



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2026 Session
SB0105

Real Time for Violent Crime Act (Geri's Law)

Bill Summary

This bill prohibits (1) the earning of diminution credits to reduce the term of confinement of an incarcerated individual who is serving a sentence for first- or second-degree murder in a State or local correctional facility (pre-sentence or post-sentence) and (2) the application of diminution credits that equal more than 10% of an incarcerated individual's aggregate sentence for crimes of violence. The bill's provisions apply prospectively only.

Racial Equity Impact Statement

The bill's provisions directly impact the largely Black incarcerated population in Maryland by prohibiting or limiting the use of diminution credits to reduce terms of incarceration. According to the Department of Public Safety and Correctional Services (DPSCS), the availability of diminution credits is a key rehabilitative component for inmates. The larger equity impacts regarding recidivism, reentry success, and potential adverse effects for juveniles and young adults cannot be estimated without additional data.

Analysis

The bill incorporates first- and second-degree murder amongst the current categories of criminal sentences that prohibit an inmate from accruing diminution credits while confined in a State or local correctional facility, and also prohibits an individual convicted of first- or second-degree murder from accruing diminution credits for any pre-sentence or post-sentence time confined in a local correctional facility. Incarcerated individuals serving sentences for a crime of violence, as defined in § 14-101 of the Criminal Law Article, would be limited to accruing diminution credits to reduce the term of confinement by no more than 10% of their aggregate sentence.

Individuals convicted of first-degree murder in Maryland must be sentenced to life in prison or life in prison without parole. Pursuant to Chapter 30 of the 2021 special session, an inmate sentenced to life imprisonment for a crime committed on or after October 1, 2021, is not eligible for parole until the inmate has served 20 years, or the equivalent of 20 years with allowances for diminution credits (prior to Chapter 30, a 15-year time period applied to this eligibility). Inmates convicted of first-degree murder must serve 25 years minus diminution credits when life without parole was sought but not imposed by the court. Those convicted of the specified crimes of violence may not face a sentence less than the minimum sentence of 5 years as outlined by § 4-306 of the Criminal Law Article.

Under the bill, individuals sentenced to life imprisonment for first-degree murder would serve a full 20 years (or 25 years when applicable) without the ability to earn diminution credits to shorten that time. Similarly, those convicted of second-degree murder may be sentenced for up to a maximum of 40 years and the length of time required before parole eligibility could not be shortened with diminution credits. The bill also restricts a judicial officer from authorizing the pretrial release of any defendant charged with a crime of violence who has specified pending charges or prior convictions.

Diminution Credits Generally

Generally, a convicted individual sentenced to a term of incarceration in the Division of Correction is, with specific exceptions, able to earn diminution credits to reduce the term of incarceration. Inmates in both State correctional facilities and local detention centers are eligible for diminution credits. Additionally, convicted individuals may earn diminution credits for any period of pre-sentence or post-sentence confinement in a local correctional facility.

Good conduct credit (sometimes referred to as “good time” credit) is advanced to an inmate at intake, subject to the inmate’s future good behavior. These credits are calculated from the first day of commitment to the custody of the Commissioner of Correction through the maximum expiration date of the inmate’s term of confinement. Maryland courts recognize good conduct credits as a behavioral incentive and a means of reducing prison overcrowding. The awarding of diminution credits is automatic, not discretionary.

For sentences imposed on or after October 1, 2017, Chapter 515 of 2016 altered provisions relating to sentencing, corrections, parole, and the supervision of offenders. With regard to diminution credits, Chapter 515 increased the maximum total deduction from 20 to 30 days per calendar month for all State correctional facility inmates except for inmates serving a sentence for a crime of violence, specified sexual offenders, or being a volume drug dealer or drug kingpin. Chapter 515 also increased the maximum deduction for special selected work projects or other special programs from 10 to 20 days per calendar month and expanded the types of programs for which an inmate may earn diminution credits. Individuals sentenced for a crime of violence earn diminution credits at a lower rate than other inmates.

