

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 403 (Delegates Gladden and Vallario)

Judiciary

Parole Eligibility - Elderly Inmates

This bill expands a current law provision that allows certain inmates who are at least 65 years old and have been incarcerated for at least 15 years to petition for and be granted parole. Specifically, the bill expands the provision to all inmates meeting this criteria except those serving a life term for murder. Current law extends parole eligibility to such persons only when the offense has been specified violent crimes with mandatory sentencing provisions.

Fiscal Summary

State Effect: Minimal. The extent to which this bill could lead to the parole of more persons is unknown. However, since the number of persons who meet the bill's criteria 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. There are currently 15 persons in DOC facilities who meet the criteria for parole eligibility under the provisions of this bill.

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). Inmates aged 65 or older with at least 15 years of incarceration and having been sentenced under mandatory sentencing provisions attached to certain violent crimes are eligible to petition for and be granted parole. In addition, an eligible person serving a life sentence may only be paroled with the Governor's approval.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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