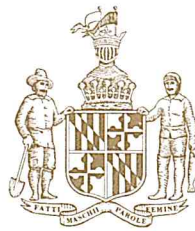


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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

January 14, 2019

Testimony for Senate Bill 36 by Sen. Michael Hough

Correctional Service- Eligibility for Parole – Life Imprisonment

Senate Judicial Proceedings Committee

SB 36- Raising Eligibility for Parole for Life Sentences Testimony

Mr. Chairman, and members of the committee, I ask you to support SB 36, which raises the minimum time served before an individual sentenced to life in prison for first-degree murder can become eligible for parole. Currently, under Maryland law a person convicted of first degree murder and sentenced to life in prison with the possibility of parole becomes eligible after 15 years served minus good time credit. It is possible for a person convicted of first degree murder to be eligible for parole after serving only 12 years.

A person convicted of second-degree murder can be sentenced to a maximum of 40 years in prison and is eligible for parole after serving half of the aggregate sentence meaning with diminution credits they could be out of prison after 15 years or less. I believe that the minimum time served before becoming parole eligible for first degree murder should be significantly higher than that of second degree murder.

SB 36 will raise the minimum time served from the current 15 years to 25 years for individuals sentenced to life with the possibility of parole. This is a common sense measure, as there should be a significant differentiation between first and second degree murder when it comes to parole eligibility. The maximum sentence for second degree murder was raised to 40 years in 2016 and as a result the parole eligibility was raised.

Currently, 27 states grant no parole eligibility at all for life sentences. Out of the remaining 23 states that do allow for parole eligibility, the majority of them have first degree parole eligibility minimums between 25 and 30 years.

For example:

- Illinois has eliminated parole eligibility for individuals convicted of first degree murder.
- Rhode Island raised their minimum from 20 years to 25 years in 2015.
- California requires those convicted of first degree murder to serve a minimum of 25 years, while second degree murder is 15 years.
- New York requires a minimum of 20 to 25 years to be served prior to parole eligibility.

Maryland is currently an outlier among these comparable states. It is time to raise the minimum time served for parole eligibility, so that those convicted of first degree murder serve a significantly longer sentence than those convicted of second degree murder.

SB 36 will provide a common sense hierarchy for parole eligibility for murder, thus I urge you to give it a favorable report.