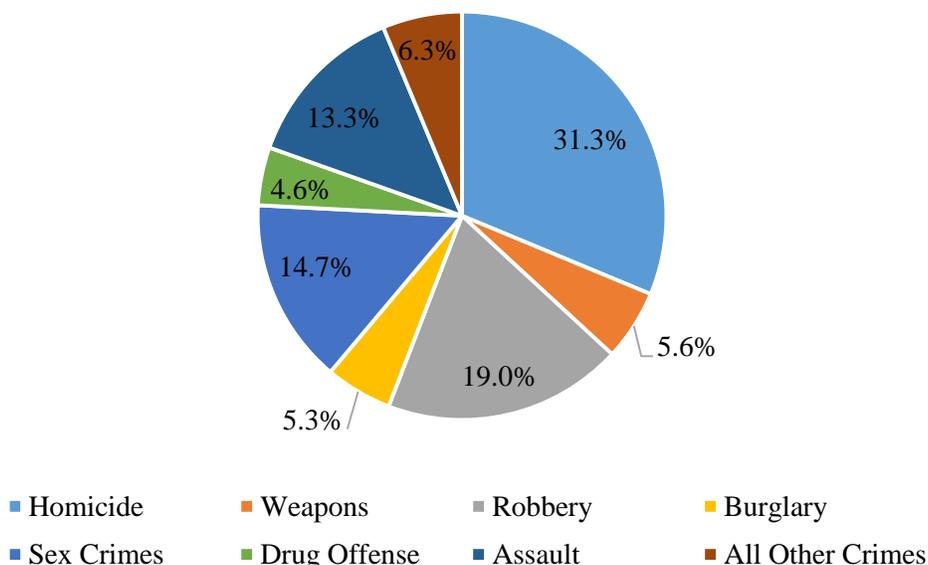
Impacts of the Bill

For fiscal 2024, the Maryland State Commission on Criminal Sentencing Policy received information for 182 total counts of first-degree murder and 124 counts of second-degree murder in the circuit court. DPSCS reports that for fiscal 2023-2024, approximately 71% of those

incarcerated in Maryland’s prison system were Black individuals. As Black individuals comprise roughly 30% of the State’s total population, this suggests a substantial racial disparity in incarceration rates. Additionally, 66% of the total population of incarcerated individuals is serving a sentence of 10 years or more.

More specifically, **Exhibit 1** shows that, of the top seven crime categories accounting for 93% of the inmate population, homicide is the largest category, accounting for 31% of the offenses. The 2024 Uniform Crime Report shows that Black individuals accounted for over 72% of arrests for homicide in Maryland.

Exhibit 1
Inmate Offense Types
Fiscal 2025



Source: Department of Public Safety and Correctional Services

The bill would substantially increase sentence lengths for those incarcerated for murder. By way of example, a person convicted of first-degree murder and sentenced to life imprisonment under existing law must serve 20 years before being eligible for parole or just under 17 years if the person earns 100% of good conduct credits (5 days per month). Parole eligibility can also be further accelerated with additional credits (*i.e.*, education and special project credits) of up to 20 days per month. The extension of incarceration lengths resulting from the bill would work similarly for those convicted of second-degree murder.

DPSCS advises that it uses an inmate’s ability to earn diminution credits as an incentive to encourage good behavior and participate in rehabilitative and/or work programs. By eliminating the applicability of diminution credits for inmates serving a life sentence for murder, DPSCS

advises that it loses a key tool for modifying inmate behavior. In addition, DPSCS indicates that the elimination of diminution credits could impact the number of inmates who are working or participating in prison programming and could also potentially increase institutional violence.

Conclusion

According to DPSCS, prohibiting or limiting the use of diminution credits to reduce terms of incarceration would eliminate a key rehabilitative component for the affected inmates. The largely Black incarcerated population in Maryland will be impacted by the bill to the greatest extent. Determining the larger equity impacts requires additional information, such as whether increased incarceration time would affect recidivism and reentry success among affected individuals. In addition, there may be significant impacts regarding juveniles or young adults incarcerated for murder. However, there is no reliable data currently available to assess these potential impacts.

Information Sources: Department of Public Safety and Correctional Services; Department of State Police; Maryland State Commission on Criminal Sentencing Policy; Department of Legislative Services

Analysis by: Dr. Mikaela Zimmerman

Published: 01/29/2026

Appendix – Maryland Demographics

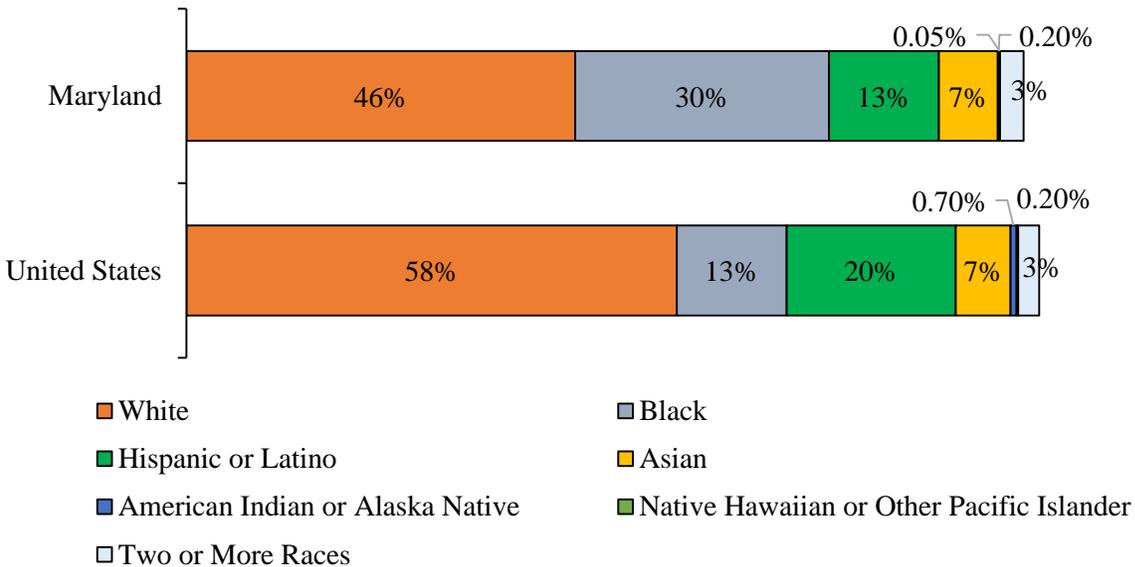
Race and Ethnicity of the Maryland Population

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. Maryland remains one of the most racially and ethnically diverse states in the nation and is ranked as the fourth most diverse state by the U.S. Census Bureau’s Diversity Index. While no single racial or ethnic group constitutes a majority, racial minorities as a group constitute a majority of the State’s population. This diversity underpins the analytical framework used in racial equity impact notes (REIN), which seek to identify potential disparities that may be exacerbated or created by proposed criminal justice legislation.

Methodology Update

Beginning in 2025, REIN will use annual population estimates from the U.S. Census Bureau’s Population Estimates Program (PEP) as the basis for disparity and disproportionality calculations. This methodological update reflects best practices in demographic analysis, as PEP data incorporate births, deaths, and migration to provide the most current population counts between censuses. Although the estimates are more temporally responsive, they do not materially change the proportionate racial and ethnic breakdown observed in the 2020 census. Instead, they conservatively reflect population changes since 2020 while preserving the overall demographic composition of the State.

**U.S. and Maryland Population by Race and Ethnicity
2024 Population Estimates**



Note: Percentages do not total 100% due to rounding.

Source: U.S. Census Bureau