

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 653 (Delegates C. Davis and Fulton)
Judiciary

Parole - Life Imprisonment - Approval of Governor

This bill permits an inmate who has been sentenced to life imprisonment to be paroled without the approval of the Governor, if the inmate is at least 50 years old and has served at least 25 years of a life sentence.

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 would qualify for parole under this bill is relatively small, it is not expected to have a significant effect on the operations of the Division of Correction or the Maryland Parole Commission.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: An inmate who is sentenced to life imprisonment for a crime other than first degree murder is not eligible for parole until having served 15 years, considering any allowances for diminution credits. If the inmate is sentenced to life imprisonment for first degree murder, the inmate is not parole eligible until having served 25 years, considering any allowances for diminution credits. In either case, an inmate who has been sentenced to life imprisonment, and who becomes eligible for parole, may only be paroled with the approval of the Governor.

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 about 1,950 persons serving a life sentence in Division of Correction facilities (not including those serving a sentence of life without parole). The intake of violent offenders for fiscal 2000 was 81. About 350 violent offender inmates are believed to be 50 years of age or older. It is unknown how many of that number have served a minimum of 25 years.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services (Division of Correction), Office of the State's Attorneys' Coordinator, Commission on Criminal Sentencing Policy, Department of Legislative Services

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