliminates a current law provision whereby persons serving sentences of life imprisonment, including at the Patuxent Institution, may not be paroled without the approval of the Governor.

Fiscal Summary

State Effect: The extent to which this bill could lead to the parole of more persons is unknown. However, since the number of persons who are granted parole, even without the imposition of a life sentence, is relatively small, this bill would not be expected to have a significant effect on the operations and finances of the Division of Correction (DOC) or the Maryland Parole Commission.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Generally, inmates are eligible for parole, by statute, after serving 25% of their aggregate sentence. Under certain circumstances, persons convicted of a crime of violence committed after September 30, 1994 are not eligible for parole until having served 50% of their sentence. A inmate serving a life sentence is not eligible for parole until after having served 15 years (or its equivalent with consideration for diminution credits). When the conviction has been for the crime of first degree murder, a life term inmate is not eligible for parole until after having served 25 years (or its equivalent). In addition, an eligible person serving a life sentence may only be paroled with the Governor's approval.

Background: The current Governor has instituted a policy of refusing to consider approval of parole for persons sentenced to a life sentence. In 1999, Maryland's Commission on Criminal Sentencing Policy, then a study commission, recommended an end to that policy. There are currently 1,915 persons serving a life sentence in DOC facilities (not including those serving a sentence of life without parole).

Additional Information

Prior Introductions: None.

Cross File: None.

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

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