
By: **Delegate Hecht**

Introduced and read first time: February 7, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Inmates - Mandatory Supervision Revocation - Diminution Credits**

3 FOR the purpose of providing that an inmate whose program of mandatory
4 supervision is revoked may not receive any diminution credits for the sentence
5 or sentences for which the inmate was awarded diminution credits before the
6 inmate's release on mandatory supervision; providing that an inmate whose
7 program of mandatory supervision from a term of confinement for the
8 commission and conviction of a crime of violence is revoked because of the
9 commission of another crime of violence may not be awarded diminution credits
10 for work tasks or for special projects for all of the new sentence whether the new
11 sentence runs concurrently or consecutively to the sentence for which the
12 inmate was awarded diminution credits before release on mandatory
13 supervision; and generally relating to diminution credits for inmates under
14 mandatory supervision programs.

15 BY repealing and reenacting, with amendments,
16 Article - Correctional Services
17 Section 7-504
18 Annotated Code of Maryland
19 (1999 Volume and 2001 Supplement)

20 Preamble

21 WHEREAS, The Department of Public Safety and Correctional Services has
22 studied the issue of diminution of confinement credits and mandatory supervision
23 releases; and

24 WHEREAS, In January 2002, the Department issued its Report to the General
25 Assembly on Diminution of Confinement Credits and Mandatory Supervision
26 Releases; and

27 WHEREAS, One of the Department's recommendations is that the General
28 Assembly provide further guidance as it relates to the application of diminution of
29 confinement credits and mandatory supervision release; and

1 WHEREAS, It is the intent of the General Assembly to provide clarification on
2 the policy of not awarding diminution credits in certain instances when an inmate's
3 mandatory supervision program is revoked; now, therefore,

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article - Correctional Services**

7 7-504.

8 (a) The commissioner presiding at an individual's mandatory supervision
9 revocation hearing may revoke any or all of the diminution credits previously earned
10 by the individual on the individual's term of confinement.

11 (b) An inmate may not be awarded any new diminution credits after the
12 inmate's mandatory supervision has been revoked FOR THE SENTENCE OR
13 SENTENCES FOR WHICH THE INDIVIDUAL WAS AWARDED DIMINUTION CREDITS
14 BEFORE RELEASE ON MANDATORY SUPERVISION.

15 (C) AN INMATE WHO, WHILE ON MANDATORY SUPERVISION RELEASE FROM A
16 TERM OF CONFINEMENT FOR THE COMMISSION OF AND CONVICTION FOR A CRIME
17 LISTED UNDER § 14-101 OF THE CRIMINAL LAW ARTICLE, COMMITS ANOTHER CRIME
18 LISTED UNDER § 14-101 OF THE CRIMINAL LAW ARTICLE FOR WHICH THE INMATE IS
19 CONVICTED AND SENTENCED MAY NOT BE AWARDED DIMINUTION CREDITS FOR
20 WORK TASKS UNDER § 3-705 OF THIS ARTICLE OR SPECIAL PROJECTS UNDER § 3-707
21 OF THIS ARTICLE FOR ALL OF THE NEW SENTENCE, WHETHER THE NEW SENTENCE
22 RUNS CONCURRENTLY OR CONSECUTIVELY TO THE SENTENCE FOR WHICH THE
23 INMATE WAS AWARDED DIMINUTION CREDITS BEFORE RELEASE ON MANDATORY
24 SUPERVISION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2002.