

Bill Number: HB985
Scott D. Shellenberger, State's Attorney for Baltimore County
Support

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN SUPPORT OF HOUSE BILL 985
COMPENSATION TO INDIVIDUAL ERRONEOUSLY CONVICTED,
SENTENCED, AND CONFINED OR WHOSE
CONVICTION OR ADJUDICATION IS REVERSED

I write in support of House Bill 985 which would compensate those who are wrongfully convicted of a crime. This issue was fully reviewed by the task force to study erroneous convictions. I served on that task force and was chairman for a brief period of time. We need to resolve this issue and House Bill 985 is the way to do that.

Maryland currently has no mechanism to compensate those who were wrongly convicted. It is left to the board of public works which does not have the mechanisms for this sometimes complicated task. Governor Hogan has requested that the Legislature act.

House Bill 985 does many things:

1. Establishes a standard amount to be awarded to an inmate based upon the State's median household income.
2. Directs state agencies to assist in the transition from jail to a life of freedom.
3. Permits a mechanism so that an inmate is not compensated twice for the same wrong.
4. Establishes a system by which Administrative Law Judges can make findings to determine if compensation is appropriate.
5. Allows for reasonable attorney fees.

This issue has been unresolved for too long. House Bill 985 addresses many of the issues raised over the last several years about earlier versions of the bill.

House Bill 985 gets it right. I urge a favorable vote.