



**Geraldine Williams**  
**October 22, 1923 – January 13, 1990**  
**We Love You Mom**  
**SUPPORT FOR HB1265**

To Chairperson - Smith and Vice Chairperson – Waldstreicher; my sponsor - Senator Ready, and members of this committee, 'Thank You' for allowing me another opportunity to seek the committee's approval on Eliminating Diminution Credits used to Reduce Time to be Served on the major crimes of 1<sup>st</sup> & 2<sup>nd</sup> degree murder.

It is such a catastrophic experience to lose a loved one through the violent crime of murder; but to have to continually re-live the hurt and loss because you're notified the offender is eligible for early parole because of these so call "good behavior credits" is heart breaking and demeaning to the innocent loved-ones.

My brothers and I lost our 67yr.old mom through a home invasion, which resulted in her brutal murder (please refer to your handout for details). Through this horrible experience, I learned of Diminution Credits.

As a law abiding, tax paying citizen, their lives should not be valued in terms of the rules relative to a baseball game – three arrests and then you go to jail, **with benefits** (Dim Credits, Early Parole Hearings, etc.).

True Justice **doesn't start and end** with the apprehension and a trial; it is only the beginning. Justice should include the victim. Maryland's judicial system is an enabler. It is the most lenient state regarding major violent crimes, especially, murder.

It is time for you, the governing officials to focus on the **PHYSICAL ACT** of the crime; the **ACT of MURDER**; and **STOP** kowtowing to groups who only focus 'racial imbalance'. **No race, or persons of law enforcement, or personnel of associations and businesses should hold itself above the law.** The two are separate fields of focus.

Persons found guilty of the **PHYSICAL ACT of MURDER**, the judicial system has a sworn duty to enforce the rule of law regardless of the color of their skin. If you commit a crime you must serve the time as the law mandates.

This state needs to take a “**no-nonsense- no tolerance**” stance on violent crime. We have appropriate laws in place, but because of **Diminution Credits**, not only does it void the clear intent of the laws, it also heightens danger for society; and inmates focus on early release, with little to no effective rehabilitation or earnest remorse for their crime. Upstanding law-abiding citizens understand “good” behavior is a normal part of life that is expected in society, not something they are bribed to do by acting in the system’s favor.

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## HB1265 Concerns / Amend to Change / Alternative to Change

### ➤ Concern: 1 **Diminution Credits**

Against the State’s Law Awarded Before Mandatory 50% of Time Has Been Served.

Currently, Maryland Law indicates 1<sup>st</sup> Degree Murder convictions with parole in their sentencing mandates offenders must first serve 50% of the given time before offering parole.

For example: An offender given a 40 yr. sentence with parole would need to serve at least 20 years to be eligible for their first parole hearing.

The application of Diminution Credits lessens the mandated time to be served to less than 50% or less. **Truth in Sentencing** needs to be enforced in **Major Crimes of Murder**. For such crimes of violence, parole should be enough of an incentive to demonstrate an honest change; which also can help lessen the **revolving door of repeat offenders**. **After all our love ones will never be paroled from death.**

I pray you will never experience the deep pain and void of loss of a loved one as result of murder; but picture discovering your spouse, partner, sibling/relative, or a close friend as the murdered victim. Would you feel they’ve received fair and equal justice, if you were notified their killer is now eligible for parole after serving only 8-10 yrs. of a 40-yr. sentence, that under law requires a mandatory time of 20 years; ***all due to these falsey earned- so called “good behavior credits”?***

### 1. **Amend the Law to: Enforce Mandatory Time Serve**

**Eliminate Diminution Credits** issued during the **Mandatory** Sentencing Time Frame, until after **time served** has reached the legally mandate first parole hearing.

Offenders must complete serving the State’s Mandatory Percentage (50% for 1<sup>st</sup> degree murder; and/or 30% to 40% for 2<sup>nd</sup> degree murder) on their sentence for the crimes of 1<sup>st</sup> and/or 2<sup>nd</sup> degree murder; and have their first parole hearing; they will **NOT** be eligible to earn or use Diminution Credits to reduce their sentence until after the mandatory period of time.

➤ **Concern: 2** **Age Discrimination**

For Offenders whose victims are **under the age 16 yrs** Diminution Credits are **DENIED** as a part of their sentencing.

What about the elderly, the handicapped or disabled, an expectant mother, victims of home invasions, or just a law-abiding citizen like yourself, suddenly attacked?

They can be just as vulnerable as a child or teen. **The value of justice should not depend on a victim's age.** The **ACT of Crime** is still the same; and, **NO** one life should hold more value than another's'. Nothing is fair or equal about this law for victims over 16yrs.

**This is Discrimination of the law. And, Discrimination is AGAINST the law.**

**2. Amend the Law to: Remove Age Restriction and Diminution Credits**

Sentencing involving **Major Crimes of 1<sup>st</sup> and/or 2nd Degree Murder**; or, with Intent, **REGARDLESS of the VICTIM'S AGE**, sentencing **Will NOT** include Diminution Credits during the duration of the offender's full incarceration of a conviction for the **ACT - MURDER.**

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➤ **Concern: 3** **Separation of Classes**

Justice is less for Victims of Crimes Under State Laws, than for Victims of crimes Under Federal Laws – Relating to the Application of Diminution Credits in Major Crimes of Murder.

Governing Law Officials constantly speak of equality for all; yet, when it comes to justice; **SEPARATION of the CLASSES** is still very apparent in our so called **"Equal" Justice for All System.** Even today, with so much focus on 'Change', **Separation of the Classes** still exist.

**Laws** and the **"Equal Justice"** for **Major Violent Crime(s) of Murder**, **should be under the same umbrella of the law for all victims**, regardless of who has legal jurisdiction.

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**3. Amend the Law to: Change the State law to REFLECT Federal Law(s) to "Remove Diminution Credits used to Reduce Time Served" on 1<sup>st</sup> and 2<sup>nd</sup> Degree Murder Convictions**

Heinous Violent Murder is a Major Capital Crime – the unlawful killing of another person without justification; and is considered to be the most serious crime a person can commit. The justice implemented should be the same and equal regardless as to whether it is under the State or Federal Jurisdiction(s),

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## **Murder is Murder! An Innocent Victim is an Innocent Victim**

These victims, were law-abiding, contributing citizens, who have worked and paid taxes to both governments. Who have voted for federal officials and state officials like yourselves; and for fair and equal justice for all; which they thought included them. Instead, they are being denied their fair justice because they had the misfortune of being killed under a state where Justice has more compassion and leniency for their killers than for them-the victims.

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### **An Alternative to the Change:**

**Change the name of “Diminution Credits” to “Incentive Credits”**

**Incentive Credits are earned as are Diminution Credits, BUT CANNOT be applied towards time served. Incentives Credits MUST ONLY be used **WITHIN** the facility during incarceration.**

Incentive Credits may be earned while serving the State mandated mandatory time for the conviction of the Crime of Murder. In accordance with Maryland’s Law(s), Mandatory Completion of a designated Percentage, stated by law that is to be completed in the sentencing, as it applies to the **Act of Murder** (i.e. 50% or 40% or 30%). Incentive Credits would be used only within the facility during incarceration towards extra privileges such as: **longer family time, extra monetary credits applied on account (commissary), recreation, a favorite/special meal, birthday cake, choice of in-house jobs(depending on reason(s) for incarceration), longer yard time, extra movie day, etc.**

**Once Mandatory time has been served and initial parole hearing, the inmate would then be eligible to start earning Diminution Credits during their remaining time left to serve; if credits are applicable to convicted crime or under State Law of incarceration.**

### **Summary:**

- Diminution Credits are not an effective way to ensure the safety of the public. It is an easy means to a felons’ ends to gain early release.
- Although Diminution Credits were designed for the offender, the application of credits are used to reduce time served is meaningless. Learning how to cheat the system by faking expected behavior change(s) to gain an undeserved rush to freedom.
- And this, is what takes away the” Fair or Equal Justice” for our victims.

**Please, for once be a ‘United’ Judicial Committee within this State of America.**

**Parole, Earned Extra Incentives used within the Facility during Incarceration, Education, and Career Training Programs should be enough of an incentive.**

**It is time to STOP!**

**This Judicial Leniency and Misjustice in Major Violent Crimes of Murder in  
Maryland!!